

Education, Children, and Young People Committee

30th Meeting, 2023 (Session 6), Wednesday 22 November 2023

The Promise

Introduction

1. At its meeting on 28 June 2023, the Committee agreed to hold an evidence session on [The Promise Oversight Board's Report Two](#), published in June 2023, as part of its ongoing scrutiny of The Promise, and will consider the progress made towards achieving The Promise.
2. The Committee expects to continue to consider The Promise at future meetings throughout the year and intends to hear directly from young people on this issue.

Committee meeting

3. At its meeting today, the Committee will take evidence from two panels of witnesses and will explore the following issues—

Panel 1

- How the Promise is being embedded across all departments in Local Authorities
- Examples of good practice – in particular, where Chief Executive leadership has driven positive culture/practice change
- The pace of change and whether the current targets are achievable
- Key future priorities and timescales
- Levers for change – what role regulation and inspection can play in driving forward The Promise

Panel 2

- Examples of good practice – how is the Promise currently being embedded across Scotland?
- The pace of change and whether the current targets are achievable
- How the Promise fits within the context of wider reform (e.g. to the Children's Hearings System)
- How the current financial climate is impacting on work to fulfil The Promise
- Whether young people themselves feel that sufficient progress is being made.

4. The Committee will take evidence from–

Panel 1

- Jackie Irvine, Chief Executive, Care Inspectorate;
- Mike Burns, Assistant Chief Officer, Glasgow Health and Social Care Partnership and Convener and Chair of the National Chief Social Work Officer Committee, representing Social Work Scotland;
- Fraser McKinlay, Chief Executive, The Promise Scotland;

Panel 2

- Claire Burns, Director, CELCIS.
- Nicola Killean, Children and Young People’s Commissioner Scotland;
- Louise Hunter, Chief Executive Officer, Who Cares? Scotland;

Supporting information

5. A SPICe briefing paper is appended in **Annexe A**.
6. The Committee has received a written submission from The Promise Scotland which can be found in **Annexe B**. In addition, Who Cares? Scotland has drawn the attention of the Committee to its reports [The Lifelong Rights Report \(Oct 2023\)](#) and [The Paving The Way Report \(June 2022\)](#).

**Education, Children, and Young People Committee Clerks
17 November 2023**

Education, Children and Young People Committee

Wednesday 22 November 2023

The Promise

Introduction

The Committee will hear evidence from two panels of witnesses on progress toward reform of the care system for Scotland's children and young people.

'The promise' is the commitment made to children and young people in Scotland's care system to reform the system and address stigma and inequality of outcomes faced by care experienced people. The goal of 'the promise' is for all children and young people in Scotland to grow up loved, safe and respected.

The Promise Scotland was set up by Ministers as an independent organisation to oversee the changes recommended by the [2020 Independent Care Review](#). The Oversight Board was set up to hold Scotland to account and review progress annually.

The Promise Scotland's [Plan 21-24](#) sets out the initial steps of care reform up to 2024. The [Oversight Board's latest progress report](#) published in June 2023 concluded that delivering Plan 21-24 will be challenging due to "worsening circumstances for many and the current pace of change".

The report calls for "leadership and drive" from the Scottish Government, including setting out an investment plan to deliver change.

This briefing provides further detail on the Independent Care Review recommendations and progress toward achieving them. Related issues on areas such as social work workforce are also explored.

Background

The Independent Care Review

Moves to reform Scotland's care system for the most vulnerable children and young people began in the last session of Parliament. The Independent Care Review was commissioned in February 2017 by then-First Minister Nicola Sturgeon MSP. This followed [calls from Who Cares? Scotland for a 'root and branch review'](#) addressing stigma and inequality of outcomes faced by care experienced people.

People with experience of the care system represented half of the review group's co-chairs and working group members. During the lifetime of the review, the views of over 5,500 care experienced children and adults, as well as parents, carers, and the care workforce were listened to.

The review's findings were [published in February 2020](#), setting out steps Scotland can take to embed significant change to the care system. The main findings were set out in [The Promise](#), alongside the [Pinky Promise](#) for younger readers.

