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Press Release from Who Cares? Scotland

New campaign calls for a fair deal for children in care

'Give me a chance' is the call to the Scottish public from children and young people in care in a new campaign being launched today (28 January 2010) by Who Cares? Scotland. The charity, which represents the views of looked after children in Scotland, developed the campaign to tackle the stigma and discrimination too often faced by young people in care and to improve attitudes towards the residential child care system itself. Young people in care, consulted as part of Who Cares? Scotland's 30th anniversary in 2008, chose tackling stigma as their number one priority issue for Who Cares? Scotland to take forward.

The campaign is being launched as new research reveals strong public confidence in the benefits of being in care for those who need it. A Scottish Opinion survey, commissioned by Who Cares? Scotland, found that almost three in four members of the Scottish public believe that being in care can help children and young people get their lives back on track.¹ However almost one in three adults who took part in the survey and nearly half of the young people surveyed in a separate poll² believe that young people over 12 are most likely to go into care because of their own behaviour.

Commenting on the campaign launch, Heather Gray, Chief Executive of Who Cares? Scotland said;

"The 'Give me a chance' campaign is long overdue. For many years the children and young people we work with have complained of being bullied, blamed or written off just because they are in care. They speak of the hurt and shame when other children's parents try to stop them being their friends, when teachers expect them to fail rather than succeed and when neighbours' first reaction to any trouble in the area is to point the finger at the local children's unit.

¹ Poll of 1059 Scottish adults age 18+ carried out by Scottish Opinion between 10 and 17 November 2009

² Poll of 128 S1 to S6 pupils surveyed by Who Cares? Scotland, November 2009

Our survey shows that the public is beginning to understand that being in care can give young people the chance to overcome the difficulties they've had at home. That's encouraging but I am concerned that, when it comes to the over twelves, a lot of people still hold on to the old-fashioned notion that it is 'bad' children who go into care. In fact, regardless of age, most children and young people go into care because they are at risk of coming to harm if they remain in their own homes.

The 'Give me a chance' campaign is calling for a fair deal for children and young people in care. It is every child's right to be treated fairly and to get the best possible chance in life. Being in care doesn't change that."

David Dunne (21), Chair of the board of Who Cares? Scotland, went into care at fourteen, after a breakdown in his relationship with his stepfather. David was one of the young people involved in developing the 'Give me a chance' campaign. He has a strong personal interest in the campaign;

"I've had to deal with people thinking that I was in care because I'd done something wrong. They seemed to think it was a punishment. Then there were people who pitied me and saw me as a victim. All I wanted was for people to treat me just like anyone else my age.

When I was in care I got support but I also got discipline – in other words the staff treated me just like any other teenager. That really helped me become more responsible and more respectful. I think I'm a better person today than I would have been if I'd never gone into care.

It was good to work on the 'Give me a chance' campaign. We've come up with something that will make people stop and think. I'm convinced that it's going to have a real impact on people's attitudes towards children and young people in care."

The 'Give me a chance' poster advertising campaign will run across Scotland throughout February. Campaign materials are also being sent to schools, GP surgeries, police stations, local authorities and voluntary organisations. A new website will be launched next month to help promote the campaign throughout 2010 and beyond. The campaign is part-funded by the Scottish Government.

End

Notes to Editors.

