



Centre for excellence  
for looked after children in Scotland

Implementation Note: 6

# Corporate Parenting: Improving

Implementing Section 58(1)(f)

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*Improving care experiences*

This is the sixth in a special series of 'implementation notes' developed by CELCIS, with support from corporate parents, to assist in the implementation and enactment of a specific duty (or a set of duties) included in Part 9 (Corporate Parenting) of the Children and Young People (Scotland) Act 2014 (the Act).

The aims of each implementation note are to:

- Assist corporate parents in deciding 'how' they will meet their 'corporate parenting' duties.
- Identify solutions to the practical challenges faced by corporate parents, associated with implementing duties 'in so far as is consistent with the proper exercise of their other functions'.
- Support corporate parents in their efforts to make a positive and meaningful contribution towards improving the lives of looked after children and care leavers.

## Implementing Section 58(1)(f): Improving

Implementation is the process of putting a plan (or legislation or innovation) into effect. It's the 'doing' part and, as such, it's the part which largely determines whether a law is successful in delivering the change or outcome it was designed to. The text of a law rarely changes much on the ground; it's how relevant organisations and individuals put that law into effect which determines its impact.

Effective implementation of legislation requires leadership, planning, commitment, good communication and hard work. This paper focuses on how the duty to improve as outlined in Section 58(1)(f) of the Act could be implemented by corporate parents; it considers this duty and defines relevant terminology and concepts as they arise.

## Summary of Part 9

Collectively, the duties established by Part 9 are designed to ensure that the attention and resources of various publicly funded organisations are explicitly focused on the task of safeguarding and promoting the wellbeing of looked after children and care leavers. In particular, Section 58 of the Act states that every corporate parent must:

- Be alert to matters which, or which might, adversely affect the wellbeing of an eligible young person.
- Assess the needs of eligible children and young people for any services or support provided.
- Promote the interests of eligible children and young people.

- Seek to provide eligible children and young people with opportunities to promote their wellbeing.
- Take appropriate action to help eligible young people access those opportunities.
- Keep their approach to corporate parenting under constant review, seeking out improvement wherever possible.

Figure 1: Illustration of corporate parenting 'responsibilities'



## Improving: the statutory requirement

Section 58: Corporate parenting responsibilities states:

- 1 It is the duty of every corporate parent, in so far as is consistent with the proper exercise of its other functions -
  - f) to take such other action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to those [eligible] children and young people

## Improving functions for children and young people

This duty requires all corporate parents to keep their performance as corporate parents

under review, and take actions to improve where opportunities to do so are identified. In practice, you should monitor and evaluate the extent to which you are meeting your corporate parenting responsibilities (in Part 9 of the Act), and take actions to improve your performance.

To fulfil this duty, you should draw on the work you have done in relation to:

- Your corporate parenting plan ([Section 59](#)), where your specific corporate parenting goals are described around the duties outlined in Part 9.
- Your corporate parenting report ([Section 61](#)), which should describe how you have exercised your corporate parenting responsibilities under [Section 58](#).
- Engaging with your planning and collaborating functions under Sections 59 and [60](#), as well as your other functions under Part 9.

Together, the plan and the report should give you a clear picture of what you have been doing in relation to each of the corporate parenting responsibilities and duties, and how this has been going. A corporate parenting plan is required to be 'kept under review' - this means that ways to improve can be identified early and acted upon in a timely fashion. It is not necessary or desirable to wait until after the corporate parenting report is completed to begin to improve the ways in which you exercise your corporate parenting functions<sup>1</sup>.

The 'functions' of a corporate parent refer to the duties and obligations outlined in Part 9 of the Act. Thinking about how to improve will require corporate parents to evaluate their performance as corporate parents. This will mean answering questions like:

- 1** What steps are you taking to be **alert** to the risks posed by your services to looked after children and care leavers?
  - What has 'being alert' revealed?
  - What steps have you taken to address any issues raised?
  - What did these steps achieve?
- 2** What steps are you taking to **assess the wellbeing needs** of looked children and care leavers?
  - What have these assessments revealed?
  - What steps have you taken to address any issues raised?
  - What did these steps achieve?
- 3** What steps are you taking to **promote the interests** of looked after children and care leavers, and what did these steps achieve?

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<sup>1</sup> Please see Implementation Note 4 [Corporate Parenting: Planning and reporting](#).

