

# 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)<sup>1</sup> 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 critical<sup>2</sup> 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 Guidance<sup>3</sup> and Part 11 (Continuing Care) of the Children and Young People (Scotland) Act 2014<sup>4</sup>, 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 Areas<sup>5</sup> 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.<sup>6</sup>
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'<sup>7</sup> 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.<sup>8</sup> 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 Guidance<sup>9</sup> 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.<sup>10</sup>

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.<sup>11</sup> Child care policies, particularly for care leavers, can take a long time to become part of mainstream everyday practice.<sup>12</sup> 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.<sup>13</sup>

**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 purse<sup>14</sup>. 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,<sup>15</sup> and will be more cost-effective in the long term.<sup>16</sup>

**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.**

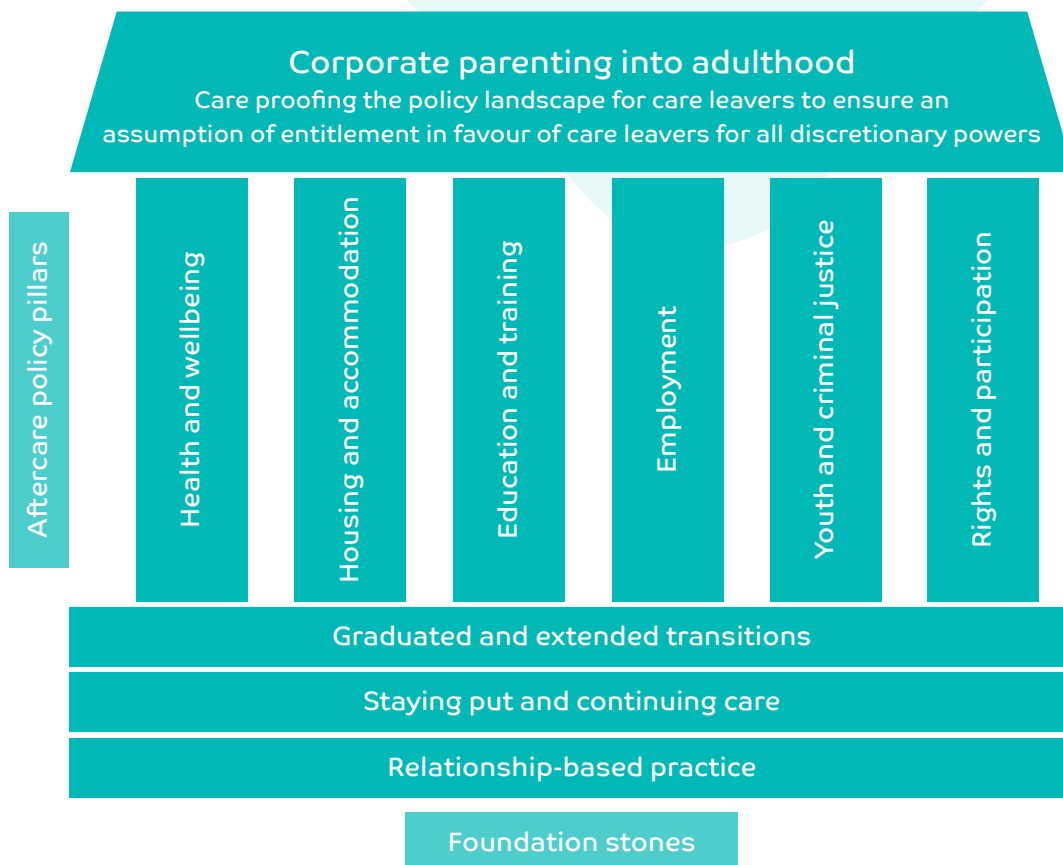
To do this the Agenda for Change outlines a range of actions and practice changes across key policy themes, which need to be delivered consistently by all relevant corporate parents across Scotland, at national and local level. These identified actions are informed by research evidence, current practice 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,<sup>17</sup> 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.'<sup>18</sup> 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.<sup>19</sup>

The Scottish Government has issued a number of policy and guidance documents such as Guidance on Health Assessments for Looked After Children in Scotland<sup>20</sup> which aims to improve health and social outcomes for looked after young people and care leavers.<sup>21</sup> 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.<sup>22</sup>

In terms of the health needs of care leavers, previous commitments were clarified and strengthened by the Leaving Care (Scotland) Regulations and Guidance 2004<sup>23</sup> 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.<sup>24</sup>
- 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.<sup>25</sup> 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.<sup>26</sup> 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.<sup>27</sup>

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.<sup>28</sup>**

## 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.<sup>29</sup>**

- 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 statistics<sup>30</sup> 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)<sup>31</sup> 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 reports<sup>32</sup> 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 report<sup>33</sup> 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.<sup>34</sup>

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.<sup>35</sup>

### 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’<sup>36</sup> 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 statistics<sup>37</sup> 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.





## 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](mailto: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](http://www.scottishcareleaverscovenant.org)

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

[www.scottishcareleaverscovenant.org](http://www.scottishcareleaverscovenant.org)

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