

Consultation on a Child Poverty Bill for Scotland

Who Cares? Scotland

September 2016



Who Cares? Scotland [WC?S] is an independent advocacy and campaigning organisation working with care experienced people. We provide direct advocacy to care experienced young people, as well as opportunities for national and local participation. WC?S aims to provide looked-after young people in Scotland with knowledge of their rights. We strive to empower them to positively participate in the formal structures they are often subject to solely as a result of their care experience. At WC?S we utilise the voice of the care experienced population of Scotland to inform everything we do as an organisation.

Care Experienced Children and Young People and Poverty

Poverty is a common experience for many care experienced individuals. This experience is dependent on a number of factors such as the point at which the child was taken into care, their type of care placement and when and with what support they began their transition out of care to independent living.

Pre Care

Research shows us that there is a strong correlation between a child's experience of poverty and becoming looked after.¹ Families living in poverty are more likely than affluent families to be facing a range of issues as well as material deprivation. Living in poverty can exacerbate existing problems within a family unit and can also create new ones. We know that parents living in poverty are more likely to face mental health issues, lack of access to jobs and services, substance and alcohol addiction and serious relationship problems.² Since 2000 the number of looked after children in Scotland has increased by 36%, a recent Audit Scotland report revealed that many councils believe this rise to be partly due to increased alcohol and drug use by parents.³ We know that absolute poverty numbers have dropped over the last 20 years, so while the increase in the number of looked after children cannot solely be attributed to poverty levels we can suggest that the rippling effects of living in or near poverty is a factor.

The majority of children and young people become looked after following abuse and neglect.⁴ The wellbeing needs of these children and young people were clearly not being met. In our 'Interpreting the Children and Young People Act 2014' report one young person described wellbeing as,

"Food in your belly, roof over your head, bed to sleep and to not be abused in any way."⁵

¹ For a review of the relevant literature, see Griggs, J and R, Walker (2008), 'The costs of child poverty for individuals and society', Joseph Rowntree Foundation.

² Katz, I., Corlyon, J., La Placa, V., and Hunter, S., 2007. The relationship between parenting and poverty. [online] <<https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/parenting-poverty.pdf>>

³ Audit Scotland, 2016. Social Work in Scotland. [online] <<http://www.audit-scotland.gov.uk/report/social-work-in-scotland>>

⁴ Scottish Government, 2016. Children's Social Work Statistics Scotland 2014/15.

⁵ WC?S, 2015. 'Interpreting the 2014 Act; CEYP's views'. [online] <<https://www.whocarescotland.org/publications>>

Young people who have experienced poverty, abuse or neglect can simplify needs and struggle to look beyond day to day requirements. This may mean that without the adequate support and love needed they fail to thrive even when removed from harmful situations. Attachment and trauma learnings show us that infants and young children with high self-esteem, who feel loved, rooted in a community and safe are more willing to try new things, explore, make mistakes and therefore learn.⁶ The feeling of support in the early years influences what the child expects from the world around them as they grow older.

Research shows that early years spent living in poverty can have mammoth effects on the child's development and propensity to learn. A study completed over fifty years revealed that children of lower socioeconomic status often have language and vocabulary scores that are more than two years behind those of their higher socioeconomic contemporaries.⁷ This early disadvantage is difficult to overcome and these disparities are often predictive of later academic success or failure.⁸ For Scotland to close the attainment gap, reduce inequality and thrive as a whole nation it is clear that investment in our poorest families and children is not only morally right but a sound economic investment. Copious amounts of studies have proved that such programmes result not only in economic gains for the children as they grow up, but sizable savings to the public purse over the child's lifetime.⁹ For example, the Perry Preschool programme in the US yielded more than \$8 for every \$1 invested; the graduates of the preschool programme were found to be less likely to need special education, were arrested fewer times were healthier and as adults paid higher taxation rates.

During Care

Most young people living in residential or foster care tell us that when they become looked after they generally feel that their material needs are met. However, for children looked after in kinship care or at home this is not always the case. It is important to note that children and young people are increasingly being looked after in such placements.¹⁰ For young people living in kinship care the distinction between a formal and an informal care arrangement is crucial to their experience of poverty. Those living in informal kinship care are not entitled to financial support from their local authority, despite the fact that kinship carers are often retired or forced to give up working and frequently living in overcrowded housing. As a result, many kinship carers and the young people they care for experience financial difficulty.

