

Consultation on a proposal for a Children and Young People Bill



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

Please key F11 to move between fields

1. Name/Organisation

Organisation Name

National Parent Forum of Scotland

Title Mr Ms Mrs Miss Dr *Please tick box as appropriate*

Surname

Woolnough

Forename

Kristina

2. Postal Address

Postcode	Phone	Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes No

4. Background

In analysing your response, it would be helpful to know your background. Please indicate the area which best describes your involvement with children from the options below.

Please tick box as appropriate:

- | | |
|------------------------|-------------------------------------|
| Early Years | <input type="checkbox"/> |
| Education | <input type="checkbox"/> |
| Health | <input type="checkbox"/> |
| Justice | <input type="checkbox"/> |
| Parent/Carer | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Social Work | <input type="checkbox"/> |
| Sport and Leisure | <input type="checkbox"/> |
| Voluntary Organisation | <input checked="" type="checkbox"/> |
| Other | <input type="checkbox"/> |

The National Parent Forum of Scotland offers a parental perspective on local and national matters relating to children's wellbeing and education through its network of representatives in local authority areas and their local contacts through parent councils and local parent bodies.

CONSULTATION QUESTIONS

1. A SCOTLAND FOR EVERY CHILD

More effective rights for children and young people

1. Do you feel that the legislative proposals will provide for improved transparency and scrutiny of the steps being taken by Scottish Ministers and relevant public bodies to ensure the progressive realisation of children's rights?

Yes, although effective implementation is crucial.

2. On which public bodies should a duty to report on implementing children's rights be applied?

All public bodies and all partners, where contracting out/commissioning occurs.

3. Do you agree that the extension of the Children's Commissioner's role will result in more effective support for those children and young people who wish to address violations of their rights?

The most important thing is clarity for children and young people. How will they know whom to contact about what? We are unclear as to how the Commissioner's role will sit with other statutory bodies/professionals working with children. It could be very confusing (perhaps it already is) as to which reporting mechanisms exist for which rights/issues. Will the Commissioner be bound by the same reporting mechanisms as others? How will the role of the Commissioner and the post holder's identity be presented to children and young people? The Commissioner would need to occupy a strategic space and a role that fits clearly with existing similar reporting functions and roles eg social work, child protection. The main concern is that a different/revised function for the Commissioner doesn't confuse matters for children and young people.

A new focus on wellbeing

4. Do you agree with the definition of the wellbeing of a child - or young person - based on the SHANARRI Wellbeing Indicators, as set out in the consultation document?

Broadly yes, as long as they are based on children and young people's perceptions about wellbeing. However, we would hope for flexibility in the emergence of any other indicators which reflect the different and changing lives of children. We understand the principles but implementation and interpretation need to be of a consistently high and agreed standard across Scotland and respectful of individual circumstance.

5. Do you agree that a wider understanding of a child or young person's wellbeing should underpin our proposals?

Yes, as long as it isn't so wide that it could be interpreted 'loosely' and poorly.

Better service planning and delivery

6. Do you agree that a duty be placed on public bodies to work together to jointly design, plan and deliver their policies and services to ensure that they are focussed on improving children's wellbeing?

Yes, and on any contracted partners, not just public bodies.

7. Which bodies should be covered by the duties on joint design, planning and delivery of services for children and young people?

All public bodies and their partners.

8. How might such a duty relate to the broader Community Planning framework within which key service providers are expected to work together?

Improved reporting on outcomes

9. Do you agree that we should put in place reporting arrangements making a direct link for the public between local services and outcomes for children and young people?

Yes, but it needs to be meaningful and validated. For example, literacy is a clear area where improvements can and should be made by partners working effectively together. The reporting needs to be rigorous and clear, with no spin put on missed targets. We need honesty. There also needs to be greater visibility of, and better communication by, local service providers so there can be more accountability and more importantly, better relationships between the public and service providers for the benefit of children and young people.

10. Do you think that these reporting arrangements should be based on the SHANARRI Wellbeing Indicators as set out in this consultation paper?

More detail needs to be shared on this. How will these be measured? Will young people's perceptions be a key ingredient in reporting?

