

SCOTTISH CARE LEAVERS CO♥VENANT

Scottish Care Leavers Covenant Alliance
'Collaborative Voice' Briefing

**The challenge of 2020:
Supporting care leavers in Scotland
during the pandemic and beyond**

October 2020

Table of Contents

Purpose of this briefing	2
About the Scottish Care Leavers Covenant	3
Key Priority Areas	4
Digital Inclusion	4
Continuing Care, Housing and Accommodation	5
Mental Health	9
Relationship-Based Practice	11
Conclusion and Recommendations	13
Summary of Recommendations	13
References and Resources	15
Contact details	17



Purpose of this briefing

During the COVID-19 pandemic, the SCLC Alliance partners have continued to meet regularly, strengthening our collective resolve to: collate and share information; to identify and share interesting and effective practice; to offer support directly to care leavers and care experienced young people; and to offer support to those agencies and organisations who provide services and care for them.

This briefing paper aims to highlight some of the key issues and some of the solutions that have been identified. We draw together learning from our own work and from our extensive networks and relationships with partners to offer a number of recommendations, and to prioritise steps to improve the lives of care leavers.

The impact of the COVID-19 pandemic has exacerbated and amplified the precariousness of many care leavers' situations, and the inconsistencies and variations that exist in relation to support and services. Despite the varied range of positive localised responses, the health pandemic has exposed the structural disadvantage and discrimination that many care leavers face, impacting on their rights to services, supports and provisions required to meet their developmental needs into adulthood. This is in relation to both individual circumstances as well as recognising care leavers' needs as a broader population to whom the State, as corporate parent, at local and national level, has specific duties and responsibilities.



About the Scottish Care Leavers Covenant

Launched in 2015, the [Scottish Care Leavers Covenant](#) is the work of a cross-sector alliance of organisations who support Scotland's corporate parents, carers, practitioners, managers and decision makers in fulfilling their duties to improve the life chances of all of Scotland's care leavers¹. The Covenant takes a holistic, young person-centred approach and focuses on the long-term wellbeing needs of care leavers into adulthood. It calls for a range of implementable actions to be taken by Scotland's corporate parents to close the gap between policy intentions and consistent practice. The majority of Scotland's local authorities, colleges, universities and corporate parenting organisations at local and national level have endorsed the Covenant.

The covenant is underpinned by four key principles:



Care-proofing of policy: recognises structural disadvantages and inequalities in opportunity encountered by care and prioritises and references them in policy documents.



Assumption of entitlement: assumes all care leavers are entitled to services, support and opportunities, up to their 26th birthday. Where discretion exists in definitions of vulnerability, or in giving priority access, these will be in favour of care leavers.



Staying Put and Continuing Care: the full and meaningful implementation of continuing care legislation where all looked after young people and care leavers are actively encouraged, enabled and empowered to benefit from 'staying put' arrangements, remaining in positive care settings until they are ready to move on.



Relationship-based practice: relationship-based practice into adulthood is core to delivering high quality and effective person-centred support, based on understanding, empathy, respect, and 'stickability'.

¹ The legally defined term *care leaver* has associated rights and duties. However, since the publication of the Covenant in 2015, the term *care experienced* has been increasingly used when describing young people who are currently, or have previously been, in care. As such, both terms are used throughout this briefing.

Key Priority Areas

Digital Inclusion

We acknowledge and welcome Phase 2 of [Connecting Scotland](#) and the commitment to extending digital inclusion funding to specifically support care leavers. The recent CELCIS Inform Briefing '[Bridging the digital divide for care experienced young people in Scotland: If not now, when?](#)' highlighted the challenges faced by care leavers who have been digitally excluded during COVID-19, and identified responses to this need and recommended actions to address these issues in the longer term. The COVID-19 context has exposed and amplified the issue of digital connection and digital exclusion for care leavers.

The current situation has emphasised the fundamental importance for all of us of having a secure, reliable and affordable means of being digitally connected, as well as the skills and confidence to access online support and services. This situation has highlighted the critical importance of reliable IT connection as a lifeline for young people, fundamental to ensuring social connection and supporting positive mental health and emotional wellbeing.

For young people in particularly marginalised communities, digital inclusion has become even more crucial as services have moved online. This includes access to support services, such as health, education and training, and financial services including social security and online banking, but also the ability to participate in decision-making forums where potentially life-changing decisions can be made, such as the Children's Hearing System and the justice system. Such access is crucial if children and young people's rights are to be upheld and they are able to access justice. Digital connection is also crucial for young refugees and asylum seeking young people who are particularly isolated and need to maintain links with Guardians and government departments during an already uncertain time.

