

SHETLAND PARTNERSHIP BOARD

Wednesday 21 June 2017 – 10.00am to 12.30pm

Bressay Room, Montfield

AGENDA

1. Welcome
2. Appointment of Chair and Vice-Chair
3. Apologies
4. Confirm minutes of Board meeting held on 29 March 2017
5. Matters arising / actions from previous meeting
6. Corporate Parenting Strategy
7. Anti-Bullying Framework
8. Development Partnership 10 Year Plan
9. Community Empowerment (Scotland) Act 2015, Part 2 Implementation
10. Chief Officers Group Report
11. Shetland Partnership Performance Group Chair's Report
12. Shetland Partnership Resources Group Chair's Report
13. Future Meeting Dates
 - Wednesday 13 September 2017 at 10am-12.30pm
 - Wednesday 29 November 2017 at 10am-12.30pm
 - Wednesday 14 March 2018 at 10am-12.30pm

SPECIAL SHETLAND PARTNERSHIP BOARD

Auditorium, Shetland Museum and Archives, Hay's Dock, Lerwick

Wednesday 29 March 2017 at 12 noon

Present:

G Robinson, Leader, SIC

M Bell, Convener, SIC

A Cooper, SIC

A Black, Chief Executive, SCT

B Gregson, Chair, Shetland Amenity Trust

G Howell, Shetland Arts

B Hunter, Chair, Shetland Charitable Trust

R Hunter, Area Manager, Highlands and Islands Enterprise

M Stout, SIC

L Tulloch, Chief Inspector, Police Scotland

Also in attendance:

L Coutts, Community Justice Co-ordinator, SIC

B Hall, Partnership Officer, SIC

S Middleton, Partnership Officer, SIC

V Simpson, Executive Manager – Community Planning and Development, SIC

L Adamson, Committee Officer, SIC

Apologies:

M Boden, Chief Executive, SIC

C Ferguson, Director of Corporate Services, SIC

C Hughson, Executive Officer, Voluntary Action Shetland

J Johnston, General Manager, Shetland Recreational Trust

R Roberts, Chief Executive, NHS Shetland

C Smith, SIC

G Smith, SIC

A Standing, Skills Development Scotland

The Chair welcomed everybody to the last meeting of the Partnership Board during this term of the Council.

11/17 Minutes of the Partnership Board – 25 January 2017

The Partnership Board approved the minutes of the meeting held on 25 January 2017.

12/17 Matters arising/actions from previous meeting

There were no matters arising from the minute, and the Partnership Board noted the updates from the Action Tracker.

13/17 Shetland Community Justice Plan

The Partnership Board considered the report “Community Justice Redesign” from the Community Justice Co-ordinator, SIC (Appendix 1), which presented Shetland’s first Community Justice Plan for improving local outcomes for people who have committed offences or have been affected by offending behaviour.

The Community Justice Co-ordinator gave a presentation to the Partnership Board, entitled “Community Justice Redesign” (*copy of slides attached as Appendix 1A*). The Community Justice Co-ordinator provided an overview of the progress made and achievements during the transitional year, before responsibility for Community Justice is taken on at a local level from 1 April 2017. She reported on the purpose of the

Community Justice Plan, the two main areas of “Setting the Scene” and the Action Plan, and the three local priority themes, “Preventing people entering, escalating or recycling through the system”, “Improving health and well-being” and “Developing capacity and improvement”.

The Chair thanked the Community Justice Co-ordinator for the thorough introduction provided.

(Mr B Gregson attended the meeting).

In response to comments in terms of Shetland being a small community, the Community Justice Co-ordinator advised that part of building strong communities in Shetland will be to recognise that the offenders and individuals returning from custody will be known within the community, but it is important for the people in the communities to accept these individuals. She acknowledged however that this could be challenging.

During the discussion, reference was made to the two main deprived datazones in Shetland being in North Lerwick, that are areas where community justice issues can create significant problems within communities. In response to a question, the Community Justice Co-ordinator advised that targeted work will be undertaken in areas where a significant difference is recognised compared to the rest of Shetland.

The Community Justice Co-ordinator reported that with the low offending rate in Shetland, the proposal is for resources to be targeted at primary issues. In that regard, the Chief Inspector, Police Scotland, confirmed the need to focus services and resources towards a preventative agenda. The Community Justice Co-ordinator advised on the aim to get communities involved in community justice, as people need to be aware that the reasons an individual offends and behaves badly can relate to what is going on in that person’s life, and to encourage offenders to engage and be part of their community in a positive way.

During further discussion, the Chair advised on the importance for community justice to work locally, and said it is up to the Partnership Board to put this into action. He also commended the Community Justice Co-ordinator on the excellent report. Mr Robinson moved that the Partnership Board approve the recommendation in the report. In seconding, Mr Bell commented on the remarkable effort made by the Community Justice Co-ordinator and the team during the transition year, which he added has not been replicated in some other areas.

The Partnership Board approved and endorsed the draft Plan in advance of the full implementation date, 1 April 2017.

14/17 **Shetland Place Standard Final Public Report: “How Good is Our Place?”**

The Partnership Board considered a report by the Director of Development Service, which presented the Shetland Place Standard Final Public Report: “How Good is our Place?” (Appendix 2).

The Executive Manager – Community Planning and Development summarised the main terms of the report.

During the discussion, comments were made that the findings will be very helpful in setting Community Planning priorities, to see what is working and to inform decisions

going forward. It was suggested that individual partner organisations may wish to undertake further analysis of the findings to inform the Community Plan going forward.

However, it was advised that while communities have been asked to identify priority issues and areas for improvement, with ongoing austerity and reduced funding, communities also need to be aware that the pace will change in terms of aspirations being met, and communities will need to find solutions locally.

Reference was made to the challenge with locality plans, and that communities should be encouraged to develop and use their plans for their own benefit, and to develop solutions within existing resources to meet the needs of communities. Comment was made on the importance to have the communications strategy in place. In terms of the top 3 priorities identified for improvement, being public transport, work/local economy and housing & communities, it was noted that these were similar priorities to those identified following consultation by MYSPs some years ago. However, in terms of public transport being identified as a priority for Shetland, it was reported that the existing level of ferry service was one of the best in the country. It was also noted that public transport provision cannot meet each individual's specific needs, and therefore there will always be a level of dissatisfaction in that area.

On the motion of Mr Robinson, seconded by Mr Stout, the Partnership Board approved the recommendation in the report.

The Partnership Board RESOLVED to agree the contents of the "How Good is Your Place?" Shetland Place Standard Final Report.

15/17 **Future Meeting Dates**

The following meeting dates were noted:

- 21 June 2017 at 10am
- 13 September 2017 at 10am
- 29 November 2017 at 10am
- 14 March 2018 at 10am

The meeting concluded at 12.55pm

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G Robinson
Chair

<div> <div>SHETLAND PARTNERSHIP BOARD</div> <div>ACTION TRACKER</div> </div>							
Meeting Date	Action No.	Agenda/ Min. Ref.	Action Description	Owner	Partners Involved	Status	Update/Final Outcome
25/10/2016	18.2	28/16	Carry out economic scenario planning re implications of EU Funding to provide analysis to inform future decisions	N Grant, Director – Development, SIC		Ongoing	Seminar / meetings to be arranged for autumn 2017
25/10/2016	18.1	28/16	Provide updates to SPB in terms of options and impacts on each industry sector in relation to Brexit	N Grant, Director – Development, SIC		Ongoing	Seminar / meetings to be arranged for autumn 2017
16/03/2016	17.4	05/16	Develop a delivery plan for the LOIP, illustrating partner contributions	B Hall, Partnership Officer – CP&D, SIC		Ongoing	Will be considered under the implementation of Part 2 – Community Planning, Community Empowerment Act
16/03/2016	17.3	05/16	Review the delivery structure of the Shetland Partnership and consider a structure which provides more focus on key priorities	V Simpson, Executive Manager – CP&D, SIC		Ongoing	Will be considered under the implementation of Part 2 – Community Planning, Community Empowerment Act
16/03/2016	17.2	05/16	Membership of Thematic Groups to be assessed to ensure appropriate representation to achieve the outcomes of the LOIP	V Simpson, Executive Manager – CP&D, SIC	All thematic groups	Ongoing	Will be considered under the implementation of Part 2 – Community Planning, Community Empowerment Act
17/09/2015	15.2	24/15	SPB agreed that SOA updates should be more analytical rather than descriptive – to be discussed with Thematic Groups	B Hall, Partnership Officer – CP&D, SIC		Ongoing	Feedback provided, but also intend to undertake research and develop some good practice examples as a guide for thematic groups

04/06/2015	14.3	17/15	A Standing, SDS to give a presentation to a future meeting of the Partnership Board on school leavers and positive destinations	A Standing, SDS		Ongoing	Topic of future SPB Forum – V Simpson to contact A Standing to agree a suitable date
04/12/2014	12.8	44/14	Develop and establish procedures to ensure that consultation documents requiring a response from the SPB are presented and considered at a meeting of the Partnership Board	V Simpson, Executive Manager – CP&D, SIC		Not yet started	Consultations managed on a case by case basis meantime
04/12/2014	12.2	35/14	Commission for Developing Scotland's Young Workforce report to be presented to a future meeting of the Partnership Board	Team Leader – Youth Services, SIC	Development Partnership, Learning Partnership	Ongoing	Topic of future SPB Forum – see action 14.3
14/02/2013	4.1	02/13	Update on progress with the Community Benefit Policy to be reported to a future meeting	N Grant, Director - Development Services, SIC		Ongoing	Draft community benefit policy is being reviewed to recognise the position and work already done by Shetland Community Benefit Company Ltd



Shetland Islands Council

Agenda Item

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Meeting(s):	<i>Shetland Partnership Board</i>	<i>21 June 2017</i>
Report Title:	Corporate Parenting Strategy 2017 – 2020	
Reference Number:		
Author / Job Title:	Scott Hunter, Executive Manager – Children’s Resources	

1.0	Decisions / Action required:
1.1	The Partnership are asked to consider, support and take ownership of the Corporate Parenting Strategy and actively promote and protect the rights of looked after children and care leavers in their area of responsibility.
1.2	The Partnership agrees to sign up to the Care Leavers Covenant by September 2017.
1.3	The Partnership agrees to the premise that children and young people should be brought up in their family wherever possible.
2.0	High Level Summary:
2.1	The Strategy is ambitious in its reach and aims to provide a framework to allow transformational change in how services and the broader community responds to the needs of looked after children and care leavers.
2.2	The Strategy discharges Shetland Islands Council responsibility in terms of the Children and Young People (Scotland) Act 2014 for reporting to Scottish Government which is due to start in April 2018.
2.3	<p><i>In line with Statutory Guidance the Strategy will:</i></p> <ul style="list-style-type: none"> • Be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom corporate parenting applies; • Assess the needs of those children and young people for the services and support they provide; • Promote the interests of those children and young people; • Provide those children and young people with opportunities to participate in activities designed to promote their wellbeing;

- Take such action as it considers appropriate to help those children and young people to (i) access the opportunities it provides, and (ii) make use of services, and access support, which it provides;
- Take such action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to the children and young people to whom corporate parenting applies.

3.0 Corporate Priorities and Joint Working:

3.1 The Corporate Parenting Strategy delivers on a number of corporate priorities including:

Shetland Islands Council:

Young People

- Children and young people, particularly those from vulnerable backgrounds and in care, will be getting the learning and development opportunities that allow them to fulfil their potential.
- Vulnerable children and young people in need of our care and support will continue to be protected from harm.
- Young people will feel that their voices are being heard by the council, having regular opportunities to have a say on the issues that affect them.
- More children will be taking part in physical and cultural activities – developing healthy lifestyles to help them play a full and active part in Shetland community life.

Community Strength

- People in Shetland will be feeling more empowered, listened to and supported to take decisions on things that affect them, and to make positive changes in their lives and their communities.
- People, particularly those from vulnerable backgrounds, will be getting access to the learning and development opportunities that allow them to best fulfil their potential.

20 for 20

- 5: High standards of governance, that is, the rules on how we are governed, will mean that the council is operating effectively and the decisions we take are based on evidence and supported by effective assessments of options and potential effects.
- 8: We will be working in a more effective way, allowing us to cope with reduced resources. Processes that add no obvious value will have been replaced with more proportionate approaches based on effectively managing risks.
- 11: Our approach to managing the risks we face will have resulted in a more risk-aware organisation that avoids high-risk activities.
- 14: The needs of the most vulnerable and hard-to-reach groups will be identified and met, and services will be targeted at those that need them most.

- 20: We will be an organisation that encourages creativity, expects co-operation between services and supports the development of new ways of working.

Children's Services Planning

The strategy supports a number of work streams across children's services including:

- Integrated Children's Services Plan Priority 3 – Reducing Inequalities
- Children's Resources Service Priority – To facilitate delivery of the Corporate Parenting Strategy

Community Planning:

Local Outcome Improvement Plan

Outcome A: To ensure the needs of our most vulnerable children and young people are met

Priority A 1.4: Delivery of the Corporate Parenting Strategy

Outcome B: Improve mental health and resilience

Priority B 2.1: We will support individuals to be part of their community, to reduce loneliness and increase community connectedness

On Da Level: Achieving a Fairer Shetland

Priority B: *Reduce the number of families who are struggling to thrive by contributing to the broader approach of breaking negative cycles within families.*

- 3.2 Corporate parents are under a duty to collaborate with each other, in so far as it is reasonably practical, when exercising their corporate parenting duties; Section 60 requires all corporate parents to collaborate with each other, in so far as is reasonably practicable, when exercising their corporate parenting duties, where they consider that doing so would safeguard or promote the wellbeing of looked after children and care leavers. Collaboration may involve (but is not restricted to):
- (a) sharing information,
 - (b) providing advice or assistance,
 - (c) co-ordinating activities (and seeking to prevent unnecessary duplication),
 - (d) sharing responsibility for action,
 - (e) funding activities jointly,
 - (f) exercising functions jointly (for example, by publishing a joint plan or joint report).

4.0 Key Issues:

4.1 The Partnership is respectfully asked to consider:

- The statutory duties placed on corporate parents under the legislation and guidance and;
- The Strategy as a means to discharge these responsibilities

<ul style="list-style-type: none"> • The status of looked after children and care leavers within the Partnership • The allocation of human resources to support the Strategy outcomes 		
5.0 Exempt and/or confidential information:		
5.1 None		
6.0 Implications : <i>Identify any issues or aspects of the report that have implications under the following headings</i>		
6.1 Service Users, Patients and Communities:	The corporate parenting strategy seeks to improve outcomes for looked after children and care leavers through a transformational change in service delivery to one where presumption of entitlement to a service is assumed.	
6.2 Human Resources and Organisational Development:	The strategy asks partnership staff to shift perception in relation to how we support looked after children and care leavers. This will require support and leadership at all levels to shift cultures over the lifetime of the strategy.	
6.3 Equality, Diversity and Human Rights:	The strategy seeks to strengthen the Partnerships ability to promote and protect the rights of looked after children, young people and care leavers.	
6.4 Legal:	The strategy discharges certain statutory duties in relation to the Children and Young People (Scotland) Act 2014 in relation to service planning and corporate parenting.	
6.5 Finance:	It is anticipated that changes required as a result of this strategy will be met from existing budgets.	
6.6 Assets and Property:	None	
6.7 ICT and new technologies:	None	
6.8 Environmental:	None	
6.9 Risk Management:	Risk management of the delivery of the strategy will primarily be through the corporate parenting board and agency risk registers.	
6.10 Policy and Delegated Authority:	Responsibility for delivering corporate parenting sits within the Children's Services Directorate and thereby to Children's Resources as the provider of services to looked after children	
6.11 Previously considered by:	N/a	N/a

Contact Details:

Scott Hunter, Executive Manager – Children's Resources
scott.hunter@shetland.gov.uk
01595 74 4476

12/06/17

Appendices:

Appendix A: Shetland Partnership Corporate Parenting Strategy
Appendix B: Corporate Parenting Statutory Guidance
Appendix C: Care Leavers Covenant

Background Documents:

There are links contained within the Strategy document



The Shetland Partnership

Corporate Parenting Strategy 2017 – 2020

***For Shetland's Looked After Children,
Young People and Care Leavers***

Our Pledge: *As corporate parents, we will ensure you feel safe, loved, supported and cared for. We will respect and listen to you and involve you wherever possible. This is our pledge and our promise to you.*

What is Corporate Parenting?

The Shetland Partnerships:

“Performance of actions necessary to uphold the rights and safeguard the wellbeing of (our) looked after children and care leavers, and through which physical, emotional, spiritual, social and educational development is promoted.”

Statutory Guidance on Corporate Parenting (August 2015).

CONTENTS

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Part 1 - Context

Why we need a strategy
National and local context
Outcomes for Looked After Children and care leavers
Our legal duties
Who is a Looked After Child?
Who is a care leaver?
Who is a corporate parent?

Part 2 – Our Priorities and how we will achieve the objectives of the strategy

Reducing the number of Looked After Children: The Placement Methodology 2017 – 2020
Improving outcomes for Looked After Children
The Integrated Children's Services Plan 2017 – 2020
Corporate Parenting into Adulthood Framework

Priority 1: *Looked After Children and Care Leavers Are Healthy and Experience Positive Mental Health and Well Being*

Priority 2: *Looked After Children and Care Leavers Successfully Gain a Stable Home*

Priority 3: *Looked After Children and Care Leavers Have Access to Responsive Education and Training Facilities That Prepare Them for the Work Place*

Priority 4: *Care Leavers Have Access to a Range of Employment Opportunities Including the Shetland Partnership Family Firm*

Priority 5: *Looked After Children and Care Leavers Are Supported to Stay Out of the Criminal Justice System Wherever Possible*

Priority 6: *Looked After Children and Care Leavers Rights Are Promoted and Protected by the Shetland Partnership and Their Views Considered on Matters Affecting Them*

Enablers:

Everyone in the Local Authority being an effective corporate parent
The role of Shetland Islands Councillors
The role of Shetland Islands Council Officers and partner agencies
How we will involve Looked After Children and care leavers
The Governance Arrangements

Appendix 1: Key legislation and guidance

Appendix 2: Data at January 2017

Introduction

We are pleased to introduce the Corporate Parenting Strategy for Shetland for 2017 – 2020. This is a statutory, progressive three-year plan which sets the framework within which Shetland Partnership agencies will work with our community planning partners to improve the lives of our looked after children, young people and care leavers.

This Corporate Parenting Strategy replaces our long running Looked After Children Strategy which delivered a number of significant outcomes for our looked after children. This strategy provides an agreed set of priorities and sets out the direction of travel for all of us working with, and for, our looked after children, young people and care leavers to ensure we make the biggest difference in the shortest possible time. At the heart of this strategy is partnership working and a commitment across the Corporate Parent to ensure we go far beyond fulfilling our statutory obligations.

The Shetland Partnership is clear that the wellbeing of our looked after children and young people is of the highest priority and this is reflected in the Local Outcome Improvement Plan. As statutory partners we have a particular duty of care to all our looked after children, young people and care leavers. We know that looked after children and young people are amongst the most vulnerable in our community, and that all too often their life chances are restricted. We have a responsibility and a commitment to them to change this.

Through implementation of the Corporate Parenting Strategy, we will strive to ensure that our looked after children, young people and care leavers have the best possible start in life that Shetland can offer them. We will support them and care for them as our own, and ensure they grow up and have every opportunity to take their place as active citizens in their community.

Signed

Councillor Cecil Smith
Leader Shetland Islands Council
Chair – Shetland Partnership

Councillor George Smith
Chair Education and Families Committee
Shetland Islands Council

Mark Boden
Chief Executive
Shetland Islands Council

Martha Nicolson
Chief Social Work Officer
Shetland Islands Council

Part 1 - Context

Why we need a Strategy

Most importantly, we need a Corporate Parenting strategy to help support children who come into care as the majority of Looked After Children need extra support in their lives because they've experienced a lot of disruption and hurt. Their experiences make it harder for them to do as well as they could for example in their school, health and in their relationships. We also require a Corporate Parenting strategy as there is a statutory requirement that each local authority publishes one to show how they are improving outcomes for looked after children.

Children and young people who are care experienced or who are looked after have the poorest outcomes of all children and young people in Scotland. Evidence suggests that:

- 50% of the adult prison population were looked after at some time
- 30% of looked after children become homeless
- 50% of looked after children have a mental health issue
- 4% of care leavers go onto higher education

Corporate Parenting as a concept exists to try and improve these outcomes, and to improve the level of respect people have for the rights of care leavers and looked after children and young people.

The Shetland Partnership Corporate Parenting Strategy supersedes the looked after children strategy and looks at the areas that are needed to support children, young people and care leavers over the next 3 years. The strategy will focus on 6 key areas linked to the Scottish Care Leavers Covenant. These are:

- Health and Wellbeing
- Housing and Accommodation
- Education and Training
- Employment
- Youth and Criminal Justice
- Rights and Participation

National and local context

The Children and Young People (Scotland) Act 2014 was passed by the Scottish Parliament on 19 February 2014 and received Royal Assent on 27 March 2014. This legislation is a key part of the Scottish Government's strategy for making Scotland the best place in the world to grow up. Composed of 18 distinct Parts the Act makes important changes to a wide range of areas that impact on the lives of children and young people, and those of their families and carers.

In particular, Part 9 of the Act places new corporate parenting duties on a wide range of publicly funded organisations, increasing the breadth and depth of support available to looked after children and young people, and those leaving care. Specifically, the duties introduced by Part 9 of the Act create new drivers to support organisations to work individually as well as together to deliver better outcomes for looked after children and young people.

The broader policy objectives of the Bill are to:

- Ensure that children's rights properly influence the design and delivery of policies and services by placing new duties on the Scottish Ministers and the public sector and by increasing the powers of Scotland's Commissioner for Children and Young People;
- Improve the way services support children and families by promoting co-operation between services, with the child at the centre;
- Strengthen the role of early years support in children's and families' lives by increasing the amount and flexibility of funded early learning and childcare;
- Ensure better permanence planning for looked after children by improving support for kinship carers, families and care leavers, extending corporate parenting across the public sector, and putting Scotland's National Adoption Register on a statutory footing; and
- Strengthen existing legislation that affects children and young people by making procedural and technical changes in the areas of children's hearings support arrangements, secure accommodation placements, and school closures
- Extend leaving care support up to age 25 from the previous age of 21. It is anticipated that this will allow for more natural support to care leavers to be provided by their corporate parents – mirroring what happens in families across Scotland
- Protect access to childcare for preschool children who have been at any time, or are currently looked after, by the Authority or in Kinship Care since turning the age of 2

The Scottish Government made the decision to legislate in this area because there was widespread belief that not enough was being achieved by policy alone and in this respect the implementation of Part 9 should be seen in the context of previous policy documents *"We Can and Must Do Better"* (2007) and *"These Are Our Bairns – A Guide for Community Planning Partnerships"* (2008).

The Act and the statutory guidance that accompanies it recommends that local authorities develop and publish their new integrated children's services plans and new corporate parent plans separately but within the wider context of joint children's planning. This Corporate Parenting Strategy has been launched in 2017 to create a cohesive planning cycle with the new integrated children's services plan, which also covers the period 2017 – 2020.

Our vision for looked after children in Shetland is that they have the same opportunities to succeed as their non-looked after peers and that every child, will have a stable, loving and nurturing home, where they are connected and supported to achieve their potential.

This strategy links directly to the Corporate Plan and Local Outcome Improvement Plan "Shetland is the best place for children and young people to grow up" and to Shetland Island's Council priority in the Corporate Plan to achieve 'the best possible start for every child'. Particular reference is made to our commitments to ensure vulnerable children and young people in need of care and support will be protected from harm and that young people will feel that their voices are being heard by the council. The strategy supports the

vision and priorities of the Integrated Children's Services Plan 2017 – 2020 and the Children's Services Directorate Plan 2017 - 2020.

The Shetland Partnership believes that children and young people should be brought up in their family wherever possible. When this is not possible we will work together to strengthen families to ensure they have every opportunity to be the best parents and carers possible. When children and young people can no longer live at home, we will provide a warm and nurturing alternative where carers understand and respond actively to the impact of trauma on children and young people and advocate on their behalf. We will also ensure that timely decisions are made in securing permanence for children and young people.

The Shetland Partnership wants all our looked after children and young people to fulfil their potential and take their place in the Shetland community. As such, we will all share a commitment to:

- Understand and respond to the impact of trauma on life chances for looked after children and young people now and into their adulthood
- Listen, and respond to, the lived experience of our looked after children, young people and care leavers
- Ensuring our looked after children, young people and care leavers can access play, sporting, leisure and cultural opportunities that develops their interests
- Ensuring our looked after children, young people and care leavers receive quality health services that are responsive to their needs

Outcomes for Looked After Children and Care Leavers

National research and our local experience confirm that generally looked after children and young people are much more likely to face poorer life experiences. We know that some looked after young people do achieve positive outcomes. Unfortunately, however for some young people, the outcomes are much less positive, and can result in lower educational attainment, significant under achievement and life chances that are largely reduced.

Generally, looked after children and young people have greater emotional challenges, greater financial worries, a lack of family and friendship networks, and greater challenges around sustaining accommodation, further and higher education, and employment. National research indicates that looked after children do best when they:

- Are supported by adults who genuinely care about looked after children
- Have consistent and stable care arrangements
- Are encouraged and supported to participate
- Have social workers who spend time with them and take an interest in their lives
- Have social workers and others in authority take decisive action where their needs are not being met
- Are supported in education
- Are supported to become independent when they leave care

Getting it Right for Every Child

Getting it Right for Every Child (GIRFEC) is the national approach that strives to achieve consistency across agencies that are working to improve the outcomes for children, young people and families. It has ten core components and a set of values and principles. It focuses on ensuring that the needs of children and families are at the centre of any decision-making and interventions, and that they are given the best possible start in life. The underlying principle of Getting It Right for Every Child is to ensure that, appropriate agencies intervene at the earliest possible stage where there are signs of difficulty, to avoid only intervening when the situation has reached crisis point.

Through the GIRFEC Framework, we will work locally with parents and carers to ensure the achievement of the 'SHANARRI' well-being indicators for all children, including our looked after children and young people:

- **Safe** - Every looked after child and young person will have safe care and living arrangements, these will be monitored and action taken if required.
- **Healthy** - Every looked after child and young person will have their health needs assessed and addressed.
- **Active** - Every looked after child and young person will be encouraged to lead an active life
- **Nurtured** - Every looked after child and young person will have stable and secure living arrangements.
- **Achieving** - Every looked after child and young person will be encouraged and supported to achieve their potential.
- **Respected** - Every looked after child and young person will be respected by those who look after them.
- **Responsible** - Every looked after child and young person will be encourage to be responsible for their actions and provided with opportunities which allow them to develop these skills.
- **Included** - Every looked after child and young person will be included in their community and in the society of Stirling and Clackmannanshire.

Our Corporate Parenting statutory duties

Shetland Islands Council has a statutory duty to publish a corporate parenting plan and report on progress. The governance arrangements are set out later in the document.

The Children and Young People (Scotland) Act 2014 states that corporate parenting applies to:

- every child who is look after by a local authority, and
- every young person who -
 - (i) Is under the age of 26, and
 - (ii) Was, but is no longer looked after by a local authority

Part 9 (Section 58) of the Act sets out the responsibilities of corporate parents towards children and young people. These responsibilities are legal duties that every corporate parent must fulfil. The six duties are:

- Be alert to matters which might adversely affect the wellbeing of looked after children and care leavers;
- Assessing the needs of those children and young people for services and support they provide;
- Promoting the interests of those children and young people
- Seeking to provide looked after children and care leavers with opportunities to participate in activities designed to promote their wellbeing;
- Taking action to help looked after children and care leavers:
 - Access opportunities to improve wellbeing and
 - Make use of services, and access the support, which they provide and;
- Taking any other action to improve the way in which it exercises the corporate parenting function

A wide range of legislation, guidance and regulations provides the framework for actions to take place, but the end purpose of them all is the same: to secure nurturing, positive childhoods, from which these vulnerable children and young people can develop into successful learners, confident individuals, responsible citizens and effective contributors.

Who is a Looked After Child?

Many children have experiences, which result in the need for extra care, support or protection from public agencies and in very serious cases; some children become 'looked after'. This means Shetland Islands Council takes on some legal responsibility for the care and wellbeing of the child. This care could be with a foster parent, at home with their parents, with other family members (kinship carers), prospective adopters, in residential care homes or in a group care setting such as a residential school or secure setting.

Children and young people can become looked after for a number of reasons however, in every case they will have been through a traumatic or difficult life experience or trauma, which can result in instability, distress, poor emotional and physical health, or lack of social and educational development.

The Legal definition of looked after child or young person is one who is:

- Subject to a compulsory supervision order under Section 70 of the Children (Scotland) Act 1995;
- Subject to a Permanence Order under Section 80 of the Adoption and Children (Scotland) Act 2007;
- Accommodated by the local authority under Section 25 of the Children (Scotland) Act 1995.

For clarity, the term *looked after* includes those children and young people who are living at home with birth parent(s) and/or other family members and who are subject to a supervision requirement made by a Children's hearing. It also refers to those children who are accommodated away from home, living with foster or kinship carers, in residential homes, residential schools or secure units.

Who is a care leaver?

A 'care leaver' is a young person who has been 'looked after' by Shetland Islands Council for a specified period up to their school leaving age. This includes young people looked after at home, not just those provided with accommodation by the local authority, such as residential or foster care.

The Children and Young People (Scotland) Act 2014 introduced new legislation and entitlements to support for care leavers – this is called *continuing care*. Now all young people in residential, foster or kinship care born after April 1999 will have the right stay in their placement until the age of 21. The right to aftercare, and all corporate parenting duties, will be available to all care leavers up to their 26th birthday.

Who is a Corporate Parent?

The 24 organisations, who are Corporate Parents, in legislation, within the Shetland context:

Scottish Ministers	Shetland Islands Council	NHS Shetland	Shetland College / Highland & Islands University
Principal Reporter	The Scottish Children's Reporters Administration	National Convenor of Children's Hearing Scotland	Children's Hearing Scotland
Health Improvement Scotland	NHS Scotland	Scottish Qualifications Authority	Social Care and Social Work Improvement Scotland
Scottish Social Services Council	Scottish Sports Council	Chief Constable Police Scotland	Police Scotland

Scottish Fire and Rescue Service	Scottish Legal Aid Board	Commissioner for Children and Young People in Scotland	Mental Welfare Commission
Scottish Housing Regulator	Bord na Gaidhlig	Creative Scotland	Skills Development Scotland

Part 2 – Our Priorities and How we will achieve the objectives of the strategy

Reducing the number of Looked After Children: The Placement Methodology 2017 – 2020

The Children's Social Work Placement Methodology consists of a number of key actions in relation to creating services that support children to remain in their homes and where this is not possible high quality out of home care is provided within a context of timeous permanence planning. Key actions from this approach that are relevant to the Corporate Parenting Plan include:

- Development of universal family support services to rebalance care away from out of home placements using evidence based interventions – a re profiling of care placements.
- Increasing the number of foster carers with an initial focus on teenage placements
- Creating a culture of prevention through strengthening tier 2 service provision. In the first instance through implementation of the Incredible Years Model for 2 – 6 year olds in partnership with NHS Shetland and extension of the Theraplay intervention.
- Creating new gateway processes for off island placements including regular reviews to ensure priority is given to these children and young people when resources become available in Shetland
- Creating a rights based culture where compulsory measures of care are in place, wherever possible, prior to any admission to care
- Reshaping our workforce taking into account SSSC Workforce Regulation and level 9 requirements for residential childcare from 2017 onwards.
- Pursuing the residential business plan for residential care in Shetland 2017 – 2025 to ensure a residential estate is in place to meet medium to long term needs

Improving outcomes for Looked After Children – Closing the Attainment Gap

When considering Looked After Children in Shetland our numbers are too low to provide statistical significance. Nevertheless, we do know that Looked After Children experience significant disadvantage and educational outcomes are significantly lower than the national average.

The Scottish Government has now placed the priority of reducing the attainment gap created by disadvantage onto a statutory footing. Annually, the Scottish Government will publish its National Improvement Framework setting out to local authorities the areas in which it must reduce the attainment gap. In December 2016, the first National Improvement Framework was published and identified the following areas for improvement:

- Improvement in attainment, particularly in literacy and numeracy
- Closing the attainment gap between the most and least disadvantaged children
- Improvement in children and young people's health and wellbeing
- Improvement in employability skills and sustained, positive school-leaver destinations for all young people

In moving these forward in Shetland the Quality Improvement Service will regularly track the progress of all Looked After children, and we will challenge schools to ensure they are achieving their potential, and where present what proactive steps are being taken to reduce disadvantage.

The new Integrated Children's Services Plan 2017 – 2020 has three key priorities which are:

1. Strengthening Families
2. Reducing Inequalities
3. Emotional Health and Wellbeing

The measure and indicators of improvement in the Plan will ensure we prioritise our Looked After Children in taking forward these priorities in Shetland. Updated annual action plans and reporting requirements on the Plan will ensure all partners are accountable for that improvement.

Corporate Parenting into Adulthood Framework – Closing the Implementation Gap

Implementing policy in relation to Corporate Parenting effectively is a recognised challenge. Childcare policies, particularly for care leavers, can take a long time to become part of mainstream everyday practice. Successfully and meaningfully implementing the Act needs on-going political commitment from Shetland Islands Council and the Shetland Partnership, with leadership to support organisations and services to go beyond mere compliance to aspire to excellence.

Good parents aim to do much more than the basics for their children and young people, Shetland's looked after children, and care leavers should expect their corporate parents to do the same.

Implementing the Corporate Parenting agenda will have significant long-term implications for the public purse. We recognise the challenges this poses, especially in the current medium term financial climate that covers the period of this strategy. However, investing in good practice and adopting 'Staying Put' to improve the future for care leavers will support Shetland's corporate parents to meet their legal and ethical responsibilities towards looked after children and care leavers, and will be more cost-effective in the long term.

By endorsing the principles of the Scottish Care Leavers Covenant and putting the actions outlined in the Agenda for Change at the heart of Shetland's Corporate Parenting Plan,

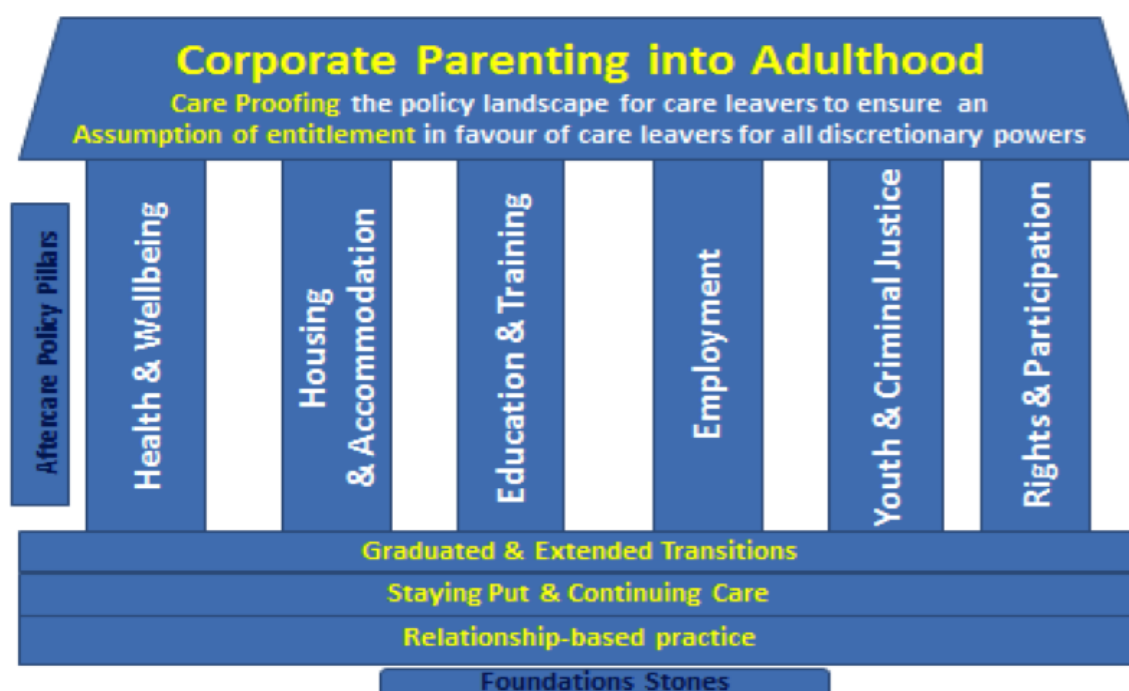
Shetland's corporate parents will be better able to fulfil their duties and realise their ambitions for their care leavers.

To do this the Corporate Parenting Strategy outlines a range of actions and practice changes across key policy themes, which need to be delivered consistently by all relevant corporate parents across Shetland. These identified actions are informed by research evidence, current practice and the voices and experiences of looked after young people and care leavers.

The key priorities are:

- Health and Wellbeing
- Housing and Accommodation
- Education and Training
- Employment
- Youth and Criminal Justice
- Rights and Participation

The priorities can be represented as:



Our Priorities 2017 – 2020

Our strategy will consist of six priorities which will have a range of measurements to allow us to know when we are achieving our priorities. Our priorities are shown below:

Priority 1: *Looked After Children and Care Leavers Are Healthy and Experience Positive Mental Health and Well Being*

Outcome 1:

- Our looked after children experience improved health and wellbeing
- The health inequalities gap between looked after children and their peers is reduced

Lead Officer: Kate Kenmuir, Child & Family Health Manager, NHS Shetland

Our Commitment	Measurement	Due Date
Corporate Parents will make sure you have access to services so you, and they, know how healthy you are and to make sure plans are in place to ensure your health and wellbeing	<ol style="list-style-type: none"> 1. Percentage of Looked After Children registered with local GP and Dentist 2. Percentage of Looked After Children receiving annual medical checks 	
Corporate Parents will support you to attend appointments and get the support, advice and guidance you need to maintain your health and wellbeing	<ol style="list-style-type: none"> 1. Percentage of appointments kept by Looked After Children 2. Number of identified health needs being met 	
Corporate Parents will make sure your carers can help you with being healthy and making healthy choices	<ol style="list-style-type: none"> 1. Number of health and wellbeing training events attended by Corporate Parents 2. Percentage of Corporate Parents reporting that they feel able to support Looked After Children and Care Leavers make healthy choices 	
Corporate Parents will enable you to be part of decisions made about your health	<ol style="list-style-type: none"> 1. Number of GIRFEC plans which clearly state the child's view in relation to health matters 	
Corporate Parents will ensure you have access to specialised services when you need them e.g. CAMHS, Paediatrician etc.	<ol style="list-style-type: none"> 1. Number of referrals to CAMHS 2. Length of time of referral to CAMHS 3. Number of paediatric referrals of looked after children 	
Corporate Parents will work to increase partnership working to remove barriers and promote and sustain access to sport, leisure and cultural activities for looked after children	<ol style="list-style-type: none"> 1. Number of looked after children with a leisure card 2. Number of looked after children with a library membership 	

Priority 2: *Looked After Children and Care Leavers Successfully Gain a Stable Home***Outcome 2:**

1. More young people will access and sustain accommodation that meets their needs when they move on from being looked after

Lead Officer: Anita Jamieson, Executive Manager, SIC Housing

Our Commitment	Measurement	Due Date
Corporate Parents will develop a range of accommodation options and locations for care leavers	1. Number of care leavers in homeless accommodation	
Corporate Parents will further develop the Joint Protocol between housing and social work	1. New protocol issued and evidence of implementation	
Corporate Parents will build on the work of the Hub project to develop a lifelong care leavers service	1. Service developed and delivering	
Corporate Parents will ensure you are supported to manage your resources in the best way to suit you	<ol style="list-style-type: none"> 1. Number of care leavers in rent arrears reduces 2. Council tax exemption for care leavers is agreed and implemented by SIC 	
Corporate Parents will commission others to support you, if required, when you move away from Shetland	1. Number of services commissioned	
Corporate Parents will ensure you have support should you get into difficulties in managing your tenancy	<ol style="list-style-type: none"> 1. Number of care leavers evicted 2. Number of care leavers accessing housing support services 	

Priority 3: *Looked After Children and Care Leavers Have Access to Responsive Education and Training Facilities That Prepare Them for the Work Place*

Outcome 3:

- Education establishments work proactively to close the attainment gap and celebrate successes of looked after children

Lead Officer: Shona Thompson, Executive Manager, SIC Schools

Our Commitment	Measurement	Due Date
Corporate Parents will support schools to ensure you have full time education and make good progress in school	1. The attendance gap between looked after children and non-looked after children is closed	
Corporate Parents will provide you with good support during the year and at important times like exams to help achieve goals and aspirations	1. The attainment gap between looked after children and non-looked after children is closed	
Corporate Parents will provide you with the help and support you need to make choices for further or higher education	1. The number of looked after children and care leavers entering further or higher education increases	
Corporate Parents will provide you with the help and support you need to make choices about apprenticeships and work placement opportunities	1. The number of looked after children or care leavers offered an apprenticeship or work placement increases	
Corporate Parents will ensure education establishments continue to improve attendance and reduce exclusions for looked after pupils in order to increase levels of participation	1. The gap between looked after children and their peers is closed in relation to attendance and exclusion	
Corporate Parents will provide further guidance to every school's designated manager for looked after children in line with legislation and current research to ensure the needs of looked after pupils are identified and supported in order to improve achievement and attainment	1. Additional Support Plans identify needs and demonstrate improvements in achievement and attainment	

Priority 4: *Care Leavers Have Access to a Range of Employment Opportunities Including the Shetland Partnership Family Firm*

Outcome 4:

- More young people will access and sustain positive post – school destinations
- Care leavers are active participants in their community

Lead Officer: Denise Bell, Executive Manager, SIC Human Resources

Our Commitment	Measurement	Due Date
Corporate Parents will link potential employers with schools and colleges to support you in progressing into a job	<ol style="list-style-type: none"> 1. The number of local employers who offer employment opportunities to looked after children and care leavers 2. The number of events local colleges attend at local schools 	
Corporate Parents will ensure your Pathway Plan supports your transition when you leave school	<ol style="list-style-type: none"> 1. All care leavers have a Pathway Plan started at least 18 months before 16th birthday 2. Pathway plans will identify clear supports for transition from school 	
Corporate Parents will provide work experience, apprenticeships and employment opportunities for looked after children and care leavers (The Shetland Partnership Family Firm)	<ol style="list-style-type: none"> 1. Number of looked after young people and care leavers in placements with the family firm 2. Number of looked after young people and care leavers in employment with the family firm 	
Corporate Parents will ensure there is a named Jobcentre Plus Advisor for care leavers who understands the impact of being looked after and can ensure safe navigation of the benefits system	<ol style="list-style-type: none"> 1. Percentage of care leavers in receipt of all entitled benefits 2. Percentage of care leavers in employment or on employment pathways 	
Corporate Parents will provide additional support for looked after young people and care leavers with disabilities in relation to employment opportunities when they leave care	<ol style="list-style-type: none"> 1. Percentage of Pathways Plan evidencing input from the Family Support Service 	

Priority 5: *Looked After Children and Care Leavers Are Supported to Stay Out of the Criminal Justice System Wherever Possible*

Outcome 5:

- Community solutions allow looked after young people and care leavers the opportunity to be active and responsible citizens
- Looked after young people and care leavers who have offended are supported to reduce the risk of reoffending

Lead Officer: Denise Morgan, Executive Manager, SIC Criminal Justice Service

Task	Measurement	Due Date
Adopt the principles of the whole system approach to criminal justice interventions	1. Principles established in policy and practice	
Corporate Parents will support the transition process for looked after children and care leavers returning to Shetland where there are offending risks	1. Transition procedures and practices are established	
Corporate Parents will review citizenship as part of the curriculum	1. Number of pupils attending courses	
The Criminal Justice team and Throughcare & Aftercare Service will develop a joint working protocol for care leavers where offending behaviour is a risk	1. Protocol agreed and implemented into practice	
Corporate Parents will look to develop a range of community based early interventions to support the mental health and wellbeing of care leavers where offending or likelihood to reoffend is identified as a risk	1. A review of interventions is complete 2. An agreed suite of interventions is agreed	
Corporate Parents will establish a consistent professional forum to manage looked after young people and care leavers with a focus on diversion	1. Review complete and framework in place	

Priority 6: *Looked After Children and Care Leavers Rights Are Promoted and Protected by the Shetland Partnership and Their Views Considered on Matters Affecting Them*

Outcome 6:

- Children, young people and their families participate in decisions which affect them and;
- there is an increased understanding and implementation of corporate parenting responsibilities across the partnership
- More young people will choose continuing care as a positive option for them as they move into adulthood

Lead Officer: Scott Hunter, Executive Manager, SIC Children's Resources

Task	Measurement	Due Date
Establish the Corporate Parenting Board and associated support functions including support to priority Lead Officers	1. Number of Corporate Parent boards held and attendance of members	
Establish the Young People's Forum and resource as appropriate with Who Cares? Scotland	1. No of Forums held 2. No of Corporate Parent Boards attended by group representatives	
Corporate Parents will promote and protect the rights of looked after children and care leavers	1. Attendance at Children's Rights Seminars 2. Decrease in number of rights violations	
Corporate Parents will enhance structures and systems to gather, record and report on the views of looked after children	1. Percentage of looked after children who report feeling listened to	
Analyse the impact of the Children and Young People (Scotland) Act 2014 in terms of service demand for continuing care and aftercare	1. Annual Corporate Parent report to outline impact and bring forward any requirement to develop new, or reconfigure current services	
The Corporate Parent will sign up to the Scottish Care Leavers Covenant	1. Covenant signed up & principles embedded in our Corporate Parenting work	

Enablers:

The role of Shetland Islands Councillors

As elected members, our Councillors play a pivotal role in corporate parenting to ensure services are being delivered and outcomes achieved. Councillors are in the unique position of being able to promote opportunities for Looked After Children and care leavers through their political power and influence; through their connections to the community, schools, health services, local businesses and employers.