11. On what public bodies should the duty for reporting on outcomes be placed?

All public bodies and their partners.

2. A SCOTLAND FOR EACH CHILD

Improving access to high quality, flexible and integrated early learning childcare

12. Do you agree that the Scottish Government should increase the number of hours of funded early learning and childcare?

Yes, we believe that parents and carers will welcome this as a positive step towards accessible child care and early years education for all. But it needs to be high quality early learning and child care, with proper investment in the sector. Increased hours should not be at the expense of quality. Local authorities need to be carefully monitored in how they implement this – preferably by surveying parents and partners/providers well in advance of decision-making. Some capital investment will be required to extend premises for longer sessions/staff breaks; revenue investment will be required for additional staff hours.

13. Do you agree that the Scottish Government should increase the flexibility of delivery of early learning and childcare?

Yes. This needs to be responsive to parents/children's in the local context. Local authorities should be obliged to seek the views of parents BEFORE they roll out their provision/'offer'. Some authorities already have under-provision for 3 year old places. Parents will welcome flexibility but need to have proper dialogue with their local authorities as to what this might look like. Eg some parents might wish to use the extra hours in the holidays with holiday clubs or registered childminders; others may wish to concentrate it over a couple of days.

14. Do you think local authorities should all be required to offer the same range of options? What do you think those options should be?

See above – local authorities should ask parents what they need, then offer a range of options to meet those needs in different locations if they are not available locally. Longer sessions each day, weekend hours, holiday club hours, hours concentrated in fewer days might be some options. Every parent's needs might be different but across different early years centres/in schools, perhaps many of these preferences could be offered. Consultation with parents and effective planning are essential.

15. How do you think the issue of cross-boundary placements should be managed, including whether this might be through primary or secondary legislation or guidance?

Local authorities should hopefully be able to practise partnership working – the wellbeing of the child is the main objective!

16. Do you agree with the additional priority for 2 - year olds who are 'looked after'? What might need to be delivered differently to meet the needs of those children?

Yes, if that fits in with the carers' wishes. Consistency of staff, all year (not just term time) provision and effective partnership working are key. Provision needs to be local and inclusive.

The Named Person

17. Do you agree with the proposal to provide a point of contact for children, young people and families through a universal approach to the Named Person role?

Yes, but it needs to be an actual name, not just a job designation. Each family needs to be advised of that name, of contact details, and of changes/relief cover to that person. For example, if a headteacher is the Named Person and some family or social work or care issues arise over the school holidays, what happens then? If a health visitor is on holiday, what then? In some circumstances, continuity across transition is more important and a Named Person should perhaps have joint responsibility eg a child with ASL needs making the transition from primary to

secondary should perhaps have both the Primary and Secondary head teachers as Named People for a year; or else a health professional should take that role ie whoever is best placed to understand, anticipate and ensure needs are met. The role of a “trusted adult”, selected by the family, also needs to be recognised when relevant, as this is what many families want.

18. Are the responsibilities of the Named Person the right ones? Are there any additional responsibilities that should be placed on the Named Person?

Parents seek clarity and accountability. Transition between stages/Named People needs to be properly organised with overlaps eg with children with ASL needs.

19. Do you agree with the proposed allocation of responsibilities for ensuring that there is a Named Person for a child at different stages in their lives set out in the consultation paper?

Same answer as 17. ie

Yes, but it needs to be an actual name, not just a job designation. Each family needs to be advised of that name, of contact details, and of changes/relief cover to that person. For example, if a headteacher is the Named Person and some family or social work or care issues arise over the school holidays, what happens then? If a health visitor is on holiday, what then? In some circumstances, continuity across transition is more important and a Named Person should perhaps have joint responsibility eg a child with ASL needs making the transition from primary to secondary should perhaps have both the Primary and Secondary head teachers as Named People for a year; or else a health professional should take that role ie whoever is best placed to understand, anticipate and ensure needs are met.

20. Do you think that the arrangements for certain groups of school-aged children as set out in the consultation paper are the right ones? What, if any, other arrangements should be made? Have any groups been missed out?