Along with many other organisations at local and national level, our Alliance members have been directly meeting the need for care leavers to be digitally connected. The Life Changes Trust's 'Keep Well Fund' provided individual grants for almost 700 young people with care experience, with both care leavers and young people still in care able to access this support. It was clear from the applications that technology and data poverty remains highly prevalent and digital exclusion often prevents care leavers from receiving support and engaging in activities that not only promote their wellbeing, but also have the potential to radically improve their lives. Whilst this funding offered quite broad support, 58% of applications were for some form of technology or data access. Further analysis of data showed that 34% of applicants required digital devices



and/or data to stay connected to important people in their lives, to access educational opportunities and to access services/supports (Life Changes Trust, 2020).

Who Cares? Scotland highlighted strong evidence of digital exclusion in their analysis of the emergency funding and support they provided to care experienced people during the initial lockdown period in Scotland. Staf also reflected on the digital support (including data bundles) required to enable young people to continue engaging with participation groups and other activities that were even more vital for their wellbeing through lockdown.

These positive responses from support organisations can only be seen as short-term, stop-gap measures and longer-term solutions need to be identified. Indeed, while the extension to the Connecting Scotland programme is welcome, there is a time limit of 12 months for the data support costs being offered.

Recommendation:

Digital connection must be regarded as a right, and the principle of 'assumption of entitlement' must apply here. Corporate parents at local and national level must work together to ensure that there is a national and strategic solution to ensure that all care leavers have the required technology to meet their needs and are supported and funded to access to broadband and internet provision.



Continuing Care, Housing and Accommodation

Continuing care is evidenced as the single most important factor in improving outcomes into adulthood for care leavers, and encouraging, enabling and empowering young people to 'stay put' has been a key policy in Scotland for a number of years now. Consistent implementation has been, and remains an ongoing challenge. The impact of COVID-19 has played out in a number of different ways. Some young people have had their plans to move out of care to 'independent' living accelerated earlier than otherwise planned, whilst for others continuing care has become the default with both young people, and their local authorities and care providers, positively seeking to reduce the physical moving on of young people during this time.



This raises rights issues for young people on both counts – some people who would have been legally entitled to remain in positive placements have been transitioned earlier, for example due to carers or agencies concerns about being ‘in lockdown’ with young people for an extended period. Given the challenges with offering person-centred and face-to-face support, caused by the COVID-19 restrictions this has left some young people in very unsatisfactory situations, and the consequences of this are potentially catastrophic. In other situations,

however, young people who have wanted to exercise their rights to move on, have been unable to do so due to a number of factors such as a lack of proactive support and decision-making from staff and agencies (however well-intentioned due to pandemic-related health concerns) or a lack of suitable move-on accommodation and accompanying support.

Feedback from those working to support young people also tells us that a significant number of young people have been able to remain in positive care placements longer as a default. This is to be welcomed, despite the circumstances that have provided this catalyst. However, there are concerns that as restrictions ease, and as pressure across placements and demand for availability continues, young people may find themselves being transitioned out at a more accelerated pace; or indeed may want to move, but due to lack of suitable move on accommodation be unable to do so. Staff have gathered feedback from some local authority areas indicating that some young people who are ready to move on were stuck in temporary accommodation as housing allocations were not being made during lockdown. This has caused concern that the needs of care experienced young people will be lost amongst the needs of hundreds of families looking for accommodation.

It is well recognised that care leavers are more likely than other young people to become homeless or experience housing instability. It is important to highlight that homelessness also includes what is referred to as ‘hidden homelessness’, where people are in unsafe or unstable accommodation, or “sofa-surfing” with friends and relatives (Barnardo’s, 2020). These forms of homelessness are more likely to be hidden from services and therefore are not reflected in official recording. It is likely that there is a higher number of care experienced young people who may experience this form of homelessness than is currently understood in official statistics. In the wake of the pandemic and the public health response to it, corporate parents in Scotland are facing additional pressures and are more likely to struggle to meet their statutory duties. Young people transitioning out of care need to receive timely, targeted and effective support, and fundamentally, no care leaver under the age of 26 years to whom corporate parenting duties apply should experience homelessness.

