



Centre for excellence
for looked after children in Scotland

Implementation Note: 4

Corporate Parenting: Planning and Reporting

Implementing Sections 59 and 61

CELCCIS

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Improving care experiences

This is the fourth 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 Sections 59 and 61: Planning and Reporting

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. Part 9 of the Act sets out a range of additional duties under Sections 59 through to 65. This paper aims to help you, as a corporate parent, to understand and implement the duty to prepare and review your Corporate Parenting Plan (Section 59) and the duty to report on your corporate parenting activities (Section 61).

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'



Under Sections 59 – 65, corporate parents must also publish detailed corporate parenting plans and reports, collaborate with each other, follow directions and guidance, and provide relevant information to Scottish Ministers.

Planning by corporate parents: the statutory requirement

Section 59 of the Act requires 'planning by corporate parents'. According to Section 59:

- 1 A corporate parent must -
 - a) Prepare a plan for how it proposes to exercise its corporate parenting responsibilities.

- b) Keep its plan under review.
- 2 Before preparing or revising a plan, a corporate parent must consult such other corporate parents, and such other persons, as it considers appropriate.
- 3 A corporate parent must publish its plan, and any revised plan, in such manner as it considers appropriate (and, in particular, plans may be published together with, or as part of, any other plan or document).

Planning

In this context, planning refers to the process that corporate parents will undertake to convert the aspirations of the Act into organised practical efforts to make the services they offer more effective, efficient and relevant to looked after children and care leavers. The planning process aims to deliver specific objectives that come from an understanding and examination of different options and priorities, and a selected course of action.

Format and contents

The Act does not specify the format of the plan. Section 59 (3) requires a corporate parent to publish their plan, and any revised plan, in such manner as it considers appropriate. Plans may be published alone, or as part of another plan or document. Plans must be published in a document which is easily accessible to both the eligible population and the public. Accessibility relates to the availability of the document (for example, published online) as well as its format and language. Appendix 1 sets out a useful checklist.

Corporate parents choosing to publish their plan as part of another document should carefully consider the relevance and accessibility of the other document. For some corporate parents, it may be appropriate to include their plans in the wider Children's Services Plan, prepared under Part 3 of the Act. However, corporate parents choosing to do so must ensure that this document meets the necessary requirements in terms of accessibility for looked after children and care leavers. Where a group of corporate parents choose to publish a joint plan, regardless of the format, they must ensure the individual contributions of each corporate parent are clearly detailed.

Ideally, corporate parents will not rush to publish their plan. Rather, it is hoped that they put the time into developing a good, well thought-out and deliverable plan. However, due to various obligations, some corporate parents may have to construct their plan in order to fit other timescales. This is not necessarily detrimental, as the duty requires that the plan be kept under review and so can be amended and built upon over time. There is no 'one-size fits all' approach in terms of constructing the corporate parenting plan, and the level of detail required will vary depending on a corporate parent's primary functions.

The plan must set out how you propose to fulfil your corporate parenting responsibilities (as set out in Section 58 of the Act). Therefore, the content of the plan must include information on how you (or you in collaboration with other corporate parents through a joint plan if appropriate) will:

- Be alert to matters which, or which might, adversely affect the wellbeing of eligible children and young people.
- Assess the needs of those children and young people for the services and support you provide.
- Promote the interests of those children and young people.
- Provide those children and young people with opportunities to participate in activities designed to promote their wellbeing.
- Take appropriate action to help those children and young people to: (i) access the opportunities you provide; and (ii) make use of services and access support, which you provide.
- Take appropriate action to improve the way in which you exercise your functions in relation to eligible children and young people.