- 4 What steps are you taking to provide looked after children and young people with **opportunities** to enhance their wellbeing, and what did these steps achieve?
- 5 What steps are being taken to ensure looked after children and care leavers can **access services and supports**, and what did taking these steps achieve?
- 6 What other corporate parents are you **collaborating** with, and are the aims of these collaborations being achieved?
- 7 Are you in a position to **inform** Scottish Ministers of your corporate parenting activities, and do you have up to date and relevant data?
- 8 Are your corporate parenting **plans and reports** up to date, and do they contain up to date and relevant data and evaluations of your activities?
- 9 Based on your answers to all these questions – what can you do to **improve** how you are exercising your corporate parenting functions?

## Evaluating performance

The [Statutory Guidance on Part 9](#) defines corporate parenting as:

'an organisation's performance of actions necessary to uphold the rights and safeguard the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted.'

Broadly speaking, improving how you exercise your functions will involve considering how well you are doing at upholding the rights of looked after children and care leavers and safeguarding their wellbeing, and then taking steps to do better.

Any action you take to 'improve' how you are fulfilling your duties will depend on several factors – for example, children and young people's right to privacy, your duty to share information responsibly, the risk of stigmatising children and the sustainability of improvements.

Appendix 1 sets out a series of questions and, once complete with relevant details and supporting data, you can begin to identify where and how you could improve.

## Thinking about evaluation

Achieving positive change for looked after children and care leavers should generally be seen as a long term process. This process can be monitored and evaluated on various levels - ranging from output to outcome. Over time, monitoring and evaluating at these different levels can begin to show if (and how) an intervention brings about the changes we want for looked after children and care leavers.

Effective monitoring and evaluation will require the use of appropriate indicators. An indicator is essentially a measure or component from which conclusions can be inferred. In this case, we are interested in indicators to measure corporate parenting performance and progress towards outcomes for eligible children and young people.

## Monitoring outputs

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Monitoring at the output level should be relatively easy for all corporate parents because this form of monitoring requires limited analysis. Output indicators measure the immediate results of a project or programme and show whether activities are happening as planned. These indicators are quite straightforward to develop. For corporate parents an output indicator might be:

- 'X' per cent of staff received training on looked after children
- 'X' number of looked after children or care leavers took part in a particular activity

However, it is important to note that while participation in staff training should encourage more effective corporate parenting, it should not be assumed that participation in training alone will change practice. The scheduling of training or activity sessions and the number of participants are 'outputs'. Output indicators cannot tell us directly whether desired outcomes are being achieved.

## Monitoring outcomes

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Monitoring at the outcome level involves measuring the outcomes of a programme or intervention. This requires a little more analysis than monitoring at the output level. In terms of the staff training example used above, measuring outcomes would involve assessing changes in attitudes and work practices following training. For care leavers, an outcome from attending an employability course could be securing and maintaining a job. Attendance of the course is an output, while monitoring the number or percentage of care leavers who secured a job 6 weeks after the course could be an outcome.

Outcomes can be measured in the short or longer term. In general, measuring outcomes requires a longer timeframe than measuring outputs. In a programme to improve a looked after young person's access to appropriate healthcare, a short-term outcome may be the use of standardised protocols and procedures by practitioners in a health facility. A longer-term outcome would be the sector and system-wide integration of those policies. These examples involve outcomes about changes in the system, as opposed to outcomes for individual looked after children and care leavers. Corporate parents should look at both types of outcomes to ensure the aims of corporate parenting are being realised, with outcomes for children and young people being the ultimate focus.



## Taking action to improve

It is important to be very clear from the outset of a project or intervention what the objectives are and what specific changes are expected (outcomes). Corporate parenting plans should explicitly state how the process of monitoring and review will be undertaken. Corporate parenting reports should include the conclusions of the review, details of the actions taken in response and, if certain actions have not been taken, clear explanations as to why this is the case.

It is likely you could take a variety of improvement actions to address an issue relevant to corporate parenting. Selection of the action to be taken will be facilitated if your corporate parenting plan specifies relevant goals, targets and agreed upon indicators of performance. Your selection of the actions should be supported by relevant data, the views of looked after children and young people, and the views of their carers. Additionally, when deciding what action to choose in order to improve, you could consider the following criteria:

- 1 What is the feasibility of each action?
- 2 How effective is each action likely to be?

Effectiveness here relates two things: a) the wellbeing of looked after children and care leavers, and b) making judgments about the actions based on the best available evidence. For example, the evidence suggests that training alone would not be effective in helping care leavers to secure employment, instead training plus a range of other support mechanisms would be needed.

- 3 What long and short term costs are associated with the different options?
- 4 How soon could the different actions be taken?
- 5 What risks do the different actions pose to both looked after children and care leavers, and to the organisation?

