

## **CELCIS's response to the Scottish Government's Post-School Education and Skills Reform: Consultation on Legislation: Additional information**

**September 2024**

In addition to responding to specific questions in the consultation exercise, we welcome the opportunity to submit additional information to inform the Post-School Education and Skills Reform: Consultation on Legislation.

We are taking this opportunity in order to highlight some important considerations that are necessary regarding the specific needs, experiences and opportunities for supporting care experienced learners in Scotland.

CELCIS, the Centre for Excellence for Children's Care and Protection, is based at the University of Strathclyde and is a leading improvement and innovation centre. We improve children's lives by supporting people and organisations to drive long lasting change in the services they need, and the practices used by people responsible for their care. We welcome the opportunity to respond to the Post-School Education and Skills Reform: Consultation on Legislation. The information in this letter and our responses to questions in the consultation is based on research evidence, practice and lived experience, and feedback from longstanding cross organisational networks, and maintains a sharp focus on the impact of national and local policy initiatives on children and young people in need of care and protection.

### **Context**

Over 12,000 children are 'looked after'<sup>1</sup> by Scottish local authorities, and over 8,500 young people are eligible for 'aftercare'<sup>2</sup>. This includes young people who are care leavers, and children who are living with foster carers, in residential care, with kinship carers, or living at home with one or both of their birth parents whilst the family is receiving support from social work; all of these children and young people are care experienced. There are a further 2,104 children 'at risk of significant harm' and thus on a Child Protection Register in Scotland. In addition, there are children who need care and protection who may not yet be identified or recorded within formal child protection systems<sup>3</sup>.

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<sup>1</sup> 'Looked after' and 'looked after child' are the terms used in current legislation to refer to a child or young person who is cared for under a formal arrangement with a local authority. It has a specific legal meaning, but wherever possible, the more inclusive term 'care experience' is preferred.

<sup>2</sup> Scottish Government (2024) [Children's social work statistics](#) 2022-2023. Edinburgh: Scottish Government

<sup>3</sup> Gilbert, R., Spatz-Widom, C., Browne, K., Fergusson, D., Webb, E. & Janson, S. (2009) 'Burden and consequences of child maltreatment in high-income countries.' *The Lancet* 373: 68-81.

## Education

Education outcome indicators in Scotland show that the gap between the attainment and achievement of 'looked after' children, and that of their non-care experienced peers, remains unacceptably large<sup>4</sup>. The COVID-19 pandemic, and the associated public health protection response, has disproportionately impacted children, young people and families in need of support, who are already facing inequalities and disadvantage. This is in the context of rates of attainment having continued to have risen to their highest level and the largest gap between those from the richest and poorest parts of Scotland.

All of these learners will have had experience of being in need of care and protection, although their individual circumstances and needs will vary. The vast majority will have encountered difficulties in their lives including loss and trauma and, for some, the impact of abuse and neglect.

### Care experience students in Further and Higher Education

There are inherent difficulties in reporting figures for care experienced learners in further and higher education due differences in what, when and how different agencies and researchers collect and report information and data. We can surmise from the figures that are available that the percentage of care experienced learners going onto further and higher education is increasing, including a recent threefold increase in Scotland. There may however be a disproportionate dropout rate and there remains a significant gap between the percentage of care experienced learners who go to university when compared with their non care experienced peers. We also know that some care experienced learners return to study as mature students, succeed later but are not reflected in statistics.

- 1.6% of Scottish-domiciled full-time first-degree entrants were care experienced.<sup>5</sup>
- 2.0% of Scottish-domiciled entrants to undergraduate courses at Scotland's colleges and universities were care experienced.<sup>6</sup>
- In the college sector, 3.9% of enrolments to full-time higher education and 9.6% of enrolments to full-time further education courses in 2021-22 were from care-experienced students. This is up from 3.6% (full-time

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<sup>4</sup> Stein, M (2005) Resilience and Young People Leaving Care: Overcoming the odds. Research Report. York: Joseph Rowntree Foundation

<sup>5</sup> Scottish Funding Council (2023) Report on Widening Access 2021-22. Scottish Funding Council: Edinburgh.

