



Midlothian Council

Education & Children's Services:
Children & Families

Children's Champion Scheme
Procedures and Information



**ENGAGEMENT AND
PARTICIPATION**

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WELCOME & INTRODUCTIONS

The Children's Champion's scheme aims to make real the concept of corporate parenting on an authority wide basis as a foundation for improving outcomes for Looked After Children and Care Leavers.

The scheme gives senior officers in the Council the opportunity to understand and play a role in reducing the barriers to opportunities those children in care and those who have left care face in achieving their potential. In this way the Council as a whole will act as any good parent in striving for the best for their children.

The Council is committed to ensuring that all areas work together to ensure that the children and young people for whom it has legal responsibilities have the best opportunities to achieve their potential and the Children Champion's scheme will play an important part in this strategy.

Kenneth Lawrie
Chief Executive

Cllr Milligan
Leader of the Council

LEGISLATION, POLICY DOCUMENTS & THE LOCAL AND NATIONAL CONTEXT

In January 2007, the publication of *We Can and Must Do Better* set out a national policy framework for improving outcomes for all looked after children by challenging Local Authorities and partner agencies to meet their responsibilities to looked after children and care leavers by embracing the concept of corporate parenting.

Corporate Parenting is defined as follows:

The formal and local partnerships needed between all authority departments and services, and associated agencies, who are responsible for working together to meet the needs of looked after children and young people.

In 2008 the Scottish Government published, *These are Our Bairns*, guidance on being a good corporate parent for community planning partnerships. The guidance states that being a good corporate parent means we should:

- Accept responsibility for the councils looked after children and care leavers
- Make their needs a priority; *and*
- Seek for them the same outcomes any good parents would want for their own children

These aspirations are consistent with Midlothian Councils Corporate Parenting Strategy which was adopted in 2008.

What do Children and Young People need from the Corporate Parent?

Children and young people need the same from their corporate family as they need from their birth family - security, safety, positive regard, support and boundaries.

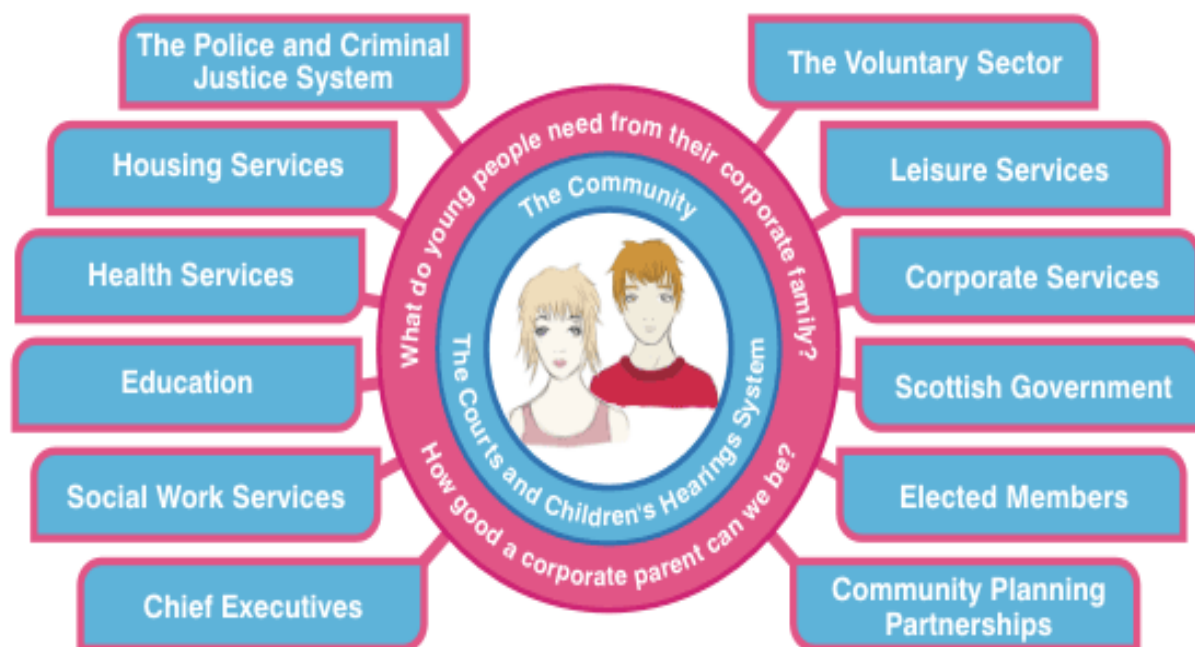
How those things are provided will be different when a child or young person is looked after or leaving care, but it is important that we do all that we can to make their lives as 'normal' as possible.