When an action to improve has been identified, you should ensure that this action:

- Is consistent with the overarching goals of corporate parenting.
- Reflects the policy intentions of Part 9 and its underpinning principles, such as equity of access, improving outcomes, early intervention and a child centred approach.
- Takes into account any particular areas of need identified (through being 'alert' as per Section 58(1)(a) and 'assessing wellbeing needs' as per Section 58(1)(b))

## Consistent with the proper exercise of its other functions

Relevant to all duties set out under [Section 58](#), a corporate parent is required to enact their corporate parenting responsibilities in a manner which is consistent with the proper

exercise of their other functions. This means that you do not have to fundamentally change what you do in order to fulfil these duties. Instead, you must find a way of fulfilling these duties through your main activities / functions.

However, 'consistent with the proper exercise of its other functions' is not permission for corporate parents to do nothing because they believe there is some conflict between Section 58 and their day-to-day activities. Section 58(1)(f) clearly requires every corporate parent to pay explicit attention to looked after children and care leavers, and to consider how they can improve how they exercise their corporate parenting duties, thus safeguarding and promoting the wellbeing of any eligible young person. In some cases, corporate parents will need to be innovative and imaginative in how they fulfil their duties, but the effort must be made.



## Appendix 1: Identify where and how you could improve

Section of the Act	Current Activities (supported with relevant data)	Comments and areas to improve	Actions which will be taken
58 (1)(a) Be alert	<ul style="list-style-type: none"> <li>• What systems do we have in place to remain aware of any risks posed by our service or organisation to looked after children and care leavers?</li> <li>• What have we learned from them?</li> <li>• Do we know how many looked after children and care leavers engage with us?</li> </ul>		
58 (1)(b) Assess the needs	<ul style="list-style-type: none"> <li>• What steps have we taken to assess the needs of the looked after children and care leavers who engage with us, either directly or indirectly?</li> </ul>		
58 (1)(c) Promote the interests	<ul style="list-style-type: none"> <li>• Have we identified ways we could promote the interests of looked after children and care leavers?</li> <li>• Have we implemented any of these?</li> <li>• How successful have these attempts been?</li> </ul>		
58 (1)(d) Seek to provide opportunities	<ul style="list-style-type: none"> <li>• Have we identified opportunities we could offer looked after children and care leavers?</li> <li>• Have we implemented any of these?</li> <li>• How successful have these attempts been?</li> </ul>		
58 (1)(e) Take action to help children access opportunities and make use of services	<ul style="list-style-type: none"> <li>• Do we know about the barriers faced by looked after children and care leavers in terms of accessing our services, including emotional?</li> <li>• What steps have we taken to address these?</li> <li>• How successful have these been?</li> </ul>		
59 Prepare, publish and keep plan	<ul style="list-style-type: none"> <li>• Has our plan been prepared?</li> <li>• Has our plan been published?</li> <li>• Is it accessible?</li> <li>• Has our plan been kept under review?</li> </ul>		

Section of the Act	Current Activities (supported with relevant data)	Comments and areas to improve	Actions which will be taken
under review	<ul style="list-style-type: none"> <li>How has our plan developed over time?</li> </ul>		
60 Collaborate	<ul style="list-style-type: none"> <li>Who have we collaborated with?</li> <li>What was the aim of our collaboration?</li> <li>How successful was it?</li> </ul>		
61 Report on fulfilment of corporate parenting duties	<ul style="list-style-type: none"> <li>Have we prepared a report?</li> <li>Does it outline how we have met each of our duties and responsibilities?</li> <li>Does it suggest areas where we could improve?</li> </ul>		
62 Provide Scottish Ministers with information on fulfilment of corporate parenting duties	<ul style="list-style-type: none"> <li>Are we in a position to provide Scottish Ministers with information on the fulfilment of our corporate parenting duties</li> </ul>		
63 Have regard to any guidance about corporate parenting issued by Scottish Ministers	<ul style="list-style-type: none"> <li>Do we know what guidance has been issued?</li> <li>Have we been fulfilling our duties and obligations in line with this?</li> </ul>		
64 Comply with relevant direction issued by Scottish Ministers	<ul style="list-style-type: none"> <li>Do we know what directions have been issued?</li> <li>Have we been fulfilling our duties and obligations in line with this?</li> </ul>		

## **About CELCIS**

Our goal is simple. We want to make a difference. We are totally committed to making positive and lasting improvements in the experiences, life chances and outcomes for Scotland's looked after children and young people. Taking a multi-agency, collaborative approach towards making lasting change in thinking and ways of working, with everyone whose work touches the lives of looked after children.

## **For more information**

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