<sup>6</sup> Ibid.

higher education) and in line with the 9.6% (full-time further education) figures in 2020-21.<sup>7</sup>

- In one study 12% of care leavers had entered higher education by the age of 23, higher than previous estimates of 6% and a significant number were more likely to drop out.<sup>8</sup>
- 14% of care leavers go to university compared to 47% of young people who didn't grow up in care.<sup>9</sup>

## **Financial Stability**

*"It's expensive being care experienced."*

*"A series of ways you fell through the cracks because you were not eligible enough."*

## **CELCIS Consultant with lived experience**

In 2020, the Independent Care Review highlighted that many care experienced adults felt that they had been abandoned and ill-prepared when they went from childhood to adulthood, not least due to a lack of, or barriers accessing, financial support.<sup>10</sup> At a time when living costs and poverty have risen exponentially for everyone, with social security not covering essential day to day costs and increases in the number of people in in-work poverty,<sup>11</sup> more than ever all young people have to depend on their families for emotional, financial and practical support for far longer. On average young people now live in their family home until the age of 23, for many care experienced young people there is an expectation they start to live independently from 18.<sup>12</sup> Leaving home at an earlier age than many young people and often lacking the safety net of financial support from family, young people moving on from care are more likely to encounter the effects of debt and poverty.<sup>13</sup> Living independently without familial or other support requires higher levels of income, yet this group of young people are expected to rapidly learn financial demands, including taking on the

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<sup>7</sup> Scottish Funding Council (2023) Report on Widening Access 2021-22. Scottish Funding Council: Edinburgh.

<sup>8</sup> Harrison, N (2017) MOVING ON UP: Pathways of care leavers and care-experienced students into and through higher education. University of the West of England: Bristol.

<sup>9</sup> Young, F., and Lilley, D. (2023). Breaking the care ceiling.

<sup>10</sup> The Independent Care Review (2020) The Promise. Glasgow: Independent Care Review.

<sup>11</sup> Joseph Rowntree Foundation (2024) UK Poverty 2024. York: Joseph Rowntree Foundation; Joseph Rowntree Foundation (2023) Poverty in Scotland 2023. York: Joseph Rowntree Foundation; Joseph Rowntree Foundation (2022) Going without: deepening poverty in the UK York: Joseph Rowntree Foundation; Joseph Rowntree Foundation (2023) Guarantee our Essentials: reforming Universal Credit to ensure we can all afford the essentials in hard times York: Joseph Rowntree Foundation

<sup>12</sup> Fortune, R., & Smith, N. (2021) No Place Like Home: A look at young people's experience of leaving the care system.

<sup>13</sup> Stein, M (2005) Resilience and Young People Leaving Care: Overcoming the odds. Research Report. York: Joseph Rowntree Foundation.

responsibilities of paying bills and complexities of independent living in a short period of time, with fewer resources and at a much younger age.<sup>14</sup>

### Coping but not comfortable

Care experienced young people who study full time are also at risk of financial hardship, as the funding provided through the Care Experienced Student Bursary is unlikely to cover rising living costs.<sup>15</sup> Inequalities in financial resources and support have an impact on the wellbeing of care experienced young people, with financial worries often articulated by young people moving into adulthood.<sup>16</sup> Many care-experienced students report coping financially, often due to their advanced budgeting skills. However, this coping does not equate to comfort, and financial stress remains a significant issue.<sup>17</sup> Care experienced learners report in research and through our networks of having to work part-time in order to cope.

### Financial Education

All children and young people should receive financial education consistently as they grow up at home and in school. Many children, as they grow up, may gradually learn skills about how to manage money from the adults around them like their parents or carers, along with many other important life skills, such as budgeting and money management. These skills will come about through consistent, natural conversations that change as a child grows up. However, if children's parents or carers are not confident in their own financial skills or are not able to pass on financial skills to their children, children may have less access to financial education.