The recurring theme which emerges from consultation with children, young people and adults who have been in care in the past is the difference that one individual can make. Those individuals can come into contact with the young person in a variety of ways - a teacher, a residential care worker, a foster carer, a project worker, a friend's parent - but what matters is that they care, they take an interest in and believe in the young person and persevere through challenging times.

While the focus of the guidance in 'These Are Our Bairns' is very much on agencies and professionals working effectively together, and that must involve robust policies, procedures, record keeping and other activity which may seem bureaucratic but is essential, children and young people remind us that they are not files - they are real people!

The message is: 'Behave corporately, but think like a parent.'

Lots of organisations and individuals make up the corporate family and we all need to work together so the children and young people we look after get the best possible service:



Who are our looked after children and what is our duty to previously looked after children?

A looked after child or young person is looked after when he / she is:

- Subject to a Supervision requirement at home with relatives or friends
- Subject to a Supervision requirement away from home in accommodation such as foster care, residential school or secure accommodation.
- Accommodated by the council under Section 25 of the Children (Scotland) Act 1995 where the council has the duty to safeguard the child's welfare
- Subject to a Place of Safety Order, Child Protection Order or Permanence Order

Alongside this the council has a statutory responsibility under the Children (Scotland) Act 1995 to offer throughcare and aftercare support to some children who have been in care. Legal duties to provide support, including financial maintenance, continue until young people are 19 and the Council has powers to provide support to some young people until they reach 25 years of age.

On the next page there is a brief guide to the main parts of the **Children (Scotland) Act 1995** which governs many areas of a local authority's duties, powers and responsibilities in relation to looked after children and young people and care leavers:

Section	Provision
17	This section imposes a duty on local authorities towards children who are ' Looked After ' by them by ensuring that they safeguard and promote the child's welfare, promote contact with those who have parental responsibilities, whilst taking into account the views of the child. A further duty is the provision of advice and assistance with a view to preparing a child for when the child is no longer looked after - often referred to as 'throughcare'.
21	This section sets out details regarding co-operation between authorities and other bodies to help in the exercise of their functions.
22	This section imposes a duty on local authorities to provide a range of services to children who are 'in need'. Such services should be offered to safeguard and promote the welfare of the child and to prepare young people for when they are no longer looked after.
25	This section imposes a duty on local authorities to provide accommodation for children, if: <ul style="list-style-type: none"> no-one has parental responsibility for them <ul style="list-style-type: none"> they are lost or abandoned the person who has been caring for them is prevented from providing suitable accommodation/care.
29	This section (entitled Aftercare) sets out the main local authority responsibilities, both duties and powers, to young people who leave the ' Looked After ' system following their school leaving age. Section 29 was amended on 1 April 2004 by the Regulation of Care (Scotland) Act 2001.
30	This section sets out when local authorities may give financial assistance towards the education or training expenses of those who have ceased to be looked after following their school leaving age.
31	This section ensures that each child who is ' Looked After ' by the local authority has their case formally reviewed at regular intervals.
53	This section imposes a duty on local authorities to make initial inquiries, if information is received suggesting compulsory measures of supervision may be necessary for the child, i.e. a Children's Hearing report.
55	This provides a local authority with the power to apply to a Sheriff for a Child Assessment Order , where access to a child for the purposes of gathering information is denied.
56 (4)(b)	This section provides the Reporter with the power to refer any case to the local authority for advice, guidance and assistance to a child and/or their family. This is commonly referred to as ' Voluntary Supervision '.
57	This section allows a Sheriff to make a ' Child Protection Order ' where there are grounds to believe that a child is being ill-treated, neglected or will suffer harm. Whilst any person may apply for such an order, this is normally pursued by Social Work Services.