The Promise set out a vision for a Scotland where all children grow up loved, safe and respected. This vision is built on five foundations:

- **Voice:** Children must be listened to and involved in decisions about their care.
- **Family:** Children feel loved and safe in their families and families are given the support they need.
- **Care:** Children must not be separated from their brothers and sisters wherever possible. Legislation to help siblings in care stay together has [since come into force in July 2021](#).
- **People:** Care experienced children must be supported to develop relationships.
- **Scaffolding:** Children, families and the workforce must be supported by an accountable system that provides help and support when required.

Responding to the publication of the review report, the then-[First Minister said in a statement to the Scottish Parliament](#) on 5 February 2020:

"We will work with local authorities, care providers and all other relevant partners to make the necessary changes to care. We will deliver that change as quickly and as safely as possible - and starting now. And we will ensure that people with care experience remain at the heart of the process." – [Statement on Independent Care Review, 5/02/20](#)

Implementing the recommendations

Following publication of the recommendations, [The Promise Scotland](#) was set up by Ministers as an independent organisation to oversee change. Its goal is to enable Scotland to 'keep the promise' to care experienced children and young people by 2030. The Oversight Board was set up to hold Scotland to account and reviews progress annually.

The Promise Scotland does not hold statutory powers or responsibilities; its role is to oversee, drive and support change. It works with organisations and individuals all over Scotland to help others deliver change for care experienced children and young people.

[Plan 21-24](#) sets out the initial steps of care reform, identifying five priority areas. These are:

- **A good childhood:** By 2024, children in the care system have access to support, education, positive relationships, justice and advocacy and transition support when moving on from care. They will be protected from violence, with pain-free restraint used rarely and only to keep a child safe.
- **Whole family support:** By 2024, intensive family support will be embedded in the practice of all organisations supporting children. Accessing family support services will feel integrated to those using them and all families will have access to family therapies and support.
- **Supporting the workforce:** By 2024, there will be a national values-based recruitment and workforce development framework in place. Organisations working with care experienced people embed trauma-informed practice in their work. There will be no policies or guidance preventing young people and those who care for them maintaining relationships.
- **Building capacity:** Progress will be made towards making legislation around the care system coherent, cohesive and compliant with UNCRC. The Children's Hearings System will have gone through a redesign process. A new inspection and regulation framework will have been scoped and developed. There will be alignment in policies and frameworks across Scotland and the focus will be on implementation and alignment rather than inquiries and reviews. A cohesive central picture of data will inform decision making.
- **Planning:** By 2024, planning and investment should be nationally coordinated to ensure children and families get the services and support they need. Care standards should be consistent, there should be an end to cross-border placements of children in Scotland. Acute and crisis services should be phased out to promote early intervention and prevention. Organisations will be confident about information sharing.

In its submission to the Committee, The Promise Scotland states its role currently involves (but is not limited to) providing Secretariat to the Oversight Board; developing data to help measure progress; delivering and facilitating projects such as the Hearings System Working

Group (HSWG), considering governance changes around the care system; and scoping a national advocacy model for care experienced people and families.

The Scottish Government published its [Promise implementation plan](#) in March 2022. This sets out the Scottish Government's actions and commitments on care reform.

[Minister for Children, Young People and Keeping the Promise, Natalie Don MSP](#), currently has responsibility for overseeing progress on care reform.

Recent developments: Programme for Government 2023-24

In his [statement to Parliament on the 2023-24 Programme for Government](#) (PfG), First Minister Humza Yousaf MSP announced he would chair a Cabinet sub-committee on The Promise to enable cross-portfolio change.

In [response to a subsequent Parliamentary Question](#) asking for further detail on meetings and membership of the Cabinet sub-committee, the Scottish Government stated that the first meeting would take place when the membership and remit of the group were confirmed.

A Promise Bill is expected before the end of this Parliamentary session. This will include legislation relating to the redesign of the Children's Hearings System and any other legislative changes required to implement reforms. The Oversight Board's second report also called for the Bill to define 'care experienced' in statute.