As Corporate Parents, all our elected members must:

- Know what it is to be a Corporate Parent in order to fulfil their statutory duties effectively
- Know about the Corporate Parenting Strategy and think about how this affects all parts of their day-to-day work
- Have an awareness and understanding of the main issues affecting looked after children, young people and care leavers in Shetland and those placed out with Shetland
- Take an active interest and champion the needs of looked after children, young people and care leavers
- Help develop Council services to make sure the Corporate Parenting Strategy is being put into practice
 - Ask questions about outcomes for Looked After Children and care leavers
 - Communicate with Looked After Children so that they can have a say in how decisions are made about the services that affect them, and so that they can influence those decisions. This may include engaging with the Young People's Forum
 - Supported by officers, promote partnership working as a pre-requisite for delivering effective service to Looked After Children and care leavers; ensure that joint planning and commissioning delivers on this agenda
 - Lead on securing apprenticeships for care leavers within the Council to improve their opportunities and future prospects
 - Be equally mindful and responsive in your role of corporate parent to children placed away from Shetland
 - Question whether the Council, as a corporate parent, is keeping the promise it has made to Looked After Children and care leavers in The Pledge (see Appendix 1)

Some questions that Councillors should be asking themselves regularly in relation to the Corporate Parenting Agenda include:

Do I understand why infants, children and young people need to be looked after and the legal and policy framework that governs this?

Do I know about the profile, needs and achievements of all children looked after by Shetland Islands Council?

Are we providing the best care possible to our Looked After Children and care leavers? Would it be good enough for my baby, my child, my son/daughter moving into independence?

Do I know how well Shetland Islands Council is doing in comparison with other comparable councils and government indicators?

Is there an action plan to address any shortcomings in services and to constantly improve outcomes for Looked After Children?

Am I taking responsibility for promoting the welfare and opportunities for Looked After Children and care leavers in all my work in the council – and in my other capacities?

The Corporate Parent Board

The Corporate Parenting Board's purpose is to ensure that the whole Council and partner agencies have a joint commitment to Corporate Parenting.

The Corporate Parenting Board membership includes representatives from across the Corporate Parent. As a group, it will be responsible for overseeing that the objectives of the Corporate Parenting Strategy are realised and targets to improve outcomes are met.

The Corporate Parent Board will report into the Shetland Partnership and the Education and Families Committee.

Shetland Islands Council Education and Families Committee will nominate three Councillors to sit on the Corporate Parent Board with one of the three elected members nominated to the Executive Manager, Children's Resources, as *lead officer*, to chair the Board. The board will meet three times a year (February, June and October) and will perform a scrutiny and consultative function with the Young People's Forum as well as providing the primary oversight of the implementation of the Corporate Parenting Strategy.

The board membership shall consist of:

- Elected Member (*Chair*)
- Elected Member
- Elected Member
- Children's Forum 2 representatives
- Chief Social Work Officer (*Vice Chair*)
- Executive Manager Children's Resources (*Lead Officer Corporate Parenting*)
- The six priority Lead Officers
- Director Children's Services
- Executive Manager Quality Assurance (Schools)
- Principal Educational Psychologist
- Children and Family Health Manager, NHS Shetland
- Director of Nursing, Midwifery & Allied Health Professionals, NHS Shetland
- Area Commander Police Scotland
- Skills Development Scotland (Shetland)
- Joint Principal Shetland College / NAFC Marine College
- Who Cares? Scotland
- Fire and Rescue Service

Implementation Groups

Each of the six outcome areas in the strategy will have an associated action plan that will be delivered through an implementation group made up of key corporate parents and partners. Each group will have a lead officer who will report progress on implementation of action plans and performance against targets to the Corporate Parenting Board.

Review of the impact of the strategy

There will be a six-month update and a full annual review of the strategy in regards to how effectively it is being implemented through the working groups and what impact it is making on the outcomes and associated targets that have been set. These reviews will be presented to the Corporate Parenting Board so they can monitor and challenge performance. The six monthly review will be undertaken every October with the annual review in April.

The role of Shetland Islands Council Officers and partner agencies

To be most effective at improving the life chances of all Looked After Children, young people and care leavers, the ownership of responsibility for Corporate Parenting must be extended beyond Children's Social Care. All Council departments, Officers and partner agencies have a responsibility to act together as Corporate Parents for all Looked After Children. To do this they need to be aware of this responsibility and the role that they play in ensuring that service development and delivery meets the needs of Looked After Children and care leavers.

For a whole-authority approach to corporate parenting to be effective, Council departments and partners will:

- Ensure employee awareness and commitment to the Corporate Parenting Strategy
- Include the corporate parenting role in officers individual employee appraisal objectives across the Council's Children's Services and Adult Services directorates
- Create and review human resources policies that support the needs of employees who provide care to our Looked After Children
- Promote access to services for Looked After Children and their carers through both policy and practice (where relevant to service departments)
- Ensure that commitment to corporate parenting is realised through a range of opportunities that lead to measurable improvement in life chances for Looked After Children – enabling them to succeed in line with their peers
- Raise awareness of Looked After Children at all levels of the organisation and challenge negative and discriminatory perceptions
- Ensure elected members are provided with appropriate information in relation to their corporate parenting responsibilities, including service developments and key messages about what contributes to improving outcomes for Looked After Children and care leavers

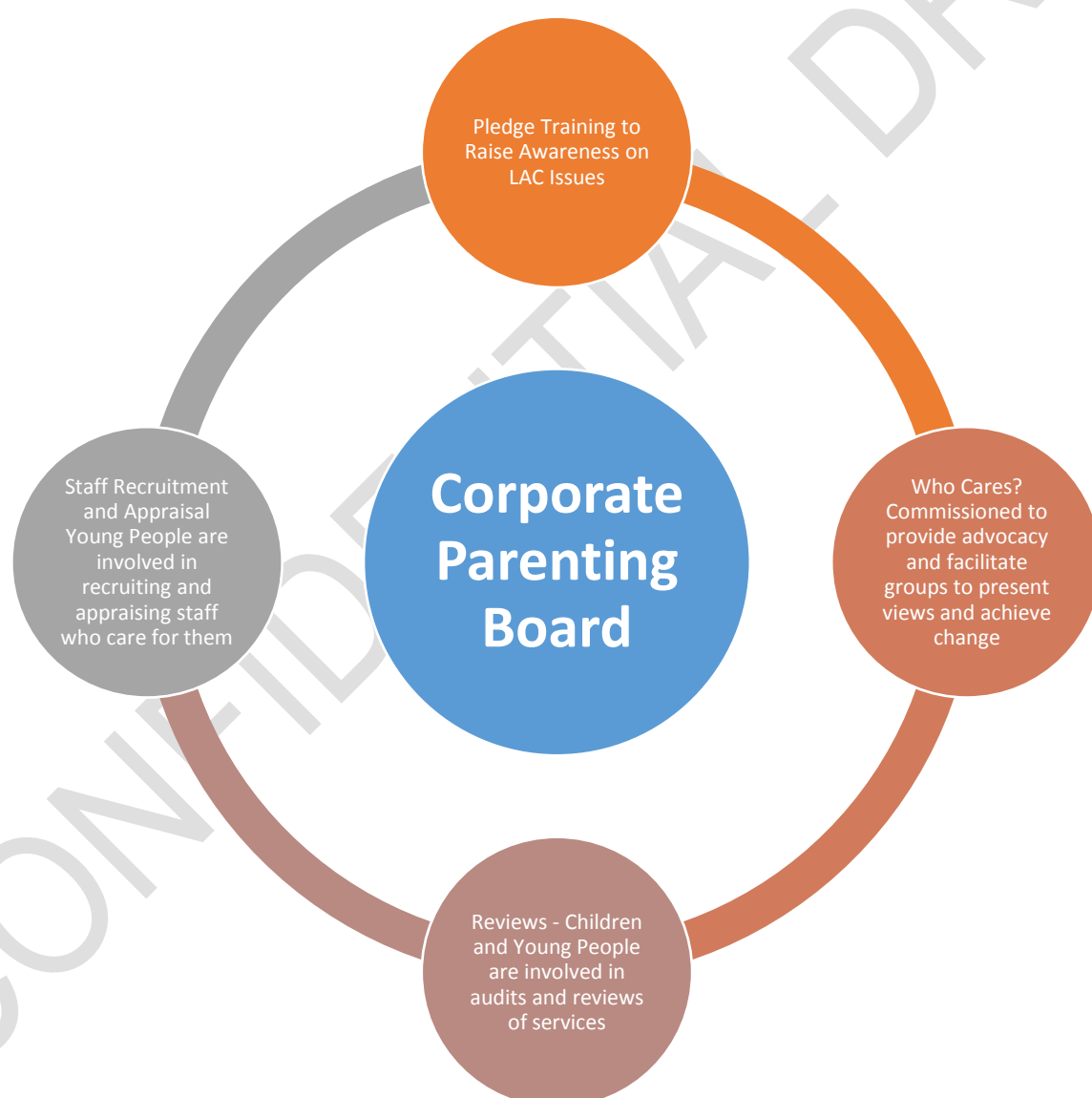
How we will involve Looked After Children and care leavers

We will take a proportionate and sensitive approach to the involvement of our looked after children, young people and care leavers mindful of the relatively small numbers. Our primary commitment is to develop our Young People's Forum and to seek the views of children, young people and care leavers through this group. We will ensure transparency by resourcing Who Cares Scotland to facilitate this group.

Alongside this, we will distribute a more reader friendly version so children, young people and care leavers can understand the strategy and share their views. We maintain our ongoing commitment to seek and understand the views of children, young people and care leavers through LAC Reviews, Having Your Say Forms, Feedback from Who Cares? and other established quality assurance processes.

Children and young people will receive information on Corporate Parenting appropriate to their understanding, including a pictorial and a children's version of this strategy. This will be disseminated to all children, including those living away from Shetland, via their Social Worker.

This strategy endorses an on-going commitment to increased communication, consultation and involvement with Looked After Children and care leavers. This will be facilitated in the following ways:



We commit to communicating with all Looked After Children, young people and care leavers and recognise that some will be more vulnerable than others. Disabled children, who, due to their unique and complex needs are often looked after in residential Out of

Authority placements, far from their homes and family networks, are particularly vulnerable. The communication difficulties experienced by some of these children and young people increases this vulnerability. To consult with severely disabled looked after children and young people the Council will involve specialist services to ensure that people with skills in communicating with children and working directly with this vulnerable group.

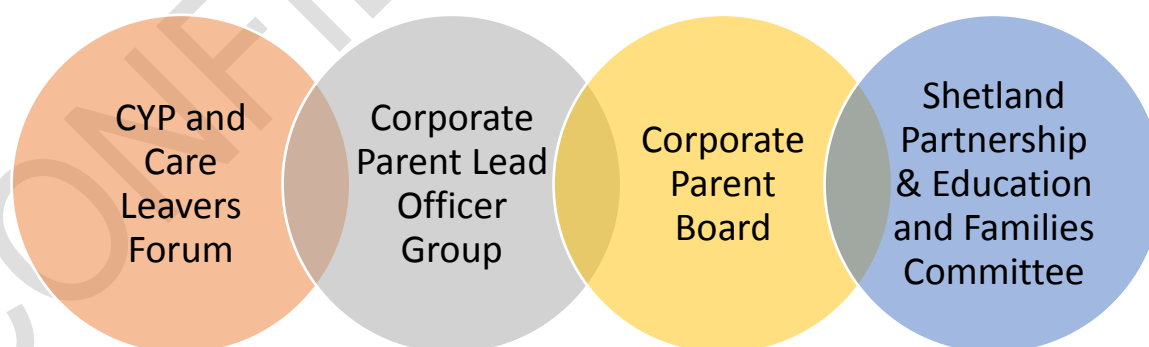
Children and young people from black and ethnic minority groups also experience increased vulnerability when they become looked after. The Council will ensure that the views and specific needs of this group of children will be heard.

Governance Arrangements

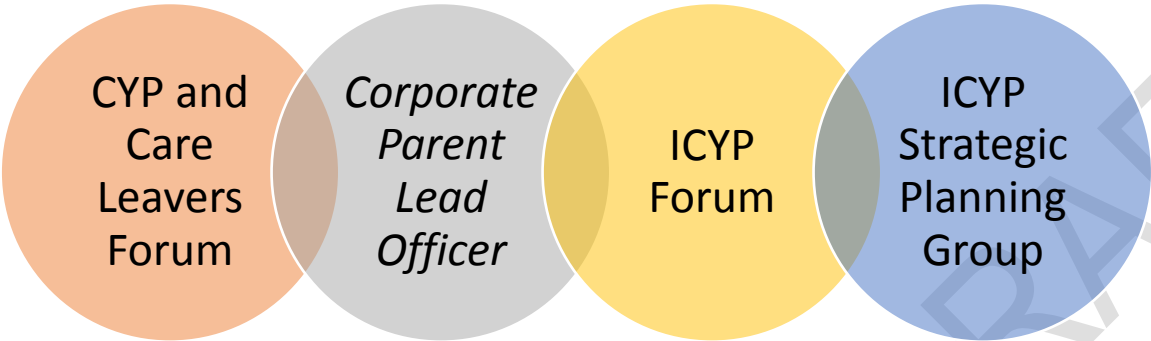
As Corporate Parents we have made the moral obligation to uphold our pledge to looked after children, young people and care leavers. Along with our moral obligation, the leadership imperative we have as Corporate Parents needs to ensure services treat looked after children and young people and care leavers accessing services with care and respect. The Shetland Partnership will ensure this happens by ensuring everyone working with, and for looked after children, in all positions:

- considers their wellbeing within the context of being a looked after child, young person or care leaver
- assesses their needs
- promotes their best interests
- makes sure their voices and opinions are heard
- provides opportunities for them
- provides advice and assistance when they're needed
- makes sure services are easy to access for them
- will approach the Children's Resources service when help is required to understand the impact of trauma on child and human development

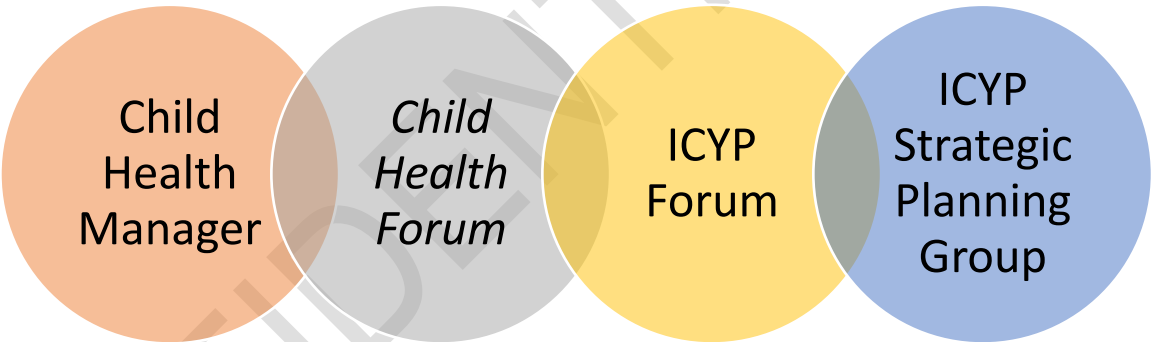
Alongside this moral imperative, we will have clear corporate governance arrangements at each level, the structure of which is shown below:



Children’s Services Governance:



NHS Shetland Governance



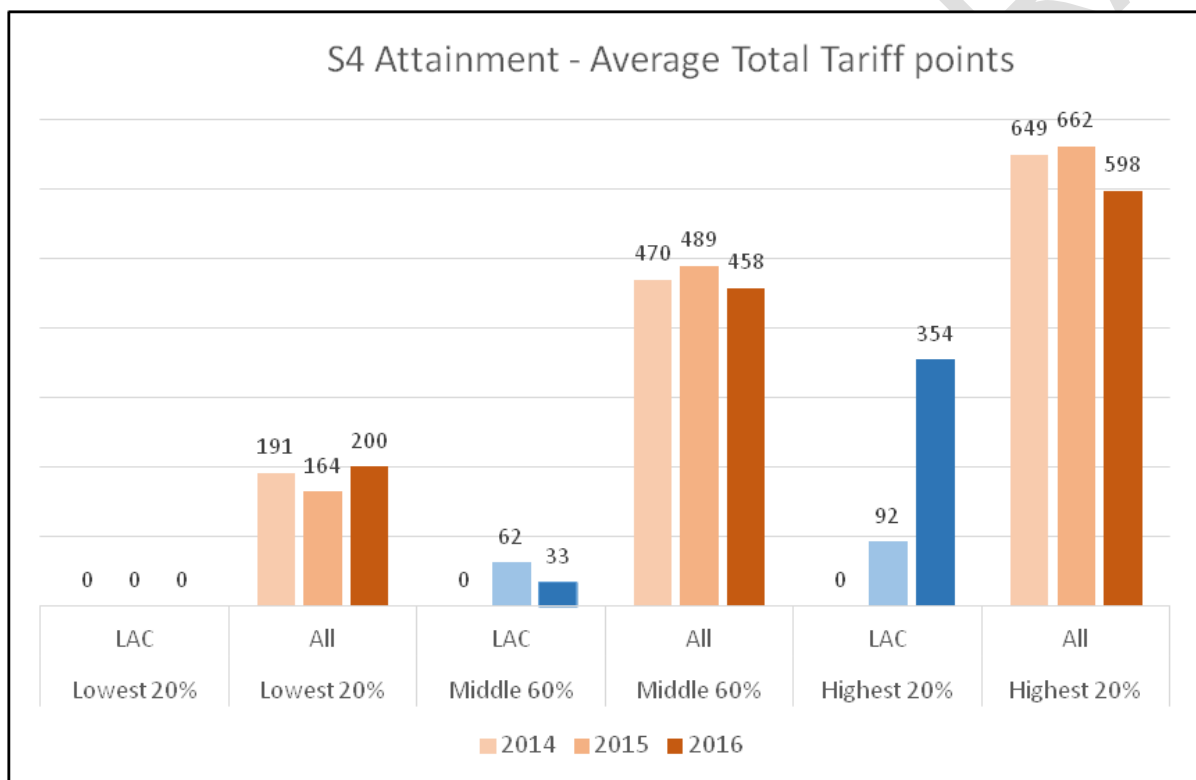
APPENDIX 1: KEY LEGISLATION AND GUIDANCE

- [United Nations Convention on the Rights of the Child](#)
- [United Nations Convention on the Rights of Persons with Disabilities - Article 7 \(Children with Disabilities\)](#)
- [Children and Young People \(Scotland\) Act 2014](#)
- [Social Care \(Self Directed Support\) \(Scotland\) Act 2013](#)
- [Children \(Scotland\) Act 1995](#)
- [Adoption and Children \(Scotland\) Act 2007](#)
- [Centre for Excellence for Looked After Children in Scotland - Corporate Parenting](#)
- [Who Cares? Scotland - Corporate Parenting](#)
- [Scottish Care Leavers Covenant](#)

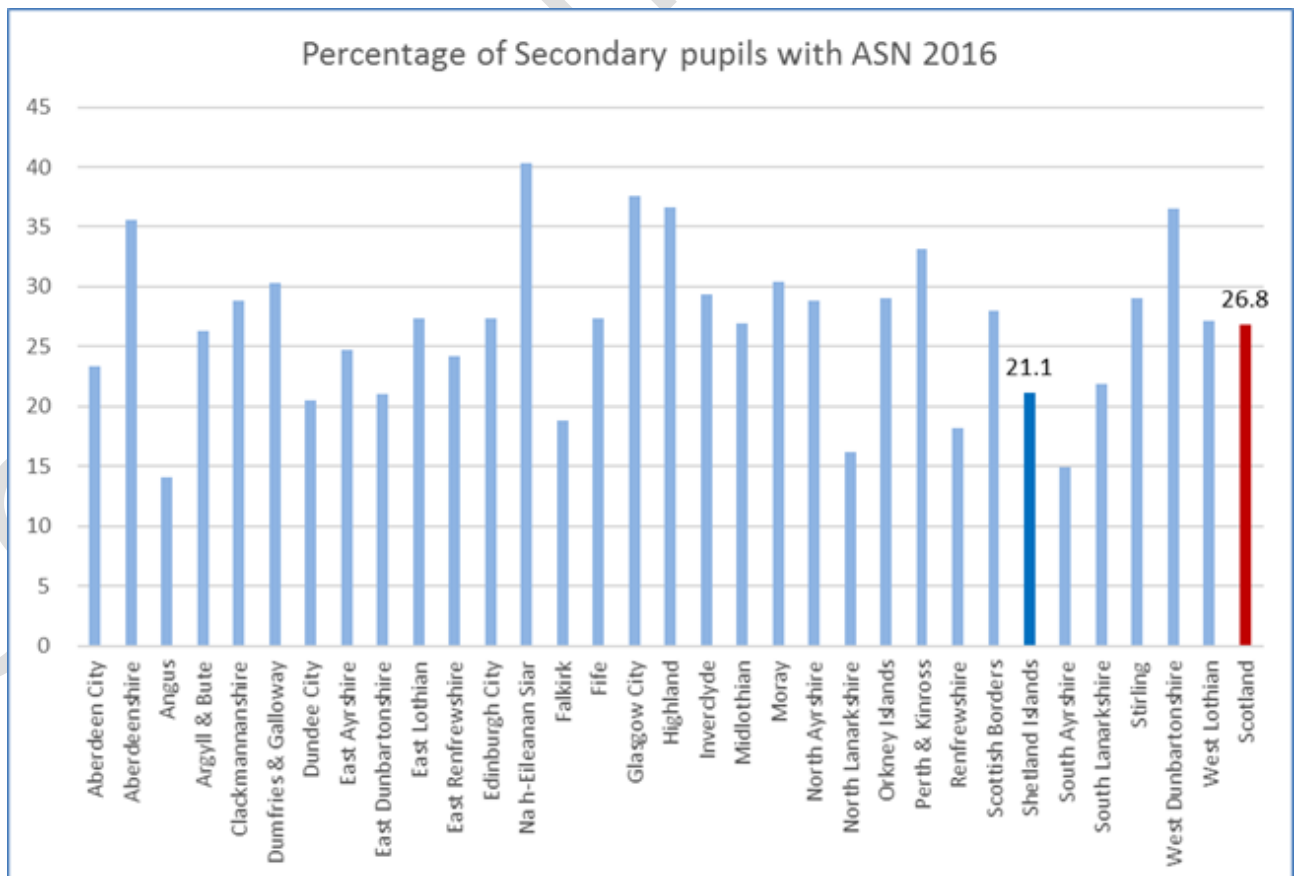
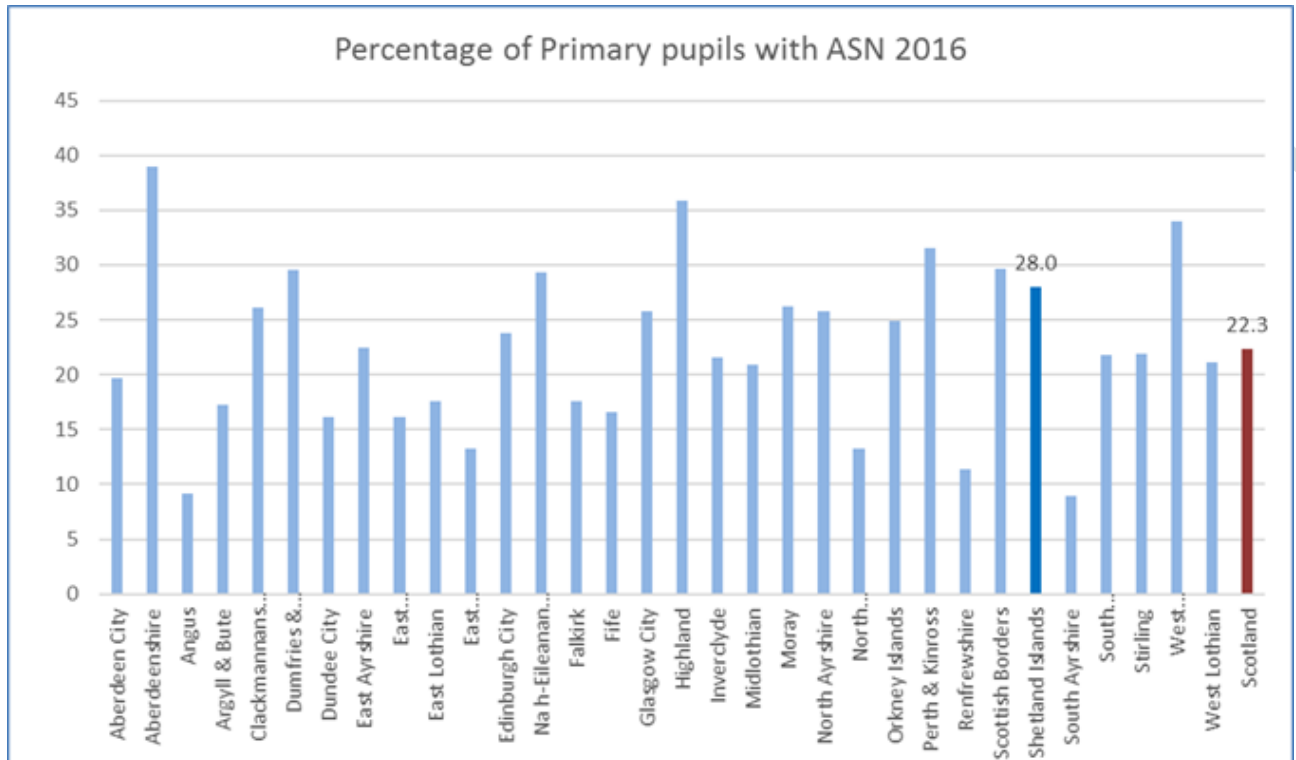
APPENDIX 2: DATA AT JANUARY 2017

The majority of Looked After Children and young people start from a position of increased vulnerability and disadvantage that means additional support is needed to overcome the factors which will contribute to unacceptably high levels of poor outcomes.

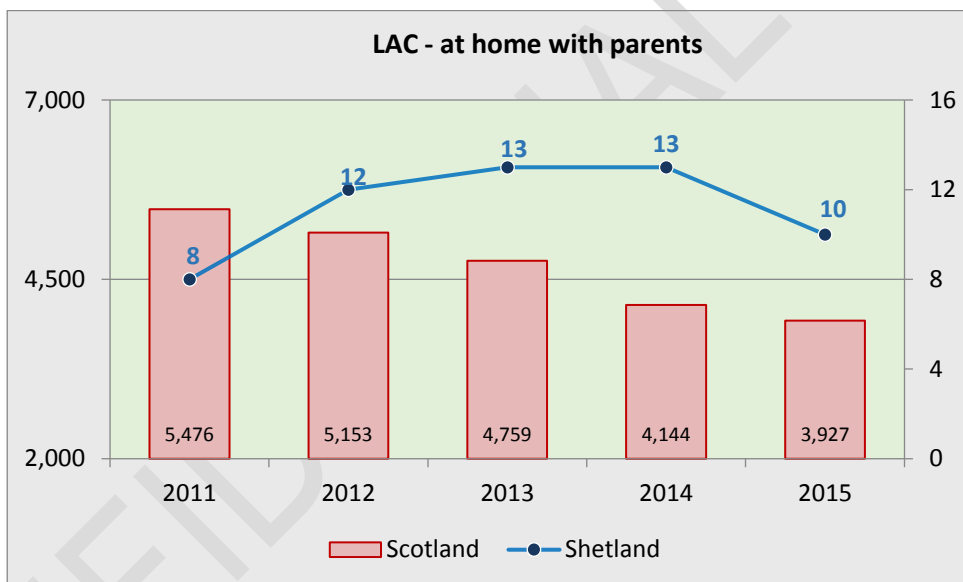
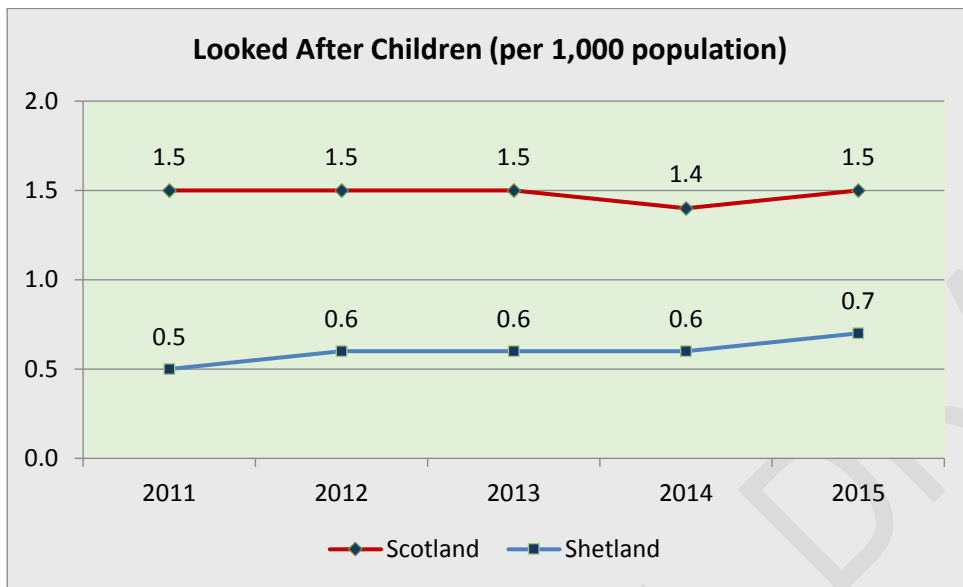
This chart shows the educational attainment of Shetland's Looked After Children against the performance of all pupils in Shetland schools (some Looked After Children will live and be educated in other local authorities).

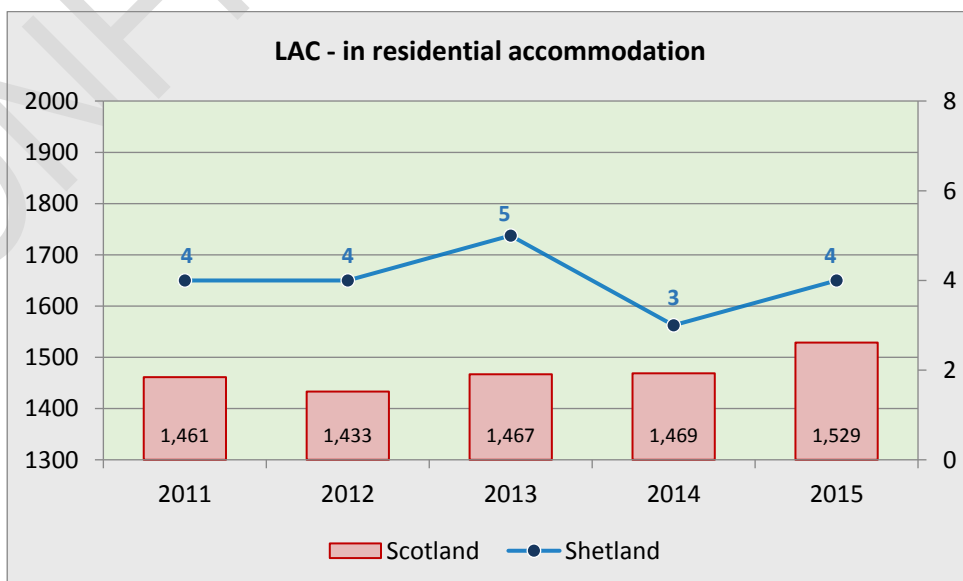
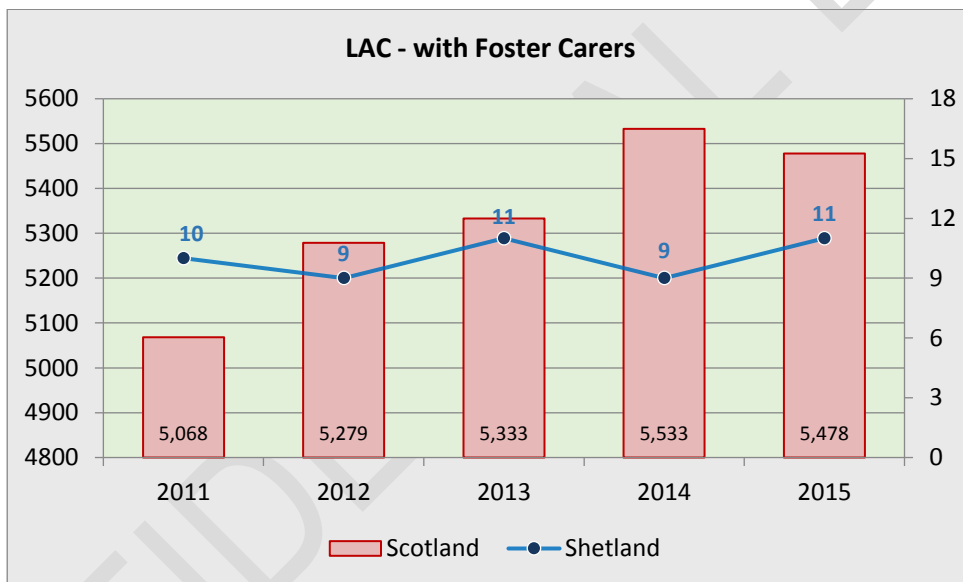
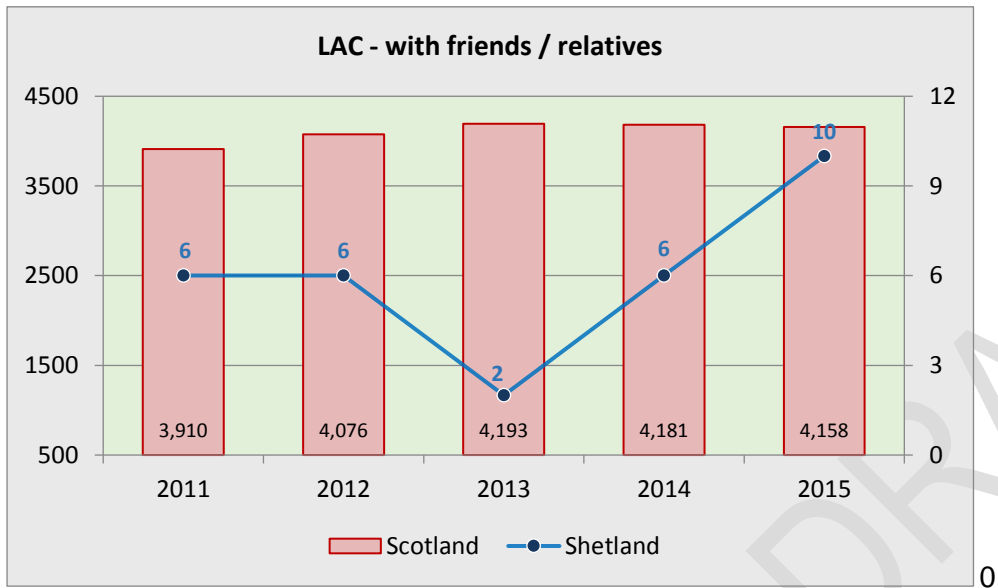


ASN as percentage of population and general and as percentage of looked after children



Looked After Children Data







CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014:

Statutory Guidance on Part 9: Corporate Parenting



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PREFACE

1. This statutory guidance is issued by the Scottish Ministers under section 63 of the [Children and Young People \(Scotland\) Act 2014](#) (the Act). It provides corporate parents with information and advice about how they should fulfil the duties set out in Part 9 (Corporate Parenting) of the Act. These duties come into force on 1 April 2015.
2. Subject to specific exemptions, all corporate parents must have regard to this guidance. Compliance will be monitored through reviews of corporate parenting reports (carried out by Scottish Ministers) and independent inspection.
3. Due to the variety of organisations included as corporate parents, this guidance does not prescribe specific processes and planning / reporting formats. Instead it sets out the parameters within which corporate parents should develop their own approaches, either individually or in partnership. Those approaches should also be shaped by the corporate parent's primary functions, and informed by the needs, views and experiences of looked after children and care leavers.
4. This guidance should be read alongside the guidance for Part 1 (Rights of Children), Part 3 (Children's Services Planning), Part 4 (Provision of Named Persons), Part 5 (Child's Plan), Part 10 (Aftercare) and section 96 (Assessment of wellbeing) of the Act. Other relevant legislative and policy guidance is listed at Appendix A.
5. This guidance will be accompanied by a series of Corporate Parenting Practice Notes, designed to support individual or groups of corporate parents to understand their legal responsibilities (within the scope of their other functions) and to learn from existing good practice. The guidance and Practice Notes should enable corporate parents to implement comprehensive and child/young person centred corporate parenting strategies, which improve the care experiences and outcomes of looked after children and care leavers across Scotland.

6. This guidance has been developed to assist corporate parents, but it will also be of interest to other individuals and organisations involved in supporting looked after children and care leavers.
7. Please note that this guidance (and relevant Practice Notes) will be reviewed in 2018.

INTRODUCTION

8. When a child or young person becomes 'looked after' the state assumes duties and responsibilities to safeguard and promote their welfare and wellbeing. A wide range of legislation, regulation and guidance provides the framework within which actions take place, but the end-purpose of all of them is the same: to secure nurturing, positive childhoods, from which these vulnerable young people can develop into successful learners, confident individuals, responsible citizens and effective contributors.
9. Yet despite the extensive framework of law and policy, many looked after children and care leavers experience some of the poorest personal outcomes of any group in Scotland. Low levels of educational engagement and achievement feed into high levels of poverty, homelessness and poor mental health.¹ Rates of suicide and self-harm are higher than that of the general population.² In 2013 a third of young offenders had been in care at some point in their childhood.³
10. The needs of looked after children and care leavers are often complex, reflecting backgrounds of trauma, loss and instability. Some have physical and/or mental / learning disabilities. Safeguarding and promoting their welfare and wellbeing can, therefore, be challenging. But since national records began in 1981 the total number of looked after children and care leavers (eligible for services) have never exceeded more than 0.5% of the total Scottish population.⁴ In view of Scotland's considerable human and financial resources, we can and must do better for these vulnerable children and young people.

¹ Scottish Government (published annually) [Children's Social Work Statistics](#), Edinburgh; Meltzer, H, et al (2004) *The mental health of young people looked after by local authorities in Scotland*, London: TSO.

² Furnivall, J (July 2013) [Understanding suicide and self-harm amongst children in care and care leavers](#), IRISS Insights No. 21, Glasgow

³ Broderick, R, McCoard, S & Carnie, J (January 2014) [Prisoners who have been in care as 'looked after children' 2013: 14th Survey Bulletin](#), Scottish Prison Service, p.5

⁴ Calculation based on General Records Office Mid-Year Population Estimates 1981-2013, and Children Looked After Statistics, multiple years (figures for 'total numbers of Looked After Children' and 'eligible for aftercare services')

11. Corporate parenting represents the principles and duties on which improvements can be made for these young people. The term refers to an organisation's performance of actions necessary to uphold the rights and secure the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted, from infancy through to adulthood. In other words, corporate parenting is about certain organisations listening to the needs, fears and wishes of children and young people, and being proactive and determined in their collective efforts to meet them. It is a role which should complement and support the actions of parents, families and carers, working with these key adults to deliver positive change for vulnerable children. In 2008 the Scottish Government and Local Authorities confirmed their commitment to the approach in [These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent](#). The Scottish Government has now decided to build on this policy, extending corporate parenting duties to a wider group of public bodies and establishing statutory requirements for corporate parents to plan and report on their activities.
12. The purpose of this guidance is to clarify the duties of corporate parents, and explain the rationale behind them. It is designed to support corporate parents to turn Part 9 of the Act into practice which improves outcomes for looked after children and care leavers. The purpose of the Act as a whole is explained, and definitions set out for terms frequently used in this guidance (such as 'looked after child'). Each duty is then considered in a short, separate chapter, with links made to other relevant guidance and / or legislation where appropriate. A chapter on 'outcomes from corporate parenting' provides guidance on where corporate parents should concentrate their efforts, in respect to children and young people's rights and wellbeing. There are also chapters on dispute resolution, and interactions between corporate parents and birth parents. Appendix A sets Part 9 (Corporate Parenting) in the wider legislative context for looked after children and care leavers. Appendix B provides further background information on the policy of corporate parenting. Appendix C contains a reference list of useful resources and further information, which will assist in the implementation of Part 9 (corporate parenting).

DEFINITION OF TERMS

Looked After Child

13. The definition of a 'looked after child' is set out in section 17(6) of the Children (Scotland) Act 1995 ("the 1995 Act"), as amended by the Adoption and Children (Scotland) Act 2007 ("the 2007 Act") and Children's Hearings (Scotland) Act 2011 ("the 2011 Act"). A child is 'looked after' by a local authority when he or she is:
- provided with accommodation by a local authority under section 25 of 1995 Act; or
 - subject to a compulsory supervision order or an interim compulsory supervision order made by a children's hearing in respect of whom the local authority are the implementation authority (within the meaning of the 2011 Act); or
 - living in Scotland and subject to an order in respect of whom a Scottish local authority has responsibilities, as a result of a transfer of an order under regulations made under section 33 of the 1995 Act or section 190 of the 2011 Act; or.
 - subject to a Permanence Order made after an application by the local authority under section 80 of the 2007 Act.
14. To assist in the provision of their care some children and young people with physical and/or mental/learning disabilities are 'looked after' by local authorities (often under a 'section 25' arrangement). These children and young people are legally 'looked after', and so covered by the duties set out in Part 9 of the Act.
15. A child who has been adopted, or a child who is secured in a placement with friends or relatives by means of a Kinship Care Order (section 11 of the Children (Scotland) Act 1995), is not 'looked after' by a local authority. However, in both cases a child may still become 'looked after'. Where this

occurs, the child is covered by Part 9 (and other Parts of the Act relating to 'looked after children').

16. The legal route by which a child became looked after has no relevance to their entitlement for corporate parenting support. If a child is 'looked after', by any of the means set out above, the duties set out in Part 9 apply.
17. In this guidance the terms 'looked after child' and 'looked after children' refer to any individual falling into the definition provided above. It is acknowledged that some young people prefer the term 'looked after children and young people', but for ease of reading this guidance uses 'looked after child' or 'looked after children' to cover children and young people of all ages, from birth through to adulthood.

Care leavers

18. The definition of a care leaver is set out in [section 29](#) of the Children (Scotland) Act 1995, as amended by [section 66](#) of the Children and Young People (Scotland) Act 2014.
19. From 1 April 2015 a young person will become a 'care leaver' if they cease to be 'looked after' on, or at any time after, their sixteenth birthday.
20. Please note that young people who became care leavers under the previous definition of a 'care leaver' will continue to be considered care leavers after April 2015. This means that a young person who became a care leaver under the previous definition will still be covered by the duties set out in Part 9 (corporate parenting) and eligible to the extended aftercare support provided through Part 10 (aftercare) of the Act. The previous definition of a care leaver was a young person who ceased to be looked after on or beyond their minimum school leaving age.

