



RESPONSE TO CONSULTATION ON 'FIRE AND RESCUE FRAMEWORK FOR SCOTLAND 2016'

June 2016

CEL CIS is the Centre for Excellence for Looked after Children in Scotland, based at the University of Strathclyde. We work with partners to improve the lives of Scotland's looked after children and care leavers, using a collaborative approach to support changes in systems and services which will benefit children and their families. We welcome this opportunity to contribute to the Fire and Rescue Framework for Scotland 2016, outlining the Scottish Ministers' expectations of the Scottish Fire and Rescue Service (SFRS) over the next few years. CEL CIS welcome the opportunity to consider how the lives of looked after children and care leavers could be further improved through the strategic priorities and objectives of SFRS, and how it operates to keep communities safe.

Many children have experiences which require extra care, support or protection from public agencies. In some cases, children become 'looked after', meaning a local authority takes on some legal responsibility for the care and wellbeing of the child. There are approximately 15,500 looked after children in Scotlandⁱ, who come from a range of backgrounds. Looked after children are not a homogenous group; they are individuals with their own needs, strengths and vulnerabilities. Looked after children come from a range of backgrounds and live in a variety of circumstances. Approximately 10% of looked after children live in residential homes, 35% live with foster carers, 27% live in a kinship care setting, and 25% live at home with one or both of their birth parents. Under the Children and Young People (Scotland) Act 2014, the Scottish Fire and Rescue Service is a corporate parent to all looked after children, and to all care leavers who were looked after children at their 16th birthday, and whom are currently under the age of 26.

Given the particular area of our expertise at CEL CIS, it is not necessary or useful to provide a response to each of the 17 consultation questions. Our response focuses on the areas of most relevance to looked after children and care leavers.

Looked after children will be an important consideration for SFRS, not only due to SFRS legal responsibilities as corporate parents, but also due to the needs and vulnerabilities of this group of children. For example, whilst it is by no means suggested that looked after children come exclusively from socio-economically disadvantaged backgrounds, or that poverty is a cause of child abuse, there is a link between socio-economic disadvantage and child abuse and neglect which is discussed in the recent report of the Joseph Rowntree Foundation (2016ⁱⁱ). An association between unintentional injuries (including from fire) to children and socioeconomic disadvantage is noted by Patel and Sandell (2013ⁱⁱⁱ), and Orton et al (2014^{iv}). From this it would be reasonable to deduce that there are additional risks for looked after children which SFRS could have a supportive role in reducing, in terms of their likelihood to experience unintentional injury due to safety in the home. Looked after children, their families, and care leavers will benefit from specific support from SFRS to improve safety, reduce risk and risk behaviour, and come into contact with positive adult role models.

Question 2. Do you agree with the text set out in the sections Protecting Communities and Prevention and Protection, in Chapter 1 of the Fire and Rescue Framework for Scotland 2016?

Yes. We agree that the vital work of the SFRS is reflected in the identification of its overriding purpose as “to work in partnership with communities and with others in the public, private and third sectors to improve the safety and well-being of communities”. We are pleased to note the acknowledgement of success gleaned so far from partnership working, and the need for clear processes within partnerships to identify the most vulnerable communities and individuals in order to tackle inequality. We fully agree that SFRS should continue to work with partners to ensure properly integrated public safety campaigns for raising awareness of fire safety, and other areas of activity.

When considering vulnerable groups and individuals within communities, and partnership working, it is important to note the role of SFRS as a Corporate Parent to all looked after children and care leavers. It is disappointing that no reference has been made to this throughout the framework and we would welcome its inclusion.

Under Part 9: Corporate Parenting of the Children and Young People (Scotland) Act 2014, there are now specific duties for the Scottish Fire and Rescue Service. Section 58 sets out the Corporate Parenting responsibilities of SFRS:

- 1) It is the duty of every corporate parent, in so far as consistent with the proper exercise of its other functions—

- a) to be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom this Part applies,
- b) to assess the needs of those children and young people for services and support it provides,
- c) to promote the interests of those children and young people,
- d) to seek to provide those children and young people with opportunities to participate in activities designed to promote their wellbeing,
- e) to take such action as it considers appropriate to help those children and young people
 - i) to access opportunities it provides in pursuance of paragraph (d), and
 - ii) to make use of services, and access support, which it provides, and
- 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 children and young people.

Furthermore, the SFRS has a duty to prepare a corporate parenting plan (section 59), collaborate with other corporate parents in so far as reasonably practical (section 60), report on how it has fulfilled these duties (section 61), provide information to Scottish Ministers (section 62), have regard to guidance issued by Scottish Ministers (section 63) and comply with directions from Scottish Ministers (section 64).