70	<p>This section covers the disposal of a 'supervision requirement' by a Children's Hearing, the two main sub-sections being:</p> <p>70 (1). The supervision requirement would, in most circumstances, stipulate that the child continues to reside in the family home. The child would be deemed to be 'Looked After at home' by the local authority, and</p> <p>70 (3). The supervision requirement would require the child to reside outwith their normal place of residence (i.e. place a condition of residence), e.g. a foster care placement, residential/children's unit, a residential school, a secure unit or a kinship placement. This child would be deemed to be 'Looked After away from home'.</p>
71	<p>This section imposes a duty on a local authority to give effect to the supervision requirement of a child decided by a Children's Hearing and to any conditions contained within the requirement.</p>
73	<p>This section ensures that 'no child shall continue to be subject to a supervision requirement for any period longer than is necessary in the interests of promoting or safeguarding his welfare'. Section 73(2) ensures that no requirement will remain in force for a period longer than one year without that requirement being reviewed by a Children's Hearing.</p>
86	<p>This section provides the power for the local authority to apply to the Sheriff Court, to transfer parental rights and responsibilities to the local authority</p>

Download this legal guide for your reference:

 [Word file: Brief guide to the Children \(Scotland\) Act 1995 \(57.5KB\)](#)

Source : Learn Teach Scotland Website

What is the current situation in Midlothian?

At any one time there are *approximately* 320 children who are looked after in Midlothian. Around 110 are on Home Supervision orders from the Children's Hearings, 90 are living in Foster Care, 90 are placed by the Hearing System with family or friends (*Kinship care*) and 30 are living in residential care. 30 Young people are in receipt of a service from the throughcare and aftercare team as is their entitlement under the Children (Scotland) Act 1995.

Source: Midlothian Council Social Work Division Performance Report May 2010

During 2009/10 4 children have been adopted and there are currently 44 children placed with prospective adopters or in permanent foster care as at 31/3/10. As of 31 March 2010, 33% of Looked After and Accommodated children were placed outside Midlothian. Of the children placed outside Midlothian 44% are with prospective adopters or in residential placements such as specialist schools.

Source: Chief Social Work Officers Annual Report 2010

These figures are in common with figures across Scotland which highlights the continuing trend of increasing numbers of children and young people being looked after. This also mirrors Midlothian's

Child Protection numbers which highlight the increasing number of families where neglect or harmful behaviour is having a significant impact on the well being of our children and is the main cause for accommodating children.

WHY MIGHT A LOOKED AFTER CHILD NEED A CHAMPION?

Looked after children and care leavers will have typically experienced loss, separation and family conflict and are more likely to have been exposed to neglect, abuse, rejection, drug or alcohol misuse and domestic violence. The result of this is a reduction in the opportunities available to them as children and young people which subsequently manifests itself into more substantial barriers to a successful adulthood.

Some stats on attainment, mental health, employment prospects etc.

Within this population there are also a number of children and young people who experience further disadvantage as a result of our systems not working as they should. As a result research from England has highlighted that senior council officers acting as an advocate or "champion" for looked after children can use their influence across the council to facilitate attempts to lift or remove the barriers to progress for these children or young people.

WHY MIGHT A SOCIAL WORKER NEED A CHAMPION FOR THEIR LOOKED AFTER CHILD?

Looked after children and care leavers are subject to a comprehensive legal framework that is designed to ensure their needs are identified and met and that subsequent decisions are taken in the child or young person's best interests. Social Workers are key personnel in respect of their legal obligations to oversee this work through formal processes such as Children's Hearings and the Looked After System.