Social work statistics

[Children's Social Work Statistics Scotland for 2021-22](#) were published in April this year. Information about types of care placement can be found in the [2022 SPICe briefing Scotland's Care System for Children and Young People](#). **Appendix A** to this briefing contains tables providing a further breakdown of these figures.

Data shows a downward trend in the number of looked after children.

- In 2012, there were 16,248 looked after children in Scotland in total. In 2022, there were 12,596 looked after children.
- In 2012, there were 14,815 children in community placements (including looked after at home, in foster or kinship care or with prospective adopters). In 2022, there were 11,312 children in such placements.
- In 2012, there were 1,433 children in residential accommodation (including secure accommodation, residential schools and crisis care). In 2022, there were 1,284 children in such placements.

All local authorities have a Child Protection Register. The [National Guidance on Child Protection 2021](#) sets out that this may be kept by one local authority alone or they may maintain a joint register with other local authorities. This has no legal status and is an

administrative system for alerting practitioners about concerns. All children with an inter-agency Child Protection Plan should be on the register.

The 2021 guidance states:

“A child may be placed on the register if there are reasonable grounds to believe or suspect that a child has suffered or will suffer significant harm from abuse or neglect, and that a Child Protection Plan is needed to protect and support the child.”

The 2021-22 statistics show the number of children on the Child Protection Register has fallen slightly from 2,698 in 2012 to 2,031 in 2022.

Some children on the child protection register will also be considered ‘looked after’ but this will not apply to all children on the register.

Themes for discussion

Progress so far

Actions toward achieving the vision set out in the Independent Care Review in the three years following its publication include:

- [Legislation to help siblings in care stay together](#) came into force in July 2021. This is set out in the Children (Scotland) Act 2020.
- The [2021-22 Programme for Government \(PfG\)](#) committed to a [Whole Family Wellbeing Fund](#) of £500m over Session 6 of Parliament. This is aimed at tackling issues faced by families before they need crisis intervention. The PfG also stated that from 2030, at least 5% of community-based health and social care spend will be focused on preventative measures. The overall intention of this preventative spend is to reduce the number of children being taken into care.
- The HSWG facilitated by The Promise Scotland [published its redesign report](#) in June this year. The Scottish Government is expected to respond to this by the end of the year.
- [The Children \(Care and Justice\) \(Scotland\) Bill](#) is currently making its way through Parliament. If passed, this will raise the age of referral to the Children’s Hearings System from 16 to 18 and end the placement of 16- and 17-year-olds in young offenders’ institutions.
- [The introduction of a Scottish Recommended Rate](#) of allowance for foster and kinship carers was announced in August this year. Local authorities are at various stages of implementing this.
- The Scottish Government has [launched a consultation on introducing a Care Leaver Payment](#). This is a proposed one-off payment of £2,000 for those leaving care.

However, the Oversight Board's latest progress report published in June 2023 concluded that delivering Plan 21-24 will be challenging:

“Sadly, due to the worsening circumstances for so many and the current pace of change, the Promise Oversight Board does not believe that delivering the original aims of Plan 21- 24 is realistic within its given timeframe.

“However, 2030 remains the date by which the promise must be kept and if everyone plays their part over the next seven years, this is still achievable.” – [Promise Oversight Board, Report Two, June 2023](#)

The report calls for “leadership and drive” from the Scottish Government and scrutiny bodies to put in place clear “principles, outcomes and milestones that will guarantee the promise”. It also states the Scottish Government should set out an investment plan to deliver the change.

The [Accounts Commission's Local Government in Scotland Overview 2023](#) concludes that “councils have never faced such a challenging situation”, with budget constraints and cost pressures putting councils under “severe” strain and affecting “performance across all service areas”.

The Accounts Commission report also highlights a [UK-wide SOLACE survey published in November 2022](#) which found 78% of responding Chief Executives and senior managers reported facing a large gap (50%) or very large gap (28%) in their budget for 2023-24.