Children and young people in the care system often have turbulent lives, being moved from one placement to the next, often with little notice given. Many children experience multiple moves, for example in 2012, 68% of children had at least three moves.¹¹ Some children and young people spend long periods of time in one placement before being moved to permanent carers or adoptive homes, which can have a detrimental impact on the development of attachment and the child's experience of trauma and loss. In our 'Having and Keeping a Home' inquiry one young person spoke about care placements as though "**you are playing a game**" and as though he was a "**passing guest**" in a stranger's house. Another young person spoke about "**keeping a bed warm for the next person to come in**".¹² This concept of never truly feeling wanted is one that young people leaving care frequently feel, which diminishes their self-worth and their perception of what a nurturing home should look like.

⁶ Furnival, J (2011) Attachment-informed practice with looked after children and young people, IRISS Insights, 10, IRISS: Glasgow

⁷ Fernald, A., Marchman, A., Weisleder, A., 2013. 'SES differences in language processing skill and vocabulary are evident at 18 months'. *Developmental Science*, [online] <<http://onlinelibrary.wiley.com/doi/10.1111/desc.12019/pdf>>

⁸ Lee, V., Burkam, D., 2002. *Inequality at the starting gate: social background differences in achievement as children begin school*. Washington DC: Economic Policy Institute.

⁹ For a review of the relevant literature, see National Conference of State Legislatures. 'New Research, Early Education as Economic Investment' [online] <<http://www.ncsl.org/research/human-services/new-research-early-education-as-economic-investme.aspx>>

¹⁰ Scottish Government. 2010. Tackling Child Poverty in Scotland: A Discussion Paper. Edinburgh.

¹¹ SCRA. 2012. Children on Supervision Requirements for Five or More Years: Decisions and Outcomes.

¹² WC?S, 2014. 'Having and Keeping a Home' [online] <<https://www.whocarescotland.org/publications>>

It is common for children and young people to move placement without understanding the reasons for the move, and to feel that they have not been given the opportunity to express their opinions. This can cause intense feelings of anxiety, fear and instability. Many young people also struggle with developing their sense of identity, this is often due to a lack of feeling part of a community and therefore feeling isolated. We know that many young people are moved away from low Scottish Index of Multiple Deprivation [SIMD] areas to high ones, and thereafter back and forward between the two. In a society where class still has a significant foothold and divides communities this is an issue that care experienced children and young people feel harder than most.

After Care

Care experienced children and young people living in residential care environments may have their material needs met, however, it is the lack of preparation during this time which leads many to quickly experience poverty once they have left care. One young person told us,

“They don’t prepare you for living by yourself, which makes you feel down about yourself as you don’t get the preparation before you leave. When you are in care you do get a lot of privileges, which you don’t get once you are by yourself...You aren’t shown how to budget your money, which means when you leave care you don’t have these life skills.”

Lack of life skill development and opportunities to engage meaningfully in education or training means that many young people feel ill-equipped to deal with life after care. Some young people feel that they are effectively set up to fail. We know that the average age for a young person to leave the family home is rising, it currently stands at 25 years, while in comparison most care experienced young people transition to independent living at the age of 16.¹³ The Scottish Government has indeed legislated in an attempt to make it easier for young people to remain in care for longer and for transitions out of care to be more graduated.¹⁴ However, despite this, a large proportion of Scotland’s care leavers are leaving care at a young age and facing poverty.

We know that experiences growing up can lead many care experienced young people living in poverty as young adults. Research identifies the transitional time between care and independent living as being the most difficult for young people, due to their experiences of significant levels of trauma and rejection¹⁵. This experience often goes on for years and all whilst they are battling to access employment, sustain a home and put down roots. Throughout their early adulthood, many are unable to think about their futures such as what skills to learn, what job to do and how to look after their health. Long term, this leaves them as one group of young people most likely to begin and end their lives in poverty.

Outcomes for care experienced young people are among the worst of any group in Scotland. Many of these outcomes are intrinsically linked to experience of poverty before and after care. Government statistics reveal that:

- Only 4% of care experienced young people went straight on to higher education, compared to 39% of their peers.¹⁶

¹³ Hill, Duncalf & McGhee (CELCIS 2013) Still Caring: Leaving Care in Scotland.

¹⁴ For an overview see, Scottish Government, 2013. ‘Staying Put in Scotland’. [online] <<http://www.gov.scot/Publications/2013/10/7452/4>>

¹⁵ Scottish Government, 2013. “Staying Put Scotland: Providing care leavers with connectedness and belonging”, Edinburgh.

