

Consultation response

Draft Children's Services (Scotland) Bill

From the Shelter policy library

March 2007

www.shelter.org.uk

© 2007 Shelter. All rights reserved. This document is only for your personal, non-commercial use. You may not copy, reproduce, republish, post, distribute, transmit or modify it in any way.

This document contains information and policies that were correct at the time of publication.

Shelter

Draft Children's Services (Scotland) Bill

Introduction

Shelter welcomes the publication of the draft Children's Services Bill. From our experience of working with families and children experiencing bad housing and homelessness it is a very necessary piece of legislation. Housing is fundamental to every part of a child's development. Children need a home to feel safe, keep warm and stay healthy: bad housing and homelessness can have a devastating impact in the short term and have long term consequences for their personal, social and educational development.

We welcome the focus on children being at the centre of services designed to help them, and we would like to see this new focus incorporate the housing needs of children and families as a priority.

As well as our network of advice centres across Scotland, Shelter runs 3 families projects in Edinburgh, Glasgow and South Lanarkshire, and a similar service in Dumfries. The Families Projects offer practical help and support for families moving from temporary to permanent accommodation. This can range from negotiating with the local council on the family's behalf to helping furnish and decorate the new home. We also provide support to help families regain their self-confidence and look at the reasons for past tenancy breakdowns, helping identify the steps that need to be taken to maintain a new tenancy, and so preventing recurrence of homelessness. The aim throughout the work is to help the family resettle in their new community and equip them with the skills and confidence necessary to maintain a tenancy. Unique to the Families Project are our Child Support Workers, who operate in conjunction with the project workers to help children cope with the distressing effects that homelessness has on their self-esteem, schooling and relationships with friends and family.

We would like to highlight some concerns about the operation of the proposed legislation from our experience of working with families and children through housing support services:

Are housing services getting it right for every child?

Some local authorities are in the process of developing their own support plans for working with homeless families that are not taking into account the proposals made by *Getting it Right for Every Child*¹. In our experience, housing and homelessness departments generally work outside of the system of services focused on the needs of

¹ <http://www.scotland.gov.uk/Topics/People/Young-People/childrenservices/girfec/Q/editmode/on/forceupdate/on>

children, and the draft bill and accompanying guidance does not sufficiently emphasise housing and homelessness as a key area for inclusion in the new approach. Point 4 of paragraph 2.15 of the consultation document² states that staff should be alert to the needs of children even if it falls outside their immediate area of expertise. This will be hard to achieve in many local authorities without greater integration and collaboration between housing and homelessness departments and other areas of support services. The consequence of overlooking the gap that exists between these local authority departments would be an incomplete service for families and children where bad housing and homelessness are key features of their complex needs.

Collaboration over risk assessments

Shelter would like to see better collaboration in making risk assessments between agencies involved in supporting families and children. How risks are assessed by different agencies and where the threshold for risk is judged to be may vary quite considerably. For example, when families who find themselves homeless or at risk of homelessness present themselves to the council they are dealt with by a housing support or homelessness officer who would then make an assessment of need and a risk assessment. From experience across our housing advice network, these judgements may vary quite considerably and there is no guarantee that homelessness workers have experience in child protection and risk assessment. In addition, research published by the Executive by Ann Rosengard Associates in 2006 entitled *Intentionally Homeless Households in Scotland – Accommodation and Support Needs*³ found that in most cases the researchers investigated there had been no support needs assessment carried out for the applicant. This is despite Scottish Executive Guidance on single shared assessments being extended to all community care groups including homeless people in 2004. We would suggest that better guidance is needed for homelessness officers in undertaking risk assessments and support needs assessments and that there should be a minimum training to make a fuller and safer assessment of need, consistent with the single shared assessment process.

Funding and bureaucracy

It is vital that funding arrangements be reformed to reflect the new collaborative approach set out by *Getting it Right for Every Child*. At present, Supporting People funding pays for the greater part of most Housing Support Services, including those provided by Shelter. Yet Supporting People only funds work with adults, not with children or young people. This does not facilitate the rounded approach that *Getting it Right for Every Child* is trying to achieve. In addition, the requirement for teams funded by Supporting People money to

² <http://www.scotland.gov.uk/Publications/2006/12/18140606/11>

³ <http://www.scotland.gov.uk/Publications/2006/09/19111326/15>

have to account and report back for the time spent delivering support to service users has made delivery of services more bureaucratic. This runs counter to the aim outlined at paragraph 2.15 of the consultation document⁴ that staff should have more time to spend on activities that will improve outcomes and less in administrative duties. If *Getting it Right for Every Child* is to be effective, then funding of services needs to be modified to tie in with the objectives outlined in the consultation document.

Sustainability of funding

Substantial and hard hitting cuts to funding streams such as Supporting People and Changing Children's Services Fund create an uncertain future for the provision of services to children and families. An integrated support system for children cannot be implemented if there are considerable gaps in both specialist and generic service provision. This is particularly relevant to voluntary sector services, which need to be able to plan for sustainability. The impact of uncertain funding arrangements may have a knock-on effect on service user engagement. Our experience at Shelter Housing Support Services is that we have excellent levels of 'buy-in', due in no small part to our being a voluntary sector service provider.

A voluntary lead person?

We have some concerns about the application of the proposed legislation to appoint a lead professional to co-ordinate action among agencies. While we support this in principle, it is unclear how this proposal would work in practice. Some further guidance is required on the role of the lead person that would cover whether they would be advisory, a co-ordinator, responsible for the delivery of services, or all three? We would like to see some further clarification of the role of a voluntary sector service provider as a relevant agency under the legislation, and whether and how a voluntary organisation could provide a lead professional role. We would have some reservations about this proposal until we could explore further how this person would be identified or nominated, and then empowered to make decisions including decisions about resources. One approach might be to use mechanisms such as Family Group Conferencing, but this would require considerable cooperation from all agencies. We would also like to question how much choice the family/child would have in who the lead person that they would like to work with should be?

We also have some concerns about maintaining the voluntary nature of children and families committing to a support service or support plan. In our experience people engage best with services when they come to them voluntarily rather than as a requirement of another agency.

⁴ <http://www.scotland.gov.uk/Publications/2006/12/18140606/11>

The Reporter as a catalyst for action

Finally, we would like to make some observations about our experience of the role of the Children's Reporter. We frequently find that although we may inform social work departments over a period of time of our concerns about the welfare of children within a family we are supporting, often no action is taken until we resort to informing the Reporter. Informally we know that social work departments support this approach as giving them a 'mandate to take action'. The inaction we have experienced from social workers unless the Reporter is involved could be avoided and guidance should establish that all referrals to social work should be followed up whether the Reporter is involved or not.

Shelter's role in promoting good practice

We are pleased to see proposals set out in the consultation that focus on practice change. Shelter's experience of dealing with children and families is grounded in practice. We would welcome an opportunity to contribute to the steering group or working group as mentioned in paragraph 2.24⁵. We could offer both our general experience and contribute specific practice tools such as the therapeutic approaches to supporting homeless families that our Child Support workers use.

⁵ <http://www.scotland.gov.uk/Publications/2006/12/18140606/11>