

# Creative Scotland Corporate Parenting Plan 2015-2018



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# Part 1 - Context

## Introduction and background

**The Children and Young People (Scotland) Act 2014** was passed in March 2014 and is a major piece of legislation which introduces significant changes to the planning, operation and delivery of children's services in Scotland. The Act largely adds to or amends previous statutes which have set out the legal framework for children's services.

In accordance with the Act (Part 9), Creative Scotland has been legally designated as a Corporate Parent. This means we have statutory duties to fulfil with regard to looked after children and young people (LACYP) and care leavers. Responsibility for fulfilling these duties lies across the organisation, though is ultimately held by the Board and our Senior Leadership Team.

As a Corporate Parent, Creative Scotland has a responsibility to set out how we will satisfy our resulting duties and functions. This document will outline these duties and explain how we will monitor our performance.

## Definition of a looked after child or young person

A child or young person is looked after when a Local Authority takes on some legal responsibility for their care and wellbeing. There are many legal routes through which a child can become looked after, including assistance in the provision of care for those with physical or mental disabilities. Corporate Parenting duties apply to children and young people who are looked after, regardless of the route by which they have found themselves in this position.

Children can be looked after in a number of settings, including foster care, kinship care, at home (by one or both parents) or in residential care homes. The Act applies to children and young people in all settings.

## Definition of a Corporate Parent

While there is a comprehensive definition of a 'Corporate Parent' provided in section 56 of the Children and Young People (Scotland) Act 2014, for the purposes of this Plan, the following definition, taken from the **statutory guidance for part 9 of the Act**, will be used. Corporate Parenting is:

***“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.”***

The guidance sets out that the whole organisation is responsible for fulfilling the duties of a Corporate Parent, with implementation being led by senior management across all departments. It requires that staff at all levels should be aware of the organisation's Corporate Parenting duties and recommends organisations review their induction and staff development processes in this light.

It is the responsibility of the organisation's most senior management to ensure the duties set out above are met. Those involved in the governance of the organisation will have a key role to play in scrutinising the activity of senior management, holding them accountable for success in this area.

## Monitoring, reviewing and reporting

Corporate Parents should review their plan and continually assess their performance against it. The process for reporting, should be part of the organisation's regular reporting schedule. Creative Scotland plans to review and report on its Corporate Parenting duties as part of its Annual Review published in the autumn of each year.

Corporate Parents are required to publish a report of progress to Scottish Ministers on a three year cycle which began on 1st April, 2015. However, Ministers can request information about progress at any time, so Corporate Parents should devise appropriate mechanisms for keeping data.

Reports must include information on how the Corporate Parent has exercised its duties and how they have fulfilled their functions with regard to planning, collaborative working, preparing reports and following any additional directions issued by Scottish Ministers.

## What are the duties of a Corporate Parent?

The duties of a Corporate Parent must be fulfilled for all looked after children and young people and care leavers. The Act sets out a series of six specific duties which Corporate Parents must fulfil. They are:

- a) To be **alert** to matters which, or which might, adversely affect the wellbeing of children and young people to whom this Part (ie, part 9 of the Act) 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),
  - 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.

(Section 58, Children and Young People (Scotland) Act, 2014).

The **Centre for Excellence for Looked After Children in Scotland** (CELCIS) **Inform Briefing** on Corporate Parenting sets out the extent of Corporate Parenting duties as:

***“Corporate parenting responsibilities’ extend to all looked after children aged from birth to when they cease to be looked after. This includes children in foster care, residential care, secure care, ‘looked after at home’ (on Home Supervision Requirements) and those in formal kinship care. It also includes disabled children who are ‘looked after’ during a short break provision. Corporate parenting responsibilities also apply to care leavers who were looked after on their 16th birthday (or subsequently) up to and including the age of 25.”***

## Creative Scotland and Corporate Parenting

Creative Scotland acknowledges that Corporate Parenting duties align with a number of our ambitions and priorities. The clearest link is to the aspirations of our 10 Year Strategy, in particular that “Everyone can access and enjoy artistic and creative experiences.”

Corporate Parenting seeks to enhance the wellbeing of looked after children and young people (LACYP) and care leavers by removing barriers to opportunities which these demographics often face. Through this plan, we will seek to better understand the opportunities available to these children and young people, the barriers they face in accessing them and how we can work to improve their access to the arts, screen and creative industries.

Within our processes, we will seek to enhance the profile of LACYP and care leavers, better understand our funded projects which are already working with these children and young people and develop a mechanism to record whether projects in the future engage with this group.