Research has also found that for some young people, compliance with COVID-19 related restrictions was more challenging, or there were concerns about their ability to follow public health guidelines. Whilst this is not dissimilar to the experience of other young people across communities, for care experienced young people this has at times impacted on placement decisions, resulted in an increased risk of criminalisation, accelerated transitions and/or resulted in questioning of the suitability of placement types, with suggestions that more restrictive placements were needed (CYCJ, 2020). Care experienced people and care leavers are already over-represented in the Scottish prison population, particularly young people (SPS, 2018). There are particular concerns for people who are in custody, including children, young people and those held on remand, during the pandemic, including how well rights are being upheld - as detailed in the Independent Children's Rights Impact Assessment (CYPCS, 2020). While some young people have benefitted from court release and early release, for those leaving custody, despite the efforts of services, the existing challenges of ensuring appropriate reintegration and transitions support including accommodation have increased.

In addition, even matters that would ordinarily be more straightforward regarding criminal justice support, such as ensuring items such as clothing and furniture are available; supporting travel home/meet at the gate; and opportunities for home leave/mobility prior to returning to the community, have been more problematic. Moreover, the number of young people who have been able to benefit from early release provisions under the Coronavirus (Scotland) 2020 Act has been limited, with the approach adopted based on offence type and status, meaning, for example, people held on remand excluded from such provisions, as opposed to consideration of their vulnerability.

This is a complex and multi-faceted area in which many rights issues for care leavers had been raised prior to the COVID-19 pandemic. The impact of the pandemic has added further layers of complexity and challenge, leaving more young people to potential instability.

Recommendation:

We need to pay significant attention to ensuring the availability of continuing care placements as a legal entitlement and right. We must also ensure robust and consistent rights-based and needs-led approaches are taken to support young people moving on to more interdependent living. This will require a coordinated and strategic response at both national and local levels.



Decisions about placements, support and services must be made on the basis of children's needs as opposed to behaviour, and should involve full and meaningful participation in all decision-making. More than ever, having control and agency over your own home, and how you engage with your community is vital for young people with care experience. Providing young people with a wider range of housing options and housing support services that they have helped shape should go hand-in-hand with corporate parenting duties around continuing care. 

Avoiding the detention of children and care leavers wherever possible is even more important in the context of the COVID-19 pandemic. Specific attention needs to be paid to the needs of care leavers who are in custody or leaving custody during the pandemic. Personal and structural support (housing, employment and educational access etc.) for care and justice experienced children and care leavers should be prioritised. A vulnerability-informed approach should apply to any future early release arrangements.

The [Youth Homelessness Prevention Pathway: Improving Care Leavers Housing Pathways](#) sets out the range of actions required to fully implement continuing care, improve housing and accommodation pathways and reduce the risk of homelessness for Scotland's care leavers. The pandemic has stalled the implementation of these actions and recommendations but they must be revisited with a renewed sense of purpose and focus.

Care Experienced Students' Bursary

The introduction of a full bursary for care experienced young people in 2017 has removed a significant financial barrier and gone a long way towards ensuring that more and more care leavers are able to access further and higher education. However, the implementation of this bursary has not been without its issues and the SCLC Alliance are keen to work with partners to highlight some of the practical improvements that could be made to ensure a more equitable and consistent approach for care leavers.

COVID-19 has exacerbated these issues of financial hardship and financial precariousness for many care leavers, including those who are in receipt of the [Care Experienced Student Bursary](#). We welcome the funding that has been brought forward through hardship funds for higher education students and the new flexibility offered to colleges to support further education students to address students' financial concerns this summer. However, we feel this does not fully address the longer-term financial support that care experienced

students need. Further steps need to be taken and our Alliance members are proud to lead a [call to extend the care experience bursary to be paid all year round](#).

Care experienced young people do not often have the family support networks of their peers, making it more challenging for them to weather financial shocks and changes to their income, particularly as many already face additional financial deprivation. Unfortunately, this will continue to be the case beyond the current crisis. There is therefore a need, and an opportunity, to build a longer-term solution on this issue that ensures a better normal for care-experienced students.

Recommendation:

The needs of care experienced young people in further and higher education cannot and must not get lost in this pandemic, particularly considering the progress that has already been made to improve support. We believe that the simplest and most effective solution is for the Care Experienced Bursary to be increased to cover all 12 months of the year. This would ensure that no care-experienced student in further or higher education would face holiday hardship between term times.



Mental Health

Social isolation and loneliness are significant factors in relation to mental health and emotional wellbeing for care leavers. The social and physical distancing restrictions introduced during the pandemic have exacerbated this for many care leavers living more independently. This has been compounded by the impact of worrying about the health of family members; fear of the virus spreading; the loss of loved ones; uncertainty and lack of control (Who Cares? Scotland, May 2020). We know from feedback through helplines, funding initiatives, practitioner workshops, research and participative projects with care leavers, that this has had a profound and detrimental impact on their mental health and emotional wellbeing.

