

Aberlour Evidence to Scottish Parliament's Health, Social Care and Sport Committee in response to their call for evidence on the National Care Service (Scotland) Bill

September 2022

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Introduction

Aberlour is Scotland's largest, solely Scottish children's charity. We work with disadvantaged, discriminated against and marginalised children, young people and families throughout Scotland, providing services and support in communities around the country. We help to overcome significant challenges, including the impact of drugs and alcohol on family life, growing up in and leaving care, poor mental health, childhood adversity and trauma, living with a disability, and the impact of poverty and disadvantage. We aim to provide help and support at the earliest opportunity to prevent problems becoming intractable or spiralling out of control. We are committed to **#KeepThePromise** and to the incorporation of the UNCRC.

Our Vision is '**to give every child the chance to flourish and, through this, contribute to building a fairer and more equal society**'. Our Mission is to deliver that vision by supporting children and families affected by poverty, discrimination, adversity, addiction, disability and trauma within residential and community settings. We understand that not all children are born with an equal chance and we are committed to beating poverty and discrimination.

Aberlour is a member of the End Child Poverty coalition and is committed to combatting the impact of poverty and disadvantage on the children and families we work with, as well actively campaigning to see a Scotland where no child grows up in poverty. We deliver the Aberlour Urgent Assistance Fund which provides financial support via small grants to families and young people aged 21 and under living anywhere in Scotland and experiencing extreme financial hardship.

Our response to the call for evidence on the National Care Service (Scotland) Bill is focused on the potential impact of the National Care Service on children, young people and families and on the delivery of children's services.

Children's Services

Scotland has a well-articulated ambition that Scotland should be 'the best place in the World to grow up'¹. However, we have yet to come close to meeting that ambition. For Scotland truly to be the best

¹ <https://www.gov.scot/publications/delivering-today-investing-tomorrow-governments-programme-scotland-2018-19/pages/8/>

place in the World to grow up this must mean that: no child or young person lives in poverty; no child or young person is removed from their family when they can safely be supported to stay at home; no child or young person experiences discrimination; no child or young person suffers a mental health crisis due to a lack of support; and no child or young person dies from alcohol, drugs or suicide as a result of the ongoing impact of childhood trauma.

The aim of children's services must be to provide whatever help and support children and their families need to help them to thrive. Families know best what works for them and their children, they are experts in their own lives and are best placed to identify what help and support they need to overcome and address the challenges they face. Only by working alongside families in a way that builds and nurtures positive, trusting relationships and promotes agency can we understand and respond to the circumstances and the particular challenges any individual family might face.

In order to achieve this, we need radical change within the delivery of children's services that guarantees all children, young people and families the help they need when they need it. This requires a holistic approach across our public services working together to make sure children, young people and families' needs are responded to in a consistent and connected way. Holistic, universal – and where needed, specialist – and accessible community based services and support right across Scotland that provide families with what they tell us will best help to respond to the challenges in their lives. This is what families tell us they need and this is what Aberlour and others have relentlessly called on Scottish Government and local authorities to deliver.

Children have a right to live free from poverty, discrimination and the underlying causes of childhood adversity and trauma. In order to respond appropriately and effectively to such inequalities, children's services must understand how such inequalities impact upon children and families to begin with. The role of children's services should be not only to mitigate, but also to help prevent against the, often multiple and intersecting, inequalities faced by vulnerable and disadvantaged children, young people and families. With more than 1 in 4 children in Scotland growing up in poverty², and the disproportionate likelihood that children and families living in poverty will require additional help and support, tackling child poverty must be a central part of the purpose of children's services.

The current landscape of children's services in Scotland is not relational in nature. It is overly complex, fragmented and disconnected, inconsistent and varies from one local authority to the next. Too often this means services are unable to respond to children, young people and families' needs until the point of crisis. In contrast, children's services that work for children, young people and families are relational, accessible and easy to navigate – with no wrong door to getting help – are connected and work in partnership across all areas and disciplines. They are consistent from one local area to another and are there at the earliest opportunity to mitigate and prevent against challenges or problems families face from becoming entrenched.

Children's Policy

² <https://www.gov.scot/collections/child-poverty-statistics/>

The last decade has seen great progress in children’s policy introduced and shaped by successive Scottish Governments and Scottish Parliaments. The Christie Commission gave us a clear vision for how public services can work better for our citizens, including a primary focus on early intervention and prevention. In addition, Getting It Right For Every Child, the Children and Young People (Scotland) Act 2014, the Child Poverty (Scotland) Act 2017, the Independent Care Review recommendations (The Promise) and the UNCRC (Incorporation) (Scotland) Bill have all contributed to a progressive policy framework. In theory, this framework should ensure the rights of children, young people and families across Scotland are fulfilled and those that may require additional help and support – practical, emotional or financial – should expect to receive it. However, in practice much of this policy has failed to be implemented as intended to the detriment of far too many children, young people and families.

After many years, neither GIRFEC nor health and social care integration have yet proven to have provided the intended benefit or achieved their key policy aims. There are pockets of existing good practice around the country and examples of where both GIRFEC and health and social care integration have worked well in particular local areas, but not in a way that can be claimed to be consistent or universal. The reality of one quarter of Scotland’s children living in poverty, a persistent poverty related educational attainment gap and the highest number of children being taken into care anywhere in the UK is evidence that we are still not getting it right for every child. It is not clear how the Bill, or future inclusion of children’s services in an established NCS, would address these issues or the implementation deficit in existing children’s policy.

