



corporate
PARENTING



speaking out for young people in care

Corporate Parenting Duties: An Overview

Prepared by Who Cares? Scotland



INTRODUCTION

This document is for corporate parents. It aims to provide an easy to read overview of the corporate parenting duties. This overview draws on the [Children and Young People \(Scotland\) Act 2014](#) (**the Act**) and the [Statutory Guidance on Part 9 \(corporate parenting\)](#) of the Act (**the Guidance**). This overview should provide a good starting point to understanding the corporate parenting duties, but for a full understanding, we recommend you look at both the Act and the Guidance.

THE CORPORATE PARENTING DUTIES

The corporate parenting duties set out the responsibility that each corporate parent has to uphold the rights and safeguard the wellbeing of care experienced young people. As a corporate parent, you must publish a plan setting out how you will meet these duties and a report which shows the actions you have taken. We recommend this document is read in conjunction with our guide: **The 7 elements of a good corporate parenting plan**

Every corporate parent has a role to play in improving the wellbeing of care experienced young people. You're not expected to change your primary functions as an organisation, but the duties should not be seen as a menu to pick and choose from. Good corporate parenting means meeting all your duties.

You can think of the corporate parenting duties as falling under three themes:

1. **Understand** the issues that care experienced young people face **and assess** their needs.
2. **Promote** the interests of care experienced young people **and provide** them with **opportunities**.
3. **Collaborate** with other corporate parents **and improve** the way you work with care experienced young people.

UNDERSTAND AND ASSESS

There are two duties which fall under the theme of understand and assess.

Be alert to matters which might adversely affect the wellbeing of care experienced young people.ⁱ

As a corporate parent, you must stay informed about issues that could have a negative impact on an individual young person, and on care experienced young people as a group.

Issues that an individual might face include a change of placement or residence, or changes to a service that make it harder to access.





Issues for care experienced young people as a group might include changes to benefit rules or a service being withdrawn.

To stay informed about issues for individuals, you'll need to engage with young people one-on-one and in group settings. You can do this in collaboration with other corporate parents, but you should also provide young people opportunities to raise issues and concerns with you directly, through regular dialogue.

To stay informed about issues for care experienced young people as a group, you should look for common issues or trends amongst the individuals you engage with. You should add to this picture with general information from service providers, third sector organisations, academic research and data from Scottish Government.

Assess the needs of care experienced young people for the services and support you provide.ⁱⁱ

This duty has three parts: you must assess the needs of individual young people, assess the needs of care experienced young people as a group and respond to those needs.

Assessing individual care experienced young people's needs

You must have systems in place to assess the needs of care experienced individuals to see if there are services or support you provide that could help meet their wellbeing needs. If you don't currently have ways to identify care experienced young people who use your service, this is something you should thoroughly explore. For example, you could link in with Local Authority social service departments, send details of your organisation to children's houses and strengthen the incentives for care experienced people to declare their care identity.

It is recommended that care is taken and advice sought as regards the design of any question(s) by way of which young people will be asked to self-identify as care experienced, since the specific wording used and the broader context in which the matter is introduced will have a significant impact on rates of declaration. Particular issues include that young people who are looked after at home may not immediately identify as being 'in care', while many who have experienced stigma and discrimination may be reticent to identify as care experienced unless the reasons for/benefits of doing so are made clear.

Assessing the needs of care experienced young people as a group

You should undertake a broad and strategic assessment of the needs of care experienced young people as a group to make sure the services and support you provide are both relevant and accessible to the widest possible group of care experienced young people. For example, you can do this by identifying trends amongst individuals and engaging with third sector organisations such as Who Cares? Scotland and Scottish Government.





Responding to needs

Of course, assessment is not enough on its own; you also need to be able to show how the assessment of needs leads to changes in current services. For example, explain and explore the development of new services or provide evidence demonstrating why changes were not needed.

PROMOTE AND PROVIDE

There are three duties which fall under the theme of promote and provide.