Corporate Parent

21. The definition of a ‘corporate parent’ is provided by section 56 of the Children and Young People (Scotland) Act 2014. An organisation or individual is a corporate parent if they are “listed, or within a description listed, in schedule 4” of the Act.

Corporate Parenting

22. For the purposes of this guidance the term corporate parenting is defined as:

“An organisation's performance of actions necessary to uphold the rights and safeguard the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted.”⁵

23. The necessary actions are set out in section 58 of the Act (corporate parenting responsibilities).

Needs

24. An individual’s ‘needs’ will be unique, identified through the process of assessment. For details about how ‘needs’ should be identified please refer to the guidance on ‘Assessing the needs of children and young people for services and support’ and ‘Assessing wellbeing’ below.)

Interests

25. The term “interests” is not defined in the Act, so for the purposes of this guidance it should be interpreted as being “advantage or benefit”. Therefore

⁵ Definition is adapted from Sonia Jackson’s definition of ‘parenting’ presented in M. Davies (ed) (2000) The Blackwell Encyclopaedia of Social Work, Oxford, Blackwell, and cited in the Scottish Government (2008) [These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent](#).

the duty to “promote the interests” (section 58(1c)) relates to actions which may advantage or benefit looked after children and care leavers.

Wellbeing (as described in section 96 of the Act)

26. Section 96(2) of the Act describes the term wellbeing in terms of eight indicators. A person assessing a child or young person’s wellbeing is to consider the extent to which the child or young person is:

- **Safe:** protected from abuse, neglect or harm.
- **Healthy:** having the best possible standards of physical and mental health, supported to make healthy and safe choices.
- **Achieving:** accomplishing goals and boosting skills, confidence and self-esteem.
- **Nurtured:** having a nurturing and stimulating place to live and grow.
- **Active:** having opportunities to take part in activities.
- **Respected:** being given a voice, being listened to, and being involved in the decisions which affect their wellbeing.
- **Responsible:** taking an active role within their home, school and community
- **Included:** being a full member of the communities in which they live and learn, receiving help and guidance to overcome inequalities.

27. These eight wellbeing indicators are sometimes known collectively by the acronym ‘SHANARRI’. While each indicator is separately defined, in practice they are connected and overlapping. Taken together the eight indicators offer a holistic view of each child or young person, identifying strengths as well as barriers to growth and development.

28. In respect to wellbeing, the term ‘promoted’ means ‘actively encouraged or further developed’. The term ‘safeguarded’ means ‘protected from harm or damage’. The term ‘affected’ means ‘influenced, changed’.

THE CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014

29. The [Children and Young People \(Scotland\) Act 2014](#) (the Act) was passed by the Scottish Parliament on 19 February 2014, and received Royal Assent on 27 March 2014. The legislation is a key part of the Scottish Government's strategy for making Scotland the best place in the world to grow up. By facilitating a shift in public services towards the early years of a child's life, and towards early intervention whenever a family or young person needs help, the legislation encourages preventative measures, rather than crises responses. Underpinned by the Scottish Government's commitment to the [United Nations Convention on the Rights of the Child 1989](#) (UNCRC), and the national children's services improvement programme, [Getting it Right for Every Child](#) (GIRFEC), the Act also establishes a new legal framework within which services are to work together in support of children, young people and families.

30. The Act introduces a number of important changes for looked after children and care leavers in Scotland. In summary, these are:

- Every child and young person (up to their 18th birthday) will have a Named Person (Part 4)
- Every looked after child and care leaver (up to their 18th birthday) will have a Child's Plan (Part 5)
- 600 hours of free early learning and child care for all two year olds who are 'looked after' or secured with friends or relatives through a Kinship Care Order (Part 6, sections 47 and 48).
- Corporate parenting duties for certain individuals and organisations (Part 9).
- Extends eligibility for aftercare assistance up to an individual's 26th birthday; new duty on local authorities to report on the death of a young person in receipt of aftercare services (Part 10).
- 'Continuing Care', providing certain care leavers with the opportunity to continue with the accommodation and assistance they were provided with immediately before they ceased to be looked after (Part 11).
- Support for children at risk of becoming looked after (Part 12)
- Assistance for applicants and holders of a Kinship Care Order (Part 13)
- Use of Scotland's Adoption Register made a duty for all adoption agencies (Part 14).

31. Guidance on all of these changes will be made available by the Scottish Government. This guidance relates to Part 9 (corporate parenting) of the Act.

GUIDANCE

SECTION 56: CORPORATE PARENTS

32. All persons and organisations listed, or within a description listed, in schedule 4 of the Act are ‘corporate parents’ for the purposes of Part 9. Unless explicitly stated in the legislation, corporate parents are subject to all the duties detailed in this guidance.
33. At the date of the commencement (1 April 2015) the persons and organisations listed in schedule 4 are:

The Scottish Ministers	A local authority	A health board
Children’s Hearings Scotland	The Principal Reporter	The Scottish Children’s Reporter Administration
A “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005	A board constituted under the National Health Service (Scotland) Act 1978	Skills Development Scotland Co. Ltd (registered number SC 202659)
The National Convener of Children’s Hearings Scotland	The Commissioner for Children and Young People in Scotland	Social Care and Social Work Improvement Scotland
The Scottish Social Services Council	The Scottish Sports Council	The chief constable of the Police Service of Scotland
Healthcare Improvement Scotland	The Scottish Police Authority	The Scottish Fire and Rescue Service
The Scottish Legal Aid Board	The Mental Welfare Commission for Scotland	The Scottish Housing Regulator
Bòrd na Gàidhlig	Creative Scotland	The Scottish Qualifications Authority

Explanation of terms used in schedule 4

34. The term “Scottish Ministers” refers to the Scottish Government and its Executive Agencies. All Scottish Ministers, and the directorates for which they are responsible, are corporate parents. Executive Agencies are organisations set up to perform a specific task(s) by the Scottish Government, reporting directly to Ministers. As such, all Executive Agencies will be subject to the corporate parenting duties set out in Part 9. The Scottish Government’s Executive Agencies are Accountant in Bankruptcy, Disclosure Scotland, Education Scotland, Historic Scotland, Scottish Prison Service, Scottish Public Pensions Agency, Student Awards Agency for Scotland, and Transport Scotland.⁶
35. Scottish Ministers are exempt from the duties set out in sections 61 – 64. Executive Agencies are also exempt from these sections of Part 9, but due to their accountability to Ministers, Executive Agencies are still expected to fulfil the duties prescribed in Part 9 of the Act. Executive Agencies will be asked to provide information to Scottish Ministers about how they have exercised their corporate parenting responsibilities. It is therefore advised that Executive Agencies implement Part 9 in full, having regard to all parts of this guidance.
36. The term “a health board” refers to Scotland’s fourteen territorial health boards, responsible for the protection and the improvement of their population’s health and for the delivery of frontline healthcare services.
37. The term “a board constituted under section 2(1)(b) of the National Health Service (Scotland) Act 1978” refers to the six special health boards which provide a range of national or specialist services in Scotland. These are NHS Education for Scotland, NHS Health Scotland, NHS National Waiting Times Centre, NHS 24, Scottish Ambulance Service and the State Hospitals Board for Scotland.⁷

⁶ List of Executive Agencies correct at date of publication, April 2015

⁷ List of Special Health Boards correct at date of publication, April 2015

38. The term ‘a body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005’ refers to colleges and higher education institutions (including all universities) in Scotland who are financed (in whole or part) by the Scottish Further and Higher Education Funding Council. The term “post-16 education body” was introduced into the Further and Higher Education (Scotland) Act 2005 by the ‘Modifications of Enactments’ included in the Post-16 Education (Scotland) Act 2013. The modified 2005 Act now includes the definition that a “post-16 education body” means “any fundable post-16 education body”. These bodies are listed in schedule 2 of the 2005 Act. The list includes all colleges, universities and other higher education institutions currently operating in Scotland. All colleges, universities and higher education institutions are therefore corporate parents, subject to the duties (excluding section 64) set out in Part 9 of the Act and detailed in this guidance.

Modifications and Exemptions

39. Under section 56(2) Scottish Ministers may, by order, modify schedule 4. This means that Scottish Ministers can add, delete or amend entries to the list of corporate parents.
40. Section 56(4) provides for certain corporate parents to be exempted from the duty to follow directions issued by Scottish Ministers (as laid out in section 64). This exemption applies to:
- the Commissioner for Children and Young People in Scotland (SCCYP);
 - a body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005.
41. Section 56(5) gives Scottish Ministers the power, when adding persons to schedule 4 by order under section 56(2), to extend this exemption to new corporate parents.

Schedule 4: A whole organisation responsibility

42. Corporate parenting is not a task which can be delegated to an individual or team. Inclusion in schedule 4 means that the whole organisation (or the staff who support the individual listed) is responsible for fulfilling the corporate parenting duties set out in Part 9.
43. The purpose and intention of Part 9 is to improve how organisations as a whole support looked after children and care leavers. Implementation of this Part must be led by senior management across all departments, regardless of their focus or function. Staff at all levels must understand their duties, and be supported and enabled to fulfil them. In order to achieve this, it is recommended that each corporate parent review their induction and staff development processes to ensure that adequate opportunities are provided for staff to learn about looked after children and care leavers, and the specific responsibilities of their organisation as a corporate parent.
44. As corporate parenting is a corporate responsibility, an organisation's most senior corporate management will be held responsible for ensuring that the duties set out in Part 9 are met. Moreover, senior corporate management will be held accountable for an organisation's performance in respect to corporate parenting. Individuals involved in the governance of organisations (i.e. councillors and independent Board members) have an important role in scrutinising the activity of senior management.
45. Please note that while responsibility for delivering a discreet service, support or opportunity (to a looked after children or care leaver) may be delegated to an external provider or integrated authority (such as a Health and Social Care Partnership), accountability for securing and promoting the rights and wellbeing of looked after children and care leavers remains firmly with the organisations and individuals listed in schedule 4 of the Act.

Corporate parents with a national or local focus

46. Part 9 does not make a distinction between corporate parents with a national or local focus. An organisation's corporate parenting duties therefore apply to all eligible children and young people, regardless of where the child or young person lives, or who they are formally looked after / provided with aftercare support by.
47. However, in practical terms it is likely that, where a corporate parent's functions are restricted to a specific administrative area within Scotland (such as a local authority or health board), corporate parenting duties will apply primarily to those looked after children and care leavers for whom they are responsible (under other legislation and guidance). In the case of a local authority, this means every child or young person whom is 'looked after' by them (under the definition on page 5 above), and every care leaver eligible for aftercare support from them, regardless of whether they live in or away from the local authority area). In the case of a territorial health board, corporate parenting responsibility would extend to the looked after children and care leavers who are ordinarily resident within the health board area.⁸
48. Where a corporate parent's functions relate to Scotland as a whole (rather than a specific administrative area), or the services provided by the corporate parent are available to children and young people from across Scotland, the duties set out in Part 9 apply to all Scottish looked after children and care leavers (those who are 'looked after' or 'care leavers' under Scottish legislation). Corporate parents in this category should give careful consideration to how they will fulfil their duties in respect to all eligible children, across all parts of Scotland.

⁸ For further information about establishing 'ordinary residence' of looked after children, please refer to: Scottish Government (March 2013) [Chief Executive Letter 03: Establishing the Responsible Commissioner: Guidance and Directions for Health Boards](#), p.19

Corporate parents who do not provide ‘services and support’

49. While the duties set out in Part 9 apply equally to all corporate parents listed in schedule 4, their expression in practice will differ from corporate parent to corporate parent, reflecting the variety of functions represented by the organisations involved. One important factor shaping how these duties will be enacted is whether a corporate parent provides, in the exercise of their other functions, services and support directly to children and young people.
50. All of the individuals and organisations listed in schedule 4 are involved in safeguarding and promoting the wellbeing of children and young people. In different ways each provides a valuable service to the population of looked after children and young people. However, a number of corporate parents do not provide any services or support directly to children and young people, and instead fulfil functions related to scrutiny or administration. Critical as these functions are, they do not (in most instances) represent tangible “services or support” which can be accessed by individual looked after children and care leavers. In this guidance the term “services and support” therefore refers to the functions of an organisation which are available and accessible to individual children and young people, either independently or with the support of adults.
51. In this context it will not be possible for some corporate parents to “assess the needs” of individual eligible children and young people for services and support (section 58(1)(b)), or take action to help individual’s access services and support (section 58(1)(e)). This does not mean that these corporate parents are exempted from such duties, but it is an acknowledgment that the manner in which these duties will be fulfilled is shaped and constrained by their other functions. For instance, where no “services or support” are provided directly to children and young people, corporate parents will be limited to undertaking a general assessment of the population’s wellbeing needs. Although not equivalent to assessing specific individual young people, this general assessment is still essential, for it will not be possible for a corporate parent to fulfil their other Part 9 duties (such as seeking to provide opportunities designed to promote eligible children’s wellbeing (section 58(1)(d)) or being alert to

matters which might adversely affect children's wellbeing (section 58(1)(a)) without having undertaken a process of identifying and understanding eligible young people's needs.

52. Individual corporate parenting plans and reports are likely to differ significantly in their scope and emphasis, reflecting the abilities of corporate parents to realise specific Part 9 duties within the exercise of their other functions. But by including a wide range of individuals and organisations on schedule 4 the expectation is that, through meaningful collaboration, corporate parents collectively give real meaning to all of the duties set out in section 58 of the Act.

SECTION 57: APPLICATION OF PART 9

53. Section 57 describes the population of children and young people to which Part 9 (corporate parenting) applies. The Act states that:

(1) This Part applies to—

(a) every child who is looked after by a local authority, and

(b) every young person who—

(i) is under the age of 26, and

(ii) was (on the person's 16th birthday or at any subsequent time) but is no longer looked after by a local authority.

54. Provision 1(a) means that a corporate parent's duties apply equally to all looked after children, regardless of their age, gender, location or placement type.

Provision 1(b) means that a corporate parent's duties apply equally to all care leavers, up until their 26th birthday. (For further details about the definition of a looked after child and care leaver, please see the pages 5 and 6 above.)

55. The Act goes on to state that:

(2) This Part also applies to a young person who—

(a) is at least the age of 16 but under the age of 26, and

(b) is not of the description in subsection (1)(b)(ii) but is of such other description of person formerly but no longer looked after by a local authority as the Scottish Ministers may specify by order.

56. Under this provision Scottish Ministers have the power to extend the population to which Part 9 (corporate parenting) applies, by means of a Ministerial Order (secondary legislation). Any extension of the eligible population must be approved by the Scottish Parliament, and corporate parents will have an opportunity to share their views on the proposals.

Application of Part 9: individuals or whole population

57. All corporate parents should be clear that the duties set out in Part 9 (in particular section 58 (Corporate Parenting Responsibilities)) apply to individual eligible children and young people. In so far as it is consistent with the exercise of their other functions, every corporate parent should view their duties in relation to the specific needs of individual looked after children and care leavers. Part 9 sits firmly within the national Getting it Right for Every Child approach, which puts the needs of individual children at the centre of all decision making.⁹
58. The practical implications of this will differ significantly between corporate parents, in view of whether they provide services and support to children and young people, and their ability to identify individual eligible children amongst service users. For some corporate parents, such as those who do not provide any services or support, it may be appropriate to interpret the Part 9 duties in respect of the 'collective' population of looked after children and care leavers. For others, such as local authorities and health boards, existing duties (around assessment, care planning and collaboration) demand a constant focus on individual need; these organisations should already have a clear view of the needs of individual eligible children and young people (as well as systems in place to assess new eligible children), and be taking such actions as they consider necessary to safeguard and promote those individual's wellbeing.
59. The situation is perhaps most complex for corporate parents who provide services and support, but who are not able to identify (without notification from a local authority or self-declaration by service users) eligible individuals. In such cases it is accepted that the Part 9 duties will be implemented for individuals where the corporate parent is aware of their eligibility. Continued efforts should be made, however, to improve systems for identifying looked after children and care leavers among service users; proper use of the duty to collaborate

⁹ For further information on the national [Getting it Right for Every Child](http://www.gov.scot/Topics/People/Young-People/gettingitright) approach, please see the relevant section of the Scottish Government website: <http://www.gov.scot/Topics/People/Young-People/gettingitright>

(section 60) and other relevant legislation (such as Part 4 (Named Person Service) and Part 5 (Child's Plan) should facilitate this process.

Children and young people placed (or who move) away from home area

60. Part 9 does not make a distinction between corporate parents with a national or local focus. An organisation's corporate parenting duties apply equally to all eligible children and young people, regardless of where the child or young person lives, or who they are formally looked after / provided with aftercare support by. However, as acknowledged in the preceding chapter, it is likely that corporate parents whose functions are restricted to a specific administrative area will concentrate their efforts on those children and young people for whom they are responsible (under other legislative provisions).
61. In this context, it is recommended that where looked after children and young people have been placed into an area by another local authority, or a care leaver moves to a new area of their own volition, the placing / home local authority should remain the child / young person's corporate parent. This is consistent with the principles and rules set out in [Looked After Children \(Scotland\) Regulations 2009](#) and the [Support and Assistance of Young People Leaving Care \(Scotland\) Regulations 2003](#).¹⁰ In contrast, when a looked after child is placed, or a care leaver moves into, a new area, the territorial health board for that area becomes the child / young person's corporate parent. This is consistent with guidance set out in [Chief Executive Letter 03: Establishing the Responsible Commissioner](#) (2013).
62. Where relevant, corporate parenting plans and reports should make explicit reference to how corporate parenting duties are being fulfilled for children placed outside of administrative boundaries, and for care leavers who have moved away.

¹⁰ For further information please see Chapter 5 (Responsible Local Authority) of the [Supporting Young People Leaving Care in Scotland: Regulations and Guidance on Services for Young People Ceasing to be Looked After by Local Authorities](#)

Children placed with third sector or private care providers

63. Where a looked after child is placed with a third sector or private care provider (i.e. a residential care and / or education establishment) the placing local authority and the home health board remain the child's corporate parents. Day-to-day responsibility for safeguarding and promoting a child's wellbeing may be delegated to the independent care provider but, without exception, the child's corporate parents remain accountable for the fulfilment of the duties and functions set out in Part 9.

Transitions out of care

64. Children who cease to be 'looked after' by a local authority (and who do not qualify as 'care leavers') are no longer covered by Part 9 of the Act. However the Act as a whole is focused on securing and promoting the wellbeing of all children. A child who is ceasing to be looked after should not experience a sudden removal of support or opportunities, but rather a transition to alternative interventions (as set out in their Child's Plan). Where relevant, corporate parents should consider their duties to children and young people under other Parts of the Act (and other legislation) when assessing how to support a child or young person who has recently ceased to be looked after. The involvement of corporate parents, families, mentors and other trusted adults will be important to securing positive transitions out of care for children.
65. Similarly, while the corporate parenting duties set out in Part 9 of the Act come to an end at a young person's 26th birthday, corporate parents are encouraged to keep the needs and rights of the young person at the centre of their decision making, and plan the transition away from support and services in cooperation with the young person and any other appropriate persons or services.

SECTION 58: CORPORATE PARENTING RESPONSIBILITIES

66. The ‘corporate parenting responsibilities’ represent the core element of Part 9. Taken together the six duties provide an alternative definition of corporate parenting, and it is through a corporate parent’s efforts to fulfil these duties that they will uphold the rights and promote the wellbeing of looked after children and care leavers.

67. Under section 58 the corporate parenting responsibilities are set out as:

(1) It is the duty of every corporate parent, in so far as consistent with the proper exercise of its other functions —

(a) to be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom this Part applies,

(b) to assess the needs of those children and young people for services and support it provides,

(c) to promote the interests of those children and young people,

(d) to seek to provide those children and young people with opportunities to participate in activities designed to promote their wellbeing,

(e) to take such action as it considers appropriate to help those children and young people—

(i) to access opportunities it provides in pursuance of paragraph (d),

(ii) to make use of services, and access support, which it provides, and

(f) to take such other action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to those children and young people.

68. Although corporate parents will fulfil these duties in a variety of ways, in view of their varied other functions, it is important to note that these six duties are not a menu from which corporate parents can pick and choose. The corporate parenting responsibilities are interrelated; good ‘corporate parenting’ depends on each of the duties being fulfilled (in a manner appropriate to the corporate parent). Corporate parents will differ in what they can practically deliver in

respect to each duty; for instance some corporate parents will be able to fulfil a duty independently, others only through collaboration. But in every case corporate parenting plans should be explicit about how (individual and groups of) corporate parents will meet each obligation, and corporate parenting reports document how that was actually done.

69. It is important to note that the ‘corporate parenting responsibilities’ are underpinned by the United Nations Convention on the Rights of the Child (UNCRC), and closely linked in with the obligations set out in Part 1 (Rights of Children) of the Act. It is recommended therefore, that all corporate parents should have a good understanding of the UNCRC, and what it means for their organisation.¹¹

(a) Be alert to matters which might adversely affect wellbeing

70. In so far as it is consistent with the exercise of their other functions, corporate parents must be alert to matters which, or which might, adversely affect the wellbeing of looked after children and care leavers (section 58(1)(a)). This means that corporate parents must have systems in place to keep them informed of issues which could, potentially, have a negative impact on the life of individual child or young people and the eligible population as a whole. Relevant “matters” for an individual might include changes of placement and / or residence, changes in the accessibility of a service, or interaction with the justice system as a victim or witness. Relevant matters for the collective population might include changes to UK benefit rules, or the introduction of a high-profile inquiry relevant to the care system. The eight indicators of wellbeing are: safe, healthy, achieving, nurtured, active, respected, responsible, and included. Corporate parents must be alert to matters which might adversely affect a child’s or young person’s wellbeing in any of these areas. (A full definition of wellbeing is set out on page 8 above).

¹¹ For details of the UNCRC articles, and what they mean in Scots law, please see the relevant web pages of Scotland’s Commissioner for Children and Young People: www.sccyp.org.uk/rights/uncrcarticles

71. Keeping alert to matters affecting individuals requires a process of engagement with children and young people, and, where relevant, their primary carers. Only by engaging in dialogue will corporate parents be able to identify, understand and address the issues which matter most to looked after children and care leavers. To a significant extent this dialogue is already underway through established and informal mechanisms, as children and young people engage with the professionals and carers with whom they already have relationships. The feedback of these professionals, carers, mentors and advocates will be critical to corporate parents. But alongside these established and informal mechanisms, corporate parents should (where appropriate, in view of their other functions) provide opportunities for children, families, carers and young people to raise issues and concerns with them directly, through regular dialogue.
72. These opportunities should be well publicised, and accessible to the broad range of children and young people to which Part 9 applies. These opportunities will need to be safe spaces (physically and emotionally), well-facilitated and sensitive to the participants needs. Importantly, these opportunities for young people to engage directly with corporate parents should not be developed in isolation from each other. In view of the duty on corporate parents to collaborate (section 60) and avoid duplication, corporate parents should consider coordinating any direct engagement activities. Moreover, those who do undertake engagement activities should endeavour to make any resultant information available to other corporate parents. (Further information on models of direct engagement will be available in the relevant Practice Note.)
73. To facilitate planning, monitoring and review, corporate parents should also have a good understanding of the matters which, or which might, adversely affect the wellbeing of the population of (or specific groups of) looked after children and care leavers. Alongside the systems which enable a corporate parent to remain alert to matters potentially affecting the wellbeing of individual children, systems should be in place to aggregate available information with a view to identifying 'common issues' or 'trends'. Such analysis will enable

corporate parents to consider issues strategically, and monitor whether their response is delivering positive change for children and young people.

74. For corporate parents who provide services and support to children and young people, information collated from engagement exercises, assessments, plans and professional feedback should provide a good overall picture of matters which might affect the population (or groups of) looked after children and care leavers. This information (appropriately anonymised) should be made available (under the duty to collaborate) to those corporate parents who do not engage directly with looked after children and care leavers (or carers). All corporate parents should consider supplementing information collated from individual eligible children with general information from service providers (such as third sector organisations), academic research and data published regularly by the Scottish Government and its agencies.

(b) Assess the needs of children and young people for services and support

75. In so far as it is consistent within the exercise of their other functions, corporate parents must assess the needs of looked after children and care leavers for any services and support they provide to children and young people (section 58(1)(b)). The purpose of this is twofold:
- a) to ensure that where a corporate parent provides services and support to children and young people, individual looked after children and care leavers have been assessed to determine whether receipt of a service or support would promote their wellbeing (in any of the eight wellbeing indicators).
 - b) to ensure that the services and support provided by the corporate parent are both relevant and accessible to the widest possible group of looked after children and care leavers. (To achieve this, corporate parents will need to have a system for profiling the needs of the eligible population as a whole (either at a local or national level, as appropriate to the corporate parent)).

76. In the context of this guidance, a child has a need if any aspect of their wellbeing is, or is at risk of, being adversely affected by any matter. For instance, if a child is unable to participate in regular physical activity they have a need. The child then requires additional support in order to meet this need.
77. Where a corporate parent provides services directly to looked after children and care leavers, the corporate parent should have a system in place to assess individuals for the services and support they provide. However in many cases an assessment of the child or young person's needs will already have been carried out, and further assessment (by the corporate parent) will not be necessary. In the case of individual looked after children and care leavers (up until their 18th birthday), 'wellbeing needs' should already be clearly recorded in their Child's Plan. (From August 2016 a Child's Plan will be a statutory requirement for all children requiring one or more targeted interventions to meet their identified wellbeing needs. A targeted intervention is defined in section 33(4) of the Act as a service provided by a relevant authority¹² which is directed at meeting the needs of children whose needs are not capable of being met, or met fully, by the services which are provided generally to children by the authority. For further details on the Child's Plan, please read the draft Statutory Guidance on Part 5: Child's Plan.)
78. In this context, it should not be necessary for corporate parents to 'assess needs' under Part 9 in the majority of individual cases; the process should have already been undertaken to inform the Child's Plan (and any other equivalent plan prepared for young people aged 18 and over), with the resultant information available to organisations identified as having a role in safeguarding or promoting a child or young person's wellbeing. In such instances the corporate parent's duty is to assess whether any of the needs identified in the Child's Plan (or equivalent) can be met through the services and support they provide. However, for care leavers (beyond their 18th birthday) who are not involved with aftercare services, there will not be an up to date plan. To

¹² "Relevant authority" is defined in Part 5 as any health board, local authority, the managers of any grant-aided school or the proprietors of any independent school.

accommodate these cases, every corporate parent should have some facility for assessing the needs of individual young people.

79. There will, however, be situations where no plan is in place (such as for a care leaver who is not engaged with aftercare services). In these cases relevant corporate parents must have systems in place to assess individuals for the support they provide.
80. For those corporate parents who do not currently provide services directly to children and young people, a general assessment of the population's needs may be all that is possible. Such assessments should be based on the population-level information generated by service providing corporate parents (see paragraphs below) and other external sources (academic research, third sector input, etc.). Please note that, even though a corporate parent may not currently provide services and support, a general assessment of needs is still important. It is necessary, for example, to enable a corporate parent to remain alert to matters which, or which might, affect wellbeing (section 58(1)(a)). It is also essential for planning, allowing the corporate parent to identify opportunities through which they can safeguard and promote the wellbeing of looked after children and care leavers.
81. A general assessment of population need will also be sufficient for those corporate parents (such as the police and universities) who provide services directly to children and young people but who are unable to identify looked after children or care leavers. However these corporate parents should thoroughly explore options for how they might identify those individual young people covered by Part 9. For example, the 16+ Learning Choices Data Hub (administered by Skills Development Scotland) should enable providers of 16+ education to direct services and support to looked after children and care leavers.
82. As alluded to above, where a corporate parent does provide services and support to children and young people, effort should be made to collate and analyse the information available from individual-level assessments, plans and

engagement. This should be combined with information provided by external organisations (including independent or third sector service providers), academic research and national data, in order to provide a broad and strategic assessment of the population's needs. This information should be shared with other corporate parents (under the duty to collaborate), and used by decision makers in the planning and evaluation of services and support. The information should form the basis of corporate parenting plans and reports. (There are important links here with the duties placed on local authorities and health boards to prepare 'Children's Services Plans' (Part 3 of the Act); statutory guidance will be available from the Scottish Government in advance of commencement of these duties.)

83. The aim of this duty is to ensure services and support are relevant and accessible to looked after children and care leavers. It is not, therefore, sufficient for needs to be identified but not addressed. Where relevant, corporate parenting plans and reports should state explicitly how assessments of need will (or have) led to changes in existing provision, or the development of new services. Where no changes are considered necessary, plans and reports should explain why, in reference to the assessment of needs which have been undertaken.

(c) Promote the interests of looked after children and care leavers

84. It is the duty of all corporate parents, in so far as it is consistent with the exercise of their other functions, to promote the interests of looked after children and care leavers (section 58(1)(c)). For the purposes of this Part of the Act, the phrase "promote the interests" should be interpreted as "pursuing advantage or benefit for". Therefore this duty relates to the performance of actions which may advantage or benefit looked after children and care leavers.
85. The promotion of interests can take many forms, some of which will be more relevant to certain corporate parents (in view of their primary functions) than to others. Promotion of interests could include advocacy (on behalf of an individual or the population), positive action to widen access to education,

leisure or employment opportunities (on behalf of an individual or the population), tackling discrimination, upholding children's rights, and working to redress barriers to their positive wellbeing. A funding organisation could, for instance, ensure that resources are directed towards projects which explicitly involve looked after children and/or care leavers. On the basis of the 'assessment of need' (section 58(1)(b)) and 'being alert to matters which might adversely affect their wellbeing' (section 58(1)(a)), corporate parents should identify the most appropriate ways in which they can promote the interests of looked after children and care leavers. The approaches chosen (and the activities involved) should be clearly stated in corporate parenting plans and reports.

86. The duty to 'promote the interests' applies to the collective population of looked after children and care leavers and individual children and young people. Where relevant and appropriate (in view of their primary functions) corporate parents should actively seek to promote a child or young person's interests within the services they control. A local authority could, for instance, provide support to a young person eager to engage in creative activities. In a similar vein, a health board could facilitate a job shadowing experience with clinical professionals for a young person interested in pursuing a career in medicine.
87. Please note that this duty to promote the interests of looked after children and care leavers is directly linked in with the obligations set out in the United Nations Convention on the Rights of the Child (UNCRC), and the obligations set out in Part 1 (Rights of Children) of the Act.

(d) Provide opportunities to participate in activities designed to promote wellbeing

88. Every corporate parent must, in so far as it is consistent with the exercise of their other functions, seek to provide opportunities for looked after children and care leavers to participate in activities which are designed to promote their wellbeing (section 58(1)(d)). In practical terms this means that corporate parents must extend, develop or procure activities which offer looked after

children and care leavers a chance to improve their wellbeing (as defined by the eight wellbeing indicators (SHANARRI)). Importantly, it is about more than just 'safeguarding' their wellbeing, which may be fulfilled through regular business.

89. The aim of this duty is to secure a wide range of high-quality opportunities through which this specific group of young people do become successful learners, confident individuals, responsible citizens and effective contributors to their communities. The first step in fulfilling this duty is, therefore, identifying which activities would be relevant, and seeking to understand how looked after children and care leavers can be supported to participate in them. Proper fulfilment of corporate parenting responsibilities (a) and (b), including, where relevant, direct consultation with children and young people, should provide much of the necessary information. In addition, corporate parents should consider the role of carers (including family members), professionals and other trusted adults will play, both in providing relevant information, and assisting in participation.
90. The next step is ensuring the identified activities are available to the eligible population. In some cases it may be necessary for corporate parents to develop or procure new activities (such as excursions for looked after children, or modern apprenticeship schemes for care leavers). But in many instances the corporate parent's role will be to make it possible for looked after children and care leavers to engage in existing activities. (For further information on supporting young people to access opportunities, please review the guidance for duty (e) below).
91. Schedule 4 includes a range of corporate parents, with varied functions. It is expected, therefore, that corporate parents will fulfil this duty in a variety of ways, making reference to both their function and focus. For example, corporate parents who do not provide services directly to children or young people are more restricted in the activities they can offer. All corporate parents are, however, employers, with the power to offer opportunities for work experience, training or employment. Many corporate parents are in a position to

provide volunteering opportunities. Staff could also be encouraged and supported to become mentors for young looked after children and care leavers. Other organisational functions, such as inspection or reviewing funding applications, could be adjusted to include the participation of the eligible population. Each of these examples would offer a looked after child or care leaver with an opportunity to improve their wellbeing.

92. While it is expected that the range and type of opportunities made available will vary among corporate parents, it is not the responsibility of every corporate parent to provide activities which address all wellbeing needs. Corporate parents with a particular focus (such as housing, education or health) may wish to tailor their activities to the relevant aspects of children's wellbeing. The breadth of corporate parents included on schedule 4 should ensure that, collectively, the varied needs of looked after children and care leavers are covered appropriately. However, all corporate parents remain under a duty to assess the needs of looked after children and care leavers (section 58(1)(b)), and to promote their interests (section 58(1)(c)), so where it is identified that insufficient opportunities are being made available, to either the eligible population or an individual, corporate parents are under a duty to make activities available (if appropriate for them to do so, in view of their other functions), or advocate for activities to be made available by other corporate parents.
93. Corporate parents must ensure that the opportunities provided are not one-off chances. As far as it is practical, looked after children and young people must have multiple opportunities to participate in activities, and not be penalised if they are unable to, or choose not to. For instance, if a young person does not take up a modern apprenticeship with a corporate parent, they should not be excluded from applying again at a later date.
94. The phrase 'seek to provide' means that corporate parents must invest in making children and young people aware of the activities available, and then support them to do so. It will not be sufficient to simply make opportunities available. Corporate parenting plans and reports should be explicit about how

the corporate parent (or group of corporate parents) informed and enabled looked after children and care leavers to participate in the activities they made available. (Further information on supporting young people to access opportunities is included in the guidance for duty (e), immediately below).

(e) Actions to help eligible children and young people access opportunities and make use of services

95. Every corporate parent, in so far as it is consistent with the exercise of its other functions, must take such action as it considers appropriate to help looked after children and young people access the opportunities it provides (under duty (d) above) and to make use of the services and support which it provides (section 58(1)(e)).
96. Looked after children and care leavers face many barriers to their participation in activities and engagement with services and support. Common practical barriers can include limited access to transport and finances, changes of residence, childcare and other caring responsibilities, low levels of numeracy and literacy, and socially isolated carers who lack in confidence. Children's mental and physical disabilities may also limit opportunities to participate. Considerable emotional barriers also need to be taken into account, including unresolved trauma, fear of failure, loss and rejection, and problems related to drug and alcohol misuse. Engagement with children and young people (whether undertaken directly or indirectly), combined with an assessment of needs, and consideration of matters which might adversely affect wellbeing, should provide corporate parents with an understanding of the barriers faced by this population(s). Corporate parents must then identify and implement such actions as it considers appropriate to help looked after children and care leavers overcome the barriers, so that they can benefit from the opportunities, services and support available to them. The appropriateness of action will depend on children and young people's right to privacy, corporate parents' duty to share information responsibly, and considerations about the risk of stigmatising children, practicality and financial viability.

97. A key part of this duty is keeping eligible children and young people informed of the opportunities, services and support available to them. For all corporate parents this will require close cooperation with local authorities, as these are likely to have the most direct and regular contact with looked after children, care leavers and carers. Corporate parents may also wish to build links with private and third sector organisations providing care and support to the eligible population. However, corporate parents should also put in place their own systems for informing the eligible population. Such systems could include direct interaction, designated staff, publications, websites and social media. A corporate parent's other functions, and the opportunities, services and support they provide to the eligible population, should determine which approach is most suitable.
98. Corporate parents should give consideration to the role families, carers and other trusted adults (including professionals) will play in enabling children and young people to access opportunities. Not only will these individuals be a valuable source of information about why children and young people experience difficulty engaging with a service or taking up an opportunity, they will also be important source of support, helping to facilitate a child or young person's engagement.
99. Where barriers to participation in activities or engagement with support have been identified, this duty requires corporate parents to take such action as it considers appropriate to address them. In the case of limited access to transport, for instance, appropriate action may be to organise for free public transport, or to agree start and finish times which fit around the individual's availability. Where the barriers are primarily emotional, appropriate action may be to offer a mentor, or to structure the activity in such a way as to minimise risk. For those corporate parents who will offer only limited opportunities to looked after children and care leavers, and who do not provide services or support directly, there is still an important role in eliminating barriers to participation in all areas of daily life, including social, cultural and educational. All corporate parents, regardless of their other functions, can play a role in improving access to opportunities, services and support; corporate parenting

plans and reports should state clearly what actions the corporate parent (or group of corporate parents) have taken to fulfil this duty.

(f) Actions to improve the way in which it exercises its functions in relation to looked after children and young people

100. A corporate parent must, in so far as it is consistent with the exercise of its other functions, take such actions as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to looked after children and care leavers (section 58(1)(f)). This means that all corporate parents should keep under review their performance with respect to fulfilling their corporate parenting responsibilities, and where improvements are identified (such as increasing the range or enhancing the quality of wellbeing promoting activities) appropriate action must be taken to implement them. The appropriateness of action will depend on children and young people's right to privacy, corporate parents' duty to share information responsibly, and considerations about the risk of stigmatising children and the sustainability of improvements.
101. Corporate parenting plans should be clear about how the process of monitoring and review will be undertaken. Corporate parenting reports should include the conclusions of the review, details of the actions taken in response, and if certain actions have not been taken, clear explanations why.
102. For those corporate parents who do not provide services to children and young people directly, the process of review, and any actions identified, will be restricted to assessing performance in respect of fulfilling their corporate parenting responsibilities (such as keeping 'alert to matters which affect wellbeing' or providing opportunities to promote wellbeing). However, for corporate parents who do provide services to children and young people directly, the process of review and improvement should encompass all their relevant functions. For example, a local authority or health board should review the performance of all the services they make available to children and young

people, on the basis that these are services and support which may be used by looked after children and care leavers.

Consistent with the proper exercise of other functions

103. Section 58 of the Act states that it is the duty of every corporate parent to fulfil their corporate parenting responsibilities 'in so far as consistent with the proper exercise of its other functions'. This means that corporate parenting responsibilities (section 58) should be fulfilled within the parameters afforded by a corporate parent's primary functions, and the structure it maintains to support these. It is not the purpose of Part 9 to re-orientate organisations away from their other functions. If a corporate parent does not provide services directly to children or young people, Part 9 does not oblige them to establish them.
104. The purpose of Part 9 is to establish a common understanding of the principles and duties which constitute corporate parenting, and to oblige a range of publicly funded bodies to consider what more they each can do to improve the lives of looked after children and care leavers. Part 9 does aim to improve the availability of opportunities, services and support for looked after children and care leavers, but the expectation is that this will be done through the collective action of corporate parents, each playing their own distinct role.
105. Every corporate parent in schedule 4 has a role in improving the wellbeing of looked after children and care leavers, and the first and second corporate parenting responsibilities ('to be alert to matters' and 'to assess the needs') are, in part, designed to ensure organisations identify that role. At a minimum all corporate parents should be able to identify activities which help to promote wellbeing (such as offering education, training and employment opportunities within the organisation) and take steps to promote looked after children and care leaver interests in whatever area of public policy the corporate parent operates in. In view of the varied functions of corporate parents, it is expected that approaches to 'corporate parenting' (as set out in section 58 of the Act) will vary accordingly. This is in the interests of looked after children and care leavers, whose needs vary widely.

106. The Practice Notes which accompany this guidance will explore on how individual or groups of corporate parents can fulfil their duties within the parameters prescribed by other functions.

Modifications to the corporate parenting responsibilities

107. Scottish Ministers may, by order, modify the list of corporate parenting responsibilities so as to confer, remove or vary a duty on a particular corporate parent, corporate parents of particular description, or all corporate parents (section 58(2)).

108. Ministerial Orders are Scottish Statutory Instruments laid before the Scottish Parliament. Any order made under section 58(2) would be subject to an affirmative parliamentary procedure, and therefore receive a level of parliamentary scrutiny.

SECTION 59: PLANNING BY CORPORATE PARENTS

109. Under section 59 a corporate parent must prepare, keep under review, and publish a Corporate Parenting Plan. This plan must set out how the corporate parent proposes to fulfil its corporate parenting responsibilities (as set out in section 58 of the Act).

110. The format of a corporate parenting plan is not prescribed in the Act or this guidance. However the content of the plan must include information on how the corporate parent (or group of corporate parents if a joint plan) will:

- Be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom corporate parenting applies.
- Assess the needs of those children and young people for the services and support they provide.
- Promote the interests of those children and young people.
- Provide those children and young people with opportunities to participate in activities designed to promote their wellbeing.
- Take such action as it considers appropriate to help those children and young people to (i) access the opportunities it provides, and (ii) make use of services, and access support, which it provides.
- Take such action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to the children and young people to whom corporate parenting applies.

111. These corporate parenting duties apply equally to all looked after children and care leavers. Due to the wide range of ages and placement types experienced by the eligible population, corporate parents will need to consider how the wellbeing needs of the whole population can be met. In preparing a corporate parenting plan it is recommended that details are given, where appropriate, about how the corporate parent (or group of corporate parents if a joint plan) will fulfil their responsibilities in respect to:
- the different ages (and stages of development) of looked after children;
 - the different genders;
 - the different placement types in which looked after children and care leavers live;
 - looked after children and care leavers with disabilities;
 - the different cultural and religious backgrounds of looked after children and care leavers;
 - the different geographical contexts in which they live (e.g. urban/rural)
112. Where appropriate, corporate parents should consider how to meet the needs of younger children (0 – 11) and those who live at home or with kinship carers. Traditionally these groups have not enjoyed the same benefits from corporate parenting as others. To ensure the corporate parenting duties are fulfilled equally for all children and young people, it is recommended that corporate parents consider how they will engage and interact with children’s carers. These adults will play a critical role in keeping corporate parents alert to matters affecting the wellbeing of the eligible population, and enabling children and young people to participate in opportunities, and access services and support.
113. It is also recommended that corporate parenting plans include details of any planned collaboration between corporate parents. Corporate parents are under a duty to collaborate with each other, in so far as it is reasonably practical, when exercising their corporate parenting duties; this includes, if appropriate, the development of a joint-corporate parenting plan. (For further details on the duty to work collaboratively, please see the relevant chapter below.)

114. A corporate parent (or group of corporate parents) must keep their plan under review. The purpose of this review should be to (a) establish if the plan is being delivered, and (b) identify ways in which the corporate parent(s) may improve the way it exercises its corporate parenting functions. A corporate parent must put in place systems to regularly collect and analyse information relating to its performance. It is recommended that all corporate parents set clear objectives for the duration of the plan, on which their performance will be measured. In respect of the opportunities, services and supports which may be provided, corporate parents should pay close attention to the quality of what they are providing, not just the volume and range. This will involve seeking and analysing feedback from children and young people who participated in activities or accessed services.
115. The Act does not prescribe a timescale for reviewing the corporate parenting plan. The duty is to ‘keep its plan under review’, so all corporate parents should review their plan regularly (e.g. bi-annually, annually), assessing their performance when relevant information is available. However, at a minimum, prior to publishing a corporate parenting report (section 61) or a revising a corporate parenting plan, corporate parents should undertake a review (of their performance). The findings of this review should be published in the corporate parenting report, and used to update the corporate parenting plan. It is recommended that the process of reviewing, reporting on, and updating the plan, takes place at least once every three years. (For further details on reports by corporate parents, please see the relevant chapter below.)
116. Section 59(2) requires a corporate parent, where appropriate, to consult with other corporate parents before preparing or revising their corporate parenting plan. (For further details on collaborative working among corporate parents, please see the relevant chapter below.) Corporate parents must also consult with such other persons as they consider appropriate. In every case the term ‘appropriate person’ would include the children and young people to whom Part 9 applies. While it may not be possible or desirable for every corporate parent to consult with the eligible population directly, every corporate parenting plan should take account of their views and aspirations. Those corporate parents

who do not engage with looked after children and care leavers directly should collaborate closely with corporate parents who do, or consult other organisations who can provide relevant information and insight.