Members were asked which service areas were in line for cuts, and 37% of respondents identified children's services. It is important to stress this survey was UK-wide and included respondents from other UK nations as well as Scotland.

In June 2022, Who Cares? Scotland (WCS) gathered feedback from 46 care experienced people on progress made toward the promise so far. Its [Paving the Way report presented the feedback](#), and included four key asks to the Scottish Government:

1. Provide immediate clarity on roles and responsibilities around keeping the promise.
2. Ensure care experienced adults are recognised and included in implementing the promise.
3. With local authorities and supported by WCS, engage directly with care experienced people across Scotland on promise implementation.
4. Answer questions raised by care experienced people taking part in the event. These included questions around the level of funding needed to deliver the promise, implementation of sibling legislation, extending the financial and non-financial support available, current limits and responsibilities around family contact, and how care experienced people will know when the promise has been kept. [The full list of questions can be viewed on page 25 of the report].

Priority areas identified by the Oversight Board

The Oversight Board's June 2023 report highlighted three priority areas: Education; Brothers and Sisters; and Homelessness. The report states these areas are highlighted because "green shoots of change are emerging" but further progress is needed.

Education

The report highlights there is a perception that The Promise is a social work role, and this has led to challenges with multi-agency working in some areas.

Data sharing and collaborative working must be encouraged and examples of good practice must be implemented at scale.

Schools must be supported on areas such as ending exclusion to ensure action taken is in the best interests of young people. Schools must also work alongside other agencies and carers to realise the promise.

Brothers and Sisters

The Children (Scotland) Act 2020 placed a duty on local authorities to "promote personal relations and direct contact" between looked after children and their siblings.

The Oversight Board report states many local authorities cannot provide data on the extent to which this is happening. It [highlights a 2022 study](#) analysing data from the Scottish Children's Reporter Administration (SCRA) which found that only one in five children looked after away from home, via children's hearings, were placed with their brothers and sisters.

Increasing the availability of foster care places is highlighted as "critical" to delivering commitments on siblings. But the Oversight Board report notes [Care Inspectorate data](#) finding the number of fostering households decreased, the number of foster carers approved has been decreasing since 2017 and the number of children coming into foster care "exceeds the number of new foster care households in 91% of local authority services".

However, the report also states:

"...it is heartening that the number of family groups separated in foster care (25%) has not worsened since 2017. Given overall decreasing capacity, family group separations could have increased. It is not possible to pinpoint why separations have stayed stable, but one possibility is that the increased attention and effort in keeping brothers and sisters together has helped prevent this situation from worsening, despite the unprecedented external pressures." - [Oversight Board Report 2, June 2023](#)

Examples of positive change are highlighted in the report. These include: the introduction of training on sibling legislation by local authorities, some local authorities providing scrutiny of arrangements resulting in siblings living apart, drives to increase availability of placements keeping sibling groups together, and support for those living apart to stay connected.

The need to collect robust data on siblings is highlighted, as is the need to ensure and be able to demonstrate that children have access to child advocacy service, as required by the Children (Scotland) Act 2020. The lack of progress on a national allowance for foster and kinship carers is also highlighted. However, the Scottish Government has since announced the introduction of the Scottish Recommended Allowance (SRA).

Who Cares? Scotland's (WCS) Scottish Government funded [Brothers and Sisters Participation Project](#) took place between July and December 2022. WCS worked with a group of 16 care experienced people between the ages of 6 and 27 through group work, 121s and case studies. The project found:

- Most participants did not initially know about their sibling rights but learnt more during the project.
- Young people spoke of not being able to see their siblings regularly, with some reporting having no contact for years. Others said there were long distances between them and their siblings. One described not being able to see their two youngest siblings for five months as being like 'losing their own children'.
- There was a feeling amongst young people that social work does not have the capacity to accommodate new changes on sibling contact.
- Some young people's only contact with their siblings was via social work supervised WhatsApp chats.