- To arrange an interview with Heather Gray, Chief Executive of Who Cares? Scotland, please call 0141 226 4441.
- To arrange an interview with a young person with experience of being in care or with a member of staff from a children's unit, please call 0141 226 4441.
- To obtain an extract of the Scottish Opinion survey or a copy of the school survey referred to above, please call 0141 226 4441.
- A factsheet on residential child care is attached.
- Nearly 15,000 children were Looked After in 2007, with around 1,600 of them living in residential units.
- Who Cares? Scotland is a leading national charity based in Oswald Street, Glasgow. The charity provides independent advocacy, advice and support to young people who are looked after. The charity also campaigns to create positive changes in the care system in Scotland.
- The charity published a report in 2008, **Caring about Success**. As one young man, quoted in the report said, 'Caring about success', says, "*The majority of people that found out I was in care thought I was a bad guy. So they just tell me I'm going to fail in life.*"
- A key recommendation from the Caring about Success report notes the need to undertake a major campaign to tackle stigma and discrimination if young people who are looked after in Scotland are to have equal opportunities to succeed.
- *'Scottish Government and its strategic partners should come together to launch a national campaign aimed at dispelling the myths associated with being in care and promote positive images of children and young people looked after away from home, including the message that they are children and young people first and foremost, with the same rights to respect and freedom from discrimination, and the chance to achieve their potential just like any other children and young people: this should be designed by and led by children and young people, supported by key partners including ADSW, ADES, SCCYP and SIRCC.'*
- The Government document **These are our Bairns: a guide for community planning partnerships** also highlighted the need for this work.
- *'Communities can have negative views of the care system, and of individual children and young people who are or have been Looked After. It is important that as much as possible is done to counter this negativity, whether through providing better information to the public (including school children) about what it means to be Looked After and the reasons why children become Looked After, or through celebrating success and demonstrating the positive impact that both services and the young people themselves can have in their local community.'*

Who Cares? Scotland Factsheet

Give Me A Chance Campaign: Facts about children in care

Children and young people looked after by local authorities³

The majority of children and young people who are considered to be 'Looked After' will come into one of the following categories:

- **Looked after at home**, where the child or young person is subject to a *Supervision Requirement with no condition of residence* through the Children's Hearing system. The child or young person continues to live in their normal place of residence, usually the family home.
- **Looked after away from home**, where the child or young person is subject to a *Supervision Requirement with a condition of residence* through the Children's Hearing system, or is provided with accommodation under section 25 of the Children (Scotland) Act 1995 (voluntary agreement) or is the subject of a Parental Responsibility Order (section 86). The child or young person is cared for away from their normal place of residence eg, in a foster care placement, residential/children's unit, a residential school, a secure unit or a kinship placement.

There were 14,886 children looked after by local authorities in Scotland at 31 March 2008, an increase of 6% since 2007. The number of children looked after has increased every year since 2001, and is at its highest since 1983.

68% of children looked after by local authorities were aged 5 to 15, with just under half of these in the 12-15 age group.

Where children and young people are looked after

- 43% of them were placed at home with parents, and 16% were looked after by friends and relatives.
- 16% of them were looked after by friends or relatives.
- 29% of them were looked after by foster carers.
- 11% of them were looked after in residential accommodation.

The proportion of children in residential care was 11%. The actual number of children in residential care has remained fairly stable since 2000 at around 1,600.

³ All the information contained in this factsheet is drawn from the Scottish Government's Children and Looked After Statistics 2007-08 and from These are Our Bairns: a guide for community planning partnerships on being a good corporate parent, Scottish Government 2008 <http://www.scotland.gov.uk/publications/2008/11/25103230/4>

The Scottish Institute for Residential Child Care's (SIRCC) Residential Unit Database (RUD) identifies 256 residential establishments throughout Scotland in 2007⁴.

The number of children and young people in each were:

- 737 in local authority homes
- 84 in voluntary and private sector provision
- 663 in residential schools
- 78 in secure accommodation
- 76 in other residential accommodation⁵

Residential child care workforce

According to the SIRCC RUD, there were 4,688 child care staff employed in residential child care in Scotland in 2007:

- 3,806 full time
- 882 part time
- 41.4% employed in the local authority sector
- 41.7% employed in the voluntary/independent sector
- 16.9% employed in the private sector.

A qualification audit of the workforce carried out by SIRCC showed a marked increase in the number of staff who had achieved qualifications and remained in the sector since 2004, with the proportion of qualified and potentially qualified staff in 2007 standing at 54%.

Local authority responsibilities⁶

The undernoted is a brief guide to the main parts of the Children (Scotland) Act 1995 which governs many areas of a local authority's duties, powers and responsibilities in relation to Looked After children and young people and care leavers.