Young people with care experience are more likely to encounter circumstances that mean they have specific needs for support and financial education when they move into adulthood. They may not have had financial education or the modelling from the adults around them. They are more likely to need to take on responsibilities that expose them to new and complex things to navigate such as agencies, tenancies and contracts for financial payments. It can be a stark transition from little financial responsibility to complete financial independence. They need to budget and manage their rent, bills, living expenses, benefits or student loans. Efforts to mitigate some of these responsibilities and financial

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<sup>14</sup> Mann-Feder, V. and Goyette, M. (eds) (2019), *Leaving Care and the Transition to Adulthood*, Oxford University Press and Stein, M. (2012) *Young People Leaving Care*, London: Jessica Kingsley.

<sup>15</sup> National Union of Students (2022) *Cost of Living Students and Apprentices Cheshire*: NUS

<sup>16</sup> Baker, C. (2017) *Care leavers' views on their transition to adulthood: a rapid review of the evidence*. London: Coram Voice.

<sup>17</sup> O'Neill, L., Harrison, N., Fowler, N. & Connelly, G. (2019) '[Being a student with care experience is very daunting](#)': *Findings from a survey of care experienced students in Scottish colleges and universities*. Glasgow: CELCIS.

burden have been made in Scotland, including a council tax exemption for care experienced young people up to the age of 26, and the provision of a Care Experienced Students Bursary. The Scottish Government has also proposed a care leaver payment that would provide an additional payment.

### Continuing Care

Any changes must be considered through the lens of understanding the lives of care experienced children and young people. Continuing Care, introduced in 2014, and high quality, tailored and sustained aftercare support, are essential to supporting our young people as they grow into adulthood and independent living.

## **Holistic and relational support**

### Trusted relationships

The needs of care experienced young people moving into adulthood are not limited to financial support. The success of these proposed changes relies on young people accessing support from people they know and trust, as often as they need it, in the same way that someone would be able to go to their parent with questions and concerns. The Independent Care Review identified that despite some improvements, too often care experienced children and young people do not grow up with these relationships. All children and young people need loving and sustained relationships with the people who care for them, who can support them in decision making, planning, and the development of life skills and financial education, equipping them to make choices, make mistakes, and take opportunities.

### Individualised support

A holistic approach that includes emotional and relational support is essential to remove systemic barriers and help care experienced learners succeed. Attention should be paid to different care arrangements to ensure that support is in place for all young people who have experience of care. For example, transitions for a young person living in kinship care are likely to differ from a young person being cared for in residential care. CELCIS is aware of young people living in kinship care who have been less aware of their rights, for example to funding and support in higher education compared to young people living in residential care where a more formal process is in place.

## Transitions for graduates

Any reform of the post-school landscape needs to take into account the transition for learners with care experience make when they graduate from university, either to post-graduate studies or to employment. Although this is an area which has been under-resourced and under-researched, the Care-Experienced Graduates' Decision-Making, Choices and Destinations Project<sup>18</sup> explored in detail the challenges which this group of people faced at this point in their lives, alongside an understanding of the impact their care experience had on this transition. The project has created a wealth of resources including policy recommendations, peer developed resources for care-experienced graduates and postgraduates as well as guidance for local authorities.

## **Access to Education and Employment**

### Accelerated Adulthood

Young people with care experience are often subject to the pressures of what is described as 'accelerated adulthood' in comparison with their non care experienced peers<sup>19</sup>. They move from childhood to adulthood quickly and are expected to navigate becoming independent from an early age. Particular attention should be given so that the proposed changes do not further embed this reality and they do not face the 'cliff edge' as the support they are entitled to as children moves away. Young people should have the right to access support systems which extend into early adulthood to help manage financial and other life challenges effectively. In this context, any changes for post-school institutions must make provision for this and provide adequate support systems.

### Trauma-informed

To truly support care experienced learners, services must feel and be experienced as welcoming and accessible to young people moving from care to adulthood. Many of these young people may have experienced trauma in their early lives, and understanding the impact of trauma on child development is essential in order to understand and appreciate adaptive behaviours which may have been developed in response.<sup>20</sup> Scotland's approach to implementing a trauma-informed workforce nationally is an important step in ensuring everyone who works alongside people who may have been affected by trauma is able to respond to their needs in a helpful and supportive way.