Social Work by its very nature is a complex activity that requires Social Workers to advocate on the child's behalf frequently in order to secure the necessary resources that will ensure the progression of the child's care plan. It is sometimes the case that Social Workers will experience a lack of progress in requests or applications to other council departments or external agencies and as such the exertion of professional authority can become fraught with tensions. These tensions can include but are not restricted to:

- Needs led care planning v Resource led care planning
- Care v Control
- Children's Rights v Parent's Rights

In these circumstances the Social Worker would attempt to find a path through the tensions that facilitated the best outcomes for the child or young person but in some cases this is not possible as decisions made are not always universally accepted. At such times when progress is more difficult a Social Worker would find a referral for a Children's Champion as another avenue to explore in progressing the care plan for the young person in a positive way that seeks to cut through organisational issues that are otherwise preventing progress.

WHAT THE LOOKED AFTER CHILD EXPECTS OF THEIR CHAMPION...

As previously mentioned Looked after children and care leavers will have typically experienced a number of significant issues that have impacted on their ability to remain at home. Within the system they are now referred to the Champion because structural issues are compounding this problem.

In order to overcome these barriers the looked after child or care leaver needs their champion to do a number of things for them:

- To track how they are doing by asking the questions any good parent would
- Assure themselves that the appropriate nature and level of provision is in place and establish whether any additional provision may be needed to achieve the best possible outcome for the child
- Maintain confidentiality : Securely hold information within the council

In order to support you in this task you can expect the child's Social Worker to provide you with:

- Up to date information about the child or young person that will identify barriers they are facing in the progression of their care plan
- Outcomes of actions taken by the children's champion and to record these on the child's electronic record
- 3 Monthly meetings to update each other on progress

In order to support you in this task you can expect the designated teacher to provide you with:

- Bi monthly written reports on the child or young persons educational progress and any barriers to such

If you can do these things successfully you will have contributed to the potential outcomes for the looked after child or care leaver to include:

- Becoming a more effective lifelong learner
- Developing into a successful and responsible adult
- Being emotionally, mentally and physically healthy
- Feeling safe and nurtured in a home setting

WHAT HAPPENS WHEN A LOOKED AFTER CHILD IS
REFERRED FOR A CHAMPION?



You will note that there is no direct contact between the
Child / Young Person and their Champion

**KEY CONTACTS AND SUPPORT AVAILABLE TO YOU TO ASSIST
YOU IN MEETING YOUR OBLIGATIONS AS A LOOKED AFTER CHILDS CHAMPION**

NAME	JOB & LOCATION	CONTACT
Andrew Gillies	Resources Manager, Fairfield House	0131 271 3681
Christine Schaffer	Service Manager, West Fairfield House	christine.schaffer@midlothian.gov.uk 0131 271 3606
Mary Smith	Service Manager, East Dalkeith SWC	Mary.smith@midlothian.gov.uk 0131 271 3825

Looked after children have a specific set of needs that are different to the wider population of children and young people. In order to assist you in understanding these needs the following people should be considered as your first point of contact in providing insight into the needs of Looked After Children in their area of Service Delivery:

- Social Work Practice : Christine Schaffer or Mary Smith as above
- Foster Care : Edith Spencer, Team Leader, Family Placement Team, Dalkeith SWC, 271 3809
- Through Care & After Care : Elaine Fyfe, Team Leader, Through Care & After Care, Dalkeith SWC 271 3801
- Education : John Thomson, Manager, Education for All, Fairfield House, 271 3598
- Community Learning & Development : Anne McConaghy, Education Officer CLD, Fairfield House, 271 3708
- Housing : Housing Team, Buccleuch House, 271 3394