Section Provision

17 This section imposes a duty on local authorities towards children who are "*Looked After*" by them by ensuring that they safeguard and promote the child's welfare, promote contact with those who have parental responsibilities, whilst taking into account the views of the child. A further duty is the provision of advice and assistance

with a view to preparing a child for when the child is no longer Looked After-often referred to as "throughcare".

21 This section sets out details regarding co-operation between authorities and other bodies to help in the exercise of their functions.

⁴ Source: Scottish Institute for Residential Child Care, <http://www.sircc.org.uk/media/sector>

⁵ Other accommodation includes women's refuge, local authority hostel for offenders, voluntary hostel for offenders, local authority hostel for drug/alcohol abusers, in voluntary hostel for drug/alcohol abusers

⁶ Extract from Appendix 2 of *These are Our Bairns: a guide for community planning partnerships on being a good corporate parent*, Scottish Government 2008

22 This section imposes a duty on local authorities to provide a range of services to children who are "in need". Such services should be offered to safeguard and promote the welfare of the child and to prepare young people for when they are no longer Looked After.

25 This section imposes a duty on local authorities to provide accommodation for children, if:

- No one has parental responsibility for them
- They are lost or abandoned
- The person who has been caring for them is prevented from providing suitable accommodation/care.

29 This section (entitled Aftercare) sets out the main local authority responsibilities, both duties and powers, to young people who leave the "Looked After" system following their school leaving age. Section 29 was amended on 1st April 2004 by the Regulation of Care (Scotland) Act 2001.

30 This section sets out when local authorities may give financial assistance towards the education or training expenses of those who have ceased to be Looked After following their school leaving age.

31 This section ensures that each child who is "Looked After" by the local authority has their case formally reviewed at regular intervals.

53 This section imposes a duty on local authorities to make initial inquiries, if information is received suggesting compulsory measures of supervision may be necessary for the child, i.e. a Children's Hearing report.

55 This provides a local authority with the power to apply to a Sheriff for a *Child Assessment Order*, where access to a child for the purposes of gathering information is denied.

56 (4)(b) This section provides the Reporter with the power to refer any case to the local authority for advice, guidance and assistance to a child and/or their family. This is commonly referred to as "*Voluntary Supervision*".

57 This section allows a Sheriff to make a "*Child Protection Order*" where there are grounds to believe that a child is being ill-treated, neglected or will suffer harm. Whilst any person may apply for such an order, this is normally pursued by Social Work Services.

70 This section covers the disposal of a "*Supervision Requirement*" by a Children's Hearing, the 2 main sub-sections being:

70 (1). The supervision requirement would, in most circumstances, stipulate that the child continues to reside in the family home. The child would be deemed to be "*Looked After at home*" by the local authority; and:

70 (3). The Supervision Requirement would require the child to reside outwith their normal place of residence (i.e. place a condition of residence), e.g. a foster care placement, residential/children's unit, a residential school, a secure unit or a kinship placement. This child would be deemed to be "*Looked After away from home*".

Other legislation which may be relevant:

Throughcare Regulations 2003

Protection of Children (Scotland) Act 2003

Additional Support For Learning (Scotland) Act 2004

Protection of Vulnerable Groups (Scotland) Act 2007

Antisocial Behaviour etc (Scotland) Act 2004

Homelessness etc (Scotland) Act 2003

Section Provision

71 This section imposes a duty on a local authority to give effect to the Supervision Requirement of a child decided by a Children's Hearing and to any conditions contained within the Requirement.

73 This section ensures that "no child shall continue to be subject to a Supervision Requirement for any period longer than is necessary in the interests of *promoting or safeguarding his welfare*". Section 73(2) ensures that no Requirement will remain in force for a period longer than one year without that Requirement being reviewed by a Children's Hearing.

86 This section provides the power for the local authority to apply to the Sheriff Court, to transfer parental rights and responsibilities to the local authority.

For further information on children and young people in care go to:

www.whocarescotland.org

www.sircc.org.uk

www.scotland.gov.uk