

The Promise Scotland written submission to the Education, Children and Young People Committee

November 2023

Ahead of the evidence session on keeping the promise, The Promise Scotland has prepared a short briefing for the Committee's consideration. There is an Appendix attached to this paper that sets out the connected but separate roles of The Promise Scotland and The Oversight Board.

Progress towards keeping the promise

There is work taking place across Scotland to keep the promise and implement the changes required by the Independent Care Review. The commitment of people working across the 'care system' to achieving transformational change is apparent, and in many places, culture and practice are shifting. The Promise Scotland has been sharing [Stories of Change](#), which highlight some of the things that are happening across the country to keep the promise. There are also a significant number of encouraging policy and practice developments, including (but not limited to) the work around redesigning Secure Care and the transformation of the Children's Hearings System ('[Hearings for Children](#)'); the agreement of a national [foster and kinship allowance](#); the legislative intent in the Children (Care and Justice) (Scotland) and the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bills; the work to ensure children have access to a Bairns Hoose; the significant commitment of £500m to a Whole Family Wellbeing Fund; and the introduction of the Scottish Child Payment.

Many children and their families and members of the care community have spoken about progress that has been made and things that feel better. But it is also clear that change is not being felt everywhere; that there are frustrations about the pace of change. The Oversight Board spoke about this in [their second report](#), sharing a view that the promise can still be kept by 2030, but the actions set out in [Plan 21-24](#) are unlikely to be met by 2024.

In light of this, there are specific issues that the Committee may wish to consider:

Number of children living away from their families

The annual [children's social work statistics](#) show a continued reduction of the number of children who are in the care system in Scotland—a 5% decrease from 13,200 in 2020-21 to 12,596. The promise was unequivocal that Scotland should be working towards ensuring more children are able to remain safely at home in their families and communities.

However, the underlying drivers for the reduction in children being removed from their families is not yet clear. Many local authorities report doing much more to support families staying together, however given the concern around workforce retention rates and the overall funding picture there should be a concerted effort to understand what this means in practice for children and families.

Resourcing transformational change

Whilst the Scottish Government has [committed to investing](#) at least 5% of all community-based health and social care spend in preventative whole family support measures by 2030 and to resourcing a £500m Whole Family Wellbeing Fund, it is clear that there needs to be a more cohesive investment strategy, that supports a shift to prevention and early help and support. In particular, challenges relating to short term funding cycles, rigid commissioning processes and a siloed approach to funding multiple projects working alongside the same children and families must be overcome.

Public sector budgets within a fixed funding framework are under enormous pressure. This issue was raised directly by the Oversight Board and The Promise Scotland is aware that there is work underway within the Scottish Government to develop an approach to investment and disinvestment. Limited funding requires a more strategic approach over the longer term. Fiona Duncan, Independent Strategic Adviser on the promise, is supporting this work including by [developing Plan 24-30](#) to help ensure resources are directed to where they will most make a difference.

The Verity House Agreement provides a framework for reducing restrictions on funding streams and more flexibility. This is welcome. However, the agreement is of course limited to the relationship between the Scottish Government and Local Government. There needs to be a broader look across budgets to ensure early help and support is prioritised.

Recruiting and retaining valued members of the workforce

Recent [evidence from SSSC on social work vacancies](#) is demonstrating a concerning trend. Almost all local authorities that responded to the SSSC survey stated that they find it difficult to fill social work vacancies, reporting a practicing social worker vacancy rate of 11.8%, which appears to reflect increasing demand for social workers. Challenges around recruitment and retention are also reflected in concerns around the numbers of foster carers in Scotland and the number of volunteers (including Panel Members) and family support workers in the third sector.

High vacancy rates make it challenging to create space to redesign services and take a more creative approach. Forthcoming decisions about the shape of the National Care Service and National Social Work agency, alongside the development of a strong and sustainable Workforce Strategy, are critical to plan, deliver and support the workforce charged with this critical work. Crucially, in order to truly achieve transformational change, this work must be sequenced carefully with multiple upcoming legislative and policy changes. Change will not be achieved if the workforce feels overwhelmed, confused

and disconnected from the numerous demands placed upon them. The success of the transformation of the 'care system' relies on a compassionate and caring workforce that feels valued, with the capacity and resources to work relationally alongside children and families in the way described in the promise.