117. Section 59(3) requires a corporate parent to publish their plan, and any revised plan, in such manner as it considers appropriate. The legislation also emphasises that plans may be published together with, or as part of, any other plan or document. This guidance has already recommended that the plan should be reviewed and updated at least every three years. This updated plan must then be published in a document which is easily accessible to both the eligible population and general public. Accessibility relates to both the availability of the document (i.e. published online), and its format and language.
118. Plans may be published alone, or as part of another document. Corporate parents choosing to publish their plan as part of another document should carefully consider the relevance and accessibility of the other document. In view of the duty on all corporate parents to publish a report on how they exercised their corporate parenting functions, it is recommended that plans and reports are published together, in the same document, to make it as easy as possible for children and young people to access them. For some corporate parents it may be appropriate to include their plans in the wider 'Children's Services Plan', prepared under Part 3 of the Act. However, corporate parents choosing to do so must ensure that this document meets the necessary requirements in terms of accessibility for looked after children and care leavers. Where a group of corporate parents choose to publish a joint plan, regardless of the format they must ensure the individual contributions of each corporate parent are clearly detailed.

SECTION 60: COLLABORATIVE WORKING AMONG CORPORATE PARENTS

119. Section 60 requires all corporate parents to collaborate with each other, in so far as is reasonably practicable, when exercising their corporate parenting duties, where they consider that doing so would safeguard or promote the wellbeing of children and young people to whom Part 9 of the Act applies.

120. Collaboration may involve (but is not restricted to):

- (a) sharing information,
- (b) providing advice or assistance,
- (c) co-ordinating activities (and seeking to prevent unnecessary duplication),
- (d) sharing responsibility for action,
- (e) funding activities jointly,
- (f) exercising functions under this Part jointly (for example, by publishing a joint plan or joint report).

121. For any corporate parent to be successful in fulfilling their duties a measure of collaborative working with other corporate parents will be necessary. Whether it is in preparation of a corporate parenting plan, verification of young person's eligibility, or delivery of activity, corporate parents will need the support of others. This is a reflection of the varied functions of corporate parents. For corporate parents with no direct contact with children and young people, collaboration may be necessary to fulfil their duties to "be alert to matters which might affect wellbeing" (section 58(1)(a)), and to "assess their needs" (section 58(1)(b)), among others. For some corporate parents collaboration may offer the means by which they can 'promote the interests' of looked after children and care leavers (section 58(1)(c)) or take appropriate action to help eligible young people to access the opportunities, services and support provided (section 58(1)(e)).

122. In the interests of the eligible population, corporate parents should actively consider funding activities jointly. By combining resources corporate parents may be able to offer a wider range of quality opportunities, services and supports for looked after children and young people. While the pressures on an organisation's resources are acknowledged, it will not be acceptable for a corporate parent to claim resource constraints as the reason why an opportunity, service or support cannot be provided, without evidence that they have comprehensively explored the opportunities for collaboration (including joint funding) with other corporate parents.
123. Effective collaboration will depend, in part, on the sharing of information. In most cases it should be possible to share relevant information without requiring the disclosure of personal information. When corporate parents wish to disseminate information about the activities and support they provide, for example, they should collaborate with those corporate parents (such as local authorities) who have direct contact with children and young people, and can distribute information on their behalf. Where the sharing of personal information is required in order to safeguard or promote the wellbeing of a child or young person, this should be done proportionately, in compliance with the principles and provisions of the Data Protection Act 1998.
124. Section 60 does not prescribe the format of collaborative working. Some corporate parents may wish to develop formal partnerships, pooling resources and expertise to fulfil their corporate parenting functions. Others may wish to use existing collaborative structures (such as Community Planning Partnerships); however existing structures may have limited memberships, so corporate parents choosing this option will need to consider how they also engage with corporate parents outside of these structures. For some corporate parents, in view of their other functions, collaborative working will only ever be appropriate on an ad hoc basis, and in a limited way. Ultimately it is the responsibility of each corporate parent to identify how and with whom they collaborate. Any collaboration should be recorded in the corporate parenting report. When no collaboration has taken place over the course of a corporate parenting report, an explanation should be provided.

SECTION 61: REPORTS BY CORPORATE PARENTS

125. Under section 61 a corporate parent must report on how it has exercised its corporate parenting responsibilities under section 58, its planning and collaborating functions under sections 59 and 60, and its other functions under Part 9. Corporate parenting reports may include information about standards of performance, and the outcomes achieved for looked after children and young people. Corporate parenting reports should be published in such manner as the corporate parent (or group of corporate parents if a joint report) consider appropriate; this could mean publishing the report alongside other reports or documents (such as the corporate parenting plan) or as part of other reports or documents (such as an Annual Report).
126. A corporate parenting report should be published at least once every three years. The process for preparing and publishing a corporate parenting report should be part of a coherent process of planning, review and reporting. The report should be linked to the objectives and activities detailed in the plan, providing an analysis of progress and identifying any actions which could improve the way in which the corporate parent (or group of corporate parents) exercises its functions. As with the plan, the corporate parenting report should be easily accessible to both the eligible population and general public. Accessibility relates to the availability of the document (e.g. published online), its format and language.
127. The content of corporate parenting reports will be shaped by the content of corporate parenting plans. At a minimum, every corporate parenting report must include information on:
- How the corporate parent (or group of corporate parents) has exercised the duties set out in section 58 (the 'corporate parenting responsibilities')
 - How the corporate parent (or group of corporate parents) has fulfilled its functions in respect to planning, collaborative working with other corporate

parents, preparing reports and, where relevant, providing information to Scottish Ministers and following directions issued by Scottish Ministers.

128. Within these sections, corporate parenting reports should detail the performance of corporate parents, including outcomes achieved. It will not be sufficient for corporate parenting reports to be narrative descriptions of activity. Corporate parenting reports must be based on data and analysis. As the guidance on corporate parenting plans stated, it is recommended that corporate parents set clear objectives, which their performance can be measured and reported upon. Where relevant, such as fulfilment of the duty to provide activities to promote wellbeing, reviews of performance should consider the quality of the opportunities provided, and not just the extent (i.e. total number) or range. The purpose of Part 9 is to safeguard and promote the wellbeing of looked after children and care leavers, so all corporate parenting reports should explain how individual corporate parents have contributed to this aim.
129. Within corporate parenting reports it will be particularly important to detail how the wellbeing needs of looked after children and care leavers were identified, and how opportunities, services and supports were developed or made accessible to the eligible population (within the parameters set by the corporate parent's other functions). If publishing a joint report, corporate parents should ensure that their specific contributions are clearly stated.
130. It is important to note that many corporate parents are subject to reporting requirements under other Parts of the Act (in particular Parts 1 and 3) and other legislation (e.g. Equalities Act 2010). Corporate parents are encouraged to make the links between these separate reporting requirements, combining reports, where relevant, into a single publication. Effective collaborative working between corporate parents should identify opportunities to facilitate the process of reporting on a range of separate but interrelated areas.
131. Scottish Ministers are not corporate parents for the purposes of sections 61-64. This means they are exempt from this duty to report. However Scottish Ministers are subject to their own specific reporting duty, set out in section 65.

SECTION 62: DUTY TO PROVIDE INFORMATION TO SCOTTISH MINISTERS

132. Under section 62 a corporate parent must provide Scottish Ministers with such information as they may reasonably require to determine:

- How the corporate parent has exercised its duties under section 58 (corporate parenting responsibilities).
- How the corporate parent has fulfilled its other functions under Part 9 (including planning, collaborative working and reporting).

133. The information required by Scottish Ministers may relate, in particular, to (a) standards of performance, in respect to the corporate parent's exercise of its functions, and (b) the outcomes achieved for the eligible population of children and young people.

134. Corporate parents may provide information to Scottish Ministers in any format which meets the requirements set out immediately above. However it is strongly recommended that corporate parenting reports include all the relevant information, and for these to be submitted to Scottish Ministers when information is requested. As Scottish Ministers are under a duty to report to the Scottish Parliament on how they have exercised their corporate parenting responsibilities at the end of each three year period (section 65), it is likely that requests for information will follow a similar schedule. Any corporate parent wanting to submit a corporate parenting report in response to a request for information will, therefore, need to have an up to date report published at least every three years. Please note that while it is likely that requests for information by Scottish Ministers will come every three years, Scottish Ministers are empowered to ask for relevant information at any time. Corporate parents should have suitable arrangements in place to generate the required information on request.

135. The duty to provide information to Scottish Ministers (section 62) provides a layer of accountability, through which the performance of corporate parents, and the outcomes achieved, may be monitored. On the basis of the information provided, Scottish Ministers may take action to improve the way a corporate parent exercises its functions under Part 9 of the Act (such as issuing a direction under section 64 or updating guidance). However, it is important to note that any assessment of a corporate parent's performance in respect to section 58 (corporate parenting responsibilities) will be undertaken in reference to the corporate parent's other functions.

SECTION 63: GUIDANCE ON CORPORATE PARENTING

136. A corporate parent must have regard to any guidance about corporate parenting issued by Scottish Ministers. Guidance may include advice or information about how a corporate parent should:

- Exercise their corporate parenting responsibilities;
- Promote awareness of their corporate parenting responsibilities;
- Plan, collaborate or report (duties under sections 59, 60 and 61);
- Exercise other functions under Part 9 (including providing information to Scottish Ministers)

137. Guidance may also provide advice about the outcomes (for looked after children and care leavers) which corporate parents should seek to achieve. (For further detail please see the chapter on 'Outcomes from corporate parenting'.)

138. Before issuing or revising guidance, Scottish Ministers must consult with any corporate parent to whom it relates and any other persons as it considers appropriate.

139. This guidance document (Statutory Guidance on Part 9 (corporate parenting)) is issued under section 63 of the Act. Every corporate parent (with the exception of Scottish Ministers) must have regard to it. Only in exceptional circumstances, with good reason, may corporate parents deviate from this guidance.

SECTION 64: DIRECTIONS TO CORPORATE PARENTS

140. A corporate parent must comply with any direction issued by Scottish Ministers. These directions can relate to how a corporate parent has fulfilled their duties under section 58 (corporate parenting responsibilities) and how they have exercised their other corporate parenting functions (i.e. planning, collaborating reporting, etc.) under Part 9 of the Act.
141. Directions may be issued under the powers provided to Scottish Ministers by section 64 of the Act. Before issuing, revising or revoking a direction, Scottish Ministers must consult with any corporate parent to whom it relates, and any other persons they consider appropriate.
142. Under section 56(4), the Commissioner for Children and Young People in Scotland (SCCYP) and a body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005, are not corporate parents for the purposes of section 64. This means that they are not subject to the duty to comply with a direction issued by Scottish Ministers. However this exemption only applies to directions issued under section 64; relevant Ministerial Orders issued under sections 56, 57 and 58, and guidance issued under section 63, should be complied with in full.

SECTION 65: REPORTS BY SCOTTISH MINISTERS

143. Scottish Ministers must, as soon as practicable after the end of each three year period, lay before the Scottish Parliament a report on how they have exercised their corporate parenting responsibilities during that period. The first three year period begins on 1 April 2015.
144. The report presented by Scottish Ministers is likely to follow a similar format to that set out for other corporate parents (in the guidance on section 61 above). Content will include information about how Scottish Ministers have fulfilled their duties under section 58 (corporate parenting responsibilities) and other relevant duties (planning (section 59), collaborative working (section 60)). Scottish Ministers are not corporate parents for the purposes of sections 61 to 64.
145. The report presented by Scottish Ministers will include information about how all the directorates of the Scottish Government, and their Executive Agencies, have performed in respect of their corporate parenting duties over the three year period. It is on the basis of this report that the Scottish Parliament will hold Scottish Ministers to account.

OUTCOMES FROM CORPORATE PARENTING

146. Under section 63 Scottish Ministers are empowered to issue guidance to corporate parents about the kind of outcomes (for the eligible population of children and young people) which should be achieved through corporate parenting (the proper fulfilment of all duties set out in Part 9).

147. This guidance recommends that every corporate parent considers, in the context of their primary functions, their contribution towards:

- Providing safe, secure, stable and nurturing homes for looked after children and care leavers;
- Enabling looked after children and care leavers to develop or maintain positive relationships with their family, friends, professionals and other trusted adults;
- Upholding and promoting children's rights;
- Securing positive educational outcomes for looked after children and care leavers;
- Ensuring 'care' is an experience in which children are valued as individuals, and where support addresses their strengths as well as their needs;
- Ensuring physical or mental health concerns are identified early and addressed quickly;
- Increasing the number of care leavers in education, training and employment;
- Reducing the number of looked after children and care leavers who enter the youth and criminal justice systems.

148. This is not an exhaustive list, and the outcomes adopted by each corporate parent (and recorded in the corporate parenting plan) should be identified through an assessment of need (a duty under section 58(1b)) and by remaining alert to matters which adversely affect the wellbeing of looked after children and care leavers (section 58(1b)). Critically, corporate parenting outcomes should

be shaped through continual discussion and engagement with children and young people. Meaningful dialogue is essential to effective corporate parenting. However, the level of consultation must be proportionate, and corporate parents should work collaboratively to minimise duplication, and to ensure all corporate parents have opportunities to fulfil their corporate parenting responsibilities (section 58).

149. The corporate parenting outcomes chosen by each corporate parent will also be shaped by their other functions, and the public policy area in which they primarily operate.

REFERENCES TO 'WELLBEING' IN PART 9

150. Section 58 (1)(a) of the Act requires that every corporate parent, in so far as consistent with the proper exercise of its other functions, be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom Part 9 applies. Section 58(1)(d) states that another duty of every corporate parent is to seek to provide those children and young people with opportunities to participate in activities designed to promote their wellbeing. Section 58 therefore requires each corporate parent to have cognisance of 'wellbeing', as described in section 96 of the Act.
151. The Act also specifies that corporate parents must, in so far as reasonably practicable, collaborate with each other when exercising their corporate parenting responsibilities and other functions under Part 9 of the Act, where they consider doing so would safeguard or promote the wellbeing of children and young people to whom Part 9 applies (section 60(1)). Section 60(2) specifies the forms that this collaboration may take.
152. The provisions in Part 9, and in particular, those contained in section 59, are thematically linked to children's services planning, as covered in Part 3 of the Act. Corporate parents listed in schedule 4 should ensure they create a culture where wellbeing is understood in the context of sections 95 and 96 of the Act, specifically in relation to looked after children and care leavers.

Assessment of wellbeing

153. Section 96(2) describes the wellbeing of children and young people in terms of eight indicators. These eight wellbeing indicators are sometimes known collectively by the acronym 'SHANARRI'. For further details on the wellbeing indicators please review the chapter 'Definition of Terms' above.
154. Whenever wellbeing is assessed it should be done in relation to the eight wellbeing indicators. Corporate parenting actions should be directed towards safeguarding or promoting a child or young person's wellbeing in any one or

number of these areas. An explanation of how to assess wellbeing using the eight indicators can be found on the [GIRFEC pages of the Scottish Government website](#), and in the [GIRFEC National Practice Guide](#) (2012). Further guidance on wellbeing (as set out in section 96) will be issued by the Scottish Government; corporate parents should have regard to any such guidance when assessing the wellbeing of a looked after child or care leaver.

155. Please note that (as discussed on pages 25-28 above) the majority of children and young people covered by Part 9 will, by virtue of being a looked after child or care leaver, already have been assessed using the National Practice Model, and their wellbeing needs recorded in a Child's Plan (or equivalent for young people aged 18 and above). These are statutory processes governed by primary and secondary legislation outside of Part 9. In this context, for most corporate parents the reality of 'assessment' will be working with the child/young person, carers and relevant professionals to identify if wellbeing needs (as recorded in the Child's Plan, or equivalent) can be met through the opportunities, services or support provided by the corporate parent. The exceptions to this will be those organisations who are responsible, under Parts 4 and 5 of the Act, for contributing to the development of a Child's Plan in the first instance.

INTERACTION BETWEEN CORPORATE PARENTS AND THOSE WITH PARENTAL RIGHTS AND RESPONSIBILITIES

156. In fulfilling their duties under Part 9 of the Act, corporate parents should consider how they interact with individuals who have parental rights and responsibilities in respect of a child or young person.
157. Although children can become ‘looked after’ through a variety of legal routes (and for a number of reasons), in the majority of cases birth parents will retain parental rights and responsibilities for their children, in partnership with the state. Corporate parents should recognise the existence of certain legal rights of birth parents and children under Scots law, and, where appropriate, consider how they will interact with birth parents and families.
158. When a child becomes looked after as a result of a voluntary agreement (under section 25 of the Children (Scotland) Act 1995) parents retain their parental responsibilities and rights in respect of their child. Parental responsibilities and rights are set out in sections 1 and 2 of the [Children \(Scotland\) Act 1995](#).
159. For looked after children who are subject to a Compulsory Supervision Order (CSO) made by a Children’s Hearing, parental rights and responsibilities are also maintained, but are limited in so far as it is necessary to give effect to the CSO. For example, where a condition of residence with foster carers or in a residential unit is attached to a CSO, the local authority assumes the right to determine with whom the child is placed, to the extent of the terms of the CSO. The parents’ specific right under section 2(1)(a) of the Children (Scotland) Act 1995, “to have the child living with him or otherwise to regulate the child’s residence” is restricted accordingly.
160. When a Permanence Order is in place, the Order will reallocate certain parental rights and responsibilities to the local authority (always including the right to regulate residence). It is necessary to look at the terms of a Permanence Order to see how the court has allocated parental rights and responsibilities in any particular case. It follows that, for every looked after child, corporate parents

need to recognise the responsibilities and rights the parent (or other family carer) retains in respect of their child. There must be recognition of the role of parents and carers, and corporate parents should work together with primary carers to meet the needs and rights of the child.

COMPLAINTS AND DISPUTES

161. To fulfil the duty to be alert to matters which, or which might, adversely affect the wellbeing of looked after children and young people (section 58(1)(a)), and to identify actions necessary for improving the way it exercises its corporate parenting functions, every corporate parent should have a procedure through which looked after children and care leavers can raise a concern or make a complaint. These concerns or complaints may relate to the quality, or absence, of an opportunity, service or support, or other aspects of how a corporate parent has fulfilled their duties under Part 9.
162. Wherever practical and appropriate corporate parents should try to resolve a child or young person's complaint or concern through informal processes. This will rely on children and young people (with the support of their carers or other advocates) engaging in a dialogue with representatives from the corporate parent.
163. Where dialogue has not been successful, formal complaint procedure may be necessary. The Act does not prescribe a specific form of complaint procedure for corporate parents; where appropriate, corporate parents should use procedures already in place. Corporate parents should also ensure that all looked after children and care leavers are aware of the available complaint procedure(s), and that the procedures are accessible (e.g. in an age appropriate format) for the eligible population. For some children and young people (including younger children and those with communication difficulties) corporate parents should make provision for their views to be represented by carers, trusted adults and independent advocates.
164. Where a dispute occurs between corporate parents, resolution should be sought through dialogue and collaboration. This guidance has, where relevant, stated the lines of responsibility and accountability in respect to the delivery of services and support for looked after children and young people. However it is the responsibility of all corporate parents to resolve, proactively and in

collaboration, any disputes over how activities (in the exercise of Part 9 functions) are fulfilled or provided. Where it is not possible to resolve a dispute between corporate parents through collaboration, further guidance or direction may be sought from Scottish Ministers.

165. For those corporate parents involved in delivering functions under Part 1 (Children's Rights), Part 3 (Children's Services Planning), Part 4 (Named Person), Part 5 (Child's Plan), Part 6 (Early Learning and Childcare), Part 10 (Aftercare), Part 11 (Continuing Care) and Part 13 (Support for kinship care) of the Act, regard should be given to the relevant guidance made available from the Scottish Government.

ENFORCEMENT OF PART 9 (CORPORATE PARENTING)

166. Part 9 (corporate parenting) comes into force on 1 April 2015. Corporate parent's compliance with the legislation will be monitored through the review of corporate parenting reports (by Scottish Ministers), independent inspection mechanisms (such as those provided by the Care Inspectorate, Education Scotland, Healthcare Improvement Scotland and Her Majesty's Inspector of Constabulary in Scotland) and corporate parents' existing governance arrangements (such as councillors, parliamentarians and non-executive board members).
167. Scottish Ministers have the power, under section 64, to issue directions to corporate parents in relation how they exercise their corporate parenting responsibilities and other functions under Part 9 of the Act (please see chapter on section 64 above). The corporate parents to whom the direction applies must comply with it. The issuing of directions by Scottish Ministers may be used, where necessary, to ensure compliance with Part 9 of the Act.

APPENDIX A: LEGAL FRAMEWORK

168. The [Children and Young People \(Scotland\) Act 2014](#) is a significant piece of legislation, introducing major changes to planning, operation and delivery of children's services in Scotland. The Act is particularly important for looked after children and care leavers, putting 'corporate parenting' (Part 9) onto a statutory footing, extending 'aftercare' support to a wider population of care leavers (Part 10) and introducing a new provision of 'continuing care' for some care leavers (Part 11). The Act also requires all adoption agencies to use Scotland's Adoption Register (Part 14), and amends the Children (Scotland) Act 1995 to ensure assessments consider a child or young person's 'wellbeing' (section 95).
169. However it is important to view the Act in the wider legislative context, for the Act in places adds to or amends previous statutes, rather than replacing them. The [Children \(Scotland\) Act 1995](#) (the 1995 Act) continues to provide the legal framework for 'looked after children' and 'care leavers' in Scotland. The duties, powers and responsibilities of local authorities are set out across sections 17 - 31 of the 1995 Act (as amended by subsequent legislation). Section 21 sets out the co-operation required from other bodies, to enable the local authority to exercise their functions. The accompanying guidance, [Children \(Scotland\) Act 1995 Guidance and Regulations Volume 2: Children Looked After by Local Authorities](#) (published 1997) provides a detailed and comprehensive overview on how local authorities and other public bodies should meet these requirements.
170. The [Regulation of Care \(Scotland\) Act 2001](#) amends section 29 ('Aftercare') of the 1995 Act, requiring local authorities to conduct an assessment of looked after children who they have a duty or power to advise, support or assist. It also requires local authorities to establish a procedure for considering representations, including complaints, on the discharge of their 'aftercare' duties. The [Support and Assistance of Young People Leaving Care \(Scotland\) Regulations 2003](#) (as amended, most recently by [S.S.I. 2015/62](#)) describes the processes (such as completion and review of the 'pathway plan') which local

authorities must follow when preparing a looked young person who is leaving care. Detailed guidance on these rules is available [Supporting Young People Leaving Care in Scotland: Regulations and Guidance on Services for Young People Ceasing to be Looked After by Local Authorities](#) (March 2004). The Scottish Government will also new issue guidance to reflect the changes set out in Parts 9, 10 & 11 of the Children and Young People (Scotland) Act 2014.

171. The [Adoption and Children \(Scotland\) Act 2007](#) updated the adoption process in Scotland, and introduced the Permanence Order. Detailed guidance on these changes is available: [Guidance on the Looked After Children \(Scotland\) Regulations 2009 and Adoption and Children \(Scotland\) Act 2007](#) (published in March 2011).
172. The [Looked After Children \(Scotland\) Regulations 2009](#) prescribes a child or young person's journey into care and through care, differentiated by the placement type (i.e. 'at home', kinship, residential, etc.). The regulations require all looked after children to have a 'child's plan' (sometimes referred to in practice as a 'care plan'), and for children to be actively involved (depending on their age and maturity) in the development and monitoring of that plan. Detailed guidance on these processes is available: [Guidance on the Looked After Children \(Scotland\) Regulations 2009 and Adoption and Children \(Scotland\) Act 2007](#) (published in March 2011). Legislation to be made under Part 5 of the Act will require that all planning for looked after children, as set out in the 2009 Regulations, takes place within the framework of the Child's Plan prepared under Part 5.
173. The [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#) (as amended by an act of the same title passed in 2009) provides the legal framework for supporting children and young people (including their families) who require additional services to make the most of their school education. Under this legislation all looked after children are automatically deemed to have additional support needs, unless the education authority has assessed the child or young person as not needing additional support to benefit from school education. In addition, an education authority must consider whether every

looked after child (for whose school education they are responsible) requires a Coordinated Support Plan. Independent advice and guidance on this legislation is available from [Enquire](#).

174. The [Children's Hearings \(Scotland\) Act 2011](#) made significant changes to the Children's Hearings system, introducing a central authority (Children's Hearings Scotland) and a National Convener. The role of the Scottish Children's Reporter Administration (SCRA) in support of children's hearings was amended, and changes were also made to the legal orders available to a Children's Hearing. Guidance on these changes is available in the [Training Resource Manual \(Volume 1\) Legislation and Procedures](#) (published in March 2013).

175. Other legislation relevant to looked after children and care leavers in Scotland includes:

- [Social Work \(Scotland\) Act 1968](#)
- [Human Rights Act 1998](#)
- [Data Protection Act 1998](#)
- [Children \(Leaving Care\) Act 2000](#)
- [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003](#)
- [Local Government in Scotland Act 2003](#)
- [Protection of Vulnerable Groups \(Scotland\) Act 2007](#)
- [Equality Act 2010](#)
- [Social Care \(Self-Directed Support\) \(Scotland\) 2013](#)
- [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#)

APPENDIX B: POLICY CONTEXT

176. From the 1990s there has been a growing interest, across the United Kingdom, in the concept of 'corporate parenting' for looked after children and care leavers'. This has been in recognition of the persistently poor outcomes experienced by this group, and the legal and moral responsibilities of the state to support children who have experienced adversity. This includes enhancing children's quality of life, as well as simply keeping them safe.
177. Given real impetus by the UK government's Quality Protects programme (launched in 1998), corporate parenting began to take on a more defined shape, with policy and guidance prescribing certain actions for public bodies beyond local authority children's services. The Every Child Matters agenda, in particular, emphasised the obligation of public bodies to work together to improve outcomes for looked after children and care leavers, on the basis of their shared duties as 'corporate parents'. But while documents such as *If this were my child - A guide for councillors*¹³ (2003) and *Learning with Care* (2001)¹⁴ were made increasingly available, a 2006 report from the Social Work Inspection Agency found that, in Scotland, the concept was still not sufficiently understood or applied, and that as a result children were not enjoying the benefits that corporate parenting promised.¹⁵
178. In 2007 the Scottish Government published the conclusions of a Ministerial Working Group which had been set up to examine how to improve the educational outcomes of looked after children. In [We Can and Must Do Better](#), this working group highlighted the critical importance of the corporate parent role: 'It is essential that the individuals and agencies who form the corporate

¹³ Department for Education and Skills (2003) [If this were my child ... A Councillor's guide to being a good corporate parent](#), London

¹⁴ Her Majesty's Inspectorate of Education & Social Work Services Inspectorate (2003) [Learning with Care](#), Glasgow

¹⁵ Social Work Inspection Agency (2006) [Extraordinary Lives: Creating a positive future for looked after children and young people in Scotland](#), Edinburgh, p.96

parent for Scotland's looked after children and young people are more aware and alert to their children's needs and work together to deliver for them'.¹⁶

179. Responding to the report's recommendations, the Scottish Government and Scottish local authorities published [These Are Our Bairns: A guide for community planning partnerships on being a good corporate parent](#) (2008). This provided corporate parents with a guide to their roles and responsibilities, and highlighted the opportunities for improving children's wellbeing within the many services delivered by community planning partners, and the wider community. Councils, in particular, have successfully used this guidance to develop local action plans and protocols, bringing looked after children and young people into conversations with elected members and senior managers to consider how services can be proactive, and make a difference in children's lives.
180. Subsequent developments in Scotland served to underline the importance of corporate parenting across schools and health. The 2009 amendment of the Education (Additional Support for Learning) Scotland Act 2004, which required education authorities to consider all looked after children as having additional support needs unless assessed otherwise, attempts to address the fact that this population often has a disrupted educational experience and significant additional needs, but not always the advocates to obtain the necessary additional support. Also in 2009, the Chief Executives of Scotland's NHS Boards received a letter from the Scottish Government's Director of Healthcare Policy and Strategy, requiring each health board to undertake a number of specific actions in relation to looked after children.¹⁷ In 2014 the Scottish Government published [Guidance on Health Assessments for Looked after Children and Young People](#), for all NHS health boards. This stated clearly that: 'as a corporate parent, NHS Boards should view the looked after children's health assessment as an opportunity to assess an individual's overall health

¹⁶ Scottish Government (January 2007) [Looked After Children and Young People: We Can and Must Do Better](#), Edinburgh, p.7

¹⁷ Scottish Government (2009) [CEL 16 \(2009\)](#), Edinburgh

and wellbeing, including behavioural and emotional development and risk taking behaviour'.¹⁸

181. The Children and Young People (Scotland) Act 2014, and this accompanying guidance, represent the next step in the ongoing development of corporate parenting in Scotland. The range of corporate parents has been extended and the duties formalised, but the objective remains the same: to take whatever actions are necessary to promote and support the physical, emotional, spiritual, social and educational development of a looked after child or care leaver, from their infancy through to adulthood.

¹⁸ Scottish Government (2014) [Guidance on Health Assessment for Looked After Children and Young People in Scotland](#), Edinburgh, p.1

APPENDIX C: FURTHER INFORMATION

182. For further information on corporate parenting, looked after children, care leavers, and children's rights, please review the resources listed below.

HMle (2009) [How Good is Our Corporate Parenting: A self-evaluation guide](http://www.educationscotland.gov.uk/Images/ischgiocp_tcm4-712894.pdf) www.educationscotland.gov.uk/Images/ischgiocp_tcm4-712894.pdf

Improvement Service (2012) [Notebook 5: Roles and Responsibilities at Council Level](http://www.improvementservice.org.uk/assets/em-notebook-5---cosla_web.pdf) [http://www.improvementservice.org.uk/assets/em-notebook-5---cosla_web.pdf]

Local Government Association (2012) [Council Resource Pack](http://www.local.gov.uk/web/guest/publications/-/journal_content/56/10180/3574530/PUBLICATION) [www.local.gov.uk/web/guest/publications/-/journal_content/56/10180/3574530/PUBLICATION]

National Care Advisory Service (online) [Corporate Parenting](http://leavingcare.org/corporateparenting_home) [http://leavingcare.org/corporateparenting_home]

National Children's Bureau (online) [Corporate Parenting Tool Kit](http://www.ncb.org.uk/corporate-parenting/resources/corporate-parenting-tool-kit) [www.ncb.org.uk/corporate-parenting/resources/corporate-parenting-tool-kit]

Ofsted (2012) [Good Practice Resource: Developing effective corporate parenting](http://www.ofsted.gov.uk/resources/good-practice-resource-developing-effective-corporate-parenting-london-borough-of-lambeth) [www.ofsted.gov.uk/resources/good-practice-resource-developing-effective-corporate-parenting-london-borough-of-lambeth]

Scotland's Commissioner for Children and Young People (online) [Participation](http://www.sccyp.org.uk/publications/participation) [www.sccyp.org.uk/publications/participation] & [Rights](http://www.sccyp.org.uk/rights) [www.sccyp.org.uk/rights]

Scottish Government (online) [**Corporate Parenting**](#)

[www.scotland.gov.uk/Topics/People/Young-People/protecting/lac/lacimprovingoutcomes/corporate-parenting]

Scottish Government & Centre for Excellence for Looked After Children in Scotland (online) [**We Can and Must Do Better: Resource Bank**](#)

[www.wecanandmustdobetter.org/]

Scottish Government & Convention of Scottish Local Authorities (2008)

[**These Are Our Bairns: A guide for community planning partnerships on being a good corporate parent**](#)

[www.scotland.gov.uk/Publications/2008/08/29115839/0]

UNICEF (online) [**Convention on the Rights of the Child**](#)

[www.unicef.org/crc/]

United Nations Committee on the Rights of the Children (2013) [**General comment No.14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration \(art.3, para 1\)**](#)

www2.ohchr.org/English/bodies/crc/docs/GC/CRC_C_GC_14_ENG.pdf

Who Cares? Scotland (online) [**Corporate Parenting**](#)

[www.corporateparenting.co.uk]

Who Cares? Scotland (2014) [**Interpreting the Children and Young People Act 2014: Care Experienced Young People's Views**](#)

[www.corporateparenting.co.uk/download/training/f_54e3706f9eb74/]

183. There are also organisations available that may be able to assist corporate parents with implementation of Part 9. The names and websites of these organisations are listed below.

[CEL CIS](http://www.celcis.org) (Centre for Excellence for Looked After Children in Scotland)
[www.celcis.org]

[SCCYP](http://www.sccyp.org.uk) (Scotland's Commissioner for Children and Young People)
[www.sccyp.org.uk]

[Who Cares? Scotland](http://www.whocaresScotland.org) [www.whocaresScotland.org]



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Scottish Care Leavers Covenant

Supporting corporate parents to
improve the lives of care leavers



SCOTTISH
CARE LEAVERS
COVENANT

Scottish Care Leavers Covenant – the Alliance

The Scottish Care Leavers Covenant was coproduced by
a cross-sector alliance of organisations:



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‘I think it’s important that young people’s voices are heard and that they are always aware of their rights.’

Care leaver

Introduction

The Scottish Care Leavers Covenant supports Scotland's corporate parents, carers, practitioners, managers and decision makers in fulfilling their duties to improve the life chances of all of Scotland's care leavers.

Care leavers often struggle on their journey into adulthood. For many the leap from care to independence is just too great, and too many continue to experience problems that lead to much poorer outcomes than the general population.

These outcomes are not inevitable and should not be accepted as the norm.

The Covenant builds on the principles of Getting It Right for Every Child (GIRFEC)¹ by taking a holistic, young person-centred approach. It focuses on the long-term wellbeing needs of care leavers; highlighting the need for early intervention and help that is appropriate, proportionate and timely. It also needs high standards of cooperation, joint working and communication between agencies locally and across Scotland. Aligning the Covenant with GIRFEC will make sure that the 'one child – one plan – one care journey' principle continues beyond the young person's care setting.

The voice of care leavers must be heard and inform the development of support available to them.

While high-quality support into adulthood is critical² we know that improving outcomes for care leavers is built on the solid foundations of good, stable, care experiences. Therefore we will work with local authorities and partners to fully and meaningfully implement Staying Put Scotland Guidance³ and Part 11 (Continuing Care) of the Children and Young People (Scotland) Act 2014⁴, to ensure that young people only move on from care when they are ready to make the transition in a positive and sustained way.

Our Covenant: a promise to act

We call on all corporate parents and others with an interest in the lives of our care leavers, to endorse and sign up to the Scottish Care Leavers Covenant. In developing the Covenant, we drew on the work of NCAS/ Catch 22 and Access All Areas⁵ and fully endorse its principles. However, we believe that any approach needs to be more explicit and should be backed up by specific and coordinated activity needed to support the meaningful implementation of corporate parenting as these young people transition from care to adulthood.

The Agenda for Change section offers a framework of key actions. We believe if these are implemented fully and consistently, this will transform culture and practice across all corporate parents.

By endorsing and signing up to the Scottish Care Leavers Covenant, corporate parents can demonstrate their commitment to excellence by transforming practice, culture and outcomes for all care leavers.

Endorsing the Covenant and applying the framework will support, complement and enhance corporate parenting activity and improve consistency of practice and provision across all local authority and health board areas.

We call on all corporate parents and other public bodies to:

- Actively endorse the Scottish Care Leavers Covenant and commit to uphold and promote its principles, within and across their remits and responsibilities.
- Fully support and implement actions in the Agenda for Change to close the gap and realise our ambitions and aspirations for care leavers.

The development of the Scottish Care Leavers Covenant is the work of a cross-sector alliance of organisations. Whilst we recognise that there is a range of positive current activity in working with care leavers, the Covenant, including the Agenda for Change, complements and builds on good practice.





‘ Every policy should be aware of care leavers and how the policy affects them in a good way or bad way. ’

Care leaver

Guiding Principles

For the general population, growing up, moving out and becoming more independent happens gradually, with on-going family support over many years.

Scotland's care leavers should expect nothing less.

1. Care-proofing of policy: Corporate parents recognise the vulnerability of care leavers as young adults, and prioritise and reference them in policy documents. Given the inequalities in opportunity encountered by care leavers, corporate parents will treat them as a 'protected group' with the potential impact of changes to policy measured through Equality Impact Assessments.⁶
2. Assumption of entitlement: Corporate parents will assume all care leavers are entitled to services, support and opportunities, up to their 26th birthday. Where discretion exists in definitions of vulnerability, or in giving priority access, these will be in favour of care leavers. This includes access to bursaries and grants; access to employment or training support and provisions; housing and accommodation options; health services; leisure, cultural and recreational opportunities with access to 'second-chance' opportunities.
3. Staying Put and Continuing Care: Corporate parents will demonstrate that looked after young people and care leavers are actively encouraged, enabled and empowered to benefit from 'Staying Put'⁷ arrangements, remaining in positive care settings until they are ready to move on. Transitions will be based on an individual's needs and stage of development rather than chronological triggers and bureaucratic thresholds.
4. Relationships are the 'golden thread' of good practice.⁸ Corporate parents will demonstrate that priority is given to relationship-based practice, based on understanding, empathy, respect, and 'stickability'. They will do this by minimising staffing changes and promoting consistency in workers, considering changes to services based on individual need rather than age. They will support young people to maintain positive relationships and attachments with previous carers and professionals throughout their care experience and beyond.

The Children and Young People (Scotland) Act 2014

From April 2015 any looked after young person (regardless of their placement type or the legal route by which they became looked after) who ceases to be 'looked after' on or after their 16th birthday is a 'care leaver'. Every young person who fits this description is therefore covered by the 'aftercare' provisions of section 29 of the 1995 Act, as amended and augmented by the Support and Assistance for Young People Leaving Care (Scotland) Regulations 2003, and Parts 10 & 11 of the Children and Young People (Scotland) Act 2014.

Part 9 (Corporate Parenting) of the Children and Young People (Scotland) Act 2014 places new duties on local authorities and other corporate parents to ensure the best possible outcomes for care leavers into adulthood.

Scottish Government Guidance⁹ describes corporate parenting as:

'An organisation's performance of actions necessary to uphold the rights and safeguard the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted.'

All corporate parents are now required to prepare and publish plans which detail how they will fulfil their duties under Section 58 of the Act.

- **Alert:** Systems are in place to stay informed of issues which could have a negative impact on the child/young person.
- **Assess:** To ensure services are relevant and accessible to the widest possible group – it is not sufficient to identify needs without addressing them.
- **Promote:** Perform actions which may advantage or benefit looked after children and care leavers.
- **Opportunities:** Identifying relevant opportunities and seeking to understand how looked after children and care leavers could be supported to participate.

- **Access:** Help looked after children and care leavers to overcome barriers so that they can benefit from opportunities, services and support.
- **Improve:** Review performance as corporate parents and take action to improve where opportunities are identified.

In addition to the Section 58 duties, Guidance recommends that every corporate parent consider their contribution towards:

- Active participation in shaping services.
- Providing safe, secure, stable and nurturing homes for looked after children and care leavers.
- Enabling looked after children and care leavers to develop or maintain positive relationships with their family, friends, professionals and other trusted adults.
- Securing positive educational outcomes for looked after children and care leavers.
- Ensuring 'care' is an experience in which children are valued as individuals, and where support addresses their strengths as well as their needs.
- Ensuring physical or mental health concerns are identified early and addressed quickly.
- Increasing the number of care leavers in education, training and employment.
- Reducing the number of looked after children and care leavers who enter the youth and criminal justice systems.

Part 10 (Aftercare) of the Act increases the upper age which care leavers can request and receive on-going advice, guidance and assistance from their 21st to 26th birthday. By doing this the legislation acknowledges that for many care-experienced young people, on-going positive support is vital and necessary to ensure they have the opportunities to make positive, sustained transitions into adulthood.

The 2014 Act provides a real and renewed opportunity to close the gap between policy and practice and close the outcomes gap for care leavers. We need to take this opportunity to deliver a culture shift in how we support care leavers into adulthood. To do this requires extensive and sustained activity with a focus on leading and embedding changes.¹⁰

The actions proposed in the Agenda for Change section align with and support the recommendations in the guidance and offer practical suggestions on how to achieve this.





Closing the Implementation Gap

Implementing policy effectively is a recognised challenge.¹¹ Child care policies, particularly for care leavers, can take a long time to become part of mainstream everyday practice.¹² Successfully and meaningfully implementing the Act needs on-going political commitment, with leadership at national and local level to support organisations and services to go beyond mere compliance to aspire to excellence.¹³

Good parents aim to do much more than the basics for their young people and Scotland's care leavers should expect their corporate parents to do the same.

Implementing the Covenant will have significant long-term implications for the public purse¹⁴. We recognise the challenges this poses for service providers, especially in the current financial climate. However, investing in good practice and adopting 'Staying Put' to improve the future for care leavers will support corporate parents to meet their legal and ethical responsibilities towards care leavers,¹⁵ and will be more cost-effective in the long term.¹⁶

By endorsing the principles of the Covenant and putting the actions outlined in the Agenda for Change at the heart of Corporate Parenting Plans, corporate parents will be better able to fulfil their duties and realise their ambitions for their care leavers.

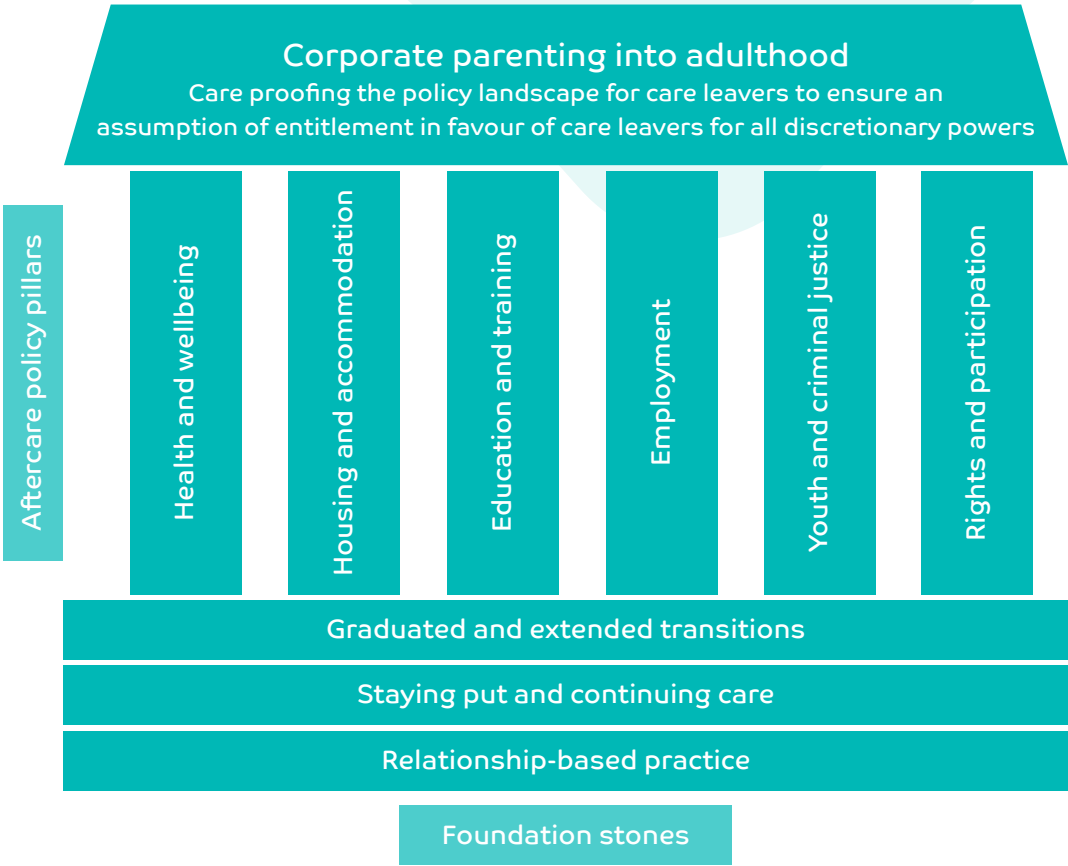
To do this the Agenda for Change outlines a range of actions and practice changes across key policy themes, which need to be delivered consistently by all relevant corporate parents across Scotland, at national and local level. These identified actions are informed by research evidence, current practice and the voices and experiences of looked after young people and care leavers.

These key policy themes, or pillars are:

- Health and Wellbeing
- Housing and Accommodation
- Education and Training
- Employment
- Youth and Criminal Justice
- Rights and Participation



Scottish Care Leavers Covenant Key Themes



While each of the policy themes and related actions are important on their own, it's the cumulative impact of change across these inter-related areas that will contribute to and drive forward the culture shift necessary to deliver transformational change.

