



Parenting across Scotland evidence to the Scottish Parliament on the Children and Young People Bill

1. Introduction

Parenting across Scotland welcomes the Children and Young People's Bill and its aspirations to make 'Scotland to be the best place to grow up in'. The Scottish Government intends to make this ambition real 'by putting children and young people at the heart of planning and delivery of services and ensuring their rights are respected across the public sector.' However, we have some reservations about how effective the provisions of the Bill will be in achieving its objectives and believe that in order to accomplish transformational change for Scotland's children and families the Bill needs to scale up its ambition.

For most of Scotland's children, family remain the most important source of support and yet are barely mentioned throughout the Bill. The Government's policy memorandum states that it will put 'children and young people at the heart of planning and delivery of services'; in order, to ensure that children have the best start in life, we would suggest that their families should also be very much at the heart of this process. In the parts of the Bill which deal with vulnerable families, the role of family is acknowledged and respected, strengthening the role of kinship carers and corporate parents, (which is a welcome inclusion), while the role of the more general population of families is neither acknowledged nor supported.

2. Part 1: Rights of children

Parenting across Scotland fully supports the full incorporation of the UNCRC into Scottish domestic law and endorses Together's evidence to Committee. Currently, Scotland has signed up to the UNCRC and is bound by its obligations; incorporating the UNCRC would be a formal recognition of Scotland's commitment to children's rights. If Scotland is serious about becoming the best place in the world to grow up, then it needs to be a country with children's rights at the heart of its legal framework. As a parenting organisation, we are supportive of the UNCRC and its incorporation into Scottish law because we believe that the UNCRC encapsulates what parents want for their children, and because while it is a parent's responsibility to ensure their child's wellbeing, under the UNCRC the state has the responsibility to support them in this. The Scottish Government through its parenting strategy has already recognised the crucial role that parents play in bringing up Scotland's children and the state's role in supporting them; full incorporation is the logical next step.

3. Part 4: Provision of named person

PAS believes that meaningful implementation of the Named Person part of the Bill can only be achieved with significant investment of resources, especially towards the provision of a properly resourced universal health visiting service. However, we believe supporting families in the early years of their child's life through this preventative and early intervention approach will amply repay this investment by improving children's outcomes. We urge the Committee to scrutinise the resource allocation for this part of the Bill to make sure that its provisions are sufficient to achieve its policy objectives.

3.1 Information sharing

PAS believes that putting services around the family and ensuring that services are talking to each other and sharing information is desirable, so that families do not have to repeat their stories to a number of agencies, and appropriate services work together for the benefit of the family.

We would support the extension of the duty on adult services to share information where it is pertinent to the child's well being; for example, where a parent is attending a service and concerns about the parent's substance misuse or mental health impact on the parent's ability to parent.

However, having said that, we are also concerned that information sharing should be appropriate, respectful and proportionate. Currently, there has been no consultation around the specific information sharing proposals of the Bill, though this is undoubtedly a complex area which requires the views and experiences of practitioners to ensure it works as it is intended to do for the benefit of families. Widespread sharing of information may mean that information overload will result in important information being missed, as well as raising issues of data safety. There are also services where the requirement to share information may impair the ability of the service to operate without having any concomitant beneficial outcome for children, for example, services for survivors of abuse.

We believe that further specific consultation is required on these proposals, and that guidance should be issued based on the response to consultation which sets out clearly which information needs to be shared in what circumstances.

4. Part 5: Child's Plan

Generally, we are in agreement with the provisions set out in the Bill relating to the provision and setting up of a child's plan, and welcome the move towards making service provision more integrated and less onerous for families. However, where the Bill lists who must be involved in the preparation of a child's plan, the duty to consult parents (section 31) is only 'so far as reasonably practicable'. While we recognise that there may be times where on grounds of safety some parents may need to be excluded from planning around the child, as a matter of general principle, the inclusion of parents in planning for their children should be adhered to. We are concerned that this phrase may allow the responsible authority a 'get-out' in relation to seeking parents' views and recommend that this phrase be deleted.

Given the move towards integration of services and the role of Community Planning Partnerships in taking this forward, we would like to see the Children's Services Plan explicitly referred to and developed through Single Outcome Agreements. This should be enshrined within legislation to ensure that children's outcomes are considered in what remains local government's principal strategic planning document.