WCS concluded the promise was "still far away from being kept" on sibling relationships. The report suggests 'Golden Rules' for sibling rights, including:

- Work to ensure young people are aware of their rights and how to access advocacy.
- Social workers and those working with care experienced people having an ongoing responsibility to uphold rights.
- More ways to hold duty-bearers to account.
- Siblings living in the same placement wherever possible, and in the same local authority area where not possible to be placed together.
- Family time should be in person, fun, with a sense of normality, choice, privacy and enough time.

WCS wanted to the Scottish Government to provide feedback to young people on the points outlined above. Some of the young people involved in the project were also keen to meet the Minister for Children, Young People and Keeping the Promise.

Homelessness

The [Follow the Money report](#) published alongside the Independent Care Review Recommendations contained analysis which found care experienced people are almost

twice as likely as non-care experienced to experience homelessness, usually before the age of 30.

The Oversight Board report states that there is evidence that the number of young people in continuing care is increasing, as is the number of plans supporting young people into adulthood and independent living.

However, the report states concern at the Scottish Government's [decision to pause work on homelessness prevention for care leavers](#), young people and veterans. The Ending Homelessness Together 2022 report cites "capacity challenges" as the reason behind this decision.

The [2023 Ending Homelessness Together report states](#) that work to improve outcomes for women experiencing domestic abuse and support for people leaving prison is being prioritised. It also mentions that the Minister for Housing has convened a ministerial oversight group on homelessness and this involves consideration of preventing homelessness for a range of groups, including care experienced people.

The [latest Scottish Government figures show](#) homelessness has increased in each of the last three years. In 2022-23, there were 22,806 households with a household member aged under 25 assessed as homeless or threatened with homelessness. Of these, 1,067 contained a household member who had been looked after by their local authority as a child.¹

The number of households with a household member aged under 25 assessed as homeless increased by 10% between 2021-22 and 2022-23. The number of households with looked after children assessed as or threatened with homelessness also increased by 10%, in line with this.

In 2022-23, households with looked after children represented 5% of all households with a member aged under 25 as assessed or threatened with homelessness.

The Oversight Board report states that the Scottish Government's proposed homelessness prevention legislation must create opportunities for people in care to access support.

The report highlights areas where progress is being made, including on providing transition support to young people moving out of care and practical, emotional and mental wellbeing support for young people to develop skills to live independently. This includes work to improve process and services providing support for young people; trial flats to support independent living; practical support around setting up bank accounts, managing finances and accessing bursaries and education entitlements. Some areas are also involved in a national project aimed at helping young people leaving care develop a peer community and live together in a home that supports them.

¹ Homelessness in Scotland: 2022-23, [Main Tables, Table 23](#)

Early deaths

Early deaths of care experienced children and young people was a focus of the [Oversight Board's first report](#). It highlighted the [Care Inspectorate's 2020 report on the deaths of looked after children in Scotland 2012-18](#). This report found 61 children died in the care of local authorities before the age of 18. Information about the circumstances of their deaths was not collected and the Oversight Board's second report states updated data is not planned. However, a National Hub for Reviewing and Learning from the Deaths of Children and Young People has since been established. This hub is hosted by the Care Inspectorate in collaboration with Healthcare Improvement Scotland.

The Oversight Board report states progress on monitoring early deaths has not been possible due to factors including failure to include discussion of care experience in the [Scottish Government's suicide prevention strategy](#). The Board calls for information on early deaths to be collected by the National Hub.

Physical restraint

Physical restraint was another focus of the [Oversight Board's first report](#). The Board's second report raises concern around potential timescales for changes to guidance on restraint and seclusion in schools, stating "it will be 2025 before the guidance is statutory".

The Board report states that while there is a commitment to culture change across the residential sector, progress is mixed and there is no single agency responsible for data on use of restraint. However, the report also notes that the [Care Inspectorate now requires reporting of all incidents that fit a wider definition of restraint](#) within 48 hours of the event occurring.

A '[Rethinking restraint' collaborative](#) is also looking at reducing the use of restraint.