Through our development function, we will seek to support arts practitioners and those who care for LACYP, as well as care leavers themselves to better understand the barriers facing them and the models of practice that can best be employed to remove these barriers.

We will use our advocacy role to raise awareness of LACYP, both internally and externally across the arts, screen and creative industries.

## Current knowledge within Creative Scotland

We currently know little about how the organisations, projects and programmes we fund engage with and provide opportunities for looked after children and young people (LACYP) and care leavers. An initial sweep of funding data from the past five years has given us an indication of funded projects which have worked directly with LACYP. Only four projects can be positively identified as working with young people. These were:

- Kibble Education and Care Centre; MovieMaker in 2013/14 (Cashback for Creativity).
- Seamab Learning and Care Services; Sounds of Seamab in 2012/13 (YMI Access Fund).
- South Lanarkshire Council; Sold on Song in 2013/14 (Cashback for Creativity).
- South Lanarkshire Council; Music Project in 2011/12 (Public Engagement Sector Development Fund).

LACYP is one of the priorities for the Youth Music Initiative (YMI) and Cashback for Creativity, but as yet, no further information has been extracted from these funds.

A key difficulty in extracting data from historical funding is that we have not previously been required to record it. Some projects suggest an intention to work with disadvantaged, marginalised or vulnerable young people and young people at risk, which may include LACYP and care leavers, but this is not explicitly stated. Creating a common understanding and language around how to record this information as part of the funding process is a key action identified in this Plan.

One area which Creative Scotland is actively funding through the YMI Strengthening Youth Music strand is a research project into how LACYP in residential homes access music opportunities. The Creative Consortium is a partnership of the [Centre for Excellence for Looked After Children in Scotland](#) (CELCIS), [Seamab](#), [Care Visions](#), [Music Plus](#) (A YMI funded initiative) and [Who Cares? Scotland](#). This action research project is working with private sector and Local Authority residential care homes to explore how young people access music opportunities and trialling a variety of practice methods in the homes. Results of this research will be published upon conclusion of the project, findings from which will feed into Creative Scotland’s Corporate Parenting practice and knowledge.

## Part 2 – Action Plan

### Purpose and aims of the Action Plan

The purpose of the Action Plan is to set out the actions Creative Scotland will undertake up to April 2018 in order to fulfil our statutory duties as a Corporate Parent. The aims of the plan are:

- To ensure Creative Scotland fulfils its duties in a way which is consistent with its functions as a funding, development, influencing and advocacy body for the arts, screen and creative industries.
- To make all Creative Scotland staff aware that the organisation is a Corporate Parent with resultant duties to fulfil to present a set of proposed actions which Creative Scotland will undertake and report on to Scottish Government.
- To enable looked after children and young people and care leavers to access opportunities in the arts, screen and creative industries.

### Internal delivery group

Within Creative Scotland, there is a strong link between this plan and the work of the Creative Learning and Young People team, as well as a significant synergy with our Equalities, Diversity and Inclusion initiatives. The delivery of the plan will impact across other departments in the organisation, among them Knowledge and Research, Communications, Arts and Engagement and Human Resources. It is therefore an intention to establish an internal group to ensure the delivery of the plan, with representatives from across these departments and others as is deemed appropriate. The group will be led by the Designated Person for Corporate Parenting. It is planned that it will be established by December 2016.

### Publication of the plan and reporting

Creative Scotland will decide the most appropriate method of publishing our Corporate Parenting Plan and will have published it by March 2017. We will incorporate reporting on the Plan through our Annual Review 2017, as well as publishing a report on our actions by March 2018.

## Corporate parenting duties and actions

Creative Scotland recognises that this initial plan will be biased towards building knowledge and awareness of the current situation in the arts, screen and creative industries, as we are new to our formal role as a Corporate Parent. It is hoped that this initial plan will provide a sound baseline of evidence-based knowledge to inform the direction of future Creative Scotland Corporate Parenting plans.

### ***a) To be alert to matters which, or which might, adversely affect the wellbeing of looked after children and care leavers***

- A Designated Person for Corporate Parenting will be appointed by May 2016. The Designated Person will have a responsibility to ensure that any changes in legislation are implemented and to promote the interests of LACYP and care leavers, primarily through the delivery of this plan.
- Training will be provided for staff across the organisation by March 2018. This will include the Senior Leadership Team and Board, to enable all staff to better understand the LACYP and Care Leaver population, their needs and the barriers they face in accessing creative opportunities.
- Creative Scotland will ensure that all staff are aware of their specific responsibilities with regard to carrying out Corporate Parenting duties through. The Designated Person will present at staff and team meetings, while space will be given to discuss the implication for their teams and themselves.