In addition, your corporate parenting plan should include:

- **How you will meet your responsibilities to all currently looked after children and care leavers.** Corporate parents must consider how they can be alert to, assess and meet the needs of younger and older children, care leavers and those who live at home or with kinship carers.
- **How you will engage with children's carers.** Carers play a critical role in keeping corporate parents alert to relevant matters and enabling children and young people to participate in opportunities, and as well as access services and support.
- **Any collaboration you are planning with other corporate parents.** Section 60 requires corporate parents to collaborate with each other, in so far as it is reasonably practical, when exercising their duties. This could include the development of a joint corporate parenting plan¹.
- **Clear and specific objectives for the duration of the plan, on which your performance will be measured.** Corporate parents should pay close attention to the quality of the opportunities, services and support provided, as well as the volume and range. This will involve seeking and analysing feedback from children and young people who participated in activities or accessed services.

Keeping the plan under review

Under Section 59, a corporate parent (or group of corporate parents) must keep their plan under review. Keeping the plan under review will mean that you will be able to:

- a) Establish if the plan is being delivered as intended.

¹ Please see Implementation Note 3 Corporate Parenting: Collaboration

- b) Identify ways in which you could improve the way you exercise your corporate parenting functions.

Keeping a plan under review requires you to have systems in place to regularly collect and analyse performance related information. These systems will likely be the same systems that you will draw on to fulfil your obligations under Section 58 of the Act, and in particular your duty to be alert and to assess needs².

All corporate parents should review their plan regularly (for example, bi-annually or annually). In undertaking this review, you should assess your performance as relevant information becomes available. The findings of this review should be published in the corporate parenting report and used to update the corporate parenting plan. It is recommended that the process of reviewing, reporting on and updating the plan takes place at least once every three years.

Consultation

Section 59 (2) requires corporate parents (where appropriate) to consult with other corporate parents before preparing or revising their corporate parenting plan. This consultation contributes to your obligation to collaborate under Section 60³.

Corporate parents must also consult with 'appropriate persons', and this will include eligible children and young people to whom Part 9 applies. As noted in the [statutory guidance](#), it may not be possible or desirable for you to consult directly with eligible children and young people; however, it is important that your plan takes account of their views and aspirations. Corporate parents that do not engage with looked after children and care leavers directly should collaborate closely with corporate parents that do, or consult other organisations who can provide relevant information and insight.

Constructing a successful plan

A corporate parenting plan must be relevant to the external context, in order to ensure it yields the desired benefits for children and young people, as well as the organisation. Corporate parenting can be thought of as a system – a set of interconnected elements – where what happens in one part of the system affects the rest. The best outcomes will be achieved when corporate parents plan, work and act together as a whole system.

Looked after children and care leavers have particular health and wellbeing needs, and will require services from a whole range of corporate parents at some point in their lives.

² Please see Implementation Note 2 [Corporate Parenting: to be alert and assess](#)

³ Please see Implementation Note 3 [Corporate Parenting: Collaboration](#)

The plan and its associated activities should contribute to health and wellbeing outcomes – for example, positive change in the health status of a looked after child or care leaver, improvement in educational outcomes, an increased quality of life, and so on.

Frameworks for planning

A 'rational systems' framework is useful and appropriate where there are well-defined, structured and easy-to-control systems, with easily identifiable objectives. This approach to planning involves four steps:

- 1 Identifying a future desired state
- 2 Comparing it with the present state
- 3 Identifying possible pathways from the present to the desired state
- 4 Implementing the chosen pathway

This framework, however, may not be appropriate for more complex, people-based health and social care systems with difficult-to-define objectives. In such cases, 'soft' systems planning may be more successful. This approach involves:

- 1 Intervening in an iterative cycle (with ongoing evaluation)
- 2 Recognising cultural constraints
- 3 Engaging and involving relevant stakeholders in the planning process

For most corporate parents, some combination of a rational and a soft systems framework will be most useful.

Effective planning

For corporate parents, effective planning involves knowing how your work impacts on the lives of looked after children and care leavers. This may involve:

- Increasing knowledge and changing perceptions of staff members with regard to looked after children and care leavers.
- Consulting with looked after children and care leavers, either directly or indirectly, to be 'alert' (Section 58) to any risks to wellbeing that your service may pose to children and young people.