5. Part 6: Early Years and Childcare

Parenting across Scotland welcomes the Bill's inclusion of a minimum of 600 publicly subsidised early childhood education and care for three and four year olds. We believe that this has the potential to make a real and lasting difference to children and their parents – evidence shows that early education results in real and lasting difference to children's long-term outcomes, and that subsidising childcare can enable parents, particularly mothers, to return to work thereby helping to alleviate poverty and contribute to economic growth.

While supporting the existing provisions of the Bill, we believe that the Scottish Government needs to go further in order to realise its vision of making a transformational change in childcare provision. We have been working with a number of other organisations around childcare, and would recommend Save the Children's evidence on this part of the Bill to the Committee.

PAS urges the Parliament to strengthen the Bill by:

1. Setting out a commitment to development of high quality affordable childcare as a long term strategy with an obligation to report to Parliament on a regular basis on progress.
2. Making early education and childcare a right for all children from the age of three.
3. Extend the provision of early education and childcare for two year olds to those living in poverty. It is well evidenced that children from disadvantaged backgrounds are falling beyond their peers by the age of three and that the contribution of early education and childcare has a significant impact on redressing that balance. Extending the provision to two year olds living in poverty would assist in meeting the bill's policy objective of improving outcomes for children 'in particular, those from the most disadvantaged backgrounds'.
4. Where childcare is provided because of disadvantage, providing parenting support to parents to enhance their parenting ability. Here, we refer the Committee to the Financial Memorandum on potential capital spend, and suggest that where new childcare provision is planned, parents' space ought to be included as part of this.
- 5.. Ensuring that the Bill's provision of flexibility for parents is maintained, and does not consist solely of adding an additional 0.5 hours to nursery education which would not, for the most part, accommodate working parents' requirement for flexibility.
6. Extending the duty to consult parents beyond the early years to include out of school provision and to include demographic information to ensure that the needs of future parents are met and accounted for.

7. Recognising the importance of out of school care and ensuring its inclusion within the Bill.

6. Part 7: Corporate parenting

PAS welcomes the Bill's definition of corporate parenting responsibilities and the policy intention to move away from 'corporate' thinking to acting more like a 'parent' would; looked after children need family support even more than other children do. However, we would urge a note of caution here and request that the Committee scrutinise these proposals with particular attention. The parents of many looked after children still retain some parenting responsibilities, and even where they do not, many looked after children return to their parents when they leave care. The relationship between corporate parents and parents is not explicit in the Bill and there are potential tensions and a need to collaborate which need to be teased out and addressed in robust guidance.

7. Part 8: Aftercare

We are fully in support of the proposals that local authorities should extend their parenting responsibilities up to the age of 26; it is important that this should be a duty to provide rather than simply to request as this most vulnerable group of young people should be guaranteed the help they need. The Bill sets out its policy intention that corporate parents should as far as possible behave as a natural parent would do; with this in mind, extending the aftercare duty up to the age of 26 is entirely compatible with the parents' experiences of today where parenting support continues well in children's twenties, and the average age of leaving home is now 26.

We would add our voice to Barnardo's, Aberlour and others in calling for an automatic serious case review (by amending the Looked After Children Regulations (Scotland) 2009) in the event of the death of a care leaver up till the age of 36.

8. Part 10: Support for kinship care

PAS is supportive of the Bill's provisions around kinship care, but would like to see these provisions strengthened so that all local authorities will be obliged to offer a minimum level of support to kinship carers, so that throughout Scotland, wherever they live, kinship carers are entitled to the same supports rather than the postcode lottery that currently exists. One of PAS partners, CHILDREN1st, has a specialist kinship care service, and we fully endorse their evidence which has been directly gleaned from their experience of working with kinship carers.

9. Part 11: Scotland's Adoption Register

We are fully supportive of the Bill's proposals to put the Adoption Register on a statutory footing. An increasing number of local authorities are using the Register with a resultant increase in placements and permanence. For those children who urgently require a loving family to give them a better start in life, and for those families wishing to give children a fresh start, the Adoption Register offers an improved chance to do so.