In meeting these duties, the following suggestions could be considered:

- How the SFRS can ensure all staff have an awareness and ownership of their duties as corporate parents
- How information about the circumstances under which SFRS interacts with looked after children and care leavers is gathered, and what improvements are needed in order to better understand and meet their needs in relation to the services provided by SFRS.
- How SFRS can ensure care experienced children and young people are represented and enabled to participate in activities and opportunities, and that policy and planning considers their particular perspective and issues.
- How looked after children and care leavers are considered within the SFRS Youth Engagement Framework.
- How SFRS can provide opportunities to care experienced Modern Apprentices and offer work experience placements to those with care experience.

- How SFRS can raise the awareness of their role with looked after children and care leavers, using a variety of communication technologies (for example: social media, video content online, activity resources for young children).
- How collaborations with other corporate parents will be used to ensure the wellbeing of looked after children and care leavers is promoted, and ensure they are educated about fire and rescue, in terms of prevention and protection. For example, visits to residential houses and inviting looked after children to visit fire stations to learn about fire safety and risk, and meet staff who could represent positive role models to them.

Question 6. Do you agree with the text set out in the section, Working with Others, in Chapter 1 of the Fire and Rescue Framework for Scotland 2016?

Yes. We agree that effective partnerships with a comprehensive range of organisations and communities are key to successful delivery of the SFRS objectives and priorities. We recognise there is a range of relevant legislation which requires SFRS to work in partnership with other organisations. Where this legislation is to be listed in the framework it would be appropriate for the list to be comprehensive, therefore the inclusion of Part 9: Corporate Parenting of the Children and Young People (Scotland) Act 2014 would be welcomed, with particular reference to the duty to collaborate with other corporate parents in so far as reasonably practical (section 60).

Question 15. Do you agree with the text set out in the section, Equalities and Human Rights, in Chapter 3 of the Fire and Rescue Framework for Scotland 2016?

Yes. We fully agree that SFRS must act in accordance with the European Convention for Human Rights, and with the Equality Act (2010). We welcome SFRS commitment to ensuring that its decision making and reporting demonstrates how equality issues are considered. Particularly as SFRS is a corporate parent, we would welcome the inclusion of looked after children and care leavers into consideration through mechanisms such as Equality Impact Assessments. The Equality Impact Assessment attached to the framework highlights evidence that young people are at higher risk of particular behaviours or accidents; and describes the targeted education in place to promote their safety. This assessment could be improved by considering the needs and risks of children who are looked after and who are care leavers, and including information about additional measures taken to safeguard and protect their wellbeing.

A recognition of SFRS specific duties in relation to Part 1: Children's Rights under the Children and Young People (Scotland) Act 2014 would strengthen the framework here.

SFRS has a duty to report on the steps they have taken to better secure, or give further effect to, the requirements under Part 1 of the United Nations Convention on the Rights of the Child (UNCRC). Consideration of how SFRS plan to implement this duty should be referenced within the framework. A decision that SFRS will undertake Children's Rights and Wellbeing Impact Assessments (CRWIA) to assess whether its policies help make children's rights a reality, and protect and promote the wellbeing of children and young people would be welcomed. The Scottish Government's CRWIA policy development and improvement approach has been made available for public authorities to adapt for their own uses, and can be found [here](#).

The mention of SFRS' intention to encourage the uptake of Modern Apprentices across the organisation is welcomed. Providing particular access for care experienced young people to these opportunities is suggested, in order to fulfil corporate parenting responsibilities.

Thank you for providing us with this opportunity to respond. We hope the feedback is helpful; we would be happy to discuss any aspect in further detail. The writer has a specific remit in terms of offering support and advice to all corporate parents named in the Children and Young People (Scotland) Act, 2014, and as such would be delighted to hear from SFRS regarding this issue. A [useful guide](#) to corporate parenting duties and responsibilities can be found on CELCIS website. Additional practice [implementation notes](#) are also available via our website.

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ⁱ Scottish Government (2016) [Children's Social Work Statistics Scotland 2014/15](#), Edinburgh

ⁱⁱ Bywaters et al (2016), [The relationship between poverty, child abuse and neglect: an evidence review](#), Joseph Rowntree Foundation

ⁱⁱⁱ Patel and Sandell (2013), *Prevention of unintentional injury in children*, Paediatrics and child health, 23:9

^{iv} Orton et al (2014) *Persistence of Health Inequalities in Childhood Injury in the UK; A Population-Based Cohort Study of Children under 5*, PLOS ONE, 9:10