Same answer as 17. ie

Yes, but it needs to be an actual name, not just a job designation. Each family needs to be advised of that name, of contact details, and of changes/relief cover to that person. For example, if a headteacher is the Named Person and some family or social work or care issues arise over the school holidays, what happens then? If

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The Child's Plan

21. Do you think a single planning approach as described in the consultation paper will help improve outcomes for children?

We are concerned that the Additional Support for Learning Act is sustained and maintained through whatever new legislation is adopted.
Broadly yes, but only if professionals work together and are held accountable for delivery of plans, not just construction of plans.

22. How do you think that children, young people and their families could be effectively involved in the development of the Child's Plan?

By involving them as equal partners from the outset – this is the Child's Plan, not the professionals' plan, so it is crucial that parents/families/children have a strong sense of ownership of the Plan and that all participants have an equal sense of responsibility for delivery. Reviews should be regular, open, transparent and then implemented. Again, honesty and trust are essential components of relationship-building around the Plan for all stakeholders.

Right to support for looked-after children

23. Do you agree that care-leavers should be able to request assistance from their local authority up to and including the age of 25 (instead of 21 as now)?

Yes. There is an argument that support for those with additional support needs should also be extended.

Corporate Parenting

24. Do you agree that it would be helpful to define Corporate Parenting, and to clarify the public bodies to which this definition applies? If not, why not?

Yes although it is as important to be clear about individual accountability and participation in corporate parenting. It should apply to all public bodies and partner care providers which are organisations – but named/known individuals need to be 'in situ' parents who implement the corporate parenting.

25. We believe that a definition of Corporate Parenting should refer to the collective responsibility of all public bodies to provide the best possible care and protection for looked-after children and to act in the same way as a birth parent would. Do you agree with this definition?

Same answer as 24. ie

Yes although it is as important to be clear about individual accountability and participation in corporate parenting. It should apply to all public bodies and partner care providers which are organisations – but named individuals need to be in situ parents who implement the corporate parenting.

Kinship care

26. Do you agree that a new order for kinship carers is a helpful additional option to provide children with a long-term, stable care environment without having to become looked after?

Yes.

27. Can you think of ways to enhance the order, or anything that might prevent it from working effectively?

Adoption and permanence

28. Do you agree that local authorities should be required to match adoptive children and families through Scotland's Adoption Register?

This is a very specialist area which we do not feel able to comment on.

Better foster care

29. Do you agree that fixing maximum limits for fostering placements would result in better care for children in foster care? Why?

This is a very specialist area which we do not feel able to comment on.

30. Do you agree foster carers should be required to attain minimum qualifications in care?

This is a very specialist area which we do not feel able to comment on.

31. Would a foster care register, as described, help improve the matching by a local authority (or foster agency)? Could it be used for other purposes to enhance foster care?

This is a very specialist area which we do not feel able to comment on.

32. Do you think minimum fostering allowances should be determined and set by the Scottish Government? What is the best way to determine what rate to pay foster carers for their role – for example, qualifications of the carer, the type of 'service' they provide, the age of child?

This is a very specialist area which we do not feel able to comment on.

Assessing Impact

33. In relation to the Equality Impact Assessment, please tell us about any potential impacts, either positive or negative; you feel the legislative proposals in this consultation document may have on any particular groups of people?

I was surprised to discover that children and young people are not currently covered by Equalities Impact Assessment when I went on Schools Placement Appeals training with my local authority. When budget cuts were made, again no measure of the impact of these on children was made.

34. In relation to the Equality Impact Assessment, please tell us what potential there may be within these legislative proposals to advance equality of opportunity between different groups and to foster good relations between different groups?

The Equalities Act held a lot of potential for ensuring that the requirements of children with additional support for learning needs were met. EIAs might contribute

to this and would raise awareness.

35. In relation to the Business and Regulatory Impact Assessment, please tell us about any potential economic or regulatory impacts, either positive or negative; you feel the legislative proposals in this consultation document may have, particularly on businesses?

Thank you for responding to this consultation.

Please ensure you return the respondent information form along with your response.

The closing date for this consultation is 25 September 2012. Please return to childrenslegislation@scotland.gsi.gov.uk

or

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