At the same time, access to mental health support, both CAMHS and adult mental health service provisions, which were already acknowledged to be stretched prior to COVID-19, has become increasingly hard to access, with criteria being reduced to those indicating risk of loss of life, evidencing signs of psychosis or requiring hospitalisation. Indefinite waiting lists exist for those who do not meet these criteria. There is also a lack of clarity and regional variation in



what support will be provided while on waiting lists. This has increased trauma for young people and will potentially have long-term detrimental consequences.

We have reports from practitioners of an increase in self-harming and hospital admissions due to lack of preventative support and interventions. Social isolation, combined with precarious finances, uncertainties about work or college, challenges of parenting and at times little or no ability to connect via digital media, make for a 'perfect storm' for an already disadvantaged, vulnerable group, many of whom may still be struggling with unresolved childhood trauma.

As the pandemic continues to place unprecedented demands on statutory provision, the community and voluntary sector have played an increasingly important role in supporting the mental health of care leavers. Locally-based community support such as volunteer befrienders, family support services and creative activities that have light touch therapeutic benefits are highly valued by care leavers. Many of these supports ceased or became much more difficult to access during lockdown. This has left young people with care experience, who do not tend to have access to the same extended family networks that most of us draw on for support, particularly exposed to mental distress without an emotional outlet.

These organisations operate in a very challenging funding climate but in many cases have managed to redesign their work with speed and care. This has enabled them to not only provide opportunities for care leavers to spend time with each other, but also to offer a range of creative activities for young people to express and process their emotions and practice different tools and techniques for maintaining their mental and physical wellbeing during this pandemic. Such organisations that also provide tailored support for young people whose care experience intersects with other identities that are associated with increased mental health issues (such as those in the LGBTQ+ community) have also been a lifeline for some young people during the pandemic.

Recommendation:

SCLC Alliance organisations recognise the pressures on statutory services and the time and investment it will take to fully address the mental health crisis exacerbated by the pandemic, which is far from exclusive to the care experienced community.



However, whilst many young people may require emotional and psychological support and intervention as a consequence of the pandemic and the restrictions, as corporate parents, health services at a local and national level, have specific duties and responsibilities which apply to care experienced young people up to the age of 26 – the State’s children and young people. Therefore, access to mental health services for a group whose vulnerabilities and disadvantage is already documented as a national concern must be prioritised.



This should include access to specific, specialist CAMHS and adult mental health services. It should also include ensuring that young people can access community-based support, services and projects offering relational practice to address issues of isolation, lack of structure and boredom as contributors to poor mental health.

As local and national government budgets come under increasing pressure, corporate parents must recognise the vital role and agility of partners in the voluntary and community sector. Decisions to cut funding to these organisations working with the most vulnerable and in the most deprived areas of the country are short-sighted and risk negating many of the positive policies introduced for care leavers in recent years. Supporting relevant community-based projects can promote mental well-being amongst care leavers and play an important role in expanding their network of relationships (Life Changes Trust, 2020).

Relationship-Based Practice

Maintaining strong relationships and connectivity has been central to almost every story of good practice in supporting care leavers throughout lockdown. Corporate parents have a particularly important role to play in creating the right culture and context for relationship-based practice to flourish. There have been some great examples of practitioners maintaining relationships whilst following public health guidelines, including socially distanced walks, sending personalised care packages, engaging in fun online activities and much more.

Relational practice has also been particularly important for care leavers who have a number of practitioners involved in their daily lives, such as care leavers with disabilities living in supported accommodation. We have seen excellent examples of practitioners applying for funding on behalf of non-verbal young people to ensure that they access all the support that they are entitled to, whilst also presenting the voice of the young person in a thoughtful and empowering way.

However, there have also been examples of decision-making and risk-based policies that do not serve the needs of care leavers. In some cases, the removal of support has been abrupt and damaging, particularly for care leavers without any other support network to fall back on. Rigid policies around ICT use and the prohibition of certain digital engagement platforms within some statutory agencies have stymied the efforts of skilled professionals to engage with young people in the right way and at the right time. In this example, technology is acting as a barrier rather than an enabler of relational working, which evidence shows has played a critical role in reaching out to young people with care experience during lockdown and offering a buffer against some of its most acute effects.

Emergency protocols that have failed to include care leavers in their design and delivery have also been introduced in some areas. This has been particularly frustrating where organised and skilled groups of young people (such as Champions Boards, or advisory groups) could be easily engaged in decision-making.