Planning and sequencing change

In its submission to the Committee, The Promise Scotland highlighted a need to ensure work to deliver change is well planned, and the workforce is supported:

"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 Promise Scotland submission to the Committee says it is "vital" that the Children (Care and Justice) (Scotland) Bill (CCJ Bill) and the Hearings System Working Group (HSWG) Redesign Report 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." – The Promise Scotland submission to Committee

The submission also states that work around redesigning secure care must also be linked to the progression of the Bill.

Giving evidence to this Committee on 25 October 2023 on the CCJ Bill, Social Work Scotland (SWS), Children's Hearings Scotland (CHS) and COSLA all highlighted the importance of sequencing change.

On 1 November 2023, the Minister for Children, Young People and Keeping the Promise, Natalie Don MSP, gave evidence to the Committee ahead of Stage 2 of the CCJ Bill. When asked about sequencing change in relation to the CCJ Bill and the HSWG recommendations, the Minister said she intended to keep the two separate:

"I do not want to go through those recommendations and pick and choose, and I know that that is not what stakeholders want either. I want to keep those things separate. I want to give the recommendations the attention and consideration that they deserve, and any final decision that the Government comes to on them will be put forward in a Promise bill or, if they do not require to be in statute, they will be put forward at a later date.

As I say, I am keen on keeping the bill and the working group's recommendations separate because they were not started in tandem." – [Official Report, 1/11/23](#)

Embedding system change

The Improvement Service (IS) published its 'Delivering The Promise in Local Government' report in February this year.

Information was gathered via a survey sent to Promise Leads in each local authority in October 2022. 29 local authorities replied. The report does not include a detailed breakdown of the findings it presents.

The report found evidence of local authority Chief Executives, Depute Chief Executives and other senior officers "taking active roles in leading Promise related groups and forums, and pushing for positive changes for children and their families".

Where leadership did take an active role, the report states this paved the way for more effective partnership working. Where there was a lack of evidence of leadership involvement with The Promise, this was linked to a lack of progress and/or information about progress. Highlighting The Promise to elected members was stressed as necessary by many local authorities.

The report identified work to realise the promise was not always being taken forward at whole-council level:

"The Promise (and the monitoring and evaluation of it) tends to sit within Children's Services and Social Work governance structures. While this is not surprising, nor necessarily problematic, Promise Leads have indicated there can be a perception that The Promise is a Children's Services or Social Work issue, therefore such arrangements could be reinforcing that view." – [Improvement Service report, February 2023](#)

In addition, monitoring of progress was often found to be driven by external bodies, funders and statutory requirements rather than the needs of children and their families. It found local government "could do more" to set out a proactive monitoring and evaluation plan.

Similarly, coordinated reporting requirements could help ensure continued focus on achieving the promise.

The research found an understanding of the need for partnership working and, in some cases, there was evidence of it being a “useful initiator of better partnership working”. Again, senior leadership was identified as an important part of this.

Funding streams with tight application timescales were identified as “unhelpful”, with some local authorities put off from applying due to the time and resources needed to apply for, implement and monitor funding.

25 local authorities had successfully applied for The Promise Partnership funding while four said they had not been successful.

On quantitative data, the survey highlighted there was dissatisfaction with data needed. Agreement on ‘what good looks like’ and the development of stretch targets was suggested, with The Promise Scotland’s data work feeding into this.

On qualitative data, the need to collect good data from people with lived experience was highlighted, with a call for best practice to be shared.

The report recognised Promise Leads were sharing learning and practice. It highlights work on recruitment and retention of foster carers could be supported nationally as an area for potential collaboration.

Four local authorities felt the expectations on them to keep The Promise were realistic, while 11 stated they were not sure.

The report concludes that there is a lot of activity related to keeping the promise, but some local authorities were further ahead than others:

“Indeed, within local authorities the awareness and level of priority of The Promise is variable and this includes directorates and services with a key role in supporting the delivery of The Promise. There is also a risk that some local authorities are using the language of The Promise while lacking evidence of activity and progress displayed by others.” - [Improvement Service report, February 2023](#)

Workforce recruitment and retention

The Promise Scotland’s submission to the Committee highlights the important role of the workforce in reforming the system:

“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.” – Promise Scotland submission

In recent months, the Committee has heard evidence highlighting difficulties in the recruitment and retention of social work staff.