Work to progress each of these areas will be delivered through the concerted action of corporate parents, including coordinated, collaborative ventures. The Alliance behind the Care Leavers Covenant commit to supporting corporate parents, including active campaigning at a local, national and UK level.

We ask corporate parents to fully integrate the principles and actions outlined within the Covenant into their Corporate Parenting Plans, through Champions Boards, Community Planning Partnerships and Health and Social Care Partnerships.

We believe that in Scotland we have positive and enabling policy and legislation; a committed and engaged sector; inspiring leaders; and dedicated practitioners all able to transform practice and outcomes for care leavers.

The Agenda for Change: Principles into Action

We've identified priority actions and key changes within each of the policy themes. These actions are not a definitive or exhaustive list, but delivered together form a clear and robust framework, which will improve consistency of practice and lead to better outcomes for all care leavers.

Health and Wellbeing

The health and wellbeing needs of looked after young people in Scotland are identified as a priority by the Directors of Public Health in Scotland because of the vulnerability of this group, their poor health outcomes and the lack of a consistent system to assess need and monitor progress.

Many of the pre-care and in-care experiences of looked after young people can be considered as Adverse Childhood Events,¹⁷ and are very likely to continue to have a serious detrimental effect on their physical, mental and emotional health and wellbeing well into adulthood and in some cases throughout their lives.

Mental health and emotional wellbeing issues are substantially higher among looked after young people than in the non-looked after population. Reports continue to highlight that looked after young people experience 'significantly poorer mental health than the most disadvantaged children outside the care system.'¹⁸ In addition, rates of suicide and self-harm are higher than that of the general population, often linked to earlier adverse life events and difficulties around attachment, loss, and the impact of care interventions.¹⁹

The Scottish Government has issued a number of policy and guidance documents such as Guidance on Health Assessments for Looked After Children in Scotland²⁰ which aims to improve health and social outcomes for looked after young people and care leavers.²¹ It sets out the minimum standardised elements of a health care pathway which Health Boards are expected to implement in collaboration with local authorities and other organisations.²²

In terms of the health needs of care leavers, previous commitments were clarified and strengthened by the Leaving Care (Scotland) Regulations and Guidance 2004²³ which stated that health matters should be incorporated into a young person's Pathway Assessment and Plan, and should include the young person's views on their health needs.

KEY ACTIONS

1. Corporate parents will ensure robust and consistent support for care leavers in accessing universal, preventative and early intervention services relating to their health and wellbeing.

- Corporate parents and third sector providers will collaborate to ensure that care leavers are able to access counselling, mentoring and other community-based services aimed at promoting improved emotional wellbeing.
- Corporate parents will work together to remove barriers and increase supported access to cultural, artistic and other recreational opportunities for care leavers, building on strengths and interests.
- Social care and health providers will develop accessible supports that assist in building capacity and resilience and reduce the numbers of care leavers needing to access specialist hospital-based services and/or moving into crisis.
- All staff involved in providing services to children and young people will undertake learning on child development and the impact of attachment and trauma, and this training will be refreshed every three years.



2. Corporate parents will ensure that care leavers are given priority access to specialist services and improved access to adult mental health services.

- Priority access to Child and Adolescent Mental Health Services (CAMHS) for assessment and access to services for care leavers avoiding the use of waiting lists and lengthy referral processes.
- Clear access to advice and consultation with adult mental health professionals for those involved in supporting care leavers with complex and/or challenging mental health, emotional and behavioural needs.
- Joint working arrangements between CAMHS and adult services, for example by allowing CAMHS to continue to provide a service where there is an existing relationship until the young person is ready to move to adult services.
- Adult services models of intervention take account of care leavers' levels of development and functioning and ensure that access to services and interventions are appropriately pitched.
- Thresholds for support and access to services must be flexible and reflect the individual circumstances of care leavers based on need rather than age.
- Specialist services will be responsive towards care leavers' individual and collective issues and needs, with access to:
 - > Specialist support, assessment and advice around self-harm and suicide risks.
 - > Substance misuse services appropriate to the individual circumstances and level of functioning of care leavers.
 - > Sexual health clinics, including emergency appointments.
 - > Specialist support for care leavers who become young parents.

3. Take action to reduce social exclusion and isolation, which impact on mental and physical health and emotional wellbeing by providing free or discounted access to:

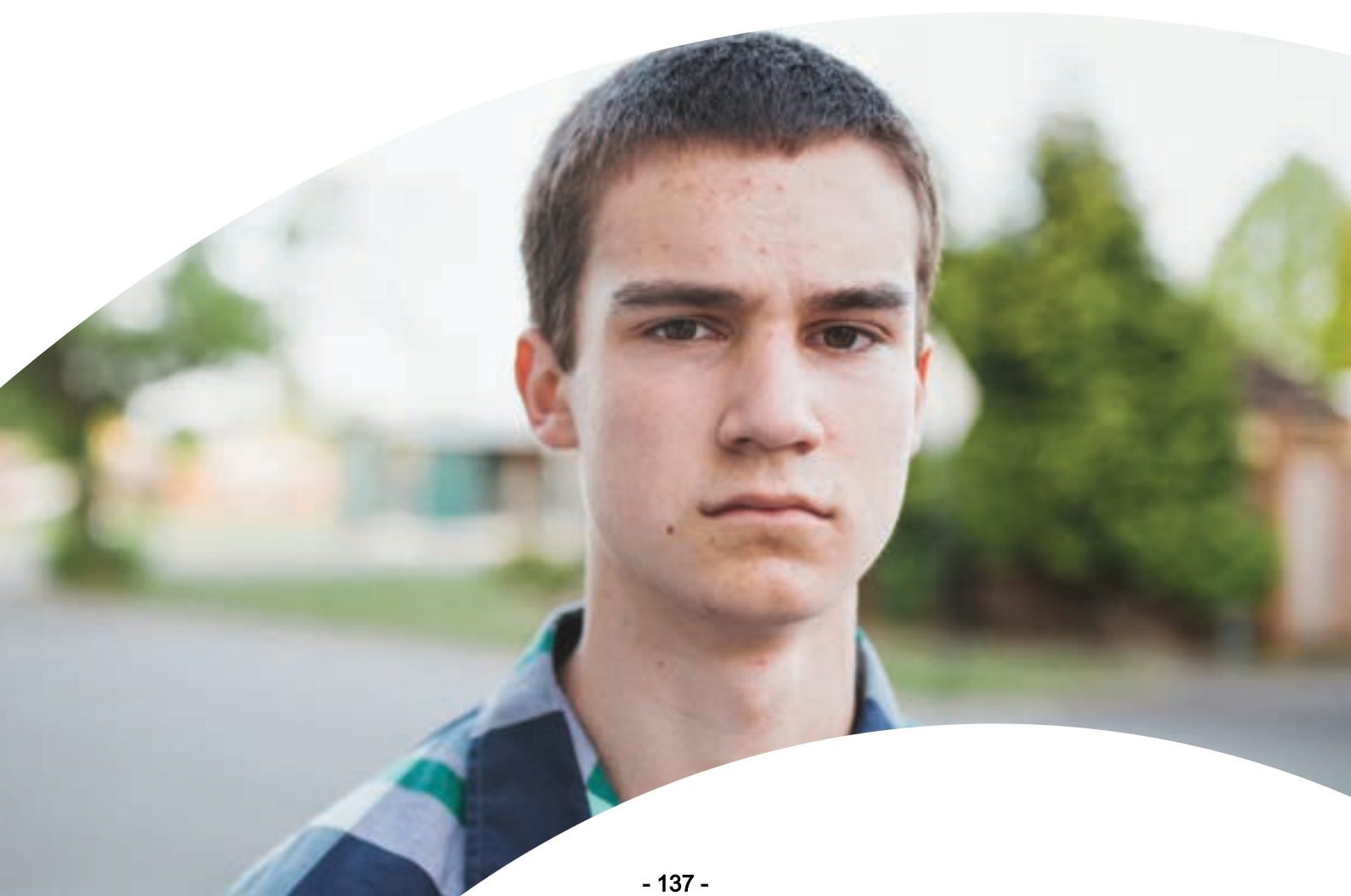
- Leisure facilities for all care leavers up to age 21 and, where required, up to age 26.
- Public transport for all care leavers up to age 21 and, where required, up to age 26.

4. Each local authority and health board has a named contact with specific responsibility for care leavers' health and for promoting and coordinating actions to reduce health inequalities, these being made explicit within Corporate Parenting Plans.

- Dedicated throughcare and aftercare nurse provision is in place for all care leavers.
- Consistent application of national mental health indicators for care leavers.²⁴
- Consistent and efficient systems to gather information about care leavers and monitor their access to, and the effectiveness of, interventions intended to support improved physical, mental and emotional health and wellbeing.
- Establish clear, consistent working arrangements across and between local authorities and health board boundaries for those young people who are placed outwith their home authority, or who return to their home authority on leaving care.

ANTICIPATED OUTCOMES

- Reduction in care leavers' experiences of isolation.
- Improved engagement with health services.
- Improved opportunities for young people to access and participate in activities to promote their wellbeing without adversely impacting on their finances, particularly in more rural areas.
- Proactive engagement with services, reducing the likelihood and need for crisis responses.
- Improved communication and collaboration between key corporate parenting agencies, ensuring services are delivered more effectively and efficiently.



Housing and Accommodation

Young people leaving care are more likely to become homeless and experience housing instability due to their vulnerability and limited economic and social resources.²⁵ Safe, settled and sustainable accommodation is a crucial foundation for achieving positive outcomes for care leavers.

Research demonstrates that care leavers are at their most vulnerable during the transition period towards independence.²⁶ Care leavers describe the significant challenges they face, with pressing financial worries, lack of family and friend support networks and stress over employment and education all underpinned by problems with unsuitable and unstable accommodation.

In Scotland care leavers move on to live more independently at a much younger age than the rest of the population, when they are least equipped to do this successfully. Leaving care at a later stage increases young people's chances of a successful transition, including being in safe and settled accommodation, enjoying improved health and wellbeing, and achieving better educational outcomes, increased employability prospects and economic stability.²⁷

In Scotland the Staying Put Scotland Guidance (2013) and Housing Options Protocols Guidance (2013) were produced to inform and share best practice and bring consistency to the options and support available to care leavers. Policy and legislation recognises and highlights the fundamental importance of safe, secure and sustainable accommodation in helping care leavers attain and achieve.

In no circumstances should young people leave the care of a local authority without alternative accommodation appropriate to the assessed needs of the young person being in place.²⁸

KEY ACTIONS

1. The full and meaningful implementation of Staying Put and Continuing Care for all looked after young people and care leavers should be a primary focus for all corporate parents.

- Encourage, enable and empower looked after young people and care leavers to remain in a positive care placement until they are ready to move on.
- Local actions to develop and support this should be explicit within Corporate Parenting Plans.
- Actively promote and facilitate extended and graduated transitions to give young people the opportunity and support to prepare for greater levels of independence while remaining in their care setting. This enables care leavers to move on from their placement in a gradual and phased way over a period of time and with opportunities to test their abilities to live more independently with on-going support.
- Actively support and facilitate care leavers to maintain positive supportive relationships and keep in touch with their carers when they leave and, if possible and necessary, to return to their placement.

‘I wish that the recommendation that alternative accommodation be put in place was there when I left care because I felt like my accommodation wasn’t suitable for me.’

Care leaver

2. Fully implement the Housing Options Protocol for Care Leavers Guidance to comprehensively address the housing and accommodation needs of all care leavers.

- Local authorities collaborate with Registered Social Landlords to provide a range of appropriate, suitable, good-quality accommodation for care leavers.
- Develop and maintain a range of accommodation options which meet the needs and wishes of care leavers including:
 - > Supported Carers: converting foster care placements to supported carer placements becomes established practice where appropriate and supported carer placements are made available to those young people who are not yet ready to transition to greater independence.
 - > High-quality residential supported accommodation settings.
 - > Individual community based supported flats with ‘living nearby’ support.
 - > Access to good-quality mainstream tenancies with appropriate levels of person-centred support.

All young people encounter difficulties and make mistakes – it’s called ‘growing up’ or ‘learning from experience’ - and care leavers (often lacking skills and support networks) are more likely than most to encounter difficulties with their accommodation.

3. Corporate parents must take action to ensure that care leavers do not have to make a ‘homeless application’ in order to access suitable accommodation/housing.

- End the use of the homeless route to access accommodation for care leavers. This is not appropriate and fails to allow for a proper planning process or to provide adequate support.
- Where care leavers are at risk of homelessness after a period of being outwith care/support of the local authority, they must be recognised as a vulnerable group and be supported as such.
- Care leavers up to the age of 26 are recognised by corporate parents as potentially vulnerable and have access to support even after a prolonged gap in contact/support with care services.

4. End the use of ‘bed and breakfast’ and ‘adult hostels’ as accommodation options for vulnerable care leavers.²⁹

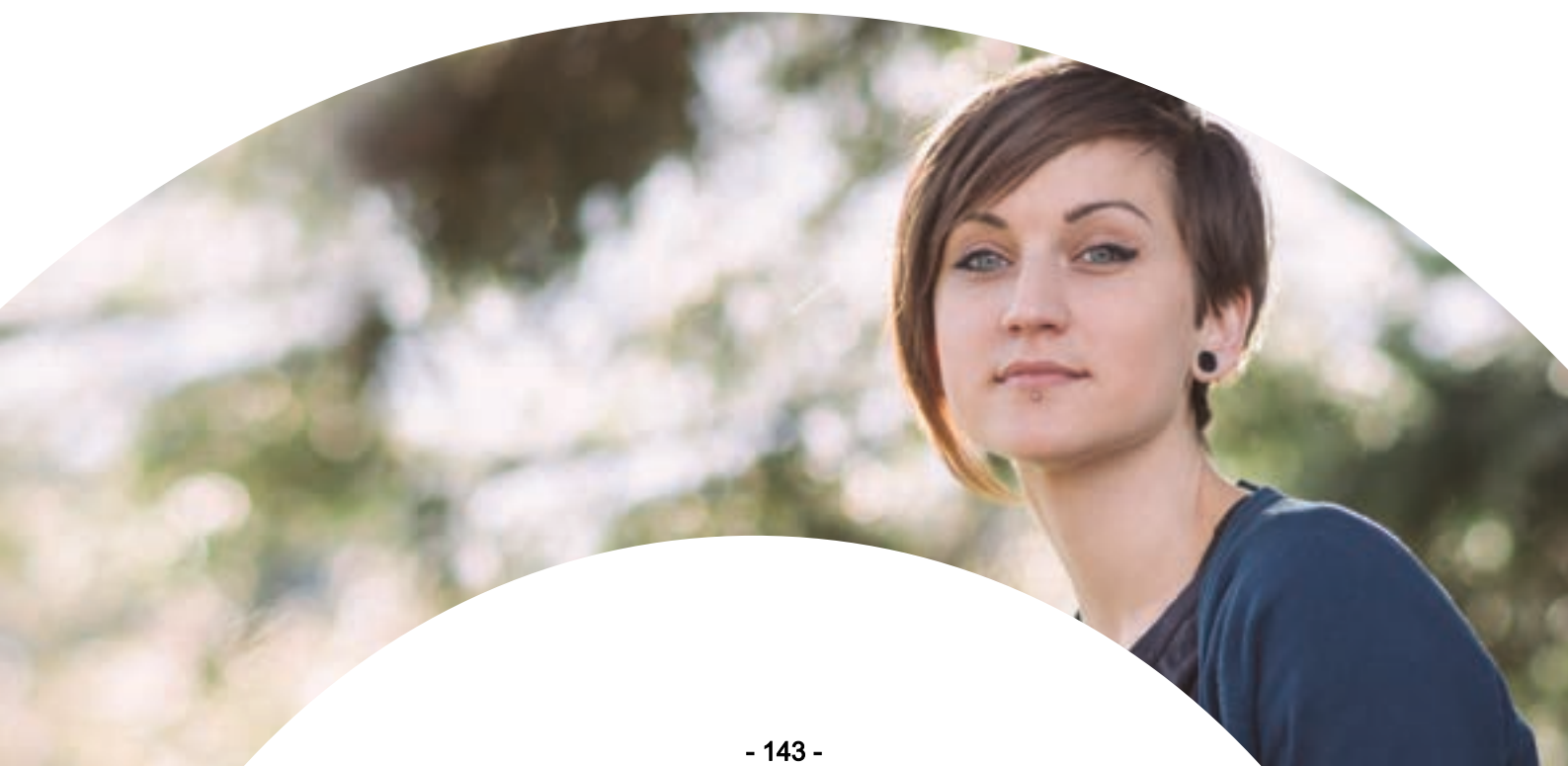
- The stress of unstable, unsuitable accommodation (such as B&Bs and homeless hostels) can impact on physical and mental health, creating, exacerbating and compounding pre-existing vulnerability and disadvantage.
- In allocating accommodation to homeless households, local authorities in Scotland must already give proper consideration to the suitability of B&B and hostel accommodation to certain vulnerable groups, including families with children.
- Care leavers should be given the same status as other vulnerable groups when considering these particular accommodation options.

5. Multi-agency transitions forum: local authorities must develop and operate a multi-agency planning and support forum around housing and accommodation support needs for care leavers, involving the active participation of all relevant corporate parents.

- Multi-agency forums are effective in allocating appropriate housing and support, implementing creative packages of support, overcoming problems and issues and tracking progress of care leavers in moving on.
- Joint planning and multi-agency and partnership working is at the heart of all planning with the ‘one child - one plan - one care journey’ principle being continued into adulthood.
- Pathways and support plans will reflect the key roles and responsibilities of agencies and partners in meeting the young person’s needs through a phased transition into adulthood.
- The process reflects the dynamic and changing nature of young people’s needs and circumstances as they progress on their journey to adulthood and interdependence.
- To achieve this, recognition that relationship-based practice for young people leaving care is crucial in maintaining previous supportive relationships and ensuring there is continuity and co-ordination in providing housing support.

ANTICIPATED OUTCOMES

- Continuing support services allows corporate parents to offer something equivalent to a ‘family safety net’ for care leavers.
- Ensures that the young person remains at the centre of planning and support arrangements.
- Encourages partners to continue to work together with and on behalf of the young person for as long as is needed after the transition has been made - reinforcing that accessing accommodation on a one-off basis for a care leaver does not constitute a discharge of duty - corporate parents must repeatedly do what they can to make positive outcomes achievable.
- Care leavers do not have to go through the formal adult homelessness route and can expect to receive housing options and support tailored to their needs as a vulnerable group.
- Reduction in the risk - and costs - of repeated accommodation breakdown and homelessness.
- Enables sustained engagement in education, training or employment.



Education and Training

The educational outcomes for looked after young people and care leavers are, in general, poor in comparison to those of the majority of young people in Scotland. Trauma, attachment issues, mental ill health, stigma, frequent placement moves, the multiple transitions, and the chaotic living arrangements that many care leavers experience are contributory factors leading to disrupted schooling and negative experiences of education. With such poor experiences it is unsurprising that Scottish Government statistics³⁰ highlight that 74% of looked after young people leave school at the age of 16 and only a small percentage, in comparison to the national average, go on to study at university.

While the educational outcomes for looked after young people are improving, as are their prospects of progressing to further and higher education, there is still a long way to go to close the attainment gap that exists between them and their peers.

Additional Support for Learning (ASL)³¹ legislation states that looked after young people should be automatically considered to have additional support needs, unless assessed as otherwise. Those with additional support needs who require significant support from more than one agency should have a Co-ordinated Support Plan (CSP).

This legislation is currently failing looked after young people. In 2015 it was reported by Govan Law Centre that less than half of looked after young people with additional support needs had a Coordinated Support Plan. Considering the multiple and complex barriers that looked after young people experience in education, this proportion is surprisingly low.

It is important to recognise and harness the full range of care leavers skills and aptitudes and to enable them to build on their strengths. It is also important to recognise that failing to achieve qualifications in school is not the end point in terms of academic or vocational progression and care leavers should be supported in their aspirations and goals regardless of the length of the journey.

KEY ACTIONS

1. Improved and strengthened links between schools, Skills Development Scotland, social work and tertiary education providers.

- Access to early and effective careers advice for looked after young people provided by schools and Skills Development Scotland starting before the end of Third Year and continuing for as long as is necessary.
- Information sharing between schools, social work, Skills Development Scotland, Department for Work and Pensions and further education providers to ensure continuity of support and joint working post school, fully utilising the 16+ Learning Choices Data Hub.

2. Consistent and extensive use of ASL legislation to ensure that looked after young people have Co-ordinated Support Plans in place where required.

- Educational outcomes to feature prominently in all integrated plans for looked after young people and care leavers in senior school phase and college.
- Extension of all Additional Support for Learning Services to all care leavers.
- Real-term increases in spending on Additional Support for Learning Services.

3. Further and Higher Education (FE and HE) providers develop and offer effective, consistent and equitable care leavers' support across all areas of Scotland.

- A dedicated student support professional is identified for all care leavers accessing further and higher education.
- Range of financial, accommodation, mentoring and emotional support to be consistent across all providers.
- Corporate parents, FE and HE providers and supporting agencies act to raise awareness of the range of supports available to support care leavers and collaborate in encouraging looked after young people and care leavers to declare their status and access this support.
- FE and HE providers use protected characteristics provision creatively to widen access and provide support for care leavers.

4. Throughcare and aftercare services and FE and HE providers establish proactive and effective communication links.

- Collaborate over financial and accommodation support, including non-term time accommodation and help with transport costs.
- Identify and share information - with care leaver's consent - regarding potential problems and offer proactive support to prevent care leavers dropping out of college or university.

ANTICIPATED OUTCOMES

- Care leavers experience a more positive transition from school to post-school provision.
- Increased effectiveness and continuity of careers advice and more accurate assessment and advice around post-school destinations.
- Increase in the number of care leavers successfully completing college and university courses with resultant benefits for employability.
- Care leavers feel more supported and less isolated and are empowered to form trusting relationships.
- Care leavers have a wider range of options in accessing learning institutions that are local to them, or that suit their ambitions, without compromising on support needs.
- Care leavers are better prepared to apply and be accepted for institutions that they may otherwise see as beyond them.
- Collaborative working clarifies roles and responsibilities, and problems are detected early with strategies and contacts in place to resolve them.



Employment

Access to the employment market can be more challenging for care leavers and they should be regarded as a high priority group who need additional support to gain and sustain employment.

While recent reports³² have shown an increase on previous years in the number of care leavers in positive destinations nine months after leaving school, it still falls short in comparison to the rest of the population.

The Commission for Developing Scotland's Young Workforce report³³ published in 2014 was clear that current employability support for care leavers is not fit for purpose. The report makes suggestions including: 'In partnership with the third sector, the Scottish Government should consider developing a programme which offers supported employment opportunities lasting up to a year for care leavers.' This has been reflected in Scotland's Youth Employment Strategy.³⁴

In addition, the Children and Young People (Scotland) Act 2014, makes particular reference to the need for better provision for young people in care and care leavers that lasts longer. These policy developments highlight the need for an innovative Scottish employability service providing a supported and stable gateway into the world of work for looked after young people.

There needs to be greater awareness of the unique employability needs of care leavers, recognising that traditional training and education platforms as an isolated response are not enough. Instead a holistic approach is required which encompasses health and wellbeing, housing and financial support and acts as a route to apprenticeships and/or meaningful work .

Given the acknowledged need to develop Scotland's young workforce and to prevent future skills shortages, there is a need to make explicit links between social inclusion and economic development. There are real opportunities here to create a more joined-up solution for care leavers and employers.

KEY ACTIONS

1. Develop an integrated national vocational training and progression pathway for care leavers.

- Develop a new employment brokering facility to match job-ready care leavers with entry level career opportunities and Modern Apprenticeships.
- Aligned to and building on the work of the Open Doors Consortium, develop a new flexible (holistic) support fund to help overcome barriers experienced by care leavers seeking to enter employment for the first time.
- Targeted financial support to help care leavers to secure and sustain employment. This can encompass work related needs, on-the-job training, support with travel and support with housing costs in the early weeks of employment. This will have a clear focus on helping the young person sustain employment.
- Ensure effective alignment of funds to support care leavers at each stage of the Employability in Scotland strategic skills pipeline.³⁵

2. Reduce any real or perceived barriers to accessing Modern Apprenticeships to ensure opportunities are aligned to care leavers' needs.

- Subject to spending review, ensure that care leavers can access Modern Apprenticeships up to the age of 30, at the highest level of public funding available.
- Scope out and harness the potential for using Foundation Apprenticeships as a way into employment with training for care leavers.

3. Implement a full systemic approach to information sharing and joint working across education services, social work and throughcare teams, Skills Development Scotland, Department for Work and Pensions and specialist providers.

- Agencies communicate and collaborate to ensure that care leavers are supported throughout the difficult transition period from education to employment.
- Informed consent should be obtained when using personal information.

4. Maximise the positive use of the ‘care leavers marker’ by Jobcentre Plus staff.

- Ensure that self-declaration of care leaver status is matched by tangible benefits including additional support as vulnerable claimants.
- Department of Work and Pensions allow and actively promote advocacy and support for care leavers in attending key interviews and interactions with the agency.

5. Develop and enhance supportive environments for the most vulnerable care leavers as a first step into the world of work.

- Build on existing good practice e.g. Community Jobs Scotland, brokering, securing and supporting jobs in the third sector for young people.
- Corporate parents have a dedicated ‘Family Firm’³⁶ policy with ring-fenced opportunities and person-centred support for care leavers.

- Private sector employers who receive public funds or are commissioned by corporate parents to deliver services should be encouraged and supported to offer employment opportunities for care leavers.
- Programmes that provide flexible and sustained support, including pre-employment, employment and post-employment support.
- Partner agencies able to signpost and/or provide non-work related support to care leavers.

ANTICIPATED OUTCOMES

- Care leavers increase their participation in support available to help them into work, using a clear pathway to secure sustained meaningful employment.
- Reduction in instances of care leavers being sanctioned by the Department of Work and Pensions and increased numbers of young people receiving support as vulnerable claimants.
- Increase in the number of care leavers securing employment.
- Skills Development Scotland reporting an increase in the numbers of care leavers securing and successfully completing Modern Apprenticeships.
- Employers who receive public funds demonstrate a more proactive role in recruiting care leavers.

Youth and Criminal Justice

Research consistently highlights that care leavers are more likely to be involved with the criminal justice system. Prison statistics³⁷ show that a third of young offenders and a quarter of male adult prisoners in 2013 have been in care with 17% having been in care at age 16.

Factors associated with offending behaviour and desistance have clear links to the other key actions outlined in the Covenant and Agenda for Change. These include the importance of meeting care leavers education, training and employment, housing, and health needs.

All youth and criminal justice agencies have responsibilities in addressing the overrepresentation of care leavers in these systems and we encourage agencies including Children's Hearings Scotland, Scottish Children's Reporters Administration, Police Scotland, local authorities, Convention of Scottish Local Authorities, Social Work Scotland, Scottish Prison Service, Scottish Court Service, Crown Office and Procurator Fiscal Service, and the judiciary to endorse the Covenant and deliver on the key actions below.

KEY ACTIONS

1. Identification of care leavers at the outset of their involvement with each youth and criminal justice agency to enable more appropriate responses.

- All individuals aged under 26 are asked a standardised, understandable question to determine whether they are a care leaver, and the response is recorded.
- With the young person's consent contact should be made with other involved agencies and this should be done in accordance with information sharing protocols.

2. On identification, corporate parents and youth and criminal justice agencies will ensure that care leavers receive:

- Contact from relevant agencies who can meet their immediate and longer-term needs and/or who may have corporate parenting duties.
- A holistic assessment of their needs for services and support and an individualised plan will be created by the local authority in partnership, detailing how entitlements will be met.
- Ensure that any existing plans take account of the care leaver's entitlements.
- Advocacy support.
- An assertive outreach approach to offering support.

3. Criminal justice interventions take into account the individual needs and circumstances of care leavers and offer:

- A Whole System Approach including: timely and joined up interventions; maximising the use of diversion from statutory measures; court support; and transition/reintegration support.
- A long-term relational approach to supporting engagement and consideration of which services are most appropriate to support care leavers.
- Additional support to comply with interventions and during transitions/reintegration.
- Creative use of interventions, including individual and group work supports.

4. Learning and development opportunities are available to the criminal justice workforce, including decision makers, focusing on:

- The experiences of care leavers and the impact of such experiences.
- Corporate parenting responsibilities and actions.
- Legislation, definitions and entitlements of care leavers, agencies' responsibilities, and available services and how these can be accessed.
- The youth and criminal justice systems.

5. Relevant criminal justice services should have clear corporate parenting statements of intent which should:

- Detail how they intend to fulfil their corporate parenting responsibilities.
- Be included as part of Corporate Parenting Plans.

6. Measures taken through the Children's Hearings System (CHS) can impact on care leavers' futures. Priorities should include:

- Continuing to support 16-17 year olds on Compulsory Supervision Orders (CSOs).
- Dealing with cases in the CHS rather than court where appropriate.
- Ensuring young people subject to CSOs can access appropriate adult services.
- Planning transitions from the CHS and ensuring support plans are in place.
- Limit the carry-over of criminal records from CHS and informing when this is the case.

ANTICIPATED OUTCOMES

- Improved identification and monitoring of the numbers of care leavers in youth and criminal justice systems with the aim of reducing this overrepresentation.
- Care leavers will see benefits in self-identification.
- Improved information sharing and the inclusion of young people in this.
- Greater consistency of assessment, planning and access to supports/ entitlements.
- Interventions are more effective, with fewer unsuccessful completed measures.
- Holistic recognition of the experiences of care leavers to support culture change.
- Clarity on what care leavers can expect from services that are accountable.
- Young people in transition from the Children's Hearings System will be more appropriately supported.
- Most 'convictions' incurred in childhood will not be carried into adulthood, which should increase inclusion in pro-social opportunities and employment.



Rights and Participation

Young People have a right to participate in decisions that affect them.

Article 12 of the UNCRC specifically details that young people have the 'right to express their views freely in all matters affecting them' in accordance with their age and maturity.

These rights are central to the provisions of the Children (Scotland) Act 1995 which defines eligibility for throughcare and aftercare support and services for those young people preparing to leave care and who become care leavers. These supports and services are further clarified and strengthened by the Supporting Young People Leaving Care in Scotland Regulations (2004), including details of financial and other supports that care leavers would need to make the transition to adult life.

The philosophy enshrined within GIRFEC puts the child at the centre and the Children and Young People (Scotland) Act 2014 defines the responsibility corporate parents have towards care leavers. The Act highlights the need for corporate parents to be alert to matters affecting children and young people and emphasises the importance of engaging in regular dialogue with individuals and groups that they have a duty towards.

Part 1 of the 2014 Act links this legislation specifically to the UNCRC and Part 2 strengthens the role of the Scottish Commissioner for Children and Young People in investigating and upholding children and young people's rights.

Rights and entitlements that are defined within policy and legislation are not always reflected in practice. Care leavers are particularly vulnerable to having their rights overlooked. The process of moving on from placement and leaving school, often within a short time-frame, tends to mean care leavers lose access to support networks and can quickly become isolated and disempowered. Attempts to engage care leavers in participation, although well intentioned, can often come across as tokenistic and ineffective, with little clarity as to whether they have made a difference.

The development of Champions Boards, bringing young people alongside elected members and senior managers at a local level, is a welcome one and represents real potential to achieve lasting change in acknowledging and responding to the needs of this vulnerable group.

Rights and entitlements for care leavers continue to lack clarity and transparency with a lack of information, and discretionary decisions which vary across areas. Adopting a rights-based rather than deficit-based approach to support reflects the spirit of policies that affect care leavers.

KEY ACTIONS

1. All corporate parents have participation processes in place specifically aimed at care leavers.

- Arrangements provided for meaningful and regular engagement with care leavers using existing forums or, where necessary, developing new ones e.g. Champions Boards.
- Care leavers are given specific opportunities to influence and shape services and policies at local and national level, including receiving feedback on their ideas and contribution.



2. Clear accessible information on the choices and options open to looked after young people preparing for or leaving care to be available and accessible in written and web-based formats.

- Information is available well in advance of preparations to move, from the age of 14 and onwards as appropriate.
- Information on care leavers rights and entitlements is readily available, particularly around the issue of staying put and extended aftercare support.
- Information is available to those care leavers who don't currently access support, informing them that they can request further support, up to the age of 26.
- Services keep in touch with care leavers, throughout their leaving care journey into adulthood, not just responding at times of crisis.

3. A rights-based approach to support and services for care leavers is adopted to take full advantage of enabling legislation and policy.

- Rights of care leavers are proactively implemented and protected throughout their entire care leaving journey, not just when they first leave care or at times of crisis.
- Harder to reach groups of care leavers are given access to independent advocacy and more consistent use of an existing supporting person in planning and implementing supports and upholding care leavers' rights.

ANTICIPATED OUTCOMES

- Corporate parents can evidence activity and progress in reporting cycle.
- Corporate parents are more responsive to local need and gaps in provision.
- Local and national policy and practice is more reflective of care leavers' needs and priorities, leading to more meaningful and sustained engagement and dialogue.
- Care leavers are better informed and prepared and more aware of the options available to them when ceasing to be looked after.
- Care leavers are more likely to remain in placement for longer and to undertake more graduated transitions to independent living, leading to better outcomes.
- Care leavers are more likely to come back to request support, leading to continuity of support and relationships, preventing more serious crisis and breakdown, with resulting costs to adult services.
- Improved consistency of impartial support and equality of opportunity for care leavers who do not consistently access help.

A promise to act

The Scottish Care Leavers Covenant will be launched during National Care Leavers Week in October 2015. We will continue to promote and profile the Covenant, and engage with and encourage corporate parents and others to implement the Covenant.

We will actively encourage all named corporate parents, and all relevant agencies and organisations involved in the development, commissioning, delivery and monitoring of services to looked after young people and care leavers, to endorse and sign up to the Covenant.

We will support and promote agencies and organisations who want to demonstrate their active commitment to implementing the changes needed. We will share innovative practice through regular bulletins and news stories and, via our websites, we will help inform and inspire, chart progress and evidence impact.

By establishing a monitoring and evaluation process to chart progress and implementation we will make sure that care leavers and corporate parents are able to report positive change. Where appropriate, we will engage with our Alliance's work to make sure that the wider public are aware of the significant difficulties care leavers face, and generate public backing for the 'care-proofing' approach.

We will use the Covenant to support full implementation of Parts 9, 10 and 11 of the Children and Young People (Scotland) Act 2014 particularly to improve services and outcomes for care leavers.

By maximising the opportunities provided by the new Act and by addressing policy areas and implementing actions consistently and meaningfully, together we can close the gap and support the culture change needed to transform the lives of care leavers.



Scottish Care Leavers Covenant – the Alliance

The Covenant was coproduced by a cross-sector alliance of organisations:

Barnardo's Scotland

Centre for Excellence for Looked After Children in Scotland (CELCIS)

Centre for Youth and Criminal Justice (CYCJ)

Institute for Research in Social Services (IRISS)

Life Changes Trust

Quarriers

Scottish Throughcare and Aftercare Forum

Who Cares? Scotland

SCLC SUBGROUPS MEMBERS

The Covenant and Agenda for Change has been developed with the active participation, contribution and support of the following agencies.

Action for Children

Association for Real Change (ARC)
Scotland

Breathing Space, NHS

CLAN Childlaw

Creative Scotland

Community Jobs Scotland (SCVO)

Convention of Scottish Local
Authorities (COSLA)

Children's Hearings Scotland (CHS)

Crown Office and Procurator
Fiscal Service (COPFS)

Enquire

Includem

Interventions for Vulnerable
Youth (IVY)

NHS Forth Valley

National Union of Students (NUS)

Police Scotland

The Princes Trust

Quality Assurance Agency (QAA)

Rock Trust

Royal Conservatoire of Scotland

Scottish Prison Service (SPS)

Scottish Government
(Mentoring & Advocacy)

Scottish Association for Mental
Health (SAMH)

Scottish Funding Council (SFC)

Skills Development Scotland (SDS)

Scottish Children's Reporter
Administration (SCRA)

St Mary's Kenmure

Social Work Scotland (SWS)

Together (Scottish Alliance for
Children's Rights)

Up-2-Us

Young Scot

Sign up to the Scottish Care Leavers Covenant

We/I _____

On behalf of _____

Endorse the principles and actions outlined in the Scottish Care Leavers Covenant and will work with our corporate parenting partners to deliver the transformational change required to improve outcomes for all of our care leavers into adulthood.

Signed _____

Date _____

Send to: info@scottishcareleaverscovenant.org

Post to:

CELCIS

University of Strathclyde

Lord Hope Building

141 St James Road

Glasgow

G4 0LT

Or sign up at: www.scottishcareleaverscovenant.org

For further information on the Scottish Care Leavers Covenant and the work of the Alliance please visit:

www.scottishcareleaverscovenant.org

Follow us on Twitter  @ScottishCLC

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Meeting(s):	Community Safety and Resilience Board Shetland Partnership Board	15 June 2017 21 June 2017
Report Title:	Shetland Multi-Agency Anti-Bullying Framework	
Reference Number:		
Author / Job Title:	Kate Gabb lead Officer Adult and Child Protection on behalf of Shetland Together Group	

1.0 Decisions / Action required:

- 1.1 For the Community Safety and Resilience Board and the Shetland Partnership Board to accept, endorse and support the Anti-Bullying Framework as part of the Local Outcome Improvement Plan C1.4: Deliver the Shetland Anti-Bullying Strategy, including the development of information and training on prejudice-based bullying and a relevant linked indicator.
- 1.2 For members of the Shetland Partnership Board to take responsibility for implementing the framework in their own organisations.

2.0 High Level Summary:

- 2.1 The Shetland Multi-Agency Anti-Bullying Framework provides an overarching strategic policy that emphasises the importance of tackling bullying for children, young people and adults. It highlights the damage caused by bullying and supports a cultural change to move towards a Shetland that is free from bullying and harassment. The document provides templates and information that will support all organisations to develop and implement anti-bullying policies that are suitable for their particular circumstances.

3.0 Corporate Priorities and Joint Working:

- 3.1 This is a multi-agency framework that has been developed by an interagency short life working group and the Shetland Together group. The Community Safety and Resilience Board saw an early version of this document in August 2016 and Chief Officers have also had an opportunity to comment on an earlier draft- this is the final version that takes into account all the comments and amendments made.

4.0 Key Issues:

- 4.1 To introduce a Shetland wide Anti-bullying Framework

5.0 Exempt and/or confidential information:

- 5.1 None

6.0 Implications : Identify any issues or aspects of the report that have implications under the following headings		
6.1 Service Users, Patients and Communities:	For Service Users and Communities to promote a culture of anti-bullying	
6.2 Human Resources and Organisational Development:	Adopting the framework will support current HR policy and procedures	
6.3 Equality, Diversity and Human Rights:	This Framework links with the Human Rights Act 1998 Equality Act 2010	
6.4 Legal:	As above	
6.5 Finance:	none	
6.6 Assets and Property:	none	
6.7 ICT and new technologies:	none	
6.8 Environmental:	none	
6.9 Risk Management:	Adopting the framework should assist the assessment and management of risk in situations where children, young people and adults have been bullied	
6.10 Policy and Delegated Authority:	Role of the Community Safety and Resilience Board and Shetland Partnership Board to implement the following action under the Local Outcome Improvement Plan C1.4: Deliver the Shetland Anti-Bullying Strategy, including the development of information and training on prejudice-based bullying and a relevant linked indicator	
6.11 Previously considered by:	Earlier drafts considered by CSRB and Chief Officers Group.	CSRB in August 2016 COG in December 2016

Contact Details:

Kate Gabb Lead Officer Adult and Child Protection on behalf of the Shetland Together Group

Kate.gabb@shetland.gov.uk 01595 744435 Old Library Lerwick

Final Draft

Shetland Multi-Agency Anti-Bullying Framework

May 2017 Final Draft



SHETLAND MULTI-AGENCY ANTI-BULLYING FRAMEWORK

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INTRODUCTION

“Framework” dictionary definition- “A structural plan”

This framework has been produced by the Shetland Community Safety and Resilience Board and the Shetland Partnership Board, as part of the Local Outcome Improvement Plan.

The Shetland Community Safety and Resilience Board and the Shetland Partnership Board want to give a strong and clear message that there should be a zero tolerance approach to any form of bullying behaviour that harms children, young people and adults. The focus of this document is on keeping people safe, supporting those harmed, challenging any form of bullying behaviour and if necessary using appropriate legal measures to tackle bullying behaviour.

All involved in its development want everyone in Shetland - children, young people and adults - to live free from all forms of bullying, harassment and any form of discrimination, and to build the skills and resilience to prevent and respond to bullying. It is a fundamental right under Human Rights Legislation to live free from the effects of any form of unfair treatment.

In addition to asking every organisation and local employers in Shetland to use this framework as a good practice guide within which to develop their own policy and procedure, a monitoring mechanism has been set up with the intention of being able to collate information about bullying in Shetland. This provides an opportunity to work in a focussed and effective manner by having a clear and consistent approach throughout Shetland, which reflects local environments and culture.

This will help the Shetland Partnership Board and Community Safety and Resilience Board to identify where there needs to be improvements to training, better support to staff and an effective collective approach to this issue that aims to reduce harm to individuals.

Shetland Partnership Board and the Community Safety and Resilience Board will seek ways to publicise this framework, and to support and encourage all organisations to develop anti-bullying policies, which follow this framework through its Shetland Together Sub-Committee. Shetland Partnership Board will also plan and deliver training and actively raise awareness. The Shetland Together group will also function as an “anti-bullying monitoring group” with a remit to discuss the monitoring reports and formulate responses to any specific issues that emerge, with an appropriate route to report back and to publish information.

PRINCIPLES

The Scottish Government Document “A National Approach to Anti-Bullying for Scotland's Children and Young People” outlines certain principles. These have been updated to reflect local needs and are the principles adopted by the Shetland Partnership Board and they form the basis for this framework.

- We respect the rights of every person as paramount
- We will work together to develop a culture of mutual respect and responsibility amongst all children and young people and adults
- We will seek to prevent and tackle bullying, through the development and implementation of effective anti-bullying policies and practices

- We will highlight bullying based on prejudice and perceived differences, and ensure our policies and practices are effective in dealing with these issues
- We will highlight different aspects of prejudice in order to make sure all types of prejudice-based bullying are treated with the same importance
- We will address the needs of children, young people and adults who are bullied as well as those who bully within a framework of respect, responsibility, resolution and support
- We will share information and work jointly to make sure we are co-ordinated and cohesive in all that we do

DEFINITION

This definition is taken from “A National Approach to Anti-Bullying for Scotland’s Children and Young People”

“Bullying is unwanted conduct which leaves people feeling helpless, frightened, anxious, depressed or humiliated. Incidents of bullying can be persistent or happen in isolation. The fear of it can limit people’s choices about where to go, what they do and whom they associate with.”

Bullying includes harassment and the reasons people bully can be related to differences between themselves and another. Bullying behaviours may include:

- **Verbal** (name calling, teasing, putting down or threatening)
- **Emotional** (ignoring, leaving out or spreading rumours)
- **Physical** (hitting, tripping, kicking)
- **Criminal** (stealing and damaging belongings)
- **Cyber Bullying** (sending abusive text, email or instant messages)
- **Intimidation** (making people feel like they are being bullied or fearful of being bullied)
- **Discrimination** (targeting someone because of who they are or are perceived to be)

Bullying is about power and control and challenging anyone - child, young person or adult - who harms others in this way, is a central theme of this document. Changing bullying behaviour is complex and requires a variety of approaches from carefully supporting a child to respect others and change their behaviour to making a formal allegation to the police in respect of an adult’s aggressive and threatening behaviour.

All the information available nationally indicates that some groups of people who are in a minority or who are perceived as being different in some way are more likely to be targeted by those who would bully and harass others. All organisations have a duty of care to all staff, volunteers and service users, but it is arguable that there is an additional duty to be aware of people who may be potentially more at risk of being bullied. People can be bullied because of their race, religion, sexual orientation or because they have learning disabilities or a mental health condition. Young people who adopt a certain style of dress or who have piercings and tattoos may be viewed as being different to others. Children with additional support needs or those who are looked after may be treated differently.