In [Implementation Note 1](#), we suggested a six step process to help corporate parents implement their corporate parenting duties⁴. The steps indicate that you are only ready to begin planning once you – as a corporate parent – are clear on what you do, and how this impacts on the lives of looked after children and care leavers. In doing so, it will be

⁴ Please note that planning is the fourth step in the process; there are a range of activities that should be completed before corporate parents attempt to write their corporate parenting plan.

important to:

- Develop specific options for implementing your corporate parenting duties.
- Build on your evaluation of what you currently do for looked after children and care leavers, and the impact this has on them.
- Identify what you could do (and could do better) in the future.

Having identified different options for meeting your corporate parenting duties and responsibilities, the next step in the planning process is to provide quantitative and / or qualitative information on how any proposed new arrangements will affect patterns of service provision, activity, budgets and outcomes. Then, it is time to implement the plan - implementing the identified and agreed changes, and evaluating the impact of the changes introduced. The planning cycle then continues in an iterative fashion, with monitoring and evaluation determining what effect planned changes are having.

For many corporate parents, their planning process will involve collaboration with other corporate parents and information sharing⁵. For the purposes of planning it will be possible to share relevant information without requiring the disclosure of personal information. If sharing personal information is required in order to safeguard or promote the wellbeing of a child or young person, then this should be done proportionately and comply with the principles and provisions of the Data Protection Act 1998⁶, as recommended in the Statutory Guidance⁷. Additional advice on information sharing under the Getting it Right for Every Child approach to working with children and young people is available on the [Scottish Government](#) website. The Information Commissioner's Office also has guidance⁸ on information sharing between services in respect of children and young people.

Points to note

Three points to remember when planning:

- 1** Planning is not always rational and evidence-based – it will sometimes necessarily be pragmatic, but it should always be informed by the best available evidence of what works.
- 2** Planning should be seen as continual and constantly evolving, rather than a one-off event.
- 3** Planning cannot predict the future or give the 'right' answer, however, good planning provides intelligence on what might happen in different scenarios, so as to allow more effective decision making

⁵ Please see Implementation Note 3 [Corporate Parenting: Collaboration](#)

⁶ Data Protection Act 1998 accessed via <http://www.legislation.gov.uk/ukpga/1998/29/contents>

⁷ CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014: Statutory Guidance on Part 9: Corporate Parenting accessed via <http://www.gov.scot/Resource/0048/00483676.pdf>

⁸ Information Sharing Between Services in Respect of Children and Young People accessed via <http://www.gov.scot/Resource/0041/00418080.pdf>

Reporting: the statutory requirement

Section 61 of the Act requires corporate parents to report on their corporate parenting activities. Under this section of the Act:

- 1 A corporate parent must report on how it has exercised:
 - a) Its corporate parenting responsibilities
 - b) Its planning and collaborating functions in pursuance of Sections 59 and 60
 - c) Its other functions under this Part

- 2 Reports may, in particular, include information about:
 - a) Standards of performance
 - b) The outcomes achieved in pursuance of this Part

Reports are to be published in such a manner as the corporate parent considers appropriate and, in particular, reports may be published together with, or as part of, any other report or document.

Reporting

A corporate parenting report should demonstrate how you have met your duties and responsibilities under the Act, including an evaluation of how these activities have contributed to the overall aim of corporate parenting. That means reporting on the extent to which you have been successful in upholding the rights – and safeguarding and promoting the wellbeing – of looked after children and care leavers. This will involve collecting and analysing relevant information.

Format and contents of report

The format of the report is not specified in the Act. Therefore, reports should be published in a way you consider appropriate for your organisation (or group of corporate parents, in the case of a joint report). This may involve publishing the report as a stand-alone document or alongside other related reports or documents (such as the corporate parenting plan or an annual report). As with the corporate parenting plan, the corporate parenting report should be easily accessible to both the eligible population and the public. Accessibility relates to the availability of the document (for example, published online), its format and language. Appendix 2 sets out a useful checklist.