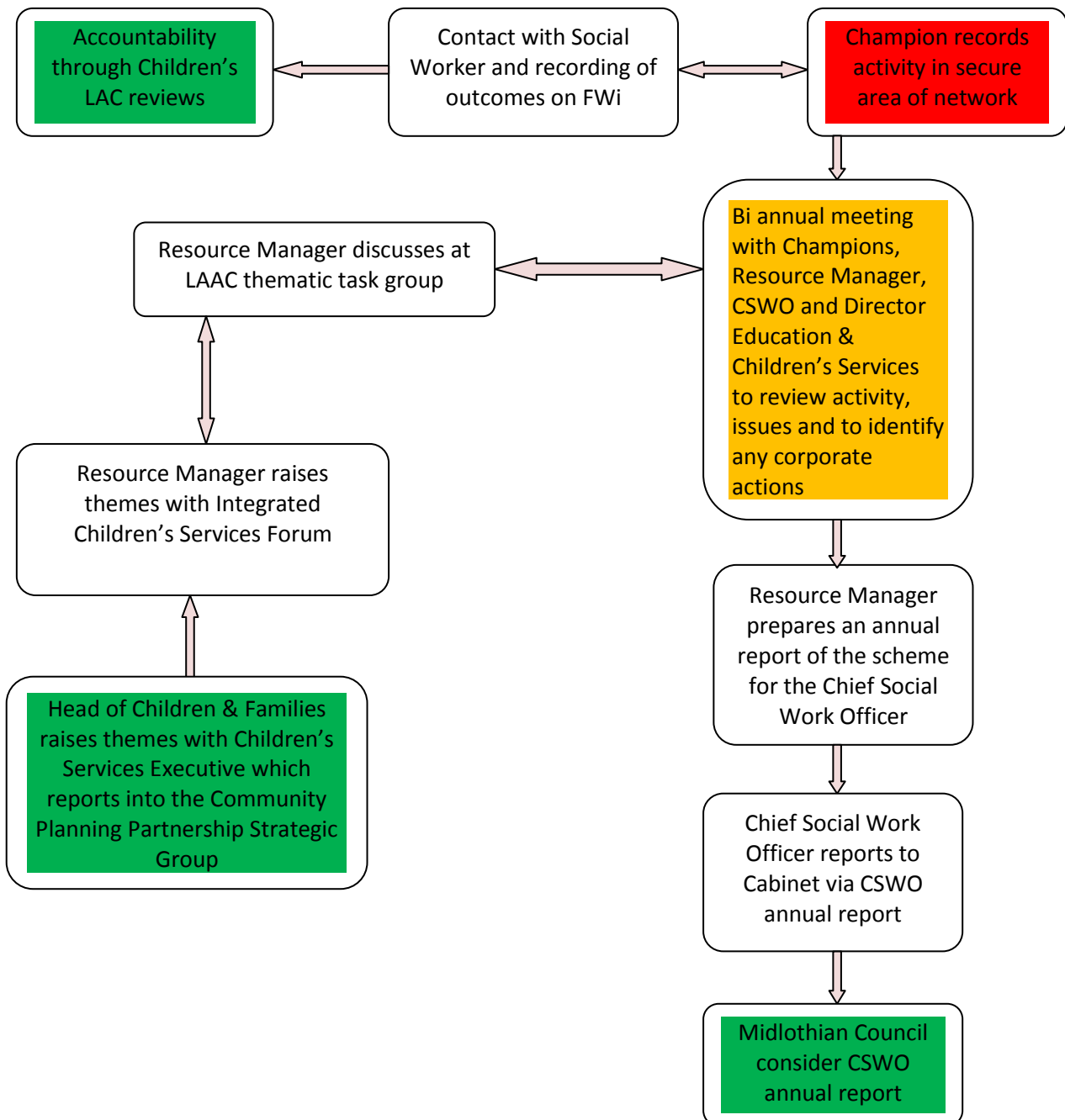
RECORDING ACTIVITY

You will find a recording sheet for you to complete for actions you take in the folder **P:\Other\Childrens Champions**. Within this folder you will have a personal folder to store information. Access is limited to the post holder and the following who have Governance responsibilities: Children and Families Resources Manager, Director Education and Children's Services and the Chief Social Work Officer.