It is important to focus on supporting people to speak out against bullying including those being harmed, those witnessing bullying and those who may be bullying others. The first step in this process is to create supportive environments where children, young people and adults can speak about bullying. Everyone needs to have the confidence to support people to talk about it and to develop the ability to speak up and speak out and seek help.

WHY SHOULD WE STOP BULLYING? . . .

Bullying is a form of emotional and psychological abuse that harms children, young people and adults. In its extreme form it affects people's mental well being and can lead to a lack of self-esteem, self-harm and suicide. People leave jobs and communities, have poor physical and mental health and children and young people may fail to achieve their full potential. The cost to society as a whole is huge - both in terms of the effect on individuals and the cost to public services in trying to support people harmed and address antisocial or criminal behaviour

WHY SHOULD EVERYONE TALK ABOUT BEING BULLIED AND BULLYING BEHAVIOUR?

Not talking about bullying creates an environment where it can thrive. The following points demonstrate the importance of speaking out against bullying:

- It should not be ignored because that might make it seem acceptable for those involved
- Speaking about it can make it more bearable for anyone affected - for those witnessing bullying behaviour, the person who is harmed and may also help the person who is causing the harm
- It will share the burden. It should not be one person's burden alone to deal with
- Talking about bullying can help find ways to resolve it. Two heads are better than one and sometimes when people are in the middle of something they cannot always see an obvious solution
- Communicating about being bullied is most often the first step in the process to tackling the problem so it is important to remember that this step is needed in order to start the process of stopping bullying
- Speaking out can help other people who are also affected by this behaviour, but may be too afraid to say. Children, young people and adults may feel alone and isolated, but in speaking out it becomes apparent that these may not be isolated incidents and a number of people can be affected by the same bullying behaviour
- The person causing the behaviour may not understand the impact of their behaviour on others. They may feel like they are only blowing off steam or copying behaviour that other people do to them and do not realise that there are other ways to relate to people
- The person causing harm to others may need help. They may feel that this behaviour is the only way for them to keep their problems and anxieties under control
- Speaking up about bullying is the right thing to do. It will help create a better community for everyone to enjoy

SECTION TWO

For organisations providing services to children and young people up to the age of 19

Key Finding from NSPCC Child Line for 2015/16

- Bullying is the second most common reason for boys and the third most common reason for girls to contact Childline. It makes up 9 per cent of all counselling sessions (25,740 sessions in 2015/16)
- Bullying is the most common reason for children aged 11 and under to contact Childline; almost 1 in 4 sessions with this age group in 2015/16 were about bullying
- Physical bullying is the top bullying concern for children aged 11 and under; peer pressure is top for 12–15 year olds and online bullying for 16–18 year olds
- While overall, levels of counselling about bullying remain high, the way in which children are being bullied and what they are bullied about has changed over time
- Bullying affects academic performance and is linked to mental and physical health problems. In a quarter of counselling sessions about bullying, children also talked about mental health and wellbeing issues
- Childline also provides counselling to children who are worried about a friend or sibling who is being bullied, and to young people who are taking part in bullying behaviour themselves and seeking help on how to stop
- Despite efforts from schools and organisations to respond to and reduce bullying, some children are contacting us because they are afraid to speak out or because they have seen that speaking out can make things worse. Other children have told us that speaking out is the only way to tackle the problem
- Receiving support from peers or young people who have experienced bullying can be hugely beneficial both in terms of suggesting strategies that have worked and providing emotional support

All schools, youth clubs, sports clubs or other organisations who have or who are developing their own anti-bullying policy should follow the template given in appendix 1

Whilst it is important to have an anti-bullying policy to address bullying once it has happened, is better to develop positive relationships amongst children, young people and adults, which are mutually respectful, responsible and trusting. Promoting emotional health and wellbeing for all young people. This includes behaviour online and when using social media. Resources listed in appendix three give further information about resources and programmes that can be used to build positive respectful relationships and help to prevent bullying.

All organisations that work with children and young people should develop and implement an anti-bullying policy. Scottish Government Guidance states that “the policy should be reviewed on a regular basis; provide a framework for all the strategies, procedures and practices related to anti-bullying work through partnerships, consultation; and include an equality and diversity impact assessment. The most robust and successful policies are developed in consultation with all stakeholders and are often led by young people themselves”.

Approaches to preventing and dealing with bullying

Adults should establish open, positive and supportive relationships where children and young people feel safe, listened to, and secure in their ability to discuss sensitive issues. It is essential that adults model behaviour, which promotes health and wellbeing; and understand anti-discriminatory, anti-bullying, and child protection policies. Approaches that can help prevent and deal with bullying are:

- education and awareness of rights
- development of an inclusive and positive ethos and climate of respect, responsibility and positive relationships; and a culture where bullying and discrimination is unacceptable
- developing a culture where differences are celebrated and supported
- children and young people involved and engaged
- circle time, peer mediation, buddies, mentoring, playground pals
- strategies provided by young volunteers who support others in youth clubs and sports clubs and playground supervision
- proactive information strategies and campaigns that include advice and support about online behaviour
- mental, emotional and social health and wellbeing programmes and activities
- implementation of whole organisation programmes in positive relationships and behaviour, social and emotional skills and personal development
- restorative approaches (please see appendix 4)
- nurturing approaches and principles and nurture groups
- personal support and additional support
- supporting and enabling parents
- acting on patterns of bullying incidents through monitoring
- using peer led approaches - for example, sessions for secondary age pupils with the OPEN peer support project. Mentors in Preventing Violence that seeks to empower young volunteers to support other young people to challenge sexist, racist and homophobic language and behaviour.

Expectations and communication

The organisations anti-bullying policy and procedures should be communicated and shared so that every child and young person, and their parents and carers, know who they can talk to and what they can expect if bullying occurs. All staff, volunteers, parents and carers, and children and young people, should be aware of their responsibilities and of the expectations of the organisation. Each organisation should be able to provide some basic training and/or support to ensure that everyone understands their roles and responsibilities in relation to the anti-bullying policy and procedures. The Shetland Partnership Board will be looking at developing Shetland

wide information and training – please see Section 4 of this Framework. Information leaflets on anti-bullying for children, young people, parents and carers are also available to help communicate ways of dealing with bullying. See appendix three.

Recording and monitoring

Recording and monitoring bullying incidents are essential for a number of reasons. Accurately recording incidents of bullying allows organisations to ensure that appropriate response and follow up has been issued. It helps the organisation to monitor the effectiveness of its policy and practice and can also help identify a need for training. Please see Section 3 Monitoring for more information

Implementation - Responsibility for all

The Curriculum for Excellence Principles and Practice Paper states that it is the responsibility of all practitioners to understand “anti-discriminatory, anti-bullying and child protection policies...”

Children and Young People with Additional Support Needs

As already noted in the opening section of this framework children with additional support needs can potentially be more vulnerable to being bullied. However, it is also important to note that children and young people with additional support needs may display difficult behaviour that has the potential to cause unintentional harm to others. To label such behaviour as “bullying” would be inappropriate and unhelpful. Ways of minimising harm to others and supporting children and young people with additional support needs to learn and change is important in such situations.

Looked After Children and the responsibilities of Corporate Parents

“Looked After Children” are children and young people who are accommodated (placed away from home in foster, kinship or residential care) or who are subject to a compulsory supervision order made by a Children’s Hearing- either at home or accommodated away from home. The Children and Young People (Scotland) Act 2014 introduced the concept of corporate parenting which places a duty on organisations to promote the welfare of and support those children who are looked after or who have been looked after. Looked After Young People are acknowledged as group who are more vulnerable - who will have experienced harm and abuse and may need additional help to be able to move forward positively in their lives. As well as additional vulnerabilities as a result of poor life experiences and trauma they are a group who can be discriminated against and who can be bullied. An important element of corporate parenting is to provide the same protection and support that any good parent would offer to their child.

GIRFEC and the Named Person

Under the Children and Young People’s (Scotland) Act 2014, all children and young people have a Named Person up to the age of 18. For pre-school children it is the Health Visitor and for primary and secondary school age children it will be a Principal Teacher, Deputy or Head Teacher in their school. (To contact the Named Person for a specific child please see the link below)

There may be situations where it is appropriate for the Named Person to be notified that a child or young person is harming other children by displaying bullying behaviour or is being affected by bullying behaviour. The Named Person should follow Shetland GIRFEC Guidance to gather full information and assess the situation.

http://www.shetland.gov.uk/children_and_families/GIRFEC.asp

In rare cases, it may be appropriate for a Named Person to consider a GIRFEC assessment and child's plan and the involvement of a Lead Professional in order to support a child who has been significantly harmed by repeated bullying or to address issues of aggressive behaviour for a child who is harming others.

Guidance for children and young people who are being bullied

All organisations working with children and young people should have some leaflets or other information available - please see resources in appendix Please see appendix one for further guidance for schools and organisations providing services to children and young people. This appendix includes a template document that any organisation can use to set up its own anti-bullying policy.

For young people aged 16-18 who are not in school or college

Under the Children and Young People's (Scotland) Act 2014, all children and young people have a Named Person up to the age of 18. When a young person remains at school this will be a teacher. If they have left school Shetland Youth Work Services provide the Named Person service - please see the GIRFEC guidance http://www.shetland.gov.uk/children_and_families/GIRFEC.asp

Additionally for young people who may be more vulnerable there is a separate protocol (Protocol 11) as part of the Shetland Inter-agency Child Protection Procedures that may help <http://www.safershetland.com/assets/files/Aug-2015---Shetland-inter-agency-Child-Protection-Procedures.pdf>

Leaving school will be a major transition most young people have made in their lives. Moving into the workplace, possibly leaving home and moving into a more adult world can bring difficulties. In the workplace, young people may feel more isolated. If they leave home, they may lack support and may not know others in their community or in a similar situation to themselves. Leaving school brings the challenges of managing money and taking on more adult responsibilities. Young people can be more vulnerable to crime, being affected by antisocial behaviour and bullying. Young people age 16 to 18 may fall between gaps in services and may lack the confidence and knowledge to seek help if they are in difficulty.

Employers and training organisations that provide apprenticeships (Skills Development Scotland) should be aware of the specific support needs of young people and their potential vulnerability in the workplace. When developing workplace anti-bullying policies it is important to recognise the possible vulnerabilities of apprentices and young people in the workplace. Health services also need to respond to the needs of this group of young people.

Please see appendix two which information for employers and appendix 3 has other useful resources and websites

For young people who are attending college or university

All colleges and universities have a duty of care to students and will provide student support or counselling. Young people attending college or university should be informed of the support services that are available to them. Moving away from Shetland to attend college or university is a major transition for young people and for those adults who return to studying. Bullying and harassment can make this experience more difficult. There may be many of the same pitfalls that someone leaving the education system at 16 may experience.

The University of the Highlands and Islands and Shetland College and the North Atlantic Fisheries College have student support in place for anyone attending college in Shetland.

SECTION TWO

For adults

Adults in the Workplace

This section is intended to provide a useful framework that organisations can use if they do not currently have a policy, or that policy needs to be updated. Additionally a template is available at appendix two

Workplace bullying is a serious problem in Britain's workplaces. It is a source of considerable individual suffering and weakens the performance of organisations. Yet, despite a growing awareness of the negative outcomes associated with bullying, and of the significant wider costs to society and the economy, its complexity continues to pose a challenge for those seeking to prevent and manage such behaviours in the workplace. Workplace bullying is not solely a matter for employers. It should be everyone's responsibility to look out for colleagues at work and make it clear that any behaviour that causes harm is unacceptable.

It is also clear that in many workplaces bullying is not taken seriously enough. The Advisory, Conciliation and Arbitration Service (ACAS) have published information about the economic impact of workplace bullying. The economy wide impact of bullying related absenteeism, turnover and lost productivity in 2007 was estimated as £13.75 billion

ACAS gives a definition of workplace bullying as follows

'offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient' (Acas 2014:1).

A recent publication by ACAS "Seeking better solutions: tackling bullying and ill-treatment in Britain's workplaces" has highlighted the issue of workplace bullying.

Key messages from ACAS are-

- Representative surveys of workplaces, employees and health and safety representatives all indicate that the problem of workplace bullying and ill-treatment is growing in Britain
- Research and calls to the ACAS helpline reveal that bullying, ill-treatment and other unwanted behaviours can manifest in a wide variety of ways in the workplace – with serious impacts on individual wellbeing, organisational performance and the economy
- Anti-bullying policies are widespread in Britain's workplaces, but these have fallen short in reducing the overall prevalence of bullying
- Research consistently shows that bullying is most common in organisations with poor workplace climates. It is best prevented by strategies that focus proactively on ensuring worker wellbeing and fostering good relations, giving employees and managers the confidence to engage in early and informal resolution

ACAS has also outlined what would be good practice in establishing effective anti-bullying policies in workplaces.

Additionally ACAS has a very good leaflet that gives step-by-step advice to employers about addressing bullying in the workplace <http://www.acas.org.uk/media/pdf/i/t/Bullying-and-harassment-in-the-workplace-a-guide-for-managers-and-employers.pdf>

Information for employees is also available

<http://www.acas.org.uk/media/pdf/o/c/Bullying-and-harassment-at-work-a-guide-for-employees.pdf>

- Bullying and ill-treatment should be viewed as an organisational problem requiring an organisational response, rather than being seen as *ad hoc* conflicts between individuals
- An organisation-wide commitment is required to align behaviours with values centred on respect and wellbeing
- Behavioural standards should be developed in collaboration with employees, and role modelled by senior managers. These should address what is and is not acceptable, with reference to individuals, teams and the workplace as a whole
- Agreed behavioural standards should be regularly promoted, reviewed and updated. In some organisations, behavioural standards can become more embedded where they are tied to performance objectives, or reward or progression outcomes
- Practical measures for the early identification of bullying behaviours are critical. Collating information from informal and formal complaints, diagnostic surveys, and confidential 'consequence free' exit interviews can help identify patterns and enable targeted action on contributory factors – such as management practices, workloads or change
- People should feel empowered to talk more openly with each other about the line between acceptable and unacceptable behaviour. Employees at all levels should feel able to 'challenge' unwanted behaviours that they receive or witness. Introducing informal terminology, such as 'yellow card/red card behaviour' (analogous to football), can make it easier for employees and managers to flag potential bullying in its earliest stages
- Well-resourced and informed support structures should be in place to provide assistance to those experiencing bullying, and to managers responding to bullying. These might include HR or occupational health staff, bullying or fair treatment officers, or union representatives. People should be aware of this support as an informal channel for reporting bullying, and support should also be offered as part of any formal procedure.
- Informal resolution should be encouraged wherever appropriate. This includes encouraging open conversations in teams and between individuals, and ensuring that line managers are equipped to be proactive and responsive. In some circumstances, mediation can help in finding agreement on acceptable future behaviours
- Formal procedures still need to be in place for situations where early resolution doesn't work. These need to be clear, accessible and inclusive, and their use not discouraged by restrictive definitions of when they are appropriate
- Managers at all levels must have strong people management skills and emotional intelligence. This may require training to give managers the confidence and skills to recognise the causes and signs of ill-treatment, to engage effectively in early, informal and formal resolution, and to sensitively manage change. These capabilities should be incorporated within managerial recruitment and performance processes

- Managers should be aware of how easily management action can cross over into, or be perceived as, bullying. It should be ensured that performance management and sickness absence policies and practices are consistent, clear and applied

Reporting Concerns at Work- Whistleblowing

Most public organisations - Shetland Islands Council and NHS Shetland for example - have policies and procedures in place to support people to report concerns about the behaviour of work colleagues and managers. Good practice about developing whistle blowing policies and how to support staff, who take the difficult step of reporting concerns can be found on the ACAS website

Adults in the Home

Adults can be bullied or harassed in their own home. This could be domestic abuse between partners or ex-partners, neighbour disputes, or if the adult is vulnerable, it could be an adult protection issue. More information about domestic abuse and adult protection can be found at www.safersheland.com

Adults in the Community

Adults can be harmed or bullied in the community. Research has shown that adults with a learning disability or a mental health problem can be very vulnerable to discriminatory harm and bullying in community settings. In some situations, agencies can help - for example if this is happening in areas of social housing, Hjalmland Housing Association or Shetland Islands Council Housing Services can help. The Antisocial Behaviour Team can also assist. (http://www.shetland.gov.uk/environmental_health/AntisocialBehaviourTeams; <http://www.shetland-communities.org.uk/subsites/CMT>)

If someone is committing a hate crime then the police should be contacted in the first instance. The person who is the victim of a crime would be able to get assistance from Victim Support. Community Mediation or Citizens Advice Bureau are also very good sources of advice and support for anyone affected by bullying or harassment in the community.

Advice for any adult who is affected by Bullying

1. *Make contact.*

- Deciding to ask for help and making first contact can be the hardest part. Remember that you should start to feel a bit better after sharing your problem. If the person you trust is able to help you make first contact with someone that can help then that makes this step easier and it is always good to have a second person there in case there is something you misunderstood or could not remember afterwards. Refer to step 2 if you feel they are not listening to you. It maybe they are not the best person to help deal with your situation but they may know who is.

2. *Make sure you are taken seriously.*

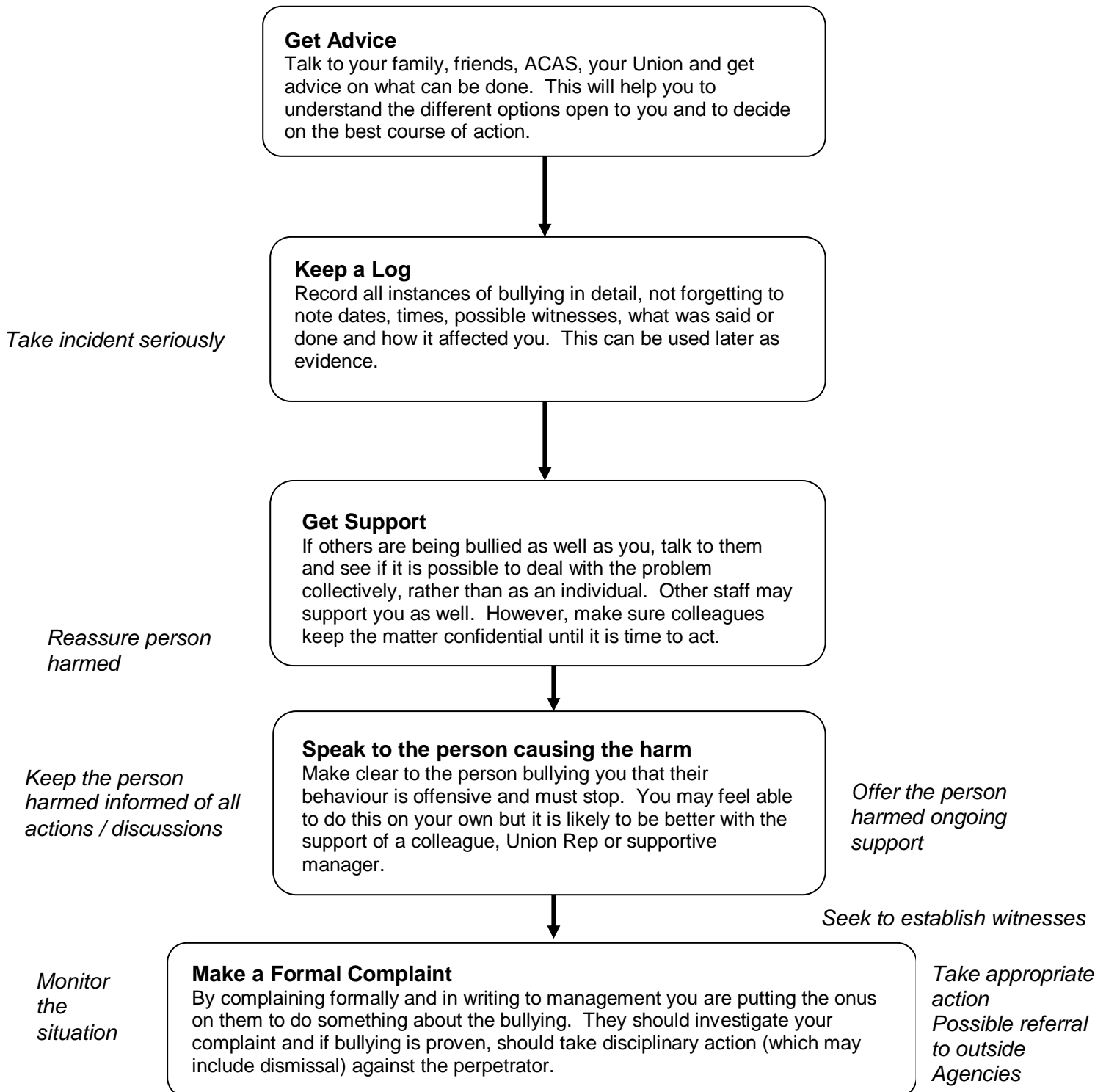
- Agree what you should do if the situation happens again.
- Arrange for another meeting in a week or relevant time scale so that you can see how things are working out.
- Agree what will be done in the mean time.
- Agree what might help to smooth things over with those involved it may not happen immediately but maybe this is something that could happen in the future.

3. *Remember to keep talking to the person who is helping you.*

- If you feel this is not working, be clear with the person who is helping you and seek further advice.
- Agree how you can get back in touch. Agree when you will next get in contact to review the situation.

The following flow chart may also help.


For adults who are being affected by bullying



FINAL ACTIONS

People who cause harm to others need to understand there are consequences to their behaviour especially if they are unable or unwilling to change. Final actions may involve disciplinary action at work, exclusion, civil or criminal proceedings.

For those who have had to deal with incidents of bullying it is important to consider what can be put in place to prevent future problems. Exclusion of a bully from a particular setting may only be temporary and so how to re-integrate them and support them and the person they have harmed is essential. Using a restorative approach to support both the person causing harm and the person harmed may be very helpful.



SECTION Three

MONITORING AND FEEDBACK

There is a commitment to identifying and reducing bullying. In order to do this it is important to collect data about bullying to be able to identify any emerging themes or issues that may need to be addressed by training or amending policy and procedures. The Community Safety and Resilience Board has established an Anti-Bullying subgroup Shetland Together with representation from the following organisations

- Schools, Quality Improvement
- Youth Work
- Voluntary Action Shetland
- SIC/Hjaltland Housing Services
- Police Scotland
- Victim Support
- Community Mediation
- Antisocial Behaviour Coordinator
- Shetland College and NAFC Marine Centre

The remit of this group will be to

- Meet six monthly
- Collate and analyse reported incidents of bullying. It will consider reports on children and young people under 19 and reports on adults separately
- Identify any specific trends and issues and formulate recommendations to address these
- Monitor the outcome of any actions following from recommendations
- Publicise the anti-bullying framework
- Work with organisations to ensure they have policies and procedures in place that follow the good practice contained in the policy
- Report annually to the Community Safety and Resilience Board and the Shetland Partnership Board

Submitting monitoring information

Schools should record any information about incidents of bullying on SEEMIS and these can be collated and data provided to the anti-bullying group.

All other organisations will be asked to complete the monitoring form in appendix 5 and submit it as directed at the end of the form.

When noting information about incidents of bullying the following should be considered and recorded wherever possible

- aspects of prejudice or discrimination underlying bullying
- where and when bullying takes place
- action taken or resolution at an individual or organisational level
- consideration of personal or additional support needs

Questionnaires can also be used to discover the nature and extent of bullying within an organisation, allowing adoption and adaptation of practice. The recording, monitoring and analysis of bullying is best carried out locally where it can be understood and acted upon by local organisations; as well as providing feedback on the effectiveness of anti-bullying policy and practice.

The Shetland Together subgroup would seek to establish if there any specific trends in bullying behaviour and also offer feedback and training to address any highlighted issues.

Section Four

Training and Publicity

This Framework has been approved by the Shetland Partnership Board and the Community Safety and Resilience Board. The Shetland Together group will oversee a comprehensive plan for 2017/18 to offer the following

- Launch of the Framework in Anti-Bullying week 13 - 17 November 2017
- Copies of the Framework provide to all local employers coupled with a media campaign and launch
- Posters and leaflet and on line information on the www.safershetland.com website
- Training and awareness raising for young people
- Development of a sustainable training programme

Funding will be sought in order to be able to provide continuing training and this section of the Framework will be updated as plans are confirmed.

APPENDIX 1 template for children and young people

Introduction

Under guidance from Shetland Islands Council Childrens Services all schools, youth work services should develop and implement an anti-bullying policy. The first part of this appendix gives some advice and guidance that complements Section 2 of the Anti-bullying Framework. It is followed by a template policy document that any organisation can download and use. Policy must resonate with the day-to-day practice of staff running the service and ensure fairness, respect equality and inclusion. The policy should reflect the principles of GIRFEC and Curriculum for Excellence keeping the health and wellbeing of Shetland's children at its heart.

Guide for Policies

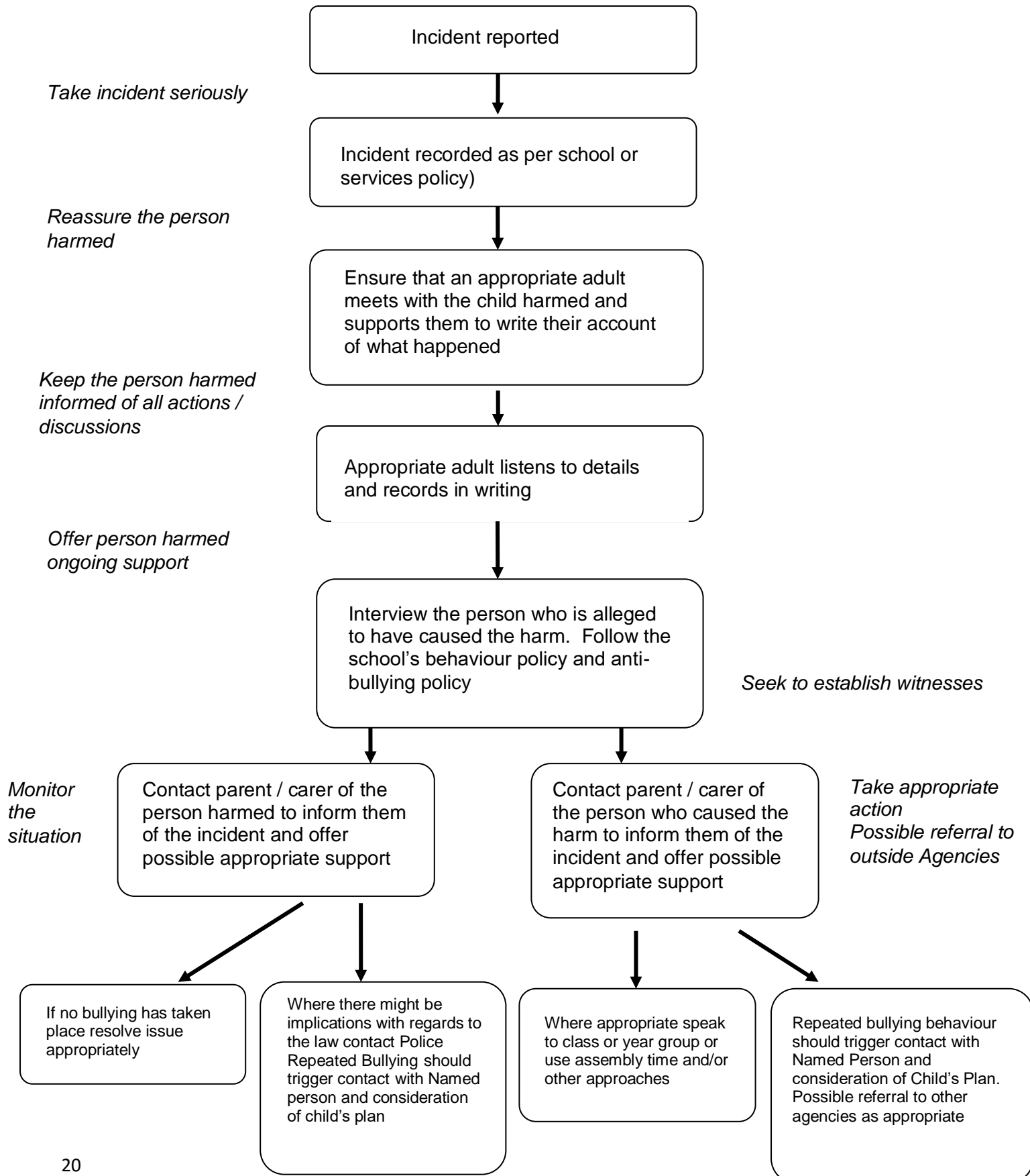
Policies should include (adapted from: A National Approach to Anti-Bullying for Scotland's Children and Young People"):

- a statement, which lays out the organisational stance on bullying behaviour. The policy should aim to prevent, promote and protect all children and young people using the service
- reference to behaviour that happens online
- acknowledgement that the same children can be affected in different services for e.g. a child may be bullied on the school bus, in school and at youth club
- acknowledgement of the importance of communication between the services, for example, incidents on the school bus incidents and sports clubs involving the same children
- Reference to GIRFEC and the appropriateness of contacting the child's Named Person
- a definition of bullying, developed through consultation creating a shared understanding between all parties involved
- expectations or codes of behaviour and responsibilities for staff, volunteers and children and young people
- preventative and reactive strategies showing what an organisation commits itself to, what strategies it will employ when faced with bullying incidents or allegations and to prevent bullying from happening
- clarity on how and how often the organisation will communicate its anti-bullying policy and to whom; and how parents and carers will be informed of incidents
- recording and monitoring bullying incidents
- how and how often the policy will be evaluated to understand how successful and effective the policy is

Dealing with Incidents of bullying-Flow chart

This flow chart below gives broad information about dealing with bullying incidents involving children and young people. Most organisations providing services to children and young people will be able to address unacceptable behaviour in informal and supportive ways. The flow chart is suggested for repeat situations or more serious incidents.

Children and young people can experience bullying in school, in other group settings and in the community. Adults to whom bullying has been reported should follow the steps below:



Dealing with bullying in more informal situations like on a bus or in a community play area that is not routinely supervised can be more difficult. It is not acceptable to ignore this on the basis that it did not happen in school or youth club as incidents of bullying are inevitably interlinked and affect children in a number of settings. Incidents of cyber-bullying can be reported to the company responsible for the web site or app used. Any young person or parent can contact their Named Person for advice and help with bullying.

http://www.shetland.gov.uk/children_and_families/GIRFEC.asp

Again it is important to make sure that support is provided, as with cyber bullying, speaking to a friend, carer, trusted adult or helpline for support is important too.

Effective means of addressing bullying behaviour start with prevention and respect for everyone. Supporting those harmed by bullying behaviour in ways that do not hold the person harmed responsible for what has happened nor impinge on their freedom and movements are vital. For example if a child or young person is being bullied in the school playground it is not acceptable to stop them from playing in the playground in order to stop the bullying. Addressing the behaviour of the child causing the harm to safeguard the child who is being bullied and ensuring that everyone is in a safe place is important.

Dealing with bullying also needs to address the behaviour of the child or young person who is causing the harm. Children and young people who bully others need to know that their behaviour is not acceptable, but simply telling them or enforcing some sanctions on them may not be the best way to change behaviour. Approaches to working with young people who harm others should include addressing both needs and deeds. Children and young people who bully others may have experienced abuse themselves or have learnt that aggression is the only way to relate to the world. Children and young people who seek to control others by bullying may be affected by poor emotional care and lack self-esteem and true confidence. In the long term, changing the behaviour of the child or young person who is causing harm so that they learn respect and develop other ways of behaving will be the best way to protect everyone.

Using a restorative approach to dealing with bullying can be helpful and more information about this is included in Appendix 2 alongside other helpful web links and resources.

Again, it is important to make sure that support is provided, as with cyber bullying, speaking to a friend, carer, trusted adult or helpline for support is important too.

Effective means of addressing bullying behaviour start with prevention and respect for everyone. Supporting those harmed by bullying behaviour in ways that do not hold the person harmed responsible for what has happened nor impinge on their freedom and movements are vital. For example if a child or young person is being bullied in the school playground, it is not acceptable to stop them from playing in the playground in order to stop the bullying.

Using a restorative approach to dealing with bullying can be helpful and more information about this is included in Appendix 2 alongside other helpful web links and resources.

Template policy statement

"Bullying is unwanted conduct which leaves people feeling helpless, frightened, anxious, depressed or humiliated. Incidents of bullying can be persistent or happen in isolation. The fear of it can limit people's choices about where to go, what they do and whom they associate with."

We are committed to supporting the Shetland Anti-Bullying Framework and protecting all children and young people who use our services from bullying or harassment. Our approach to bullying will be based on

- **Promote** – Working positively to support a culture of fairness, respect and equality and inclusion between all children and young people who attend (*name of*) school/group and involving parent and carers wherever possible in this.
- **Prevent**- any unwanted bullying behaviour by being clear with children and young people about what behaviour is expected from them. Responding as early as possible to support children to change their behaviour and act to protect children from bullying in as fair a way as possible. Recognise that children who bully others may need additional support to change their behaviour. Recognise that children who are harmed by bullying may experience a significant impact on their mental and emotional wellbeing. Recognise that children and young people who have witnessed bullying behaviour may also be affected. Recognise that children and young people can also be bullied through social media
- **Protect**- respond by listening carefully, taking concerns seriously and supporting children and young people harmed by bullying behaviour. Consider how to approach and help the child who is bullying and look at ways of changing this behaviour. They may not realise that what they are doing is unacceptable.

We will

- 1 Have in easily accessible information available to staff, parents ,children and young people about our approach to bullying and who any concerns can be discussed with
- 2 Take all concerns about bullying seriously and be alert to and respond to any incidents.
- 3 Investigate incidents carefully by speaking to children and young people who have harmed others by bullying and children who have been harmed
- 4 Formulate a plan to ensure children who cause harm can be supported to change their behaviour
- 5 Formulate a plan to protect children who have been harmed by bullying behaviour
- 6 Agree a review period to support both parties
- 7 Inform parent and carers in discussions and let them know what action the school/group have taken and ask they are part of the review period
- 8 Refer to Named People, Lead Professional or request help form outside agencies when and where this is appropriate.
- 9 Record the incident
- 10 Note any patterns of behaviour and if bullying is linked to any form of discrimination or particular use of social media as that may indicate that children and young people may need some further advice and guidance
- 11 Support and train staff to manage bullying with care and sensitivity

This was adopted as the Anti- Bullying policy statement of

“ ”

at a Committee meeting on

and is certified as a true copy.

Name Name
(print) (print)

Signature..... Signature.....

Committee
position position

Date Date

Approved on _____ Reviewed on _____

Appendix 2 template for Adults- Community Groups and Workplaces

Introduction Community Groups for Adults

For any group who provide activities for young people under the age of 18 please see Template 1 that is designed for schools and youth clubs. For other groups who provide a service to adults please use this good practice template. If your group is primarily for adults, but you have some young people under 18 attending please use this template. If your group has a junior section for under 18s please ensure that you use Template 1 for that part of your group. For example a football club may have an adult team, an under 18s team, an under 15s team and a junior section so would need to use this template for the adult team and one version of the schools and youth group template for all the under 18s teams.

Bullying & Harassment in Community Groups
What is Bullying?
<p>Bullying and harassment means any unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended. It can include “ill-treatment, interpersonal conflict, or unacceptable and unwanted behaviours.” It is not necessarily always obvious or apparent to others, without people in the group being aware of it.</p> <p>Bullying or harassment can be between two individuals or it may involve groups of people. It might be obvious or it might be insidious. It may be persistent or an isolated incident. It can also occur in written communications, by phone or through email, not just face-to-face.</p> <p>Examples of bullying / harassing behaviour could include:</p> <ul style="list-style-type: none">• spreading malicious rumours, or insulting someone (and this can include inappropriate use of social media)• exclusion or victimisation• unfair treatment• deliberately undermining someone and affecting their self-confidence <p>Under the Equality Act 2010, harassment is unwanted conduct, which is related to one of the following: age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and is therefore unlawful.</p>
What can community groups do?
<p>Community groups should seek to</p> <ul style="list-style-type: none">• Promote – a culture of enjoyable, respectful relationships between people participating in the activities of the group• Prevent- any unwanted unacceptable bullying behaviour by having codes of conduct and also being clear about what members can do if they are concerned about bullying- either as someone who has witnessed(and may have been distressed by) bullying behaviour or someone who has been bullied. Letting people who use the club know who they can speak to in the event of any worries- this could be the same person who takes responsibility for adult and child protection• Protect- respond by listening carefully, taking concerns seriously and supporting people harmed by bullying behaviour. Consider how to approach and speak to the person who is bullying and look at ways of changing this behaviour. They may not

realise that what they are doing is unacceptable. Ultimately, if someone continues to behave in unacceptable ways the group may need to decide if they can still be a member or join in with the activities of the group.

Additionally community groups need to consider

- When they may need to seek advice from outside the group- Voluntary Action Shetland , Local Community Workers, Anti-Social Behaviour Coordinator or in more serious cases Police Scotland
- Using the services of the Community Mediation Team and considering the use of a restorative approach in order to help the group through what can be a difficult experience

Where can community groups get more help?

Respect me (Scotland's Anti-Bullying Service)

Further policy help & guidance.

<http://respectme.org.uk/wp-content/uploads/2017/02/Policy-thought-to-Practice-2017.pdf>

Contact details

Brunswick House, 51 Wilson Street

Glasgow G1 1UZ

Tel. 0844 800 8600

Email enquire@respectme.org.uk

Web. <http://respectme.org.uk/about/>

Community Mediation Team

Tel 01595 743934

Text 07760 371993

Email alyson.halcrow@shetland.org

<http://www.shetland-communities.org.uk/subsites/cmt/>

Antisocial Behaviour

01595 744374

billy.mycock@shetland.gov.uk

<http://www.shetland.gov.uk/environmentalhealth/>

Voluntary Action Shetland

Market House

14 Market Street

Lerwick

01595 743910

<http://www.shetland-communities.org.uk/vas/>

Template Bullying & Harassment policy for Community Groups

We are committed to supporting the Shetland Anti-Bullying Framework and protecting anyone who attends (*add name of group*) from bullying or harassment. All reasonable steps will be taken to promote a healthy environment that protects everyone from any form of bullying or harassment.

We will aim to promote a culture of respect, prevent bullying behaviour and protect anyone affected by bullying.

This policy sits under the Shetland Anti-Bullying Framework

We will

1. Treat bullying behaviour seriously and not as ad hoc conflicts between individuals.
2. Have in place a code of conduct that emphasises respect and ensure members are aware of this.
3. Take practical measures for the early identification of bullying behaviours.
4. Empower people to talk more openly with each other about the line between acceptable and unacceptable behaviour.
5. Ensure all members know who to speak to about any concerns. (*add name or designation of the Committee member/Coach/Leader who will undertake this role*)
6. We will encourage informal resolutions wherever appropriate. This includes encouraging open conversations between individuals and in the group. Seeking advice and help from external sources and considering the use of mediation to help reach agreement on acceptable future behaviours where appropriate.
7. We will have formal procedures in place for situations where early resolution does not work. These will be clear, accessible and inclusive and will involve Board or Committee members
8. We will consistently, clearly and fairly apply our policies and practices.

This was adopted as the Bullying & Harassment at work policy statement of

“

at a Committee meeting on
and is certified as a true copy.

Name Name
(print) (print)

Signature..... Signature.....

Committee
position position

Date Date

Approved on _____ Reviewed on _____

Appendix 2 Workplaces

Introduction

The following gives some information for businesses, employers and workplaces about anti-bullying and also a template document that can be adapted for specific organisations.

Bullying & Harassment at work Procedures
What is Bullying in the Workplace?
<p>Bullying and harassment means any unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended. It can include “ill-treatment, interpersonal conflict, or unacceptable and unwanted behaviours.” It is not necessarily always obvious or apparent to others, and may happen in the workplace without an employer's awareness.</p> <p>Bullying or harassment can be between two individuals or it may involve groups of people. It might be obvious or it might be insidious. It may be persistent or an isolated incident. It can also occur in written communications, by phone or through email, not just face-to-face.</p> <p>Examples of bullying / harassing behaviour could include:</p> <ul style="list-style-type: none">•spreading malicious rumours, or insulting someone•exclusion or victimisation•unfair treatment•deliberately undermining a competent worker by constant criticism. <p>Under the Equality Act 2010, harassment is unwanted conduct, which is related to one of the following: age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and is therefore unlawful.</p>
What is the impact?
<p>“Workplace bullying is a serious problem in Britain’s workplaces. It is a source of considerable individual suffering and weakens the performance of organisations. Yet, despite a growing awareness of the negative outcomes associated with bullying, and of the significant wider costs to society and the economy, its complexity continues to pose a challenge for those seeking to prevent and manage such behaviours in the workplace. It is also clear that in many workplaces bullying is not taken seriously enough.”</p> <p>Bullying is most common in organisations with poor workplace climates while most employees “just want bullying behaviour to stop”.</p> <p>Bullying and harassment create an unhappy and unproductive workplace where there may be:</p> <ul style="list-style-type: none">•poor morale and poor employee relations•loss of respect for managers or supervisors•poor performance / lost productivity•absence / resignations•tribunal and other court cases and payment of unlimited compensation. <p>People do not always feel able or confident enough to complain, particularly if the harasser is a manager or senior member of staff. Sometimes they will simply resign. It is therefore very important for employers to ensure that staff are aware of options available to them to deal with potential bullying or harassment, and that these remain confidential.</p> <p>The government funded Advisory, Conciliation and Arbitration Service known as ASCAS provide free and impartial information and advice to employers and employees on all</p>

aspects of workplace relations and employment law. They say that bullying and harassment at work is a major cost for employers.

What can workplaces do?

All workplaces should be putting into place a procedure that addresses bullying and harassment and which focuses on ensuring worker wellbeing and fostering good relations, giving employees and managers the confidence to engage in early and informal resolution. It should be simple, formal and ideally involve staff in the development and implementation. A procedure should follow these steps

- The procedure should be based on mutual respect and proper behaviour that is part of the culture of the organisation and is modelled by all managers and employees
- Include fair procedures for dealing promptly with complaints from employees
- Be based on a code of conduct/standards of behaviour
- Offers means of informal resolution
- Is clear about more formal measures if informal resolution does not succeed
- Includes everyone and is part of the staff handbook/induction/ staff information

For employees affected by bullying please see the section for adults in the Shetland Anti-Bullying Framework.

Where can employers and employees get further advice and help?

It is very important that employers know their options for seeking advice.

Equality and Human Rights Commission

www.equalityhumanrights.com

Employee Assistance Professional Association (EAPA) Information on Employee Assistance Programmes

Tel 0800 783 7616 or www.eapa.org.uk

ACAS Helpline

For confidential and impartial advice on employment related issues.

Tel 0300 123 1100 (Open Monday – Friday 8am – 8pm & Saturday 9am – 1pm).

ACAS Equality Services

Advice on diversity in employment

Tel 0300 123 1100.

<http://www.acas.org.uk/media/pdf/e/b/Seeking-better-solutions-tackling-bullying-and-ill-treatment-in-Britains-workplaces.pdf>

<p>Template Bullying & Harassment at work policy statement</p> <p>We are committed to supporting the Shetland Anti-Bullying Framework and protecting our staff from bullying or harassment. All reasonable steps will be taken to promote a healthy working environment and to protect our staff from any form of bullying or harassment.</p> <p>We will follow best practise strategies that focus proactively on ensuring worker wellbeing and fostering good relations, giving our employees and managers the confidence to engage in early and informal resolution.</p>	
<p>We will</p>	
<ol style="list-style-type: none"> 1 Treat bullying and ill-treatment as an organisational problem requiring an organisational response, and not as ad hoc conflicts between individuals. 2 Align behaviours of our organisation with values centred on respect and wellbeing. 3 Develop behavioural standards in collaboration with employees, and role-modelled by senior managers. These will cover what is and is not acceptable, with reference to individuals, teams and the workplace. 4 Regularly promote, review and update agreed behavioural standards. 5 Take practical measures for the early identification of bullying behaviours. We will consider collating information from informal and formal complaints, diagnostic surveys, and confidential 'consequence free' exit interviews to identify patterns and enable targeted action on contributory factors. 6 Empower people to talk more openly with each other about the line between acceptable and unacceptable behaviour. To allow employees at all levels to feel able to 'challenge' unwanted behaviours that they receive or witness. Encouraging employees and managers to flag potential bullying in its earliest stages. 7 Put well-resourced and informed support structures in place to provide assistance to those experiencing bullying, and to managers responding to bullying. 8 We will encourage informal resolutions wherever appropriate. This includes encouraging open conversations in teams and between individuals, and ensuring that line managers are equipped to be proactive and responsive. Including using mediation to help in finding agreement on acceptable future behaviours where appropriate. 9 We will have formal procedures in place for situations where early resolution does not work. These will be clear, accessible and inclusive. 10 We will provide training to managers at all levels to help provide confidence and skills to recognise the causes and signs of ill-treatment, to engage effectively in early, informal and formal resolution, and to sensitively manage change. 11 We will consistently, clearly and fairly apply our policies and practices. Managers should be aware of how easily management action can cross over into, or be perceived as, bullying. It should be ensured that performance management and sickness absence policies and practices are consistent, clear and applied. 	
<p>This was adopted as the Bullying & Harassment at work policy statement of "....." at a Committee meeting on and is certified as a true copy.</p> <p>Name Name (print) (print) Signature..... Signature..... Committee position position Date Date Approved on Reviewed on</p>	

Appendix 3 leaflets and information

This gives some basic information designed for children and young people that any organisation can use as a template to create their own leaflets or encourage young people to use this to design their own information.

