

Minister for Children, Young People and Keeping
the Promise
Ministear airson Clann, Daoine Òga is Cumail ris a'
Ghealladh
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The Convener
Social Justice and Social Security Committee
The Scottish Parliament
EDINBURGH
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By email: SJSS.committee@Parliament.Scot

14 August 2023

Dear Convener

Thank you for copying me into the letter the Committee issued to COSLA regarding the Committee recommendations for local authority/ COSLA action and kinship care dated 22 June 2023.

As you know, the Scottish Government's commitment to Keeping The Promise is fundamental to our ambition that Scotland will be the best place to grow up. A place where all children are loved, safe and respected so that they can reach their full potential. In line with the Promise I strongly believe that the best place for a child to live, whenever a child needs to leave their birth parents, is in the wider family, if it is safe and in the best interests of the child to do so. There is no doubt that kinship care helps a child retain a sense of family, identity and heritage and can enable them to feel safe, protected and valued.

In Keeping The Promise it is also key that we recognise and value the important role played by kinship carers in providing stable and nurturing homes for children and young people. And that we collectively, nationally and locally, provide both financial and practical support to kinship families so they can better support and nurture the children they care for.

Therefore, I felt it prudent to provide the Committee with an update since the letter in November 2022 written by my predecessor, the Minister for Children and Young People, Clare Haughey MSP on the work taking place within Government, and with the Kinship Care Collaborative in response to the Committee's recommendations on kinship care. A detailed update is provided at Annex A, which I hope you find useful.

More broadly, I thought it would be helpful to set out the wider work continuing across the Government to Keep The Promise and support families, including kinship families.

We have committed to invest £500 million in Whole Family Wellbeing over the course of this Parliament. This includes £32 million per annum to local areas to build local service capacity and transform family support services; up to £6 million per annum for national support; and over £22 million over the lifetime of the funding to support new Scottish Government led policy delivery. This now includes £989,000 for a pilot project from Adoption UK (AUK) Scotland, to provide additional therapeutic and educational support for kinship families in four local authority areas over two years through its new Foundations for Families initiative.

We know that keeping sisters and brothers together is fundamental to Keeping The Promise. That is why we convened the Siblings: Staying Together and Connected national group to consider the challenges and opportunities in realising this collective aspiration. The Group has published their [final report](#) and recently presented their findings to me. We will now consider how best we can take forward the priorities set out in the report, taking account of other important work such as the findings from the recent Children's Hearings System Working Group's Redesign [Report](#), and wider Government work on child poverty, housing and so on.

Finally, as set out recently in the new Partnership Agreement (the Verity House Agreement), tackling poverty, particularly child poverty, is a shared priority of COSLA and the Scottish Government. Positive progress has been made in our ongoing discussions on the introduction of a Scottish Recommended Allowance and we remain committed to delivering the allowance as quickly as possible.

I hope this is a helpful update and I will continue to keep the Committee informed as further work progresses.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'N. Don', written in a cursive style.

Natalie Don
Minister for Children, Young People and Keeping The Promise

Update on recommendations for the Scottish Government

The Government and COSLA must redouble their efforts to resolve any outstanding issues, including resourcing, and introduce the Allowance as soon as possible.

Update: My officials have continued their engagement and negotiations with COSLA, positive progress has been made and we are working at pace to deliver the allowance. As a result, I hope to be able to provide a further update on the Scottish Recommended Allowance to the Committee within the next 2 months.

Update on recommendations for the Kinship Care Collaborative

Following the work of priority group as set out previously, the Collaborative have now formed three working groups, who are taking forward the recommendations from the Committee report published in September 2022. They are the; i) Kinship care guidance rewrite group; ii) Assessment framework group and iii) Communications group.

1. Review how information is provided to kinship carers and identify best practice for ensuring that new kinship carers receive information about where they can access support and advice, and their rights, in a clear and accessible format.

and

2. The Kinship Care Collaborative should work as a matter of urgency to clarify guidance on this matter so that the interpretation of the provisions aligns with the Scottish Government's stated policy aim of getting it right for every child.

Update: The guidance rewrite group, which has been kept small to ensure delivery by the end of a 2023, consists of Scottish Government officials, CELCIS, Social Work Scotland, local authority and the Scottish Local Authority Lawyers and Administrators (SOLAR). They are examining the Children and Young People (Scotland) Act 2014: National Guidance on Part 13: Support for kinship care, which is non-statutory guidance.

The rewrite group is examining the guidance with a view to replacing it with a guide that reflects updated legislation and growing knowledge and experience of what works in relation to support to kinship carers. They are also working to clarify many of the issues that have been open to interpretation including the meaning of “at risk of being looked after” and “placed with the involvement of the local authority”.

Other key areas identified for updating include clarifying formal and informal care, and the legal status of a child. The priority group is also cognisant of the balance required to ensure that any changes take account of GIRFEC, UNCRC and recent legislative developments, such as the need to protect sibling relationships for children in care. Feedback from kinship carers and practitioners tells us the need for

the guidance to explain legislation more clearly that is why the rewrite group are paying particular attention to consistency of definition to reflect good practice. The rewrite group agree that the updated guidance must reflect the Promise and principles of GIRFEC taking account of the GIRFEC refresh, thus reassuring our kinship carers that they are valued for the vital role they play in caring for children and young people who are unable to live with their birth parents.

Whilst the rewrite group has been kept very small it's important to note that a reference group has been formed, with a number of stakeholders including representation from the Scottish Public Service Ombudsman, local authority frontline service managers and the Kinship Care Advice Service for Scotland. The role of the reference group is to test alignment; check for coherence and accuracy; and ensure rights are demonstrated in the changes suggested by the rewrite group.

My officials have engaged with practitioners in a variety of group forums where they have been advised that there a dedicated assessment framework for kinship carers does not exist. Instead, practitioners will often adapt the assessment used for foster carers, which can be unsuitable when assessing the needs of kinship carers.

That is why the Collaborative agreed to form a working group that will explore and develop a national assessment tool. The group is formed of practitioners from eight local authorities areas with mixed demographics of affluence and deprivation, and of specialist and locality based provision. The assessment framework will improve consistency of approach and practice which will benefit both practitioners and kinship carers.

The assessment framework group and guidance rewrite group are working together to ensure the framework that is developed is a companion piece to the guidance.

We are also in the process of scoping out how best to engage more widely with local partners and importantly people with lived experience, drawing on the networks in the Kinship Care Collaborative. As I briefly touched on earlier in this letter, Scottish Government officials have been engaged with practitioners in a variety of forums and have regular engagement with their colleagues here and in the UK government, where work of the Collaborative has been promoted. They have also undertaken engagement with kinship care groups and will continue this engagement as work on the guidance progresses to ensure the voice of kinship carers are accounted for in this important piece of work.

Both the guidance rewrite and new assessment framework will be supported by awareness raising and training.

3. In order to build confidence and ensure real progress is made it is vital that the work of the Kinship Care Collaborative is transparent and clearly communicated and that there are realistic timescales attached.

Update: The Collaborative has formed a communications working group which consists of Third Sector organisations as well as kinship carers. They are examining ways in which they can use existing networks to raise the profile of the Collaborative

and innovative ways to promote the guidance rewrite, and assessment framework, before and after publication.

The communications group requested that a page on the Scottish Government website is dedicated to the Kinship Care Collaborative, which would show the journey and outputs of the Collaborative. My officials have been working hard to deliver this and it is likely the page will go live in August.