GOVERNANCE

An important theme of the governance of the Children's Champion Scheme is of the accountability of individuals. Governance arrangements are designed to reduce or eliminate the barriers experienced by looked after children or care leavers thus improving outcomes whilst also improving organisational performance as a result of more efficient operations from the lowering of barriers and reduction in staff time spent in pursuing solutions to these problems.

Governance arrangements for the scrutiny and accountability of the Children's Champion Scheme are arranged to ensure transparency and effective reporting of issues. The process map below shows the governance framework for the scheme:



FURTHER READING & RESEARCH

<i>We Can & Must Do Better</i>	Scottish Executive	Edinburgh	2007
<i>These Are Our Bairns</i>	Scottish Government	Edinburgh	2008
<i>Children (Scotland) Act 1995</i>			

Useful key texts for reading :

Erikson, Erik H. <i>Childhood and Society</i>	New York:	Norton,	1950
Fahlberg, Vera <i>Child Development</i>	London:	BAAF,	1982
Fahlberg, Vera <i>A Childs Journey Through Placement</i>	London:	BAAF,	1994

Useful Websites :

<http://www.york.ac.uk/inst/spru/research/bysub/fostering.html>

York University research on fostering

<http://www.baaf.org.uk>

Home page of the British Association for Adoption and Fostering. The leading UK charity working for children separated from their birth families.

<http://www.scie.org.uk/children/publications.asp>

Social Care Institute for Excellence research papers

<http://www.carecommission.org.uk>

Home page for the care commission

<http://www.ltscotland.org.uk/lookedafterchildren/index.asp>

Learn Teach Scotland home page for looked after children

<http://www.whocaresscotland.org/publications.htm>

Who Cares? Work with and for children and young people in care. Website and publications

<http://www.sccyp.org.uk>

Scotland's Commissioner for Children and Young People

<http://www.scottishthroughcare.org.uk/index.php>

The Scottish Throughcare & Aftercare Forum aims to improve support for young people leaving care by influencing the development of national policies and local support services.

CURRENT CHILDREN'S CHAMPIONS

NAME	JOB & LOCATION	CONTACT
Kenneth Lawrie	Chief Executive, Midlothian House	271 3002 kenneth.lawrie@midlothian.gov.uk
Donald Mackay	Director : Education & Children's Services, Fairfield House	271 3718 donald.mackay@midlothian.gov.uk
John Blair	Director : Corporate Resources, Dundas Buildings	561 5299 john.blair@midlothian.gov.uk
John Scott	Head Children's Services Fairfield House	271 3601 John.scott@midlothian.gov.uk
Eibhlin McHugh	Head of Communities Care Fairfield House	271 3416 eibhlin.mchugh@midlothian.gov.uk
Forbes Mitchell	Head of Transformation Fairfield House	271 3402 forbes.mitchell@midlothian.gov.uk
Gary Fairley	Head of Finance and Human Resources Midlothian House	271 3110 gary.fairley@midlothian.gov.uk
Hillary Kelly	Head of Customer Services Buccleuch House	271 3615 hillary.kelly@midlothian.gov.uk
Ian Johnson	Head of Planning and Development Fairfield House	271 3460 ian.johnson@midlothian.gov.uk
Ogo Onwuchekwa	Head of Communities and Support Fairfield House	271 3721 Ogo.onwuchekwa@midlothian.gov.uk

Ricky Moffat	Head of Commercial Operations Dundas Buildings	561 5306 ricky.moffat@midlothian.gov.uk
Garry Sheret	Head of Property & Facilities Dundas Buildings	561 5249 garry.sheret@midlothian.gov.uk
Kevin Anderson	Head of Housing and Community Safety Midlothian House	271 3225 kevin.anderson@midlothian.gov.uk
Colin Taylor	Head of Education Fairfield House	271 3719 colin.taylor@midlothian.gov.uk

With thanks to:

*Colleagues in Perth & Kinross Council
Learn Teach Scotland Website*