### ***b) To assess the needs of those children and young people for the services and support it provides***

- Creative Scotland will continually seek to undertake consultation with other Corporate Parents and directly with young people to understand available creative opportunities and any barriers there may be to accessing them (this action is also relevant to delivering section (e)).
- Creative Scotland will use research findings from the Creative Consortium project and other relevant research to inform development of its Corporate Parenting actions and to build a picture of provision across the arts, screen and creative industries for LACYP and care leavers. This will be completed by March 2018 to inform the development of the next Corporate Parenting plan.

### ***c) To promote the interests of those children and young people***

- Creative Scotland will conduct an analysis of previously funded projects to better understand which projects have worked with this group in the past and identify any best practice. We acknowledge that this information has not previously been formally gathered, so may well be limited.
- Creative Scotland will ensure a process is put in place to record the projects working with LACYP and care leavers across all funded programmes, therefore increasing our capability to report on the projects and activities which funded organisations are delivering for this group.
- Creative Scotland will continue to promote the interests of LACYP and care leavers across its funding streams, particularly but not exclusively through Time to Shine, Cashback for Creativity, the Youth Music Initiative and the Creative Learning Plan.
- The interests of LACYP and care leavers will be integrated into the initiatives currently being delivered by the Equalities, Diversity and Inclusion team.
- These actions will be completed by March 2018.

**d) To seek to provide looked after children and care leavers with opportunities to participate in activities designed to promote their wellbeing**

- Creative Scotland will use the information gathered in point (e) review existing guidelines for artists working in participatory settings and address any gaps in information around working with LACYP and care leavers by March 2018. This includes reviewing existing publications including Creating Safety and creating any new guidance as necessary.
- Creative Scotland will seek to ensure that these guidelines are widely distributed.

**e) To take action to help looked after children and care leavers:**

**i. Access the opportunities provided**

and

**ii. Make use of our services, and access the support they provide**

- Creative Scotland will seek to identify the most effective ways in which arts and cultural opportunities can be promoted to LACYP and care leavers and their guardians, using research from the Creative Consortium Project and other research and information gathered as part of actions under section (b).
- Creative Scotland will seek to understand if LACYP and care leavers currently access pathways to careers in the arts, screen and creative industries. This will involve examining how youth employment opportunities in the arts, screen and creative industries can best be advertised to LACYP and care leavers and the barriers they face in securing employment in the sector. This will be achieved by March 2018 and will include collaboration with Corporate Parents such as FE and HE institutions and Skills Development Scotland.

**f) To take any other action it considers appropriate for the purpose of improving the way it exercises its function in relation to looked after children and care leavers**

Creative Scotland will take any other actions if and when they should arise in the lifetime of this plan, which will be identified through the review and reporting process.

**g) Collaboration and partnership working with other Corporate Parents**

- Creative Scotland will collaborate with other Corporate Parents to assess the needs of LACYP in relation to their ability to access opportunities in the arts, screen and creative industries.
- In addition to gathering information from funded organisations, we will seek to collaborate with other Corporate Parents through the evaluation of Creative Scotland's Targeted Funds, such as the Youth Music Initiative and Cashback for Creativity.
- Creative Scotland will seek to work with and contribute to projects, events and conferences with other Corporate Parents as and when the opportunities arise.

## Resource implications

It should be noted that it is the responsibility of the organisation as a whole to fulfil its duties with regard to LACYP and care leavers. It is recognised that duties must be proportionate and in line with functions of organisation.

The following section details areas of the organisation which may be involved in fulfilling Corporate Parenting duties and what actions may be required. This should be considered a suggested list and is by no means exhaustive.

- **Senior Leadership Team and Board** – Overall responsibility for matters relating to Corporate Parenting will sit with the SLT and the Board.
- **Creative Learning and Young People** – The Designated Person for Corporate Parenting will sit within this team and will lead on the internal delivery group; targeted funding and initiatives will be involved in delivering some of the duties.
- **Equalities, Diversity and Inclusion** – The interests of LACYP and care leavers will be integrated into current initiatives.
- **Knowledge and Research** – Building monitoring systems and analysing current information; assisting with identification of current research.
- **HR** – Administration of training for staff, SMT and Board.
- **Communications** – Communicating Creative Scotland's responsibilities and case studies.
- **Creative Directorates of Arts and Engagement, Creative Industries and Screen** – Awareness when making funding decisions; reporting of projects and opportunities which specialist officers may hear of and might not be recorded; how opportunities might be promoted to LACYP and care leavers.
- **Strategy** – Organisation wide support in implementing the Corporate Parenting plan and ensuring responsibilities are embedded in appropriate CS strategies and workstreams.