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<sup>18</sup> Baker, Z (2024) [Care-Experienced Graduates' Decision-Making, Choices, and Destinations' project](#). University of York: York.

<sup>19</sup> Palmer, A., Norris, M., & Kelleher, J. (2022). Accelerated adulthood, extended adolescence and the care cliff: Supporting care leavers' transition from care to independent living. *Child & Family Social Work*, 1–12.

<sup>20</sup> CELCIS (2021) *Safe Places, Thriving Children: Embedding Trauma-Informed Practices into Alternative Care Settings*. Glasgow: CELCIS

We hope this additional information provides important context when considering the potential impact of the changes proposed on learners in Scotland who have experience of care. We would welcome the opportunity to discuss this further if that would be helpful for the consultation.

**CELGIS**  
**September 2024**

## **CELCIS's response to the Scottish Government's Post-School Education and Skills Reform: Consultation on Legislation: Response to questions.**

### **Q1. Which of the three proposals do you prefer?**

The need and case for reform of the education system broadly and post school education has been well made both in this consultation, previous consultation responses, reports and advice to government. The aspiration for a high-quality education system that offers seamless support will benefit all learners and promote equity for those that may need additional support. It is therefore our view that 'Proposal 1: Business as usual' is not a viable option.

We lean towards 'Proposal 2: consolidate all provision funding within SFC and all student support funding within SAAS.' This approach seems the most proportionate and the option that can best bring about change whilst holding onto practitioner and system wisdom. We do not rule out 'Proposal 3 Consolidate all provision funding and all student support funding within SFC' but would advise caution given that the scale and scope of this option would require more implementation considerations and that there is a risk of delay in change, a disruption of current initiatives and other unintended consequences.

Our response to this question focuses on the needs of current and prospective care experienced learners. We have given more contextual information in our accompanying letter for this response, and this highlights that care experienced learners are likely to have encountered difficulties in their lives including experiencing the effects of trauma, abuse, neglect and loss. Evidence from research, lived experience and our networks points towards a clear and consistent conclusion that young people with care experience who are moving into adulthood benefit from bespoke, flexible support to meet their individual needs.

Substantive recent research by CELCIS on structural change and service integration cautions that structural reform on its own is not enough to bring about change or improve the lives of children and young people and their families. No single model of integration guarantees success but there are key principles, values, attitudes and factors that must accompany any proposed reform.

There is a fundamental need to hold onto staff, specialisms and best practice that we know benefits and promotes care experienced learners to move onto, stay and, where needed, to switch pathways on their journey through to employment through further and higher education. The current post-school system splits administration, finance and support across the three agencies. We advocate an approach which will rationalise, sustain and simplify procedures, funding and support for learners whilst encouraging environments (for example, in colleges, universities and work placements) that promote corporate parenting and trauma-informed approaches that are attuned to the specific needs of care experienced learners.

For example:

- SAAS have worked to develop specialist processes and systems to administer the care experienced bursary. Over the course of several years this has led to the implementation of specialist guidance, the use of a standardised evidence form, training for all SAAS staff and the creation of a specialist team. This team processes all applications from care experienced learners. There is a commitment from SAAS that students will have one member of staff who is allocated to support them throughout their funding journey to promote a relational, non-stigmatising approach. This minimises the likelihood of students having to re-tell their story and explain their circumstances to numerous different members of staff. SAAS also have procedures in place for a senior manager to review any circumstances where there is any ambiguity over eligibility. There is a generosity and understanding of the nuanced needs of care experienced learners in their approach.
- SFC worked alongside stakeholders to consider issues around the definition of care experience. Until the academic year 2022-23, guidance for further education providers did not include informal kinship care. These are group of learners who are care experienced and evidence indicates need more support but may not be included due to strict, sometimes overly legalistic, interpretations. SFC held workshops with colleagues in the FE and HE sector alongside other stakeholders to explore the issue and consider an alignment of policy. This led to SFC widening the eligibility of care experienced bursary to include students in informal kinship care where this could be confirmed by the local authority. Through a consultation process the agency listened to practitioners, deepened its understanding of the unique needs of care experienced learners and opened up support to a group who we know face specific barriers to attainment and moving onto study and employment.