The content of the report should:

- Reflect the ambitions, objectives and activities detailed in the plan, and should outline the extent to which the objectives of the plan have been met.

- Offer an analysis of progress and identify any actions which could improve the way in which the corporate parent (or group of corporate parents) exercises its functions (this will contribute to the duty under Section 58 1 (f) - to take action to improve how a corporate parent exercises its functions).
- Be based on data and analysis. Corporate parenting plans should set clear objectives, and corporate parenting reports should measure and report upon these. Where relevant (for example, fulfilling the duty to provide activities to promote wellbeing), reviews of performance should assess the quality of the opportunities provided as well as the quantity.
- Detail how the wellbeing needs of looked after children and care leavers were identified, and how opportunities, services and supports were developed or made accessible to the eligible population (within the parameters set by the corporate parent's other functions).
- Outline the specific contributions of each corporate parent if publishing a joint report.

The reporting cycle

A corporate parenting report should be published at least once every three years. The process for preparing and publishing a corporate parenting report should be part of a coherent process of planning, review and reporting.

It is important to note that many corporate parents are subject to reporting requirements under other Parts of the Act (in particular Parts 1 and 3) and other legislation (for example, the Equality Act 2010). It is important to make the links between these separate reporting requirements, combining reports (where relevant) into a single publication. Effective collaborative working between corporate parents should identify opportunities to facilitate the process of reporting on a range of separate but interrelated areas.

Exemptions

Scottish Ministers are not corporate parents for the purposes of Sections 61 - 64. This means they are exempt from this duty to report. However, Scottish Ministers are subject to their own specific reporting duty, set out in Section 65.

Appendix 1: corporate parenting plan checklist

The plan contains details, data and analysis of how we will...	✓ or ✗
Be alert to matters which, or which might, adversely affect the wellbeing of eligible children and young people.	
Assess the needs of those children and young people for the services and support we provide.	
Promote the interests of those children and young people.	
Provide those children and young people with opportunities to participate in activities designed to promote their wellbeing.	
Take appropriate action to help those children and young people to: (i) access the opportunities we provide, and (ii) make use of the services and access support we provide.	
Take appropriate action to improve the way in which we exercise our functions in relation to eligible children and young people.	
Collaborate with other corporate parents.	
Meet our responsibilities to all looked after children and care leavers - across the entire age range relevant to corporate parenting - and to children looked after in all relevant placement types.	
Involve the perspectives of relevant young people (either directly or indirectly).	
Involve the perspectives of carers (either directly or indirectly).	
The plan contains:	✓ or ✗
A set of clear, measurable objectives.	
A clear timeframe for specific actions.	
The desired outcomes for looked after children, young people and care leavers.	

Appendix 2: corporate parenting report checklist

The report contains details, data and analysis of how we have...	✓ or ✗
Been alert to matters which, or which might, adversely affect the wellbeing of eligible children and young people.	
Assessed the needs of those children and young people for the services and support we provide.	
Promoted the interests of those children and young people.	
Provided those children and young people with opportunities to participate in activities designed to promote their wellbeing.	
Taken appropriate action which is helping those children and young people to: (i) access the opportunities we provide, and (ii) make use of the services and access support we provide.	
Taken appropriate action which is improving the way in which we exercise our functions in relation to the children and young people to whom corporate parenting applies.	
Collaborated with other corporate parents.	
Met our responsibilities to all looked after children and care leavers - across the entire age range relevant to corporate parenting - and to children looked after in all relevant placement types.	
Involved the perspectives of relevant young people (either directly or indirectly).	
Involved the perspectives of carers (either directly or indirectly).	
The report contains details of...	✓ or ✗
An evaluation of how we have met the objectives stated in our plan.	
A set of future priorities based on the findings of the report.	
The outcomes achieved for looked after children, young people and care leavers.	

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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