¹⁶ Scottish Government, 2016. Education Outcomes for Looked After Children 2014/15. [online] <<http://www.gov.scot/Publications/2016/06/7455>>

- Nearly half of care experienced young people have a diagnosable mental disorder¹⁷
- Nearly a third of adult prisoners self-reported being in care as a child.¹⁹
- Chance of becoming homeless for care experienced young people is disproportionately high.²⁰

Do you agree with the Scottish Government including in statute an ambition to eradicate child poverty?

Yes. Who Cares? Scotland (WC?S) agrees that the Scottish Government is right to include in statute an ambition to eradicate child poverty. We welcome the Scottish Government's dedication to reducing societal inequalities and their aim to make Scotland the best place in the world to grow up.

The Scottish Government is right to lead the way in Scotland and signal to others that child poverty is a priority area. There are high poverty rates in Scotland; it is estimated that one in five children are living in poverty, when measured after housing costs, and these rates are set to increase in the next few years.²¹ Given these high rates of child poverty we believe that the link between children's rights and poverty needs to be highlighted.

Child poverty is an infringement on any child's basic human rights;

Article 26 of the United Nations Convention on the Rights of the Child (UNCRC) protects the right to social security and the principle of non-discrimination.

Article 27 of the UNCRC protects the right of every child to a standard of living that is good enough to meet their physical and mental needs.

Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) everyone has the right to an adequate standard of living.

WC?S welcomed the duties in relation to the UNCRC included in Part 1 of the Children and Young People (Scotland) Act 2014 and we believe including in statute an ambition to eradicate child poverty is firmly in line with these duties as they apply to the Scottish Ministers.

WC?S believes that this bill needs to be closely aligned with other legislation. We are aware that there will be a reduced benefit cap and plans to limit child eligibility for child benefit, examples such as these are likely to push more families into poverty and make it harder for the Scottish Government's ambition to be realised. We therefore suggest that the language is strengthened; rather than an 'ambition', the legislation should express a strong commitment. This should ideally be expressed by way of a duty on the Scottish Government to take all possible steps to ensure child poverty is eradicated in Scotland.

What are your views on making income targets statutory?

We agree that income targets should be made statutory as this would create a greater focus on the targets. We think that it is right to focus on income opposed to unemployment for example, as we agree with the Scottish Government's view that this represents an unacceptable shift towards characterising poverty as a lifestyle choice.

¹⁷ Office of National Statistics. 2004. *The mental health of young people looked after by local authorities in Scotland*. HMS; London.

¹⁹ Scottish Prison Service. 2016. *Prisoner's Survey 2015 – Young People in Custody*. SPS: Edinburgh.

²⁰ Scottish Government. 2016. *Scottish Homelessness Statistics*. Scottish Government: Edinburgh

²¹ Resolution Foundation, 2015. *A Poverty of Information; Assessing the government's new child poverty focus and future trends*. [online] < <http://www.resolutionfoundation.org/wp-content/uploads/2015/10/Child-poverty-briefing.pdf>>

We believe that making income targets statutory is a vital component of the Child Poverty Bill, however we think that further clarity is needed on the interaction between the income targets and the ambition to eradicate child poverty. The Scottish Government should make it clear that meeting the income targets and eradicating child poverty are not the same thing. Meeting the income targets would be a large and important milestone on the journey towards eradicating child poverty, but it should not be seen as the final destination. To concede that 5-10% of children will always live in poverty is not acceptable. There is a real danger that if 5-10% of children are left in poverty, then it would be vulnerable groups, such as care experienced young people.

How do you think the role of the Ministerial Advisory Group on Child Poverty can be developed to ensure that they play a key role in developing the legislation?

We welcome the role of the Ministerial Advisory Group. We would particularly like this group to have representatives for vulnerable groups, in particular, care experienced children and young people. This representation is vital in order to reflect the needs of care experienced young people, and for the distinct issues and experiences they face to be understood and reflected in the legislation.

How can links between the national strategy and local implementation be improved? What could local partners do to contribute to meeting these national goals? This might include reporting and sharing best practice or developing new strategic approaches.

The lives of care experienced young people are complex and multi-layered but all corporate parents have the potential to better the experiences of so many together via the new Children and Young People (Scotland) Act 2014. For the child poverty bill to best reflect the needs of looked after young people, it should take account of the developments under this new legislation. Part 9 of the Children and Young People (Scotland) Act 2014 outlines a range of duties for corporate parents across Scotland. These duties aim to ensure the attention and resources of corporate parents are focused on the task of safeguarding and promoting the wellbeing of Scotland's looked after children and care leavers. The Scottish Ministers, Local Authorities and a range of other local partners are named in the legislation as corporate parents. Therefore, we believe that in relation to care experienced children and young people, there is an existing framework that can be utilised to strengthen links between the national child poverty strategy and local implementation.