These are two examples of progress towards alignments between agencies that we welcome and are factors to hold onto during the process of any proposed reform. In further education there are myriad ways in which decisions are reached around the awarding of funding. We agree with the spirit of placing financial support with one agency, rather than the split across three. This will go in some way to take away the likelihood of subjective decision-making and promote consistency for all learners.

## Overview of evidence used in this question

CELCIS (2018). [Going to university from care: Beyond the Headlines](#)

[CELCIS \(2023\). Response to the Scottish Government's 'Prescribing the minimum annual number of learning hours: consultation.'](#)

[CELCIS \(2021\). Response to Scottish Government Education Reform Consultation](#)

Ellis, K., & Johnston, C. (2019). [Pathways to university from care: Findings Report One.](#)

[Harrison, N. \(2017\) MOVING ON UP: Pathways of care leavers and care experienced students into and through education.](#)

[Ottaway, H., McTier, A., Manole, M., Anderson, M., Porter, R., Scott, J., Young, E.,](#)

[Fowler, N., Soraghan, J., McIver, L., Anderson, C., & Mackinnon, K. \(2023\).](#)

[Children's Services Reform Research: Learning and Implications for Scotland: Concluding Report.](#)

[Scottish Government \(2023\). All Learners in Scotland Matter: The National Discussion on Education: Final Report.](#)

[Young, F., and Lilley, D. \(2023\). Breaking the care ceiling.](#)

## **Q4. Are there any other factors you think we should consider in making a decision?**

Our response to this question focuses on the needs of current and prospective care experienced learners. We have given more contextual information in our accompanying letter for this response and this highlights that care experienced learners are likely to have encountered difficulties in their lives including experiencing the effects of trauma, abuse, neglect and loss. Our networks points towards a clear and consistent conclusion that young people with care experience who are moving into adulthood benefit from bespoke, flexible support to meet their individual needs.

Consideration of the following factors is paramount if Scotland is to get things right for our learners with experience of care:

- Definitions of care experience are a crucial issue because differences create inconsistency and inequity. Some definitions are inadequate in covering the breadth of the care experiences our children and young people have and the learners who may need the most support are 'falling through the cracks'. For example, transitions for a young person living in

kinship care are likely to differ from a young person being cared for in residential care. CELCIS is aware of young people living in kinship care who have been less aware of their rights, for example to funding and support in higher education.

- Care experienced learners have unique needs and benefit from formal support that can adapt and mirrors their trajectory through education and into employment.
- The importance of a relational approach creating opportunities for learners to be able to experience empathy and continuity from agencies that are there to support them.
- Care leavers often leave home at an earlier age, and many will not have the safety net of financial support from family.
- Structural changes alone are not enough to bring about improved education or employment opportunities for care experienced learners. Practical support and attention to how changes are implemented on the ground are crucial in order to achieve real, meaningful and impactful improvements.

In addition, there are three broad interrelated themes which are repeatedly seen in research evidence, reports on education reform and are echoed by work and practice within our professional networks:

1. Care experienced learners need those who are working with them in post-school education to have a sophisticated understanding of their needs.

Research papers and responses to other consultations about education and post school education and skills draw attention to the complexity of needs of care experienced learners. Care leavers can experience instability in where they live and who cares for them during their childhood and this might involve less encouragement to achieve or succeed in their learning. Flexible, personalised pathways to succeed in education are required. One study showed that 38% of care leavers were more likely than their non care experienced peers to withdraw from university, with young men and learners with additional needs being disproportionately affected.

Care experienced learners benefit from what is termed as 'second chance pathways', for example, to switch from one study programme to another and tailored support systems that extend beyond minimum statutory requirements. The transition to university, for example, can be isolating, with some learners reporting that they had minimal possessions to support their living and learning needs and limited emotional or financial backing. This further highlights the need for comprehensive, long-term support. Another research study suggests that a 'triangle of support' which comprises of the young person's direct relationships, informal networks and the crucial support that comes from professional care and 'systems', is needed for care experienced students to have the best chance at success.