Promote the interests of care experienced young people.ⁱⁱⁱ

This duty is about actions which can advantage or benefit care experienced young people and it applies to individual young people and care experienced young people as a group.

This duty can be met in lots of ways; some ways will be better suited to certain corporate parents than to others. This could include advocacy, positive action to widen access to education, leisure or employment opportunities, tackling discrimination, upholding children's rights, and removing barriers to wellbeing.

Provide care experienced young people with opportunities to participate in activities designed to promote their wellbeing.^{iv}

This duty is about securing a wide range of high-quality opportunities to help care experienced young people become successful learners, confident individuals, responsible citizens and effective contributors to their communities. This is about improving, not just safeguarding, wellbeing.

As a corporate parent, you're required to offer care experienced young people chances of this sort. You'll need to identify which activities are relevant and then make sure the opportunities you provide are available. In some instances, this might mean making it possible for care experienced young people to engage in activities you're already doing. In other cases, you might need to develop or procure new activities.

Corporate parents must make clear how they will invest in making young people aware of and supporting them to engage with the activities provided, while young people must be given multiple opportunities to do so and not be penalised if they are unable or chose not to participate.

Different corporate parents will meet this duty in different ways depending on their focus and function. However, all corporate parents are employers. Importantly, as an employer, you can offer opportunities for work experience, training or employment.





Take action to help care experienced young people, (a) access the opportunities you're providing and (b) make use of services, and access support, available.^v

When it comes to participation in activities and engagement with services and support, care experienced young people often face barriers. Some common practical barriers include limited access to transport and finances, changes of residence, childcare and other caring responsibilities, low levels of numeracy and literacy, and socially isolated carers who lack in confidence. Mental and physical disabilities can also be a barrier for some. Considerable emotional barriers also need to be considered. This can include unresolved trauma, fear of failure, loss and rejection, or problems related to drug and alcohol misuse.

As a corporate parent, you must act to help care experienced young people overcome barriers, so that they can benefit from the opportunities, services and support available (even if you're not providing the service or support directly).

For example, in the case of limited access to transport, you could organise for free public transport, or agree start and finish times which fit around the individual's availability. If the barriers are emotional, you could offer a mentor, or structure the activity in a supportive way.

COLLABORATE AND IMPROVE

There are two duties which fall under the theme of collaborate and improve.

Collaborate with other corporate parents.^{vi}

As a corporate parent, you don't have to meet your duties on your own. In fact, all corporate parents are expected to collaborate with each other. Collaboration could involve publishing a joint corporate parenting plan. It could also involve:

- Sharing information
- Providing advice or assistance
- Coordinating activities
- Sharing responsibility for action
- Funding activities jointly

Corporate parents must collaborate if it would help to safeguard or promote the wellbeing of care experienced young people. Collaboration should go beyond membership of working groups and be embraced as an opportunity to increase and diversify the *high-quality opportunities* available to care experienced young people while avoiding the duplication of labour.





Take any other action you consider appropriate to improve the way you work with care experienced young people.^{vii}

As a corporate parent, you must keep your work with care experienced young people under review and look for ways to improve. For example, you could regularly work with care experienced young people to review your progress so far and regularly collaborate with other corporate parents to share best practice.

Meeting your corporate parenting duties is not a process with an end date, but rather a permanent part of your policy, practice, and culture.

ⁱ Section 58(1)(a) of the Act and paragraphs 70-74 of the Guidance.

ⁱⁱ Section 58(1)(b) of the Act and paragraphs 75-83 of the Guidance.

ⁱⁱⁱ Section 58(1)(c) of the Act and paragraphs 84-87 of the Guidance.

^{iv} Section 58(1)(d) of the Act and paragraphs 88-94 of the Guidance.

^v Section 58(1)(e) of the Act and paragraphs 95-99 of the Guidance.

^{vi} Section 60) of the Act and paragraphs 119-124 of the Guidance.

^{vii} Section 58(1)(f) of the Act and paragraphs 100-102 of the Guidance.