Staf's '[Building Relationships Advisory Group](#)' recognise the significant changes workers and organisations have had to implement this year and they highlight the importance of balancing the risks of the pandemic with building and maintaining relationships with young people. They outline practical steps that can be taken to ensure that relationships remain at the centre of support for care leavers during this time, including staying in touch with young people and making sure that staff are well taken care of.

Recommendation:

Responding to the immediate crisis whilst keeping a focus on medium and long-term goals will be crucial for maintaining positive relationships, good staff morale and, ultimately, positive outcomes for young people. Relationship-based practice and coproduction approaches with care leavers ensure that their voices are heard, and provides an important way for young people to retain choice and control over key aspects of their life. We must develop enabling environments for relationship-based practice to flourish and ensure that positive approaches developed in response to COVID-19 are supported to continue.

These approaches are particularly important for care leavers who live with additional complexities in their life and face a range of situations where others may make decisions on their behalf, such as young people with disabilities and care support, or young people in the justice system. We recommend that all corporate parents use an Equalities Impact Assessment (EQIA) approach in their decision-making to better understand any potential impact on care leavers.



Conclusion and Recommendations

This COVID-19 health pandemic has exposed, highlighted and exacerbated many of the structural disadvantages and inequalities which care leavers and care experienced young adults already face. The fragility of connections with positive support networks, along with a fundamental financial precariousness challenges the notion that 'we're in this together'. COVID-19 has impacted on care leavers' rights to services, supports and provisions required to meet their developmental needs into adulthood. The State, as corporate parent, at local and national level, has specific duties and responsibilities to these young people.

We have seen however, some very positive responses from a broad range of agencies, both statutory and voluntary, at national, local and community level that have been a lifeline for young people. Whilst these responses remain subject to an already evidenced [postcode lottery](#), they have demonstrated the flexibility, creativity and responsiveness that is both required and possible.

We have sought to offer direct practical and relational support where this is possible, as well as draw together key issues, messages and learning. As an Alliance we have been committed to listening to, encouraging, and elevating, the voices of care experienced young people. The areas outlined in this summary report are neither definitive nor exhaustive, but are illustrative of some of the key issues impacting on care experienced young people highlighted during the pandemic. As such, we offer a number of recommendations and extend an invitation to policymakers and funders to engage with the Alliance and make use of our skills, data and networks, in order to work together to use this time and opportunity to deliver the changes that Scotland's care experienced young people need and deserve.

Summary of Recommendations

Digital Inclusion

- Digital connection must be regarded as a right, and the principle of '[assumption of entitlement](#)' must apply here. Corporate parents at local and national level must work together to ensure that there is a national and strategic solution to ensuring that all care leavers have the required technology and are supported and funded to access to broadband and internet provision.

Continuing Care, Housing and Accommodation

- We must ensure robust and consistent rights-based and needs-led approaches are taken to support young people moving on to more interdependent living.



- The Youth Homelessness Prevention Pathway: Improving Care Leavers Housing Pathways sets out the range of actions required to fully implement continuing care, improve housing and accommodation pathways and reduce the risk of homelessness for Scotland's care leavers. The pandemic has stalled the implementation of these actions and recommendations but they must be revisited with a renewed sense of purpose and focus.
- Specific attention needs to be paid to the needs of care leavers who are in custody or leaving custody during the pandemic. A vulnerability-informed approach should be taken to any future early release arrangements.

Care Experienced Students

- The needs of care experienced young people cannot and must not get lost in this pandemic, particularly considering the progress that has already been made to improve support. We believe that the simplest and most effective solution is for the Care Experienced Bursary to be increased to cover all 12 months of the year. This would help to ensure that no care-experienced student in further or higher education faces holiday hardship between term times.

Mental Health

- Health services, at a local and national level, have corporate parenting responsibilities with specific duties towards care experienced young people up to the age of 26 – the State's children and young people. Access to mental health services for a group whose vulnerabilities and disadvantage is already established and documented as a national concern must be prioritised. This includes specific specialist CAMHS and adult mental health services and interventions, as well as ensuring a range of community-based supports and projects to address issues of isolation, lack of structure and boredom as contributors to poor mental health.
- Supporting relevant community-based projects can promote mental well-being amongst care leavers and play an important role in expanding their network of relationships. Corporate parents must recognise the vital role and agility of partners in the voluntary and community sector and ensure appropriate sustained funding.

Relationship-Based Practice

- Develop enabling environments for relationship-based practice to flourish and ensure that positive approaches developed in response to COVID-19 are supported to continue.
- We recommend all corporate parents use an Equalities Impact Assessment (EQIA) approach in their decision-making to better understand any potential impact on care leavers, particularly for young people with disabilities and care support, or young people in the justice system.

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