The Promise

Fundamental and radical change in the commissioning, planning and delivery of children’s services is still necessary to achieve the transformational change needed to deliver the services and support that truly meet the needs and fulfils the rights of children, young people and families across Scotland. The Promise presents the best opportunity to realise such change.

The Bill’s policy memorandum states: “It is intended that the NCS will work in tandem with other work already in progress to implement The Promise, in relation to children’s services...”³. Currently, The Promise is the key policy driver within children’s services. There is a clear and collective commitment and renewed resolve from all those who have a concern for the care and support of children, young people and families to #KeepThePromise. The Promise Implementation Plan⁴ has already begun to drive substantial work towards meeting this ambition by the outlined timescale of 2030. In doing so it is beginning to address the implementation gap of much of the existing children’s policy that has yet to have been realised.

The policy memorandum further states: “The Scottish Government’s key objective for children’s services is keeping The Promise”⁵. However, the establishment of the NCS risks significant disruption

³ <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/national-care-service-scotland-bill/introduced/policy-memorandum-accessible.pdf>

⁴ <https://www.gov.scot/publications/keeping-promise-implementation-plan/>

⁵ <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/national-care-service-scotland-bill/introduced/policy-memorandum-accessible.pdf>

to the delivery of children's services at a time when work is already underway to implement The Promise. The Promise gives us the best opportunity yet to help us get closer to our national ambition of Scotland being the best place in the World to grow up. The Promise has to be prioritised and supported to achieve its aims of improving children's services in Scotland. The Promise provides the vision and the plan to make cultural and systemic shifts so desperately needed for children and families likely to interface with social work and social care services. We believe, therefore, it is crucial that nothing distracts or undermines the already established plan and the work that will continue up to 2030.

Consultation with Children, Young People and Families

Children and young people's human rights realised through incorporation of the UNCRC must be the foundation of any approach to delivering children's services. This must mean that children's services are led and shaped by the experiences of children, young people and families, ensuring the voices of those who on rely on services are elevated and amplified in a way that can influence and determine the help and support they receive.

It is right to ask the question of whether or not children's services should be included in the NCS. This is a question that can only be answered through consultation and engagement with children, young people and families themselves. A critical part of any consultation to change fundamentally the structure and delivery of children's social care services must include meaningful engagement with children and families in need of, and with experience of, support from social care and social work services. Only once this process of meaningful consultation has been properly undertaken and completed can there be any legitimate determination of whether children's services can and should be included within the NCS. Thereafter any change that occurs as a result should be planned and implemented on a phased basis using a clear methodology for change.

However, progressing such a significant piece of framework legislation, such as this Bill, that does not know whether children's services will be included within the scope of that legislation at the outset is problematic. We are not confident that the Bill as proposed will work to ensure the smooth and effective inclusion of children's services in the future, in a way that does not disrupt or adversely affect the services or support that children, young people and families access now or in the future. We believe in order to address this the Scottish Government must work much more closely with children's services providers, as well as collaborate directly with children, young people and families themselves, in order to truly understand how the new National Care Service can best meets their needs and improve upon any offer of support planned and delivered locally within current social work and social care structures.

Interaction Between Children's and Adult Services

It is unclear from the Bill exactly how children's and adult services will interact. From our experiences of providing care and support for children and young people with disabilities, we know that transition is highlighted as *the* key challenge faced by children with disabilities and their families Aberlour works with. In most circumstances, families tell us that their experiences of transition have been poor. Whether or not children's services are located within the NCS in the future, the development of the

new service must avoid, even in the short term, creating further disruption and uncertainty for young people with disabilities and their families as they transition between children's and adult services.

Our work supporting families affected by addiction and substance use is focused on providing whole family support, working with parents and children to ensure the necessary practical, therapeutic and emotional support necessary that families need. This work includes the delivery of two new mother and child residential rehabilitation and recovery houses for women and their families living with addiction, in order that families can stay together while mothers and their children receive the treatment and support they need. It is similarly unclear how such services will interact with children's services or where these services will sit within the scope of the NCS.

Furthermore, the nature of the services and support that Aberlour and other third sector organisations deliver – for children, young people, parents and carers – often does not fit neatly into any description of social care. The holistic support provided at home and in the community for many of the families Aberlour works with involves a range of, and often a combination of, support, that includes but is not limited to: parenting support and advice; direct, one-to-one support; intensive whole family support; children and family group work and activities; community capacity building; providing community resources; and support – including financial support – that aims to tackle and mitigate the impact of poverty and disadvantage. The Bill and supporting information lack any detail regarding how and where any of these elements of social care support could and would be included within the NCS.

Other Comments

On the broader parts of the Bill and the proposals for the NCS we have further concerns, including:

- The narrow focus on structural change which will have limited impact unless it is supported by systems led approaches that address leadership, culture and practice;
- Where accountability at a local level sit and what will the NCS will mean for local democracy;
- The disruption to vital community health and social care services at a time when they are needed more than ever;
- Local community health, social work and social care leadership which will likely remain the same under a the NCS without systemic change and cultural change and will act as a barrier to the intended positive and transformational change.

As a member of the Coalition of Care Providers Scotland (CCPS) we would point to their work in developing an alternative 'change model for social care and support in Scotland'⁶, which outlines system change in social care which prioritises a rights-based, participative approach that is relational, locally delivered and equitable for all.

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⁶<https://www.ccpscotland.org/wp-content/uploads/2022/09/ccps-model-of-change-for-social-care-and-support-Sept-22.pdf>