Giving evidence on the Children (Care and Justice) (Scotland) Bill (CCJ Bill) on 25 October, Ben Farrugia of Social Work Scotland said that the recruitment of social workers was a considerable issue and retaining experienced staff a “critical challenge”.

He said current demands on social workers meant many were leaving the profession, and while conversations were underway, “there is not a systematic plan in place” to address recruitment and retention issues.

Ben Farrugia told the Committee:

“We want to realise these [CCJ Bill] provisions, we want to realise the changes to the Children’s Hearings System, we want to realise the promise. However, we want those things to be done with an honesty to the discussion about what the costs are, financially, and what we need in terms of people to deliver. We do sometimes feel that is absent. There is a sense that we can ‘legislate and guidance’ our ways to achieving these cultural, structural revolutions, and our position is that is just not possible.” - [Official Report, 25/10/23](#)

A [survey published by the Scottish Social Services Council](#) on 31 October this year found all local authorities bar one reported difficulty filling social work vacancies. Reasons given by local authorities for hard-to-fill vacancies included:

- Having too few applicants (18)
- Too few applicants with the required experience (15)
- Pay less competitive than other employers (10)
- Too few applicants with the required qualifications (10)
- Rurality/remoteness of post (8)
- Competition from other sectors (3)

The publication also stated:

“Some authorities discussed the effects that difficulties filling posts have had, including creating capacity issues due to exhaustion and burnout.” – [SSSC survey, October 2023](#)

Pressure on local authority social work was also highlighted in the [Care Inspectorate’s Secure Care Pathway Review](#), published in September this year, which identified “national recruitment and retention issues in the workforce”.

Giving evidence to the Committee on 1 November this year, Minister for Children, Young People and Keeping the Promise Natalie Don MSP was asked what the Scottish Government was doing to tackle recruitment and retention issues. She said that a workforce improvement plan was being developed and was due to be published in 2024, and a short-life working group had been set up to monitor workforce figures and trends.

Lynne Currie, Senior Researcher, Further and Higher Education; and Children’s social work, child protection and adoption, SPICe Research

16 November 2023

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The Scottish Parliament, Edinburgh, EH99 1SP www.parliament.scot

Appendix A: Children’s social work statistics

Table 1: Number and percentage of looked after children by placement type

Placement type	2012 Number	2012 %	2021 Number	2021 %	2022 Number	2022 %
In the community	14,815	91%	11,933	90%	11,312	90%
At home with parents	5,153	32%	2,853	22%	2,637	21%
Kinship Carers: friends/relatives	4,076	25%	4,410	33%	4,249	34%
Foster Carers provided by LA	3,946	24%	3,151	24%	2,871	23%
Foster Carers purchased by LA	1,333	8%	1,295	10%	1,284	10%
Prospective adopters	262	2%	140	1%	162	1%
In other community	45	0%	84	1%	109	1%
Residential accommodation						
Residential accommodation	1,433	9%	1,267	10%	1,284	10%
Local authority home	564	3%	516	4%	562	4%
Voluntary home	90	1%	94	1%	80	1%
Residential school	451	3%	319	2%	315	3%

Secure accommodation		95	1%	38	0%	48	0%
Crisis care		14	0%	0	0%	0	0%
In other residential [Note 3]		219	1%	300	2%	279	2%
Total		16,248	100%	13,200	100%	12,596	100%

Source: [Children's Social Work Statistics Scotland: 2021 to 2022](#), Publication Tables, Table 2.1

Table 2: Number of children on the Child Protection Register

	2012 Number	2012 %	2021 Number	2021 %	2022 Number	2022 %
Total	2,698	100%	2,119	100%	2,031	100%

Source: [Children's Social Work Statistics Scotland: 2021 to 2022](#), Publication Tables, Table 1.1

Annexe B

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.

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.