It is important that corporate parents collaborate and work together to achieve this aim and we would recommend the Child Poverty Bill includes a duty on all corporate parents to collaborate to ensure that all possible steps are taken to meet the proposed income targets for all care experienced children and young people under the age of 26. This would reflect the new continuing care and aftercare provisions set out in the Children and Young People (Scotland) Act 2014 in which there is a recognition that care experienced young people require additional support from the state to help them stay out of poverty. To properly reflect the reality of this new framework, Who Cares? Scotland believe it is important the Child Poverty Bill is wide enough in its scope to cover all care experienced young people under the age of 26 and the targets should be set with this in mind.

What are your views on the Scottish Government's proposals for the levels of child poverty that the targets will be set at?

We broadly support the targets that have been proposed and welcome the ambition. We note that the targets are the same as the 2020 target levels with the exception of the persistent poverty target, and that they are set after housing costs. This makes the targets more ambitious than the 2020 target levels as they

were set on a before housing cost basis. While current economic prospects are not reassuring, we strongly believe that reducing child poverty rates is a worthwhile economic investment that sits well alongside the Scottish Government's other aims, for example reducing the attainment gap.

What are your views on the Scottish Government's proposal to set targets on an after housing costs basis? For example, are there any disadvantages to this approach that we have not already considered?

We support this proposal. For most people, housing costs are an unavoidable expense, therefore, after housing costs levels of poverty are therefore a better indicator of levels of poverty in Scotland. We believe that after housing costs more closely reflect children and young people's lived experience and the resources they and their families have available.

What are your views on the Scottish Government's proposal to set targets that are expected to be achieved by 2030?

This period time seems suitably long to ensure that targets are achieved.

What are your views on the proposal that Scottish Ministers will be required by the Bill to produce a Child Poverty Delivery Plan every five years, and to report on this Plan annually?

We welcome the proposal that Scottish Ministers will be required by the Bill to report on this Plan annually and agree that this is necessary to monitor progress. However, we are concerned that five-year delivery plans would allow for only two new delivery plans, and suggest reducing this to four-year plans as this would allow for more opportunities for revision between implementation and 2030.

In addition to the 2030 targets, we believe it would be helpful to set interim targets to make it easier to measure progress towards the 2030 targets and suggest the interim targets should be reported on in each annual report.

We also believe that there is an opportunity for Ministers to link the Child Poverty Delivery Plans with corporate parenting reports and the duty of corporate parents to provide information to Ministers under Part 9 of the Children and Young People (Scotland) Act 2014. Doing this would allow developments to be measured alongside each other. Additionally, should a corporate parent be demonstrating good practise and actively taking measures to reduce child poverty or the consequences of it, this can be learnt from and developed upon.

Do you have any suggestions for how the measurement framework could usefully be improved? For example, are there any influencing factors that are not covered by the measurement framework? Or are there any additional indicators that could be added?

As a group, care experienced young people are most likely to begin and end their lives in poverty. As such, progress in terms of eradicating poverty for this group should be taken as an indicator of overall progress in eradicating child poverty. If the strategy manages to make a difference for care experience young people, then this is a good indicator of wider success. If improvements for this group out-perform improvements for the wider population, it will be a good opportunity to examine what has worked to see if similar steps can be rolled out for other children in poverty. On the other hand, if improvements for care experienced young people under-perform improvements for the wider population, it will be a good opportunity to investigate what has gone wrong and adapt accordingly.

Do you have any additional views on a Child Poverty Bill for Scotland?

WC?S recently launched a Renfrewshire based project called 'Communities that Care', with funding from the STV Children's Appeal. This project intends to combat the negative stigma held towards care experienced young people, while educating the communities around them to know, respect and love their care experienced young people. Renfrewshire was chosen as the location for this project because of two main reasons: next to Glasgow, it has the highest number of looked after children and also 1 in 5 Renfrewshire children grow up in poverty. We would invite the Scottish Government Child Poverty Bill Team to engage with this project throughout the Bill process. This project will provide opportunities to look at poverty as it is experienced by both young people in care, and those that have left care.

If you wish to discuss this response, please get in touch.

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