

CARE EXPERIENCE AS A PROTECTED CHARACTERISTIC

THE SCOTTISH FUNDING COUNCIL
A BEST PRACTICE GUIDE PREPARED BY WHO CARES? SCOTLAND



Scottish Funding Council
Promoting further and higher education

NEED

The educational outcomes for care experienced people are **considerably poorer** than their non-looked after peers. Research shows that levels of attainment and attendance are significantly lower and that care experienced young people leave school earlier, with a marginal few going on to higher education. Many are formally or informally excluded from school, sometimes multiple times, and are more likely to suffer from mental health issues or to go to prison. Those who do go on to attend college or university are statistically more likely to drop out of the course before completing a qualification.

The Scottish Funding Council (SFC) is committed to working with colleges and universities to improve outcomes for care experienced students. Within SFC's access, equality and diversity policy work, care experience is treated as a **protected characteristic** alongside age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Treating care experience as a protected characteristic ties it closely with **the Equality Act of 2010** and encourages institutions to promote equality between those with care experience and their non-looked after peers, addressing the **complex needs** of the care experienced population and encouraging **participation**.

The decision to treat care experience in this way as a means of improving outcomes was taken to address several deficits. The Education (Additional Support for Learning) (Scotland) Act 2009 was amended in November 2010 to ensure that young people looked after by a local authority are deemed to have **additional support needs**. This amendment highlighted a need for educational institutions to carefully consider the complex needs of care experienced students and to provide support. SFC also noted a distinct **lack of data** relating to care experienced students, due to a combination of **poor data collection** and **low rates of self-declaration**. Many institutions declared **little to no data**. What little data is available suggests a distinct **under-representation** of care experienced young people within the wider student population. The difference in outcomes between care experienced students and their peers is significant, and poor educational outcomes for looked after young people are proven to have **a severe impact on life chances**.



APPROACH TO DRIVING RESULTS

To address the issue of poor data collection, both the Further Education Statistics (FES) system and the Higher Education Statistics Agency (HESA) now include care leavers in their data return. The SFC develops and negotiates **outcome agreements** with each college and university to maximise the impact of SFC's strategic plan, its investments and policies. One outcome is to improve access to further and higher education for people from the widest possible range of backgrounds which includes the **sustainable and continuous progress for protected characteristic groups**. This summary requires detail on how institutions will address the under-representation of care experienced students and outline the activities being undertaken to **remove barriers to participation** and to achieve successful outcomes. Progress is measured in the **number** and **proportion** of Scottish students with care experience entering college or university, and then further measured by how many of the group returns to study for a second year.

Low rates of self-declaration are another contributing factor to poor data collection. The Scottish Funding Council, as part of **the national ambition** framework, requires colleges and universities to work to develop a positive culture around declaration and care identity, providing care experienced students with opportunities to self-declare in multiple ways and promoting access to the available support services.

SFC has been collecting data on care experienced students since 2013-14. Numbers are low and as such are prone to fluctuation, however the early indicators in the college 2015-16 data shows a significant increase in the enrolment of care experienced students.

OUTCOMES AND ACTION POINTS

The Scottish Funding Council's guide for colleges and universities in improving the outcomes for care experienced students closely aligns with the **corporate parenting duties** outlined in The Children and Young People (Scotland) Act 2014. In the guidance:

- Higher education institutions should **be alert**, acknowledging the consistently and overwhelmingly poor outcomes which are proven to impact on the life chances of care experienced young people.
- **Promote the interests** of care experienced young people by striving for equality, aiming for a parity in outcomes between looked after and non-looked after students.
- **Assess the needs** of care experienced students, considering additional support needs and implementing tailored support plans.
- Work to create a positive culture and environment which promotes self-declaration, **providing opportunities** for young people to benefit from available services and support.
- **Widen access to these opportunities**, recruiting students from care experienced backgrounds and supporting them in their studies.
- **Strive to improve** upon existing services and support, promoting sustainable and continuous change through good policy and practice. Commit to collecting data which evidences success.