Sequencing, creativity and connection

Despite the good progress that has been made, and broad support for the conclusions of the Independent Care Review across the political spectrum and beyond, challenges around resourcing and implementation remain. In order to address this, key milestones over the coming months must be sequenced and considered in coordination with other changes so that children and families and members of the care community can feel the benefits and experience the impact of the promise being kept. In particular:

- The **Children (Care and Justice) (Scotland) Bill** contains important and welcome changes to better uphold children's rights and must be properly resourced and implemented in order to keep the promise. There are clear links within this Bill to the work to redesign the Children's Hearings System (see below) and it is vital that the two are progressed in tandem to reduce duplication and to ensure the solutions offered by the Report to the current challenges within the Children's Hearings System are resolved.
- In December, the Scottish Government will officially respond to the [Hearings System Working Group's Redesign Report](#). The Scottish Government must ensure the core principles of the Redesign Report are reflected in its response. In particular, the Redesign Report's recommendation around consistency of decision-making and the importance of an inquisitorial model are essential to improve children and family's experiences and the sustainability of the unique Children's Hearings System approach.
- The work around **redesigning Secure Care**, which CYCJ is taking forward, will contain important options that must also be linked to the progression of the Children (Care and Justice) (Scotland) Bill and the work around the recommendations from the Hearings System Working Group.
- The **Whole Family Wellbeing Fund**, has not yet supported the much hoped-for unlocking of whole family approaches across Scotland, nor enabled a shift towards prevention to become the way of working that children and families need, and the system longs to deliver. The work to evaluate the fund's effectiveness must consider how funding for future years can enable a more strategic and sustainable approach to transforming the way children and families can experience both universal and intensive whole-family support in the way the promise sets out.
- The **December Budget** provides an opportunity to set out an approach to funding early help and support in the context of the public sector financing challenges. In line with the Verity House Agreement, the Government approach to the Whole Family Wellbeing Fund and other relevant funds is a chance to take a more strategic approach.

- At the end of this year The Promise Scotland will share with the Scottish Government a scoping paper with some options on how care experienced children, families and adults can access lifelong advocacy support. This must be progressed and considered alongside the work to embed advocacy as part of UNCRC incorporation and the development of the Human Rights Bill.

Proper sequencing and strategic planning and resourcing of these strands of work can ensure that the workforce is able to continue to flex and adapt to the changes and that the promise is kept to children and their families.

Please do not hesitate to get in touch with The Promise Scotland's Policy Lead, Chloe Riddell, with any questions or comments about this briefing: chloe@thepromise.scot.

Appendix 1: Role of The Promise Scotland and The Oversight Board

The Promise Scotland

[The Promise Scotland](#) was set up following the publication of the seven reports of the Independent Care Review (including [the promise](#)) to support the required change to ensure the promise is kept to children and families in Scotland. It does not have any formal legal powers, and does not provide services for children and families, but its role is to directly support members of the workforce and organisations, including by:

- Providing the Secretariat to the [Oversight Board](#). (see below).
- Running a '[Design School](#)', which helps organisations and care experienced people to get the necessary learning to redesign services in line with the conclusions of the Independent Care Review.
- Developing a '[data map](#)' and ensuring that Scotland measures the things that matter most to children and families.
- [Supporting local areas](#) and corporate parents to keep the promise.
- Delivering national projects that make recommendations about how the 'care system' must transform; for example the [Hearings System Working Group](#), scoping a national lifelong advocacy model for care experienced children, young people and their families; and considering what changes need to be made to the way the 'care system' is governed.
- Focusing on [four specific areas](#) where change must be made. These are: school exclusions; supporting families; a good childhood; and moving on.

Oversight Board

The Oversight Board holds Scotland to account by monitoring the pace and progress that Scotland is making in keeping the promise. The Oversight Board publishes an annual report, which reports on progress. Its most recent report, published in June, concluded that change is being delivered across Scotland and the promise can still be kept by 2030—but it also acknowledged that the pace of change is slower than they would like to see and that it does not believe that the aims of Plan 21-24 can realistically be met by next year. The report contained a call to action for:

- Explicit leadership and drive from the Scottish Government and scrutiny bodies to articulate a clear set of principles, outcomes and milestones that will guarantee the promise.
- A strategic investment plan to deliver the required change.