WHAT DO I DO?

1 - Speak to someone you trust or phone a helpline.

It is very important that you have someone to speak to whom you trust. They may be able to help you make sense of your situation but most importantly they should listen to you. It maybe a friend, a family member, or even phone a helpline. If you do not feel comfortable speaking to them alone then maybe a friend or an adult you trust would come with you or speak to them on your behalf. There may also be another person that can be spoken to in their place.

2 - Make sure they listen to you.

Make sure you have their full attention.

Make sure that you tell them that this is important to you and you really want and trust their advice.

Explain to them you just want their advice and do not expect them to solve the problem for you. If you feel they are not paying attention or are distracted by other things that are going on, then ask if you can speak to them alone and make a specific appointment for later on and tell them it is important. If you think they feel uncomfortable ask them if there is anyone else they think you could speak to about it.

3 - Keep a log.

It is easy to forget things especially things that you do not really want to remember so it is important to keep some basic details to help resolve any ongoing problems. It does not have to be complicated it is like keeping a diary you could keep it on your phone, computer or on paper but keep it somewhere safe that you can get the information when and if you need it.

Basic details would be date, time (when), location (where), who was involved, what happened and how you felt.

This is also a very good tool if you have to share this with someone as when you are upset it is easy to get confused or forget things.

4 – In this section your organisation should add in contact details for staff that children and young people can seek help from. You may also like to add in some weblinks and other information please see below.

Websites and useful information for children and young people

Respect Me

www.respectme.org.uk



Childline

www.childline.org.uk/explore/bullying/pages/bullying.aspx



ChildLine (at any time)

0800 1111 - calls are free and confidential.

www.childline.org.uk



NSPCC helpline (for adults concerned about a child)

If you are worried about a child, even if you are unsure, contact our professional counsellors 24/7 for help, advice and support.

Call us 0808 800 5000 or
email help@nspcc.org.uk.

www.nspcc.org.uk

EACH (Homophobic Bullying)

Helpline: 0808 1000 143 Mon-Fri 9:00am-5:00pm

www.eachaction.org.uk



Kidscape (Advice for young people) (need to check content before recommending)

<https://www.kidscape.org.uk/advice/advice-for-young-people/>

Council for Disabled Children

www.ncb.org.uk

Peer Support:

Employer support, colleague, teacher, pupil support, year rep or SYP?

Information for Adults

The Samaritans logo consists of the word "SAMARITANS" in white, bold, sans-serif capital letters, centered within a solid green rectangular background.

Samaritans
Helpline 08457 90 90 90 (UK)
<http://www.samaritans.org/>



Breathing Space
Helpline 0800 83 85 87 (Mon-Thurs 6pm to 2am; Fri 6pm-Mon 6am)
<http://breathingspace.scot/>



Stonewall (Advice on Homophobic Bullying)

www.stonewall.org.uk



Helpline (includes workplace bullying)
0808 800 2222 Open 9am – 9pm, Mon-Fri & 10am–3pm Sat & Sun.
<http://www.bullying.co.uk/>

Local Contacts



Shetland Advocacy
Tel 01595 743929.
Email info@advocacy-shetland.org
<http://www.advocacy-shetland.org/>

Community Mediation Team
Tel 01595 743934
Text 07760 371993
Email alyson.halcrow@shetland.org
<http://www.shetland-communities.org.uk/subsites/cmt/>



Citizen Advice Bureau
Tel 01595 694696
Email sicab@shetland.org
<http://www.shetland-communities.org.uk/subsites/CAB>

Medical Staff
01595 743000

Health
01595 743084

Social Worker
01595 744421- Duty for Children and Families
01595 744400- Duty for Adults

Police
101 if it does not need an immediate response.
999 in an emergency.

Antisocial Behaviour
01595 744374
billy.mycock@shetland.gov.uk
<http://www.shetland.gov.uk/environmentalhealth/>

Shetland Islands Council Harassment and Bullying at Work Policy

http://intranet2/Policy/Shared%20Documents/harassment_and_bullying_sept04_jgsEDIT.pdf

NHS Shetland Eliminating Bullying and Harassment

<http://www.shb.scot.nhs.uk/board/policies/hr-EliminatingBullyingHarassment.pdf>

Bullying UK

<http://www.bullying.co.uk/>

Stop Bullying – Government Official Site

www.stopbullying.gov

ACAS
<http://www.acas.org.uk/index.aspx?articleid=1864>

APPENDIX 4

Part 1 – Information about Restorative Justice Approaches to dealing with Bullying
Part 2 – Anti-Bullying Triangle & three pronged approach

Part 1 - Restorative Approaches

Using a restorative approach to tackle experiences of bullying both for the person harmed and the person causing the harm can be very effective and support people to change their behaviour.

For more information contact

<http://www.shetland-communities.org.uk/subsites/CMT/restorative-justice.html>

The Community Mediation Team

Market House
14 Market Street
Lerwick Shetland
ZE1 0JP

Tel: 01595 743934
Text: 07760 371993

Email:- alyson.halcrow@shetland.org

Restorative Questions:

TO the Person Responsible (PR)

Could you briefly tell me what happened?
What were you thinking about at the time?
What have your thoughts been since?
Who has been affected by what you did?
In what way have they been affected?

TO the Person Harmed (PH)

What did you think when you realised what had happened?
What have your thoughts been since?
How has this affected you and others?
What has been the hardest thing for you?
What do you think needs to happen next?

Additional questions to PR

What do you know about the PH?
What do you think their experience was like?
How do you think their family has been affected?
What do you think 'they' (PH) feel about you?
What would you like them to think?
How would this be possible?
What would you want to say to the PH and their family if you had a chance?
What would you want them to understand about your experience?

Additional questions to PH

What do you know about the PR or his/her family?
If the PR was here, what would you say to him/her?

A simplified version is as follows;

**Restorative Justice – Questions
Person Harmed**

What happened?

How have you been affected?

What needs to happen next?

**Restorative Justice – Questions
Person Responsible**

What happened?

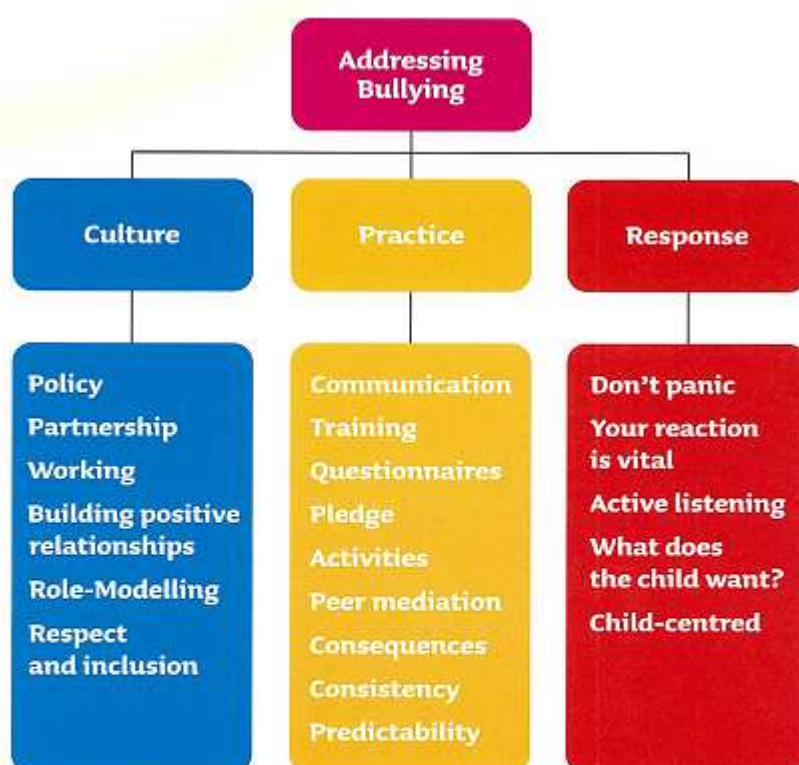
How have you and others been affected?

What needs to happen next?

Part 2 – Anti-Bullying Triangle & three pronged approach.



All three sides of the triangle play an essential role in addressing bullying in any organisation. If you ignore one side, or if one side is performing negatively, the whole triangle would collapse, with the other sides not fulfilling their function or achieving the desired outcome. It's important that all sides are considered when implementing any anti-bullying measures.



To effectively address bullying, it is important that these measures are implemented on all levels. This includes looking at the culture, practice and response of both the organisation and the individual.

We will be looking at each of these levels in turn, and discussing the various methods that can be implemented.

Appendix 5 Monitoring Form

This monitoring form is NOT for use by schools. It should be used by other organisations providing services to children and young people and also community groups for adults and workplaces. Part 1 is designed for the organisations own record and part 2 should be submitted as directed in order to help the Shetland Together group monitor the implementation of this Framework and support training.

PART 1

This should be completed and used by the organisation to record information about a bullying incident. This is confidential information to be kept by the organisation. Please complete PART 2 of this form omitting any confidential information and submit following the guidance in the form .

Name of Organisation _____

Name	Ref. No.
------	----------

Date	Details of incident	
	<i>(to be completed by member of staff reporting incident)</i>	
	Action Taken	Completed
	<i>(to be completed by Line Manager)</i>	
Time spent investigating and dealing with incident		

Signature of member of staff reporting incident

Signature of Anti-bullying Co-ordinator

PART 2. NB: please do not submit any information that can identify the person harmed or the person causing the harm.

Information to be shared with anti-bullying monitoring sub-group

	Age	Sex
Person Harmed	<input type="checkbox"/>	<input type="checkbox"/>
Person Causing the Harm	<input type="checkbox"/>	<input type="checkbox"/>

Does the person harmed belong to a vulnerable group? Yes/No

If yes please indicate which group:

Age
Assailant Medical Condition/Disability
Body Image
Care Circumstances
Disability of Victim
Economic Circumstances
Family Circumstances
Gender
Gender Reassignment
Homophobia/Sexual Orientation
Marital Status
Not Known
Other
Pregnancy/Maternity
Racial
Religion or Belief
Sectarian
Sexual Harassment
Substance Misuse - Alcohol
Substance Misuse - Not Alcohol
Territorial /Gang Related.

Brief information about what happened and how it was addressed by your organisation:-

Any other comments or identified training needs?

Please submit this form to:-

For organisations working with children and young people – David McQueen, Team Leader Hayfield House

For adults to Billy Mycock, Anti Social Behaviour co-ordinator

FINAL DRAFT

10 Year Plan to Attract People to Live, Study, Work and Invest in Shetland.

THE CALL TO ACTION

A key objective in Shetland's current Community Plan is to develop a ten year plan to attract people to Shetland to live, study, work and invest.

Why is this important? Talent attraction is now a make-or-break issue for many businesses and communities in the developed countries and Shetland has particular problems in attracting the skilled workforce that we require. ManPower Group believes that "we are heading toward a global employability crisis." In its 2016/17 annual talent shortage survey more than 42,300 employers in 43 countries took part, and more than 40 per cent report difficulty filling jobs – the highest proportion since 2007.¹ In 2014 the Shetland Employment Survey revealed that 23% of businesses could not fill vacancies due to a lack of local labour.

Shetland has high levels of economic activity and low levels of unemployment. The unemployment rate in Shetland has traditionally been below the rate in Scotland and the rate has only exceeded 2% on three occasions since 2000. In February 2017 0.9% of the working age population were claiming job seekers allowance. The tight labour market can limit company growth due to difficulties in finding qualified staff and can make investors nervous about locating in the islands due to the small labour pool. Business start-up rates have also been lower than the Scottish average in recent years. This is most likely due to the recent buoyant economic conditions and the availability of employment.

Shetland enjoys high levels of volunteering. In 2014 it was estimated that 50% of adults in Shetland volunteer formally through an organisation or group, which is 27% higher than the Scottish average. This breaks down to one million hours of volunteering and this contributes £15.5million to the economy². In order to sustain this high rate of voluntary participation that is key to delivering a range of services and activities, a healthy and growing demographic is essential. A healthy and growing population is also vital to sustain the high number of facilities and services that is currently enjoyed by people living in Shetland, for example leisure centres, cinemas, music venues etc. These services and facilities make Shetland an extremely attractive place to live and enhance the quality of life, however they need to be sustainable in the face of reducing public and third sector income streams.

The proportion of the population aged 50 and over in Shetland (39.6%) is currently higher than the Scottish average (38.5%). This figure is projected to increase faster in Shetland than in the rest of Scotland in future so that by 2028 the figure is estimated to be 45.7% and rising. By contrast, the 0-30 age group is expected to fall from 36% down to 32% with the downward trend expected to continue after 2028.

The economic and social impacts of an ageing population on society are well documented: What does an ageing population mean? According to a report published by the European

¹ <http://www.manpowergroup.com/>

² <http://www.volunteerscotland.net/policy-and-research/data-and-graphs/local-area-profiles/shetland/>

Agency for Economic and Financial Affairs (ECFIN), the following impacts have been documented:

- Increase in the dependency ratio. If the retirement age remains fixed, and the life expectancy increases, there will be relatively more people claiming pension benefits and less people working and paying income taxes. The fear is that it will require high tax rates on the current, shrinking workforce.
- Increased government spending on health care and pensions. Also, those in retirement tend to pay lower income taxes because they are not working. This combination of higher spending commitments and lower tax revenue is a source of concern for Western governments – especially those with existing debt issues and unfunded pension schemes.
- Those in work may have to pay higher taxes. This could create disincentives to work and disincentives for firms to invest, therefore there could be a fall in productivity and growth.
- Shortage of workers. An ageing population could lead to a shortage of workers and hence push up wages causing wage inflation. Alternatively, firms may have to respond by encouraging more people to enter the workforce, through offering flexible working practices.
- Higher savings for pensions may reduce capital investment. If society is putting a higher % of income into pension funds, it could reduce the amount of savings available for more productive investment, leading to lower rates of economic growth.

Despite the above, there can be positive impacts. For example, an increase in the numbers of retired people will create a bigger market for goods and services linked to older people. There is also an opportunity for businesses and services to become more innovative in the ways that they manufacture or deliver goods and services which can reduce the reliance on labour for more routine tasks and processes.

It is fair to conclude however that there is a direct link between a healthy demographic balance and the ability to compete economically and sustain communities and key services. Seeking measures that helps to rebalance our population in line with the Scottish average is therefore a key element of this plan.

A review of successful talent attraction strategies from other areas across the world and the key lessons learned are that there has to be a clear economic strategy and plan in place, appropriate mechanisms need to be created to implement it and it has to be promoted effectively and continuously. This requires **resource** and **organisational commitment** from all stakeholders, in this case, the Shetland Partnership Board, and its subsidiary groups.

BACKGROUND TO THE SHETLAND ECONOMY

Shetland is characterised by a buoyant local economy in the areas surrounding Lerwick and the Sullom Voe Terminal, although some communities outwith are categorised as economically fragile (particularly smaller island areas), with dependence on the public sector, aquaculture, tourism and crofting for jobs. Demographic data clearly shows a trend of population growth around the key settlements of Lerwick, Brae, Sandwick and Scalloway, but decreasing populations in more peripheral areas, which can lead to some issues regarding sustainability in more remote communities.

Shetland is not a diverse economy and the geographically self-contained nature of Shetland means that it is susceptible to the impacts of economic shocks such as change in oil price globally, quota regulations on fisheries etc. Tourism also features, but the cost of getting to Shetland and the limits on carrier capacity means that the number of visitors are restricted.

Opportunities to diversify the economy are challenging, mainly due to the cost factors associated with supply of materials and labour and the added costs of shipping/exporting goods and services. Future market sectors are likely to include creative industries, food and drink and activity/adventure tourism. These are likely to be more 'niche' markets, particularly around quality products with sourced provenance.

In recent times periods of high work activity, usually around construction of large projects, have led to short-term increases in available work, increases in transient/temporary workforce, demands for short term accommodation and high wages.

All of these have multiple impacts on the housing market. During periods of intense construction, workers may move to higher-paid, short term contracts causing recruitment and retention problems for local builders, this impacts on house building contracts as they are less attractive or achievable. The construction sector generally view themselves as builders and not developers, so speculative house building is not prevalent. Also, the accommodation demands to house a transient workforce can quickly saturate the fairly limited private rented market and force rents to increase to levels that are considered unaffordable.

It is estimated that average earnings in Shetland are likely to be above Scottish and Highlands and Islands levels, due to the high share of employment in relatively high paying sectors, such as oil-related activities and fishing. However, this is offset by the considerably higher cost of living in island areas. Household budgets required to achieve a minimum acceptable living standard in remote rural Scotland are typically between 10% and 30% higher than elsewhere in the UK – for households living in the most remote island locations, additional costs can be even greater than 40% (from the study on *A Minimum Income Standard for Remote Rural Scotland*, commissioned by HIE, in 2016).

Shetland has a greater proportion of self-employment (9% compared to 7% at the Scottish level). Of those aged 16-74 in employment in Shetland in 2011, 19.5% were employed in skilled trades occupations; this was the third highest rate of all local authorities in Scotland (behind Orkney and the Outer Hebrides) and was considerably higher than the Scottish average (12.5%). The skilled trades includes agricultural-related skills, metal and electrical, construction-related skills, as well as textiles, printing and other skilled trades.

With Shetland having an ageing population it also has an ageing workforce and a need to encourage young people to stay or to return where they have been away to study. There are currently very limited housing options for this group. Current estimates suggest that the core employment sectors in Shetland (excluding oil-related construction) will need an average of 440 replacement employees a year, with the majority (90%) of that being operational demand from existing businesses. In addition about 40 new jobs will be created each year to meet growing business demand.

What will success look like?:

In 2028 Shetland will:

- Be an island of opportunity for young people, businesses and investors;
- Be a vibrant and positive student destination;
- Have a more balanced demographic profile and a growing population underpinned with more private sector jobs.

How will we measure success?

- Creation of 700 new private sector jobs based in Shetland by 2028. Interim target of 300 by 2022.
- Grow the FTE student population by 20% by 2028 (currently 178 FE and HE students)
- A more balanced demographic profile (in line with the Scottish average) with 20% of the population aged 16-29 years by 2028 (currently at 16%).
- Annual apprenticeship registrations rising to 175 by 2028 (currently at 127)

How will we achieve our vision?

1. Working in Partnership

Working in partnership is vital in order to realise the ambitions in this plan, an ambitious growth plan such as this requires support from all community planning partners, the community itself as well as Scottish and UK Governments. Housing and transport are key components of any talent attraction strategy, particularly in an island community such as Shetland. However, refreshed strategies and plans for Transport and Housing are currently underway, and have been refreshed to align themselves to the ambitions in this plan. In addition, understanding current and future skills requirements will be essential as active and skilled people provide the energy that drives the local economy. The Skills Investment Group and the plans for the local and regional tertiary education sector will be vital to achieving the aims in this plan. In addition, the NHS's public health strategy which aims to encourage more people to adopt a healthier lifestyle is a key factor in fostering a more productive economy and an ageing workforce.

Attracting families with children are seen as a key target group to help grow the economy. However, if this is a key aim, then providing childcare for incoming and indigenous families must be a priority. In order to attract families to rural areas, childcare must be a

consideration and in terms of an attraction strategy, it will be important to focus effort on areas with childcare provision.

This plan forms part of the key priorities of the Shetland Community Plan and has been identified as a key action in Shetland's Local Outcome Improvement Plan 2016-2020.

Summary of key complementary action plans and strategies:

Local Development Plan	Shetland Islands Council
Local Housing Strategy	Shetland Islands Council
Shetland Transport Strategy	Shetland Islands Council/ZETTRANS
Shetland Childcare Strategy	Shetland Islands Council
Public Health 10 Year Strategy	NHS Shetland
Shetland College/NAFC Plan	Shetland Colleges UHI
Shetland Skills Investment Plan	Skills Development Scotland

2. Targeted support for industry growth sectors and areas of skills shortage in the public sector.

It is essential that community planning partners adopt an economic development strategy that focusses support on sectors that offer the most opportunity for growth and high value job creation. Our focus should be on building on existing strengths and Unique Selling Points (USPs), and harnessing economic growth from our natural resources and the skills of our people. Support will focus on “enabling” infrastructure as well as tailored support for individual businesses to drive up levels of innovation and productivity³

- **Energy:** oil and gas; decommissioning; renewable energy; and associated supply chain.
- **Food and Drink (includes Fisheries and Aquaculture):** particularly value added food and drink; non fisheries related food and drink; and the associated supply chain.
- **Creative Industries:** all sectors particularly textiles; music; design; film and associated supply chain.
- **Tourism:** particularly Adventure and Activity tourism, and projects which increase the quality of the product offering.
- **Public sector:** In terms of sustaining our public sector, there are a number of key specialisms and professions that are hard to fill, for example GPs, specialist subject teachers and head teachers, Planning professionals and some marine based occupations.

Support for these sectors is aligned to the Shetland Partnership's aspirations for a **digital, diverse and innovative business base**.

Supporting businesses to become more innovative is key, as research shows that more innovative businesses tend to be more competitive and resilient during tough economic times and are more likely to expand into new external markets. Innovation can take many forms, from the use of new technology, to new ways of working as well as the development

³ Any support by the public sector is subject to due diligence, budget limitations and be state aid compliant.

of new products, services and markets. In terms of this theme it is assumed that all Shetland business premises will have access to superfast broadband by 2021 and that Shetland will have city levels of mobile connectivity in place.

3. Foster an environment that supports entrepreneurship and sustainable learning and research.

Entrepreneurship

As stated earlier, Shetland has relatively low levels of business start-up, which is not surprising due to the high levels of available employment. However, as our aim is to support the development of a diverse and innovative business base, a healthy level of entrepreneurship needs to be encouraged. Shetland needs to provide an “entrepreneur-friendly ecosystem”, where new business development is supported and encouraged. According to a recent Scottish study⁴, there are several areas which require attention and action to build a more entrepreneurial and innovative system:

- Improve links between entrepreneurs and innovation “know-how” to improve the rate of creation or transformation of businesses
- Improve skills through the provision of internationally excellent education in education and management
- Improve access to growth finance
- Promote innovation-driven entrepreneurship to individuals of all ages as a rewarding careers choice through positive communications and use of role models.

With the above points in mind we need to develop a package of support that starts with the young and we should seek ways to enhance entrepreneurship education at all levels in the school, and FE/HE curriculum. We should also attempt to nurture a society that celebrates innovative entrepreneurship and offers a real career option for young people and women in particular. With the high number of women in part-time employment in Shetland, there is a real opportunity for women to consider starting their own business on a part-time basis, which has less financial risk than starting without a guaranteed income.

Sustainable Learning and Research

Shetland is well provided for in terms of Further and Higher Education, Research and Training resources. The NAFC Marine Centre, Shetland College and Train Shetland are working together to achieve a more integrated and sustainable model, and with businesses, community partners and schools service to help build the future of Shetland through education, training and research.

Support from the tertiary sector for this plan will be focused on the following key priorities:

- Work with the schools to develop the existing academies programme in Care, Engineering and Construction skills, to provide opportunities for young people to gain work placement experience and vocational qualifications whilst still at school.
- Development of Vocational pathways with schools

⁴ <http://www.hie.co.uk/business-support/entrepreneurship/mit-reap/>

- Expansion of modern apprenticeship programmes across all disciplines, and access funding from the Modern Apprenticeship Levy.
- Development of FE programmes in developing skills areas, and work with local businesses and community partners to develop a skills investment plan
- Further develop HE programmes which retain and attract in students e.g. the performing arts programme with Shetland Arts in Mareel
- Facilitate the provision of student accommodation.
- Provision of short courses for businesses
- Working with Community Learning and Development to provide skills for incoming workforce and Employability skills.
- Priority will be given to highly applied, industry specific research that supports sectors of local economic importance.
- A vibrant post-graduate research community will be developed within Shetland.
- Priority will be given to knowledge exchange and innovation by effectively disseminating knowledge and skills through our networks to ensure that best use is made of our research outputs and capabilities.

4. Promoting Shetland as a welcoming place to live, work, study and invest

The www.shetland.org portal is a key resource as it provides essential gateway information for people wishing to live, study and work in Shetland. We cannot attract people to Shetland if we are not **VISIBLE**, and in this modern world, visibility means a digital presence and digital accessibility.

Further investment is required in the following areas:

- Promotion and development of Shetland's "digital real estate". Currently this takes the form of www.shetland.org website. Community Planning partners could do more to promote this site in recruitment literature, email signatures etc. This would be a low cost and effective activity that all partners could sign up to and would effectively be a "quick win" for the Shetland Partnership. Looking forward, Shetland's portal to the world needs to be a more interactive and dynamic, supporting dialogue with the Shetland diaspora and the people from all over the world who are interested in living and working in Shetland.
- Development of a dedicated digital business investment portal. The ***Invest in Shetland*** portal would market Shetland's available infrastructure, land and buildings for business in partnership with Scottish Development International and other business networks. Sites, land and buildings need to be identified and promoted in line with the Local Development Plan. It would outline not only the features of doing business in Shetland, but also the benefits. See Appendix II for examples from other areas, including islands areas such as the Faroes.
- Undertake more **detailed research** on why people come to live, work and study here and why people leave here. From this building up marketing personas of the types of people that are interested in living, working and studying in Shetland.

5. Governance and Delivery

- This plan articulates a key priority in Shetland's Community Plan, therefore ultimate ownership and accountability for the plan rests with the Shetland Partnership Board. The Shetland Partnership Board will review progress of the plan and Summary Actions document on an annual basis.
- The Development Partnership (DP) will be responsible for the delivery of the 10 Year Plan and will consider an update on actions and impacts at every meeting. The DP will report annually to the Shetland Partnership Board. The DP will have the flexibility to update and revise plans according to changes in circumstances or in response to new opportunities.
- The 10 Year Plan has been designed to align with the aspirations sets out in the ongoing Islands Deal negotiations and will provide a strong platform for any negotiations with the UK and Scottish Governments on the development of Regional Policy for the post Brexit era.

Risks to realising the ambitions of this plan

- The DP will be responsible for creating and maintaining a detailed Risk Register associated with the delivery of this plan. However, at the current time, the main risks identified in realising the ambitions of this plan are as follows:

Risk Description	Comment and potential mitigation
Lack of Community Planning Partner “buy in” and resource. <u>Strong leadership, scrutiny and support from the Shetland Partnership Board will be essential in order to deliver this plan.</u>	<p>This plan will reviewed and scrutinised on an annual basis by the Shetland Partnership Board.</p> <p>Constituent partner agencies to take a project based approach to this action plan, prioritising and committing resources as required.</p>
Economic and fiscal uncertainty, including Brexit, impacting negatively on business decisions, constraining growth and the movement of people and labour.	Appropriate and active engagement with relevant governments, government organisations, stakeholders and the business sector as appropriate by Shetland Partnership Board and subsidiary partners on the development of Regional policy for the post Brexit era..
Lack of Tertiary Education Sector “buy in” and resource. The Shetland tertiary education sector has been undergoing a protracted period of review, however growing this sector in Shetland is essential as it will be key to retaining and attracting young people into the future.	<p>Engagement between tertiary education sector and Shetland Partnership to be strengthened.</p> <p>Development Partnership to organize high level strategy day with key decision makers in the tertiary education sector to understand key priorities, opportunities and barriers to achieving them.</p>
Lack of housing to accommodate incoming workers and families. Accommodation is a key concern for young people wishing to return or stay in Shetland.	Active engagement by the Shetland Partnership with Scottish Government to influence outcomes which best meet the needs of Shetland
High external transport costs making the islands an unattractive location for incoming workers and families	Active engagement by the Shetland Partnership with Scottish Government and Transport Scotland to influence outcomes which best meet the needs of Shetland.
Lack of digital connectivity (high speed broadband and mobile connectivity) which is vital to developing and diversifying the economy throughout Shetland.. Digital connectivity is a key concern for young people wishing to return or stay in Shetland.	Active engagement with Scottish Government R100 Programme to influence digital connectivity outcomes which meet the needs and aspirations of Shetland.

6. Resourcing this Plan

- The 10 Year Plan to Attract People to Live, Work, Study and Invest in Shetland is an ambitious plan set against a backdrop of ongoing financial challenges for the public sector. However, the Shetland Partnership have clearly articulated that in order to ensure a more vibrant future for Shetland it is imperative that all community planning partners embrace this plan. The Community Empowerment Act 2015 requires that all Schedule 1 partners⁵ reflect community planning priorities in their Operating Plans. The Shetland Partnership will therefore hold partner agencies to account on their commitment to resourcing the delivery of this plan.

⁵ Schedule 1 Partners are Shetland Islands Council, NHS Shetland, Scottish Fire and Rescue Service, Police Scotland and Highlands and Islands Enterprise.

DRAFT ACTIONS FOR 2017-20

NB – These are only draft action ideas at present. Detailed discussions on action planning, including a commitment from the Lead Partner to develop Strategic Outline Cases will commence in September 2017/

Targeted support for industry growth sectors	
Action	Lead Partner Resource
Build strong and effective dialogue with the oil and gas industry in order to influence the use of more skilled residential workforce as opposed to an itinerant or travelling workforce	Shetland Islands Council
Understand the skills requirements of the oil and gas sector in Shetland with a view to enabling more training and skills development in Shetland	TBC - Shetland's Colleges
Support businesses to become PAS2030 accredited	TBC - Shetland's Colleges
Undertake feasibility study into establishing a Maritime Transport Test Centre in Shetland	Shetland Islands Council
Seek to facilitate investment in infrastructure to enable Shetland to become a Decommissioning Centre of Excellence which will rival Decom Yards in Norway	HIE
Undertake a feasibility study into the development of a national fisheries research and management centre in the heart of the UK's most productive fishing grounds	Shetland Islands Council
Make representation to Marine Scotland for continuing support for sustainable fisheries management	Shetland Islands Council
Drive up demand for local food and drink produce	TBC
Development of a range of business premises and infrastructure to support business growth	HIE
Undertake a strategic review of textile manufacturing facilities in Shetland	Shetland Islands Council
Develop a pilot programme aimed at building "confident creative businesses" in Shetland	HIE
Develop a Shetland Tourism Strategy which will aim to increase the number of non-cruise ship tourists to Shetland	TBC
Prioritise public sector support of tourism towards marked improvements in accommodation quality and year round adventure/activity tourism products.	Shetland Islands Council
Understand key skills shortage areas in public sector and develop and outward looking campaign to recruit and fill these vacancies	NHS Shetland

Foster an environment that supports entrepreneurship and sustainable learning and research

Undertake a feasibility study to establish a Chair in Seafood Industries in Shetland	Shetland's Colleges
Influence UHI provision of student accommodation in Shetland with a view to establishing an accommodation facility in Shetland by 2020	Shetland's Colleges
Pilot an Innovative Graduate Placement programme which will enable Graduates to work part-time at the Council and part-time developing their own business idea	Shetland Islands Council
Pilot an entrepreneurship programme with Primary School children	Skills Development Scotland
Develop a programme to specifically target women in part-time work to explore opportunities in self-employment	Shetland Islands Council

Promoting Shetland as a welcoming place to live, work, study and Invest

Develop an online investment portal for potential businesses/investors as part of the shetland.org portal	Shetland Islands Council
Develop a "challenge" to all public and private organisations in Shetland to provide a positive welcome to people who come to live and work in Shetland e.g through special offers etc.	Shetland Partnership Board (lead by HIE)
Develop a promotional campaign to present the business and economic benefits of a more diverse and balanced workforce.	Shetland Partnership Board (lead by HIE)

Reports on Consultation Exercises

REPORT A: CONSULTATION WITH SHETLAND COMMUNITY PLANNING PARTNERSHIP THEMATIC GROUPS

Summary of Shetland Community Planning Partnership Thematic Group consultations - what makes Shetland an attractive place to live, work, study and invest During January to September 2014 every thematic group of the Shetland Partnership took part in a workshops led by Rachel Hunter, Area Manager, for HIE and Chair of the Development Partnership. Each group took part in a series of exercises to establish:

- *What makes Shetland an attractive place to live, study, work and invest?*
- *What makes Shetland a less attractive place to live, work, study and invest?*
- *What could be done to tackle the less attractive aspects?*
- *To note areas or issues that required further scrutiny or research*

LIVING IN SHETLAND - what's good?

Quality of life generally (confirmed by independent surveys e.g. Bank of Scotland Quality of Life Survey).

"City levels of infrastructure on an island community" e.g. sport and recreation facilities, arts and music facilities, cinema, museum etc. many of which are provided by funding through Shetland Charitable Trust.

Easy access to wide open spaces and a natural environment.

Sense of "community" - the ability to fit in and contribute to your local community if you wish to. High levels of volunteering were noted.

The ability to learn new skills - night class provision and volunteering.

Very good education and social care provision. An excellent place to bring up a family and lots of opportunities for young people both economically and socially.

Low crime rates - a safe community.

For more specialist professions - the ability to experience a more multidisciplinary approach.

Current deployment of superfast broadband could bring opportunities to diversify the economy and encourage more people to work and stay in their communities.

Relatively lower property costs compared to mainland UK.

Strong culture, heritage and sense of identity

Summary of the less attractive issues or barriers noted by the Thematic Groups in each of the four areas (LIVE, WORK, STUDY, INVEST)

Living in Shetland - what's not so good?

Young people very concerned about the ability to secure affordable accommodation.

Lack of mobile connectivity - particularly an issue for young people.

High cost of living - growing disparity between have and "have-nots".

Lack of anonymity and harmful gossiping.

Certain families or individuals "stigmatised" because of issues in past which prevents social mobility, access to employment etc.

High internal and external transport costs and lack of availability. Economically fragile areas becoming stressed due to constant threat of school closures etc.

Lack of retail choice and high cost of goods in shops.

Social/health problems are hidden in Shetland - but are just as prevalent as in any large city or town.

Alcoholism and mental health issues - "macho" culture. High levels of suicide.

WORK.

Working in Shetland - what's good?

Wage levels higher than Scottish average.

No reason to be unemployed - there are plenty of jobs.

Professions get wider experience.

Working in Shetland - what's not so good?

Lack of accommodation (short to medium term only);

Lack of affordable childcare at times when working parents need it;

Transport cost and availability (both internally and externally);

Lack of opportunities for more highly qualified and skilled women (high levels of occupational segregation)

Lack of superfast broadband to enable home working.

Young women/girls feel there is less choice and high value opportunities than boys/young men.

Opportunities for skilled and highly qualified women limited. Some male dominated occupational sectors seen as not welcoming to women.

If you don't have a car, commuting can be challenging.

STUDYING IN SHETLAND - What's not so good?

Lack of affordable student accommodation

Lack of student facilities for socialising

INVESTING IN SHETLAND - what's good

Good internal transport infrastructure - short commuting times

Lower cost housing

Low cost and availability of development land

Good quality of life

Shetland brand as USP

Successful industry sectors that offer supply chain opportunities - fisheries, aquaculture, oil and gas, tourism

Only 50 minutes to Aberdeen by plane

INVESTING IN SHETLAND - what's not so good

Lack of labour due to high levels of employment

Lack of accommodation (hotel, worker accommodation and to a lesser extent family accommodation)

Lack of knowledge of what Shetland has to offer inward investors.

Lack of a clear joined up plan on what sectors we wish to attract to Shetland.

Perception that Shetland was remote, isolated, difficult to get to etc.

REPORT B: CONSULTATION WITH REPRESENTATIVES FROM THE SHETLAND BUSINESS COMMUNITY

On 18th September 2015, representatives from the Shetland Business Community were consulted on the initial draft of the 10 Year Plan to attract people to Shetland to Live, Work, Study and Invest. Key issues/feedback raised at the event were as follows:

Industry felt that the five year plan should contain more emphasis on retaining young people and attracting them into the labour shortage areas. It was felt that there was a mismatch in where young people were seeking opportunities as opposed to where the real opportunities were. Industry felt that more targeted promotion of the opportunities needed to be undertaken along with good guidance on what the longer term opportunities were. Industry felt that retaining young people and promoting local opportunities are equally, if not more important, than attracting new people to Shetland. There are also opportunities for upskilling and re-training.

Industry were also keen that the Shetland community actively try to attract young people who have connection to Shetland, back to Shetland. Graduate placements, internships and advanced Modern Apprenticeships should all be utilised to support young people into employment.

Improved childcare would enable more local people to access the labour market; and ensuring that internal transport costs were affordable for young people and people on low incomes.

In terms of attracting inward investors, industry felt that Shetland should only be attracting investors where there is a gap in current provision and therefore not displacing existing business on the islands.

With regard to incoming workers and students, there was general feedback that there needs to be more emphasis on a more positive welcome from the Shetland community. Community planning partners need to challenge themselves on how to improve the “welcome” to incoming workers and students, perhaps with some type of tangible support.

REPORT C: CONSULTATION WITH YOUNG PEOPLE

Young People Consultation event, December 2015.

HIE and Shetland Islands Council worked in partnership with YoungScot to deliver a one day event with 45 young people from across Shetland to get their input into the Shetland Partnership's aspirations to attract people to live, work, study and invest in Shetland. We should not assume that those engaged were wholly representative of the broader demographic but the event provided an insightful "snapshot" into young people's attitudes and opinions from across Shetland.

- Using YoungScot's tried and tested "co-design" approach, HIE and the SIC developed a broad workshop plan for the day with the aim of answering the following questions:
- What do young people think about living in Shetland?
- Do they intend to stay in Shetland? What would encourage them to stay?
- What do they think about further education in Shetland?
- What are their views on employment in Shetland. For example, how can girls be encouraged into male dominated professions?
- What would they like future Shetland to look like?

Part of the event involved a "futures task". Participants were asked

"Imagine you have been transported 10 years from now to the year 2025. From a young person's perspective – what matters? What's the story?"

The following is a collated version of the scenarios presented by the working groups:

In Shetland 2050, global warming and the risk of flooding is a concern. Communities in Shetland are more environmentally aware with renewable energy being the main source of energy as the oil industry is in decline. Many people have environmentally friendly cars. With this increase in awareness, the renewable energy sector has grown and in turn has provided more employment opportunities and career paths for young people. However out with this industry unemployment is still a continued issue with many relying on welfare. With an ageing population people are retiring later making career progression more difficult for young people. For those in lower paid employment, all employees are now on living wage which has helped support them through the increasing cost of living. There are more opportunities for young people to take up paid internships and apprenticeship programmes are part of industry development. Entrepreneurship is also encouraged through the support of successful local businesses.

Since the gas plant was finished and temporary works ended, landlords struggled to have high paying tenants and have lowered their rent. With the cap on rent introduced by the government, more young people can afford accommodation and are settling in Shetland. However first time buyers are struggling, with people living longer there are less properties to buy.

The ageing population has also impacted on Shetland healthcare services and allocation for young people has reduced. However recognising this issue, the NHS are looking for opportunities to increase access, hire more staff, and better equip health centres and hospitals for all patients. In particular, there are now dedicated mental health support services for young people and facilities that meet their needs.

The population of Shetland has become more multi-cultural and diverse, with more of the community having agency, particularly those in marginalised groups. For example, young people are integrated into community councils, and hold meetings and events to have their voices heard in decision making. One concern young people in Shetland share is the loss of tradition including local dialect and they are proactively finding ways to keep tradition alive. They also are keen to ensure there is no further loss of community due to further centralisation, and want to keep nationally connected without losing local connections.

Young people are made to feel more welcome in places that are for both adults and children, and also have more spaces to hang out with friends. Since Anderson school opened and the other schools closed, those living out with the area have less access to spaces and places nearby them to socialise with peers.

With the schools changes, education is available remotely for those who have barriers of travel and technology is an integrated part of enabling that. There is wider achievement recognised for vocational paths and the arts including music. To ensure local education connections are maintained, The University of Shetland is continuing to build positive links with the colleges, schools and wider community projects.

Improvements have been made to transport, with a new rail link between Unst and Sumburgh. The demand for buses has been recognised and the timetable reflects the needs to the community requirements. Access to technology on transport has also increased particularly on the longer journeys. The faster internet expansion has helped support better communication between communities, however there is awareness that this could further isolate young people.

Internationally, Shetland is recognised as a thriving rural area and is a key priority area of government investment. People of Shetland are known as skilled, creative individuals with a commitment to helping their communities. The council is more politically aligned, money is spent more wisely and decisions are made by communities. The increased international connections has been positive for business and industry development.

Now in 2050, “people from outside Shetland actually notice us”.

The final event of the day was to ask the participants to prioritise what actions would make Shetland a better place to live, work, study and invest. These were the conclusions:

“Affordable accomodation for all”

By providing affordable accomodation, more young people will be encouraged towards living independantly. However this will only happen by providing a fairer points system, cap on private rents to reduce pressure on coucil housing, house sharing and building more accomodation. This should be specifically for those looking to buy and rent for the first time – including 1 or 2 bedroom flats. This is needed all over Shetland, although could relate to specific local/island housing data.

There should be annual reviews to understand the progession, gradually introducing the scheme through local housing bodies to ensure the solutions are fit for purpose.

“Improving mental health”

Mental health should be higher on everyone’s agenda, and should remove associated stigma and break down barriers. There should be mental health professionals and those with direct experience coming into schools to provide information but also a safe space to allow young people the chance to ask for help. Services should be interactive, accessible, confidential and open 24 hours, and have activity happening both in and out of school. There could be Shetland specific resouces online and promoted via social media.

This service needs to not only educate the people who have issues, but also increase knowledge on what to look out for in others.

“On da move!”

There should be better transport links at the weekend, but knowing some services are better used than others there could be a pre-booking ticketing scheme either online or by phone. The services should be more consistent based on need across all rural areas. It would also be benefiical to have Wifi on the service, particularly on longer routes.

A survey should be conducted with young people to find out when and where they require public transport, providing a report to demonstrate the demand. This includes gathering requests from young people including, “second bus time in Yell/Unst at weekend nights” and emergency options if you miss the last bus.

“Child/Youth Provision”

There should be more accessible voluntary activities for young people in their own

communities. By using community buildings and raising resources and running costs, there could be programs during evenings and weekends when the service would be most needed. This could provide equal opportunities for young people to tackle boredom, have more safe spaces, encourage volunteering and community support.

“Enhance the YoungScot Card”

The Young Scot card should have more local enhancements. Young people should work with support from youth services to meet with local businesses to encourage the provision of relevant discounts and Reward Schemes to support needs such as food shopping, but also to improve social opportunities such as going to the cinema and attending sports particularly for disadvantaged young people.

“Graduate Placements”

More graduate placements would encourage those who have gone to the mainland to study, college leavers and those who study through the open university to stay. The placements shouldn't have an age restriction, but should have a cap on time of graduation. This could also include a mentoring, support and supervision programme that is effectively advertised by demonstrating the benefits. The placements should be in line with others across Scotland. This would enable a culturally diverse, skilled workforce from across Scotland and beyond.

However, “there would have to be a selection process for businesses to cover administrative responsibilities of this outside the business so not to discourage them from getting involved”.

“Improving Education”

By teaching a variety of courses and different levels at college will ensure more people are encouraged to come to/stay in Shetland to study and work. The courses should also be delivered in a flexible way, including being able to study more at home, and listen to video recorded lectures if travelling into college is difficult.