2. Care experienced people need staff and agencies that are empowered, supported and equipped through the process of change.

Studies into workforce wellbeing have tended to focus on professions that directly work alongside, live with or teach care experienced learners. However, parallel lessons can be drawn and applied to staff who work in SAAS, SFC and SDC who all offer direct and indirect financial, practical support and guidance. The studies point towards the need for staff being provided with time and space to build relationships with care experienced learners, as these connections are part of the overall package of support and contribute to success. Care experienced learners need a workforce with a nuanced understanding of their needs and the diversity of pathways they may follow.

There are likely to be workforce challenges for those who are subject to structural reform. Reform could impede a relational approach, contribute towards compassion fatigue or interrupt current initiatives and good practice. During times of any significant change there is a need to be mindful of the potential strain on staff and ensure they have emotional and practical support. The Promise calls for Scotland to hold the hands of those who hold the hand of the child. This principle of support should be applied to staff working in each of the agencies where reform is proposed. The evidence indicates they can play an essential role in contributing towards the resilience and wellbeing of care experienced people moving towards adulthood. They can support care experienced learners to feel connected, engaged and in control.

3. Care experienced learners need to be at the heart of all decisions that are made in post school education.

Research findings, reports and responses to other consultations about education and school reform point towards opportunities through structural reform to reframe, change mindsets, and look at education from a rights perspective and put the learner at the centre. With the incorporation of the UNCRC into Scots law there is an emphasis on respecting learners' rights. Care experienced learners have historically faced a number of barriers to their right to education and they need an education system that recognises their voices and experiences and meets their needs. We agree with the International Council of Education Advisors' (ICEA) report that advocates a 'universal design' approach, one that ensures that educational environments and agencies are created inclusively from the outset rather than adapted later. An approach that is designed to meet the needs of care experienced learners will benefit all learners.

The evidence from research and our networks all points towards the importance of collaboration both pre- and post- sixteen education to successfully implement a learner-centred approach. This requires a shift in culture and mindset: moving away from institution-led priorities to truly listen to and act on the needs and concerns of learners. In doing so, the system can meet the needs of care

experienced learners, ensuring their education is guided by their rights and aspirations rather than the interests of institutions.

### **Overview of evidence used in this question.**

Brady, E., & Gilligan, R. (2018). The life course perspective: An integrative research paradigm for examining the educational experiences of adult care leavers?. *Children and Youth Services Review*, 87, 69-77.

[CELCIS \(2021\). Response to Scottish Government Education Reform Consultation](#)

Ellis, K., & Johnston, C. (2019). [Pathways to university from care: Findings Report One](#).

[Harrison, N. \(2017\) MOVING ON UP: Pathways of care leavers and care experienced students into and through education.](#)

[International Council of Education Advisers \(2020\). International Council of Education Advisers Report 2018-20.](#)

[Ottaway, H., McTier, A., Manole, M., Anderson, M., Porter, R., Scott, J., Young, E., Fowler, N., Soraghan, J., McIver, L., Anderson, C., & Mackinnon, K. \(2023\). Children's Services Reform Research: Learning and Implications for Scotland: Concluding Report.](#)

[Scottish Government \(2022\). Putting Learners at the Centre: Towards a Future Vision for Scottish Education.](#)

[Scottish Government \(2023\). Fit for the Future: developing a post-school learning system to fuel economic transformation.](#)

[Scottish Government \(2023\). Its Our Future: Report of the Independent Review of Qualifications and Assessment.](#)

[Scottish Government \(2023\). All Learners in Scotland Matter: The National Discussion on Education: Final Report.](#)

[Scottish Government \(2024\). Learning: For All. For Life. A report from the Independent Review of Community Learning and Development \(CLD\).](#)

Van Breda, A. D. (2024). The contribution of supportive relationships to care-leaving outcomes: A longitudinal resilience study in South Africa. *Child Care in Practice*, 30(3), 400-415.

[Young, F., and Lilley, D. \(2023\). Breaking the care ceiling.](#)