Mapping out available careers there should be a clear link between education, training and job opportunities to ensure Shetland keeps the talent it supports to develop.

“Sorting the drug problem”

Across Scotland there is a drug problem, but on Shetland it seems to be more visible due to boredom, unemployment, isolation and other issues. There should be forums to openly discuss drugs, use/misuse and to inform people around legalities and impact on health.

Appendix II: Geographic Area – Investment portals examples

Invest in Faroes

<http://www.invest.fo/Default.aspx>

Make it Moray

<http://www.all-energy.co.uk/novadocuments/27247?v=635010271697700000>

Aberdeen

<http://www.aberdeeninvestlivevisit.co.uk/>

Invest in Cornwall

<http://www.investincornwall.com/>



Meeting(s):	Shetland Partnership Board	21 June 2017
Report Title:	Community Empowerment (Scotland) Act – Implementing Part 2 in Shetland	
Reference Number:		
Author / Job Title:	Sandy Middleton, Partnership Officer, Shetland Islands Council	

1.0 Decisions / Action required:

- 1.1. That the Shetland Partnership Board notes the approach to implementation of Part 2 of the Act and agree the engagement plan.

2.0 High Level Summary:

- 2.1. Part 2 of the Community Empowerment (Scotland) Act 2015 (the *Act*) came into force in December 2016. It places Community Planning Partnerships on a statutory footing and imposes duties on them for the planning and delivery of local outcomes and involvement of community bodies at all stages of community planning.
- 2.2. In order to comply with the new duties in the Act and associated guidance, three projects are now underway. These three projects will be incorporated in a finalised Local Outcomes Improvement Plan (LOIP) for sign-off. These projects are:
 - i) **Governance** – a review of the Governance arrangements of the Shetland Partnership in the context of the new legislation.
 - ii) **Locality Planning** – production of a Local Outcomes Improvement Plan and at least one 'Locality Plan' for a locality within Shetland experiencing particular disadvantage. The focus of these plans must be on prevention and tackling inequalities.
 - iii) **Community Participation** – develop a shared approach to enabling effective community participation in the work and forward planning of the Community Planning Partnership and its partners.
- 2.3. The three projects are outlined in a flowchart which was previously circulated to the Board and can be viewed in Appendix 1. There are a number of key stages at which the Shetland Partnership, partners and communities can engage in these projects including through informal engagement and a formal consultation exercise.

3.0 Corporate Priorities and Joint Working:

- 3.1. The *Act* places additional duties on five of the Community Planning Partners in Shetland; Highlands & Islands Enterprise, NHS Shetland, Police Scotland, Scottish Fire and Rescue Service, and the Shetland Islands Council. These partners have specific duties to:

- facilitate community planning; and
- take all reasonable steps to ensure the Community Planning Partnership conducts its functions effectively and efficiently.

3.2. In order to meet these duties, the five named governance partners (HIE, NHS, SFRS, PS, and SIC) have been working together to develop and deliver the three projects identified.

3.3. The five named governance partners (HIE, NHS, SFRS, PS, and SIC) have formed a Project Board to oversee collective delivery of the three projects. This is supported by a Delivery Group for each project made up of key partners.

4.0 Key Issues:

4.1. The outcome of the three projects will be incorporated within the Draft LOIP for consultation. The Shetland Partnership, partners and communities will have the opportunity to influence the content of the Draft LOIP through informal consultation. They will then have the opportunity to respond on the Draft LOIP through a formal consultation exercise in autumn 2017. Finally, the Partnership and all Community Planning partners will be asked to sign-off the LOIP. Thereafter we will be working to put robust delivery, monitoring and reporting systems in place.

4.2. In addition to the five named governance partners, there are a further eleven partners identified in Schedule 1 of the *Act* as having Community Planning duties. We have written to each of these partners to ask them how best they wish to engage with community planning in Shetland and what steps they are required to go through in order to sign-off the LOIP at the end of the process. It is important that the existing Shetland Partnership Board also gives this consideration at this time.

4.3. The proposed engagement programme is outlined in Appendix 2 and outlines opportunities for all parties to engage. It also highlights opportunities for the Shetland Partnership to be involved at key stages.

4.4. The Partnership are asked to consider the proposed engagement plan and sign-off arrangements, and agree how they wish to engage with the process.

5.0 Exempt and/or confidential information:

5.1. None

6.0 Implications

6.1 Service Users, Patients and Communities

The LOIP will provide a shared vision for all partners and set priorities and ways of working to enable effective community participation and help improve outcomes for individuals and communities in Shetland.

6.2 Human Resources and Organisational Development

There are no direct human resources implications arising from this report.

6.3 Equality, Diversity and Human Rights	There are no direct equalities implications arising from this report.	
6.4 Legal	There are no direct legal implications arising from this report.	
6.5 Finance	There are no direct financial implications arising from this report.	
6.6 Assets and Property:	There are no direct assets-related implications arising from this report.	
6.7 ICT and new technologies:	There are no direct ICT implications arising from this report.	
6.8 Environmental:	There are no direct environmental implications arising from this report.	
6.9 Risk Management:	Risk management is incorporated within the three project plans and is actively managed by the Project Board.	
6.10 Policy and Delegated Authority:	The five governance partners as named in the Act have specific duties to facilitate community planning and to ensure the Community Planning Partnership conducts its functions effectively and efficiently. The five named partners are working together as a Project Board to oversee and support delivery of the three projects.	
6.11 Previously considered by:	N/A	

Contact Details:

Sandy Middleton, Partnership Officer, Community Planning and Development, Shetland Islands Council 01595 744148 sandy.middleton@shetland.gov.uk

Appendices:

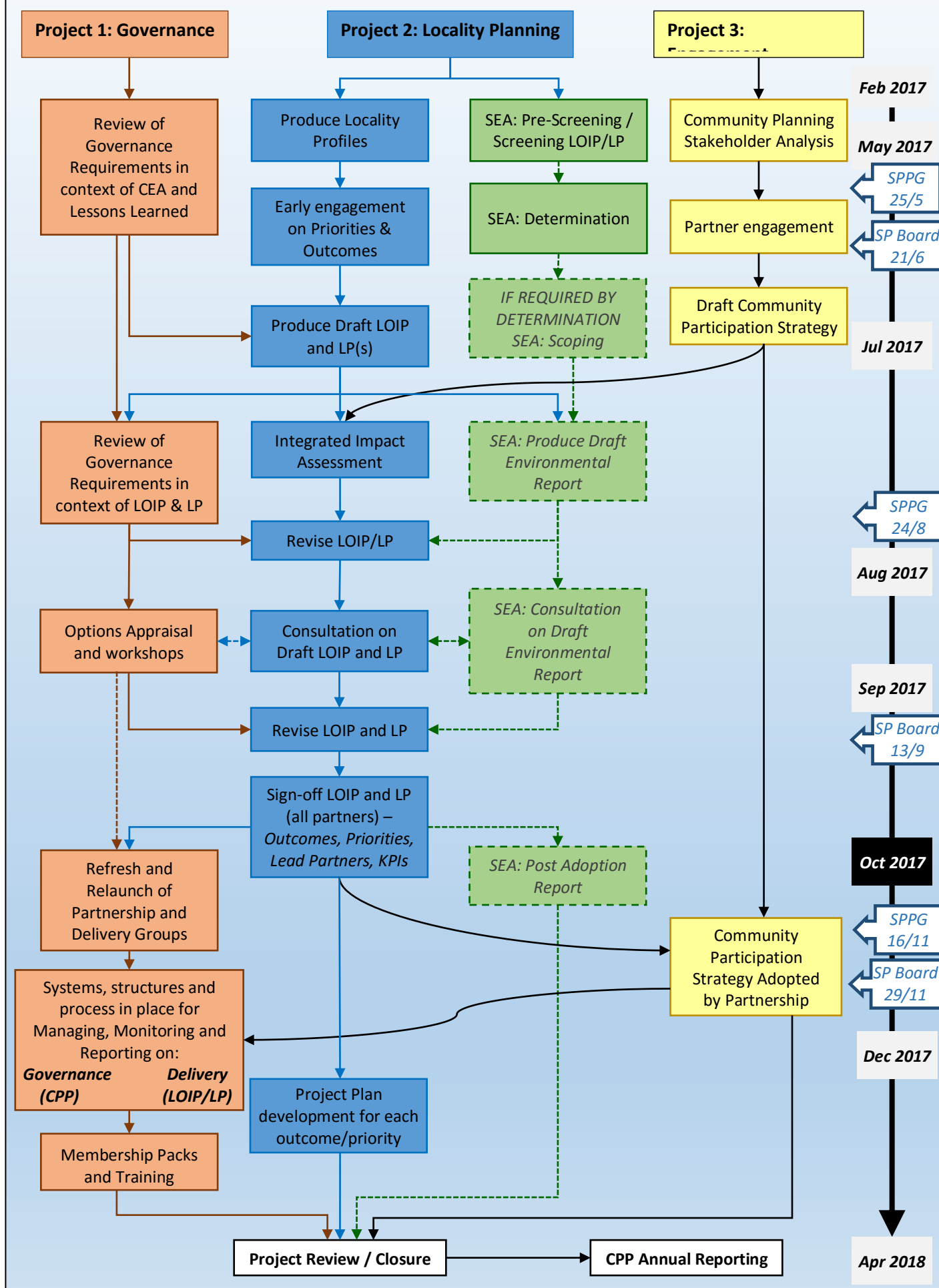
Appendix 1: Project Overview Flowchart

Appendix 2: Project Engagement Plan

Background Documents:

N/A

APPENDIX 1: Community Empowerment (Scotland) Act 2015 - Implementing Part 2 in Shetland



APPENDIX 2: Community Empowerment (Scotland) Act 2015 - Implementing Part 2 in Shetland

Engagement Plan

Key partners will be involved throughout the process in delivering the projects. The project structure includes a Project Board overseeing the process and three Delivery Groups supporting delivery of each project. The table below outlines the key opportunities for wider engagement although ongoing discussions with key stakeholders will take place throughout.

When	Who	What
21 June	<ul style="list-style-type: none"> Shetland Partnership Board 	Overview of project and agreement of Engagement Plan
June/July	<ul style="list-style-type: none"> Shetland Partnership Board All Partners Community Groups 	Informal Engagement on Locality Profiles to help validate and analyse content. Eight Locality Profiles will be produced, one for the whole of Shetland and one for each of the Localities. These will provide baseline facts and statistics about the area and key information about outcomes to help us identify inequalities and priorities.
July	<ul style="list-style-type: none"> Shetland Partnership Board Partners 	Joint workshop. Based on the informal engagement on the Locality Profiles, a joint workshop will be held to consider emerging priorities for inclusion in the LOIP and priority Localities.
August	<ul style="list-style-type: none"> Project Board Shetland Partnership Performance Group 	Consideration of Draft LOIP for consultation
September	<ul style="list-style-type: none"> All 	Formal public consultation on Draft LOIP
13 September	<ul style="list-style-type: none"> Shetland Partnership Board 	Discussion on Draft LOIP
October/ November	<ul style="list-style-type: none"> Project Board Shetland Partnership Performance Group 	Consider consultation responses and propose appropriate revisions to LOIP. Approval of the consultation report for circulation.
29 November	<ul style="list-style-type: none"> Shetland Partnership Board 	LOIP sign-off by Partnership
December onwards	<ul style="list-style-type: none"> Schedule 1 Partners 	LOIP Sign-off by individual partners. Delivery structures and resources established.



Meeting(s):	Shetland Partnership Board	21 June 2017
Report Title:	Report from Chief Officers Group	
Reference Number:		
Author / Job Title:	Kate Gabb Lead Officer Adult and Child Protection	

1.0 Decisions / Action required:

- 1.1 The Shetland Partnership Board is asked to note the attached report from Mark Boden, Chief Executive Shetland Islands Council and Chair of the Chief Officers Group. Chief Officers have a duty to have an overview of
- child protection and the work of the Shetland Child Protection Committee
 - adult protection and the work of the Shetland Adult Protection Committee
 - Multi-Agency Public Protection Arrangements (MAPPA – the management of sex and violent offenders)
 - The work of the Shetland Domestic Abuse Partnership and the use of Multi-agency Risk Assessment Conferences (MARAC) to address cases of high risk domestic abuse.
- 1.2 Chief Officers have assured themselves through a process of scrutiny and challenge that public protection processes are functioning well. However a focus on continuous improvement in public protection will always be important.

2.0 High Level Summary:

- 2.1 The report gives an overview of the work of the Chief Officers Group for 2016 /17 and provides information about the Biannual Adult Protection Report submitted to Scottish Government.

3.0 Corporate Priorities and Joint Working:

- 3.1 The Local Outcome improvement Plan includes the aim:
- “Shetland stays a safe place to live and we have strong, resilient and supportive communities”.
- 3.2 Public Protection- as outlined by the remit of Chief Officers Group above- is a key element of ensuring Shetland is safe place to live. This work focuses on the areas of greatest risk both for individuals and organisations.

4.0 Key Issues:

- 4.1 Shetland Partnership has overall responsibility for the Local Outcome Improvement Plan and it is important to have an overview of the work of the Chief Officers Group and Public Protection in Shetland

5.0 Exempt and/or confidential information:	
5.1	None.
6.0 Implications : Identify any issues or aspects of the report that have implications under the following headings	
6.1 Service Users, Patients and Communities:	Service Users, Patients and Communities should be assured by the work of the Chief Officers Group that public protection measures are in place and working to safeguard more vulnerable members of the community.
6.2 Human Resources and Organisational Development:	Public Protection remains high priority for all staff in all organisations
6.3 Equality, Diversity and Human Rights:	Respecting equality, diversity and human rights is a significant element of protecting vulnerable adults and children.
6.4 Legal:	The Adult Support and Protection (Scotland) Act 2007 regulates adult protection processes. MAPPA is regulated by section 10 of the Management of Offenders. (Scotland) Act 2005. Child Protection is governed by the National Guidance for Child Protection in Scotland 2014 (there are links to the Children and Young Persons (Scotland) Act 2014, the Childrens Hearing (Scotland) Act 2011 and the Children (Scotland) Act 1995. MARAC is system of good practice used UK wide and developed by SaferLives to address high risk domestic abuse and links with a range of criminal and civil legislation.
6.5 Finance:	No implications
6.6 Assets and Property:	No implications
6.7 ICT and new technologies:	No implications
6.8 Environmental:	No implications
6.9 Risk Management:	Managing and reducing risk to vulnerable adults, children and young people are key elements of Public Protection
6.10 Policy and Delegated Authority:	Information is for noting

6.11 Previously considered by:	Considered at Chief Officers meetings.	September 2016. December 2016. March 2017.
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Contact Details:

Kate Gabb Lead Officer Adult and Child Protection on behalf of the Chair of the Chief Officers Group
Mark Boden Chief Executive Shetland Islands Council

Attached

Report from Chief Officers Group

END

Report to Shetland Partnership from Chief Officers Group June 2017

1. Background and Introduction

In December 2015, a report was presented to the Shetland Partnership giving an outline of the role and responsibilities of the Chief Officers Group for matters of public protection in Shetland and proposing a way of consolidating lines of communication. It was agreed that the Chief Officers Group would report to the Partnership twice per year in June and December. Chief Officers have an overview of:

- Child protection and the work of the Shetland Child Protection Committee
- Adult protection and the work of the Shetland Adult Protection Committee
- Multi-Agency Public Protection Arrangements (MAPPA – the management of sex and serious violent offenders)
- The work of the Shetland Domestic Abuse Partnership and the use of Multi-agency Risk Assessment Conferences (MARAC) to address cases of high-risk domestic abuse

Chief Officers have assured themselves through a process of scrutiny and challenge that public protection processes are functioning well. However, a focus on continuous improvement in public protection will always be important.

2. Shetland Child Protection Committee

In 2016/17 Shetland Child Protection Committee was chaired by Chief Inspector Lindsay Tulloch. The 2016/17 Annual report is still in preparation and it is hoped to present this to the Shetland Partnership in September. The Child Protection Committee focused its activity as follows:

- Completing work on the action plan to implement the recommendations contained in the 2015 Inspection of Children's services in Shetland.
- Contributing to preparing for the visit of the Care inspectorate to assess progress on the quality assurance indicator assessing risk and need. This noted significant improvement in quality assurance, the weekly interagency screening meeting (the Child Concern Collaborative), support and supervision of staff, improved assessments of children at risk. The Care Inspectorate provided a letter of assurance to the Shetland Planning Partnership in January 2017.
- Focusing on the quality assurance of child protection processes and other services to children in need.
- Promoting internet safety for young people and parents through a partnership between young volunteers, Child Protection Committee and Youth Work Services to deliver #VSVS - Virtually Safe Virtually Sound events in schools and for parents.
- Improving knowledge of child protection through effective and widespread publicity and training, promoting the www.safersheland.com website.

- Contributing to wider children's services planning and the Local Outcome Improvement Plan and ensuring a focus on self-evaluation and self-improvement.
- Developing and delivering training on Child Sexual Exploitation.
- Improving joint working and strategic links with the Shetland Alcohol and Drug Partnership and the Shetland Domestic Abuse Partnership given that parental substance misuse and domestic abuse are two of the most common reasons for children being referred under child protection procedures.

During 2017 Shetland Child Protection Committee is working on the following priorities:

- Planning a conference for professional staff in November 2017.
- Working with key staff involved in child protection processes to improve the way in which the views of children and young people are sought and listened to.
- Building closer links with partners in Orkney and Na Eileanan Siar.
- Supporting the development of a Youth Justice strategy that will assist young people who offend to be able address and change their behaviour.

3. Shetland Adult Protection Committee

Max Barnett has continued to be the independent Convener of the Shetland Adult Protection Committee. In summary, during 2016/17 the committee focussed its activity on:

- Responding to the recommendations contained in the Inspection of Services to Older People in Shetland published in November 2015. This recommended improvement to quality assurance work, ensuring that actions and recommendations made are followed up and that risk assessments were improved. This action plan has now been completed and both the Adult Protection Committee and Chief Officers are satisfied that practice has improved in respect of the Care inspectorate's specific recommendations for Adult Protection Committee.
- Revising the remit of the quality assurance sub-committee and improving the ability of the group to quality assure adult protection processes.
- Raising awareness of financial abuse and continuing to work in partnership with Police Scotland, Trading Standards, Citizens Advice Bureau, Shetland Credit Union and local banks.
- Working with carers and attending a variety of events and meetings to raise awareness of adult protection in the community.
- Through surveys of members of the Adult Protection Committee and staff involved in providing services to vulnerable adults, views were sought about the current training and how the committee could support staff and work more efficiently. The findings of these surveys have informed the Business Plan for 2017/18.
- In November 2016 60 staff attended a conference called "Intervention or Interference?" which looked at the importance of balancing an adults rights to live as they choose with situations where agencies may need to intervene to

safeguard them. This conference also generated some good ideas for future work.

- The Shetland Inter Agency Adult Protection Procedures were reviewed and updated into a new format, to ensure that they were fit for purpose. As part of the Quality Assurance work being carried out in 2017/18, professionals using the new procedures will be asked for feedback.

In October 2016, the Convener submitted the 2014-16 Biennial Report to the Scottish Government. The submission of this report is legal requirement under The Adult Support and Protection (Scotland) Act 2007.

<http://www.safershetland.com/assets/files/APC%20Biennial%20Report%202016%20Final.pdf>

4. Multi-Agency Public Protection – MAPPA

MAPPA stands for Multi-Agency Public Protection Arrangements, the primary purpose of which is to maintain public protection and the reduction of serious harm. The protection of children, adults at risk and other members of the public is paramount. It is a structure through which the effective sharing of relevant information, and assessment and management of risk presented by Registered Sex Offenders, Serious Violent Offenders and Mentally Disordered Offenders, also known as Restricted Patients, is achieved.

MAPPA was introduced in 2007 under the requirements of the Management of Offenders (Scotland) Act 2005, and is delivered under National Guidance. Legislation defines the Responsible Authorities and those with a Duty to Co-operate. The Executive Manager of the Criminal Justice Team working with staff who act as single points of contact in NHS Shetland, Shetland Islands Council Housing Services, Police Scotland and Childrens Services ensure that any registered offenders who are managed through MAPPA processes are supported to live safely in the community. The Executive Manager of the Criminal Justice Team reports quarterly to Chief Officers. MAPPA processes in Shetland are well managed and are an effective element of Public Protection.

The move to Community Justice Partnerships has resulted in the establishment of a Highland and Islands MAPPA Strategic Oversight Group, which will ensure consistency in the way offenders are managed in Shetland and partner authorities.

5. Shetland Domestic Abuse Partnership and Multi-Agency Risk Assessment Conferences. (MARAC)

The Shetland Domestic Abuse Partnership (SDAP) is a formal multi-agency approach to addressing domestic abuse and other forms of violence against women. The Partnership feeds into the Shetland Community Safety & Resilience Board, the key strategic partnership with responsibility for the *Safer* strand of the Local Improvement

Plan. Additionally, the Chair of the Shetland Domestic Abuse Partnership reports twice yearly to Chief Officers, as part of the overview of public protection.

The Shetland Domestic Abuse Partnership has been focussing on:

- Developing a three year strategy that gives clear priorities for the partnership in raising public awareness, tackling the underlying causes of violence, staff training and development, supporting services that protect and support those harmed, preventing offending and reoffending and facilitating the use of Multi-Agency Risk Assessment Conferences (MARAC).
- Looking at gathering data that will help inform the partnership of progress on the priorities.
- Including in the remit of the Partnership a focus on sexual assault and gender based violence as well as domestic abuse within intimate relationships which mainly affects women, but which can also harm men.

MARAC (Multi-agency Risk Assessment Conference)

Shetland Domestic Abuse Partnership continues to support the implementation of the MARAC process. MARAC is a multi-agency approach to reducing the risk of domestic abuse (primarily physical violence) to individual clients who have been assessed as being at high risk of serious harm or homicide through domestic abuse, stalking and harassment or honour-based violence. The purpose is to use a co-ordinated approach to create robust safety and action plans to help make the MARAC client safer. It has been fully operational in Shetland since 2013 and consists of monthly meetings of representatives from a number of organisations in Shetland who come together to share relevant information about the safety, health and wellbeing of people experiencing such abuse and violence, and develop safety plans. MARAC is coordinated through an arrangement with Highland Council who provide this service for Shetland, Western Isles and Orkney. This has been working very effectively since March 2016 and provides the benefits of a full time experienced MARAC coordinator to support local agencies with the case work in Shetland. Quality assurance work completed by Shetland Womens Aid in September 2016 and reported to Chief Officers Group highlighted the improved safety of women who had been referred to MARAC in 2015/16.

There has been a reduction in the numbers of MARAC referrals in 2016.

In 2016 there were 14 referrals to MARAC all of whom were female. It was noted that 21 children were living in the families referred.

MJ Boden, Chief Executive, Shetland Islands Council
Chair of the Chief Officers Group
30 May 2017



Meeting(s):	Shetland Partnership Board	21 June 2017
Report Title:	Shetland Partnership Performance Group 25 May 2017, Chair's Report	
Reference Number:		
Author / Job Title:	Rachel Hunter, Area Manager, Highlands and Islands Enterprise/Chair Shetland Partnership Performance Group	

1.0 Decisions / Action required:

- 1.1 That the Shetland Partnership Board note the main points from the last meeting of the Shetland Partnership Performance Group.

2.0 High Level Summary:

- 2.1 This report gives a summary of the meeting of the Shetland Partnership Performance Group on the 25 May 2017; comprising a summary of the main discussion points and performance against actions contained in the Local Outcomes Improvement Plan 2016-20 (LOIP) for Quarter 4 2016/17, marking the end of the financial year.
- 2.2 The main discussion points included:
- An update on progress with delivery of the Commission on Tackling Inequalities Action Plan. All actions have now been embedded in service and partnership plans. The 'Make a Difference' training is being successfully rolled out with positive uptake and further dates planned Shetland wide. HIE and SIC will be releasing a press release post-election on the findings of the 'Living Well in a High Cost Economy' Report. Monitoring and impact will be reported through the Partnership annually. The high cost of living is being factored into the data analysis as part of the Community Empowerment Act Part 2 Locality Planning project through Locality Profiles
 - An overview of the draft 10 Year Plan was provided by Rachel Hunter, HIE. This has been developed by the Development Partnership as a key priority within the LOIP. The draft is now ready to share with Community Planning Partners and will come to the meeting of the Shetland Partnership Board on the 21 June. The focus is on attracting talent and attracting/retaining a younger demographic to address a projected fall in the 0-30 age group. Shetland Partnership Performance Group members discussed the draft plan and agreed to provide additional input before the plan was published.
 - Two Parts of the Community Empowerment Act were also discussed to keep Shetland Partnership Performance Group abreast of developments in this area. Part 3 – Participation Requests – is in force as of the 1 April 2017. This is a brand new provision giving community bodies the right to dialogue with public service providers where there are potential improvements to outcomes that could be

	<p>delivered by increased community participation. Police Scotland's Policy on Participation Requests was shared by Lindsay Tulloch, Area Commander. Neil Grant, SIC also offered an update on progress with the implementation of Part 2 of the Act – Community Planning. Three projects are underway: Governance Review; Locality Planning; and, Community Participation.</p>
2.3	<p>In terms of performance, the picture regarding expected outcomes was generally positive; however, quarter 4 did see a marked increase actions falling behind schedule, resulting in a 'red' rating for progress (18 in total). This is largely due to the high number of actions with due dates aligned with the end of the 2016/17 financial year, which have not been completed. The Shetland Partnership Performance Group discussed a number of issues around performance reporting, these are summarised in section 4 – Key Issues – below.</p>
3.0	Corporate Priorities and Joint Working:
3.1	<p>The Shetland Partnership Performance Group is responsible for overseeing performance in relation to the shared priorities contained in the Local Outcomes Improvement Plan 2016-20.</p>
3.2	<p>The Shetland Partnership Performance Group is central to implementing the Community Empowerment (Scotland) Act 2015 across the Shetland Partnership. This includes discussion and sharing of policy and feeding into discussion around transitioning to new Community Planning arrangements under the Act.</p>
4.0	Key Issues:
4.1	<p>With regard to performance reporting, year-end 2016/17 – marking the first 12 months of the 2016-20 LOIP – has provided a useful opportunity to take stock of performance and performance reporting.</p>
4.2	<p>As noted, there appears to be an issue with deadlines for actions being missed; in some cases, a change in due date has been provided, but generally it seems that most overdue actions have slipped behind deadline with little commentary provided as to why. Looking at the generally positive status across all outcomes, this suggests that deadlines are possibly not viewed as absolute and that missing deadlines appears to have little impact on outcomes.</p>
4.3	<p>The Performance Group also discussed some other emerging issues, such as the varied consistency in performance reporting across thematic groups and the difficulty in assessing impact. It was agreed that there are opportunities to improve the level of buy-in and ownership of Community Planning priorities while making performance reporting more effective and efficient. These factors will be taken to account during the Community Empowerment Act Part 2 implementation projects.</p>
4.4	<p>Given that this report marks the end of the financial year, the Performance Group also agreed to highlight some examples of Community Planning Activity to the Shetland Partnership Board to give an insight into recent successes and some areas for improvement. These are summarised in Appendix A.</p>
5.0	Exempt and/or confidential information:
5.1	<p>None</p>

6.0 Implications		
6.1 Service Users, Patients and Communities:	The LOIP co-ordinates a wide range of activities from across the Shetland Partnership to help improve outcomes for individuals and communities in Shetland.	
6.2 Human Resources and Organisational Development:	There are no direct Human Resources implications arising from this report.	
6.3 Equality, Diversity and Human Rights:	There are no direct equalities implications arising from this report.	
6.4 Legal:	There are no direct legal implications arising from this report.	
6.5 Finance:	There are no direct financial implications arising from this report.	
6.6 Assets and Property:	There are no direct assets-related implications arising from this report.	
6.7 ICT and new technologies:	There are no direct ICT implications arising from this report.	
6.8 Environmental:	There are no direct environmental implications arising from this report.	
6.9 Risk Management:	<p>The Shetland Partnership Performance Group oversees the delivery of the Local Outcomes Improvement Plan, including addressing any risks to the delivery of outcomes.</p> <p>Risk management will also be a key element in the new Community Planning arrangements aligned with the requirements of the Community Empowerment Act.</p>	
6.10 Policy and Delegated Authority:	The Shetland Partnership Performance Group is responsible for overseeing the delivery of the Local Outcomes Improvement Plan. The Group is comprised of senior officers from across the Shetland Partnership with lead officer support from the Council's Community Planning and Development Service.	
6.11 Previously considered by:	N/A	

Contact Details:

Brendan Hall, Partnership Officer, Community Planning and Development, Shetland Islands Council 01595 744250 brendan.hall@shetland.gov.uk

Appendices:

Appendix A: Community Planning Activity 2016/17 – summary for Shetland Partnership Board June 2017

Community Planning Activity 2016/17 – summary for Shetland Partnership Board June 2017



Community Planning in Shetland continues to develop at a rapid pace, not least due to the implications of the Community Empowerment (Scotland) Act 2015, where 2016/17 has seen the publication of secondary legislation, regulations and guidance for a number of Parts of the legislation as they have come into force. Recognising that understanding the breadth of work that contributes to Community Planning outcomes can be difficult, the Shetland Partnership Performance Group offers this summary to the Shetland Partnership Board to inform Board Members of some recent successes and to highlight some areas for development. The contribution that each of the areas below makes to the Local Outcomes Improvement Plan (LOIP) 2016-20 is also noted.

CLD Inspection

Community Learning and Development (CLD) in Shetland have received a very positive report from Education Scotland following an inspection in March. The inspection specifically focused on the areas of Shetland South, Lerwick and Bressay.

During their visit, Inspectors worked closely with managers and staff in Shetland Islands Council's Community Planning and Development and Youth Services. The team talked to CLD partners in the NHS and voluntary sector, staff, volunteers, children, young people, adults and community organisations to look at how partners are contributing to national policy objectives such as closing the poverty-related attainment gap, prevention and reduction of social isolation, tackling health inequalities, and empowering communities.

The inspection highlighted a number of key strengths, including:

- A well-established culture of volunteering and community involvement, increasing learning and improving communities.
- Young people making a significant contribution to community life in Shetland.
- A rich and diverse range of learning and development opportunities, which are enlacing lives.
- Well focused and targeted programmes meeting specific needs.

"Shetland's strong sense of community is valued and recognised as a key strength by community planning partners and this influences the development of strategy and policy."

Education Scotland Report on
Shetland CLD Inspection

The report mentions the success of Bigton Community Enterprise in sustaining a local shop and post office as an essential part of the local infrastructure, and highlights how groups run by young people such as Maddrim Media and Shetland Young Promoters are enabling participants to develop skills and often progress to further education and employment in the arts.

Inspectors discussed and agreed with partners how they might continue to improve their work by:

- Improving capacity to evaluate in order to develop an accurate overview of the impact of CLD work, and
- Working with communities to develop a shared approach to addressing emerging needs.

The Shetland CLD Partnership will take forward these recommendations through the development of the new CLD plan, scheduled to be updated by the beginning of the 2018/19 financial year, with a particular emphasis on the key role that CLD can play in empowering communities, reducing inequalities and getting public services and the communities they serve working more closely together.

LOIP Outcomes contributed to A, B, C, D and E

Participatory Budgeting

This year has seen the continued roll out of Participatory Budgeting (PB) as a tool for community empowerment. Community Councils in Bressay and Out Skerries carried out PB projects, which involved the community voting on which local projects should be allocated a share of a defined budget. £100K of funding was also allocated directly to projects via the 'Shetland Community Choices' project.

Participation in the above projects was excellent, continuing to demonstrate that Participatory Budgeting is a highly effective method for getting communities engaged in decisions that affect them and to help service providers identify priorities for outcomes improvement. As an example, 20% of Shetland's young people

"Brilliant idea - makes me feel part of the community with a real say"

"Has helped raise the profile of Community Councils"

"Good way of getting groups together in a shared project where potentially everyone can benefit a little"

Participants

participated in the Shetland Community Choices PB process; a proportion boosted through the variety of options available for people to participate – the Community Choices tool was hosted online and a number of dedicated sessions aimed at engaging young people face-to-face were also run.

The guidance for Community Planning under the Community Empowerment (Scotland) Act 2015 places a significant emphasis on community participation in Community

Planning, both through strategic planning and the delivery of outcomes improvements. Participatory Budgeting is one of a number of tools that can be used to secure this participation and this is an important consideration in the Shetland approach to implementing the requirements of the Act. Recent experiences have demonstrated both that the Shetland community are becoming more familiar with the PB approach and that Partners are developing their understanding of how to develop and deliver PB projects. Whilst Participatory Budgeting represents a strength in securing participation with communities, other approaches and methods will require additional work – to be explored through the implementation of the Community Empowerment (Scotland) Act 2015.

LOIP Outcomes contributed to A, B, C, D and E

Employability

As an example of prevention ‘in action’, Shetland’s Employability Pathway has demonstrated an improvement in positive outcomes for the people participating in it, since it was established, in April 2015.

The Pathway brings together over 13 different services and organisations to meet the needs of individuals with complex barriers to employment, in order to provide them with the right support to move into sustained and mainstream employment.

“Support from the Pathway has helped me to deal with a lot of my personal problems, more positively than any other service. It has helped me to go in the right direction that I want to go in life”

Employability Pathway client

“Since I got involved with the Pathway I have become a more positive person and I feel like I am not alone in my journey back to employment anymore.”

Employability Pathway client

During 2016/17, 97 people were supported - of these, 32% (31 people) moved into employment. Some had been unemployed for up to 2 years, with one individual having been out of work for 4.5 years. The cumulative years of unemployment for those who achieved work in 2016/17 was 22.5 years. These are some of Shetland’s most vulnerable adults, and it can take a considerable amount of time for individuals to progress through the Pathway.

There are still areas for improvement, such as establishing ways of providing ongoing support in the workplace, including for those with learning and physical disabilities. And there can be tensions between the different performance measures and targets between partner organisations.

As the Pathway is becoming more embedded, and known, evidence is showing that more and more people are being referred who are longer-term unemployed, and have never previously received support.

LOIP Outcomes contributed to A, C and D

Physical Activity

With support from NHS Shetland's Health Improvement Team, 'Walk Leader' training has been offered to members of the community interested in improving the levels of physical activity among their neighbours and friends. 16 people have attended this training over past year, and a number of health walks – under the banner 'Walk the Rock' – are now up and running. Walks are held regularly in Bigton and Cunningsburgh and are planned to start in Yell in the very near future.

The walks are aimed at getting people who don't often participate in physical activity to increase the amount of activity that they do, while also providing a valuable opportunity for social interaction and making connections with other members of their community.

LOIP Outcomes contributed to B, C, and E

Make a Difference

Shetland's Commission on Tackling Inequalities found that we have high levels of community involvement and activity in Shetland, yet those who do not feel part of



their communities can be isolated and lonely, and can feel stigmatised, without the safety net, many of us take for granted.

In response to these findings, the 'Make a Difference' project was launched in March 2017 and is raising awareness via a short film and training sessions, that isolation, loneliness and stigma are issues in our local community and that every one of us can play a part in helping to reduce this inequality. To date six training sessions have been delivered, reaching seventy individuals from a range of Community Planning partners. Feedback from the training is very positive, and is encouraging individuals to think about what they can do as individuals to make a difference to someone in their community who may be lonely or isolated. The film is being shown at Mareel between screenings during June, with further dates planned.



LOIP Outcomes contributed to A, B, C and D



Meeting(s):	Shetland Partnership Board	21 June 2017
Report Title:	Shetland Partnership Resources Group 25 May 2017, Chair's Report	
Reference Number:		
Author / Job Title:	Christine Ferguson, Director of Corporate Services, SIC & Chair Shetland Partnership Resources Group	

1.0 Decisions / Action required:

1.1 That the Shetland Partnership Board:

- Note progress achieved by the Shetland Partnership Resources Group (SPRG) during 2016/17
- Approve proposals set out in 2.5, including to publish resource information for 2016/17 in the Shetland Partnership Annual Report
- Approve that Schedule 1 organisations, under the Community Empowerment Act, and Shetland Charitable Trust, take responsibility for and action the publishing of information on their finance and staffing for Shetland on an annual basis, to be incorporated into future annual reports
- Approve proposals that information pertaining to the Third Sector be published on an annual basis within the Annual Report of Voluntary Action Shetland; and
- Agree with SPRG's recommendation that the Group be wound up, in recognition that any outstanding or ongoing actions will be taken on by partners and / or incorporated and achieved through the implementation of the Community Empowerment Act.

2.0 High Level Summary:

2.1 The Shetland Partnership Board (SPB) approved the Action Plan 2016/17 for the SPRG in June 2016. Since that time, the SPRG have achieved the following:

- Gathered information on resources (finances, staff, and where possible buildings) available to Schedule 1 organisations and Third Sector organisations operating in Shetland
- Promoted and tested new tools to promote improved outcomes and prevention activity through the more effective use of partnership resources, such as Logic Modelling and Collaborative Leadership; and
- Promoted use of the Integrated Impact Assessment (IIA).

2.2 Gathering information on resources available to organisations delivering services in Shetland has not been straightforward, in part due to the complexities of public

and third sector funding: some organisations are not yet able to determine what aspects of national budgets can be attributed to delivery in Shetland, whilst others required a FOISA request in order to obtain information.

2.3 Sharing information on the resources available to organisations delivering services in Shetland contributes to requirements in the Community Empowerment Act; in particular Section 14(3) which places a duty on community planning partners to contribute such resources as the CPP agrees in order to deliver its ambitions. Having undertaken this work, for 2016/17, the SPRG have assisted the Shetland Partnership in its preparation for partners to meet their new duties.

2.4 This exercise has demonstrated that over £250mn was allocated to the delivery of services, in the combined budgets of the Schedule 1 organisations, for 2016/17. And that over 2880 Full Time Equivalent people were employed across these organisations. Work is being finalised to understand the funding to all Third Sector organisations (Shetland-wide); to date, of the organisations based in Market House, over £0.5mn of external funding has been drawn in, contributing to a total spend of £2.1mn. The latest data available, for 2014, states that 1mn hours of local volunteering contributed the equivalent of £15.5mn to the Shetland economy (Scottish Household Survey).

2.5 In order to ensure the work, to date, is capitalised on, the following commitments from partners are proposed:

- The information for Shetland's Schedule 1 partners, under the Community Empowerment Act, along with the Shetland Charitable Trust (SCT) is published in the Shetland Partnership Annual Report. This would be done in a similar format as Audit Scotland, see Appendix A, and would require the SPB to require relevant organisations to verify information currently gathered and held within Community Planning and Development (CP&D), SIC. This will include providing a named contact within each organisation. If information is not available or agreed, then an NA will be used to signify 'not available'.
- That Shetland's Schedule 1 organisations, along with the SCT, publish information about the resources available to deliver services in Shetland, on an annual basis, commencing 2017/18. This could, for example, be on their website. The named contact will alert CP&D, so information can be collated and included in each Annual Report. Skills Development Scotland already provides information in this way; see Appendix B, on their website.
- That information on the resources available to Third Sector organisations in Shetland, including the source of funding, is published in the Voluntary Action Shetland Annual Report.

It should be noted that the validity of the information is reliant on the quality of information provided by each organisation.

2.6 The purpose of the SPRG is to support the work of the Shetland Partnership by helping to deliver the priorities of the Local Outcomes Improvement Plan, through the efficient and effective use of resources available. Responsibility includes:

- Ensuring that partner organisations engage with Community Planning through developing aligned budget and resource planning processes, and sharing relevant information; and

<ul style="list-style-type: none"> • Strategic resource planning to achieve the aims of the LOIP; aligning and combining budgets and other resources from across the Partnership to achieve outcomes. 	
<p>2.7 The Shetland Partnership agreed in January that the governance of the Community Planning Partnership should be reviewed in light of the new Community Empowerment (Scotland) Act, 2015, legislation. Given this review and the progress made during the last financial year, the SPRG, at their meeting of 25 May 2017, agreed to recommend to the SPB that SPRG be wound up, with immediate effect. With any outstanding or ongoing actions to be undertaken by partners and / or incorporated and achieved through the implementation of the Community Empowerment Act.</p>	
<p>3.0 Links with Corporate and Partnership Priorities:</p>	
<p>3.1 The Shetland Partnership Resources Group is responsible for supporting the work of the Shetland Partnership by helping to deliver the shared priorities contained in the Local Outcomes Improvement Plan 2016-20, through the efficient and effective use of resources available.</p>	
<p>4.0 Key Issues:</p>	
<p>4.1 The key issue is the risk of the work undertaken over the last year is lost; it therefore requires all partners to commit to gathering and sharing relevant information about resources used to deliver services in Shetland, and to continue to use the tools developed.</p>	
<p>5.0 Exempt and/or confidential information:</p>	
<p>5.1 None</p>	
<p>6.0 Implications</p>	
<p>6.1 Service Users, Patients and Communities:</p>	<p>The LOIP co-ordinates a wide range of activities from across the Shetland Partnership to help improve outcomes for individuals and communities in Shetland.</p>
<p>6.2 Human Resources and Organisational Development:</p>	<p>There are no direct Human Resources implications arising from this report.</p>
<p>6.3 Equality, Diversity and Human Rights:</p>	<p>There are no direct equalities implications arising from this report.</p>
<p>6.4 Legal:</p>	<p>There are no direct legal implications arising from this report.</p>
<p>6.5 Finance:</p>	<p>There are no direct financial implications arising from this report.</p>

6.6 Assets and Property:	There are no direct assets-related implications arising from this report.	
6.7 ICT and new technologies:	There are no direct ICT implications arising from this report.	
6.8 Environmental:	There are no direct environmental implications arising from this report.	
6.9 Risk Management:	<p>The Shetland Partnership Resources Group supports the delivery of the Local Outcomes Improvement Plan, in particular giving consideration to effective and efficient resource use.</p> <p>Risk management will also be a key element in the new Community Planning arrangements aligned with the requirements of the Community Empowerment Act.</p>	
6.10 Policy and Delegated Authority:	<p>The Shetland Partnership Resources Group is responsible for supporting the work of the Shetland Partnership by helping to deliver the shared priorities contained in the Local Outcomes Improvement Plan 2016-20, through the efficient and effective use of resources available. The Group is comprised of senior officers from across the Shetland Partnership with lead officer support from the Council's Community Planning and Development Service.</p>	
6.11 Previously considered by:	N/A	

Contact Details:

Emma Perring, Policy Manager, Community Planning and Development, Shetland Islands Council 01595 744537 emma.perring@shetland.gov.uk

Appendices:

Appendix A: Resources available to statutory partners under the Community Empowerment (Scotland) Act 2015

Appendix B: Example of Resource Sharing, Skills Development Scotland, Shetland, 2015/16

Background Documents:

N/A

Key facts



Total resources available to statutory partners under the Community Empowerment (Scotland) Act 2015



Notes:

1. Staff numbers are full-time equivalent where available.
2. Integrated Joint Boards will be a statutory partner but have not been included to avoid double counting of staff from local authorities and health boards.
3. The expenditure figure for colleges partners are based on Scottish Funding Council funding from a 16-month year due to a change in the financial year.

Source: Audit Scotland analysis of CPP statutory partners most recent audited accounts and annual reports. Figures have been rounded.



Community Planning Partnership

Breakdown of SDS Spend in the Shetland Islands

Skills Development Scotland is committed to supporting the people and businesses of Scotland to develop and apply their skills, and we work closely with partners in all 32 Scottish Local Authority areas to ensure our work targets local priorities.

The figures below are based on our 2015/16 operational expenditure, and show how much we've spent on these activities in your area.

CPP	Delivery ¹	Direct Local Costs ²	Sub-total	Local Support Spend ³	TOTAL
Shetland Islands	£951,000	£280,000	£1,231,000	£45,000	£1,276,000

Notes:

1. Delivery: this is the amount we spent on services in your area, including:
 - Local partnership projects
 - Modern Apprenticeship cost plus recruitment incentives, based on the apprentice's postcode
 - Workforce and employability training costs, based on participant postcode
 - Specific industry and employer projects in your area
 - Youth Employment costs based on the 16-24 unemployment rate in your area
 - Travel Aid support for trainees
2. Direct Local Costs: this is the amount we spent on operational staff costs in your area, e.g. career coaches, work coaches and contract managers
3. Local Support Spend: the proportion of our cost of operations in support of service delivery which can be attributed to your area, such as property and infrastructure