Permanently Progressing?

Building secure futures for children in Scotland

Pathways to Permanence for children who become looked after in Scotland

Insights for policymakers and practitioners

Statistics from 2018 (Scottish Government 2019) show that 14,738 children were looked after in Scotland (at 31st July 2018). Many children who become looked after away from home will return to their parents, but for some the decision is taken to permanently place them with kinship carers, long-term foster carers or adoptive parents. Until now little was known about children's pathways through the looked after system in Scotland, the balance of voluntary and compulsory intervention, and how patterns of placement change over time.

Permanently Progressing? Building secure futures for children in Scotland is increasing understanding by following the progress of all children who became looked after in Scotland aged five or under in 2012-2013 (n=1,836) and investigating decision making, permanence, progress, and outcomes over a four-year period (until 2016).

This briefing paper, drawing on findings from Phase One of the project, provides insights into the pathways and timescales to permanence for looked after children in Scotland, with implications for policymakers and practitioners.

Key findings

- There was a statistically significant association between levels of deprivation and local rates of children looked after. Local rates may also reflect variation in the approaches of local authorities, Children's Hearings and local judiciary.
- Almost half of children looked after away from home were initially looked after under Section 25 of the Children (Scotland) Act 1995 (known as 'voluntary' accommodation).
- The majority of the children (87%) had a single continuous 'episode' of being looked after during the four-year period. However, an episode may include periods spent looked after at home and/or looked after away from home. As an episode may include placement moves, a 'single episode' does not necessarily mean the child experienced stability.
- The most common destination for children ceasing to be looked after away from home was a return home. The number of children looked after in kinship or foster care fell over the four years, reflecting a rise in the number of children who returned to parents, were placed with kin on Section 11 Orders or were adopted.
- Children who achieved permanence most quickly were those reunified with parents.
- A total of 212 children looked after away from home had been adopted by the end of Year 4. The adoption process was slow, with few children adopted before Year 3, and for half of the adopted children the adoption did not take place until three to four years after they started to be looked after.
- Children who were adopted or with prospective adopters by the end of the study were significantly younger when they started to be looked after away from home.
- For children looked after at home, the time spent on a Compulsory Supervision Order spiked at 9-12 months. This may reflect a response to legal requirements, as the maximum time a CSO can be in place without being reviewed by a Children's Hearing is one year, suggesting that decision making may, in some cases, be system-driven rather than needs-led.
- For nearly one third of the children looked after away from home, there was no evidence that they were in a permanent placement three to four years after starting to be looked after.

Study and objectives

Anonymised child-level data (Children Looked After Statistics) was provided by the Scottish Government for the years 2012-13, 2013-14, 2014-15, and 2015-16 on the total cohort of 1,836 children in all 32 local authorities who started to be looked after between 1 August 2012 and 31 July 2013 (the study's baseline year) and were age five years or under on 31 July 2013. Of these, 1,355 children (74%) became looked after away from home during the baseline year and are referred to as the *away from home* group and 481 (26%) became looked after at home and were not looked after away from home at any point during the baseline year. These children are referred to as the *at home* group.

This study analysed the CLAS to:

- investigate the characteristics and pathways to permanence of children who become looked after away from home at the age of five or under
- compare these characteristics and pathways with those for children in the same age group who are looked after at home
- investigate the timescales associated with different routes to permanence.

What does the research tell us about pathways to permanence?

Becoming looked after

The rate at which children became looked after away from home and the rate at which children became looked after at home varied considerably by local authority area, with the proportion looked after away from home ranging from just over 30% to 100% of looked after children in each authority. The rates of children looked after increased in line with levels of local deprivation; however, deprivation is not the only factor that influences the likelihood that a child will become looked after.

Information on ethnic origin was available for just under 92% of the children, 94% of whom were recorded as 'white'. Only seven percent of the sample had recorded additional support needs, although this information was missing for 21% of the children.

The age at which the *away from home* group started to be looked after was lower than for the *at home* group. The key differences between the groups were that the *away from home* group included a far higher proportion of children who started to be looked after before they were one year old, while the proportion of four- and five-year olds in the *at home* group was double that in the away from home group.

Nearly half (46%) of the *away from home* group were under one year old when they started to be looked after away from home. One quarter were under six weeks old, including 250 (18%) who were less than seven days old.

Almost half of the *away from home* group (48%) were initially looked after away from home under Section 25 of the Children (Scotland) Act 1995. A further 13% of this group were initially placed on a Compulsory Supervision Order (CSO). Conversely, a higher proportion of children in the *at home* group who subsequently became looked after away from home after the baseline year did so on a compulsory basis (55%).

Ninety-four per cent of the children were initially placed in foster care, either with unrelated or kinship foster carers. Kinship foster care was used for 35% of the children in the *away from home* group and 43% of the *at home* group (who subsequently became looked after away from home after the baseline year). The use of kinship care increased in line with the child's age at initial placement.

Stability and number of placements

The majority of all the children (87%) had only a single 'episode' of being looked after. This does not necessarily equate to stability; a single episode may include one or more periods of being looked after away from home or at home. Children may also experience placement moves or changes in legal status within an episode.

Over half (54%) of the *away from home* group were placed away from home on a single occasion, then ceased to be looked after away from home and were not accommodated again during the study period. A further 29% had a single continuous period of being

looked after away from home from the baseline year to the end of the study four years later. A third group, comprising just under one fifth (17%) of the *away from home* group, had two or more periods of being looked after away from home.

Over the course of the study over half (57%) of the *away from home* group had two or more placements away from home, as did 45% of those children in the at *home group* who were at some stage placed away from home. Nearly one third of children in the *away from home* group had two placements.

Although undesirable, two placements may be hard to avoid in circumstances where children are accommodated at very short notice. However, around one fifth (20%) of *the away from home* group had three or four placements, and almost 5% had five or more placements.

What does the research reveal about timescales?

There was considerable variation in the total time that children were looked after, which ranged from less than one month to just under four years. For some children, periods of time looked after (at home or away from home) were interspersed with periods when they were not looked after.

Among children reunified with parents, the total time looked after away from home was just over nine months on average. One quarter of the *away from home* group were looked after at home at some stage during the study period. Their total time on a CSO at home was 14 months on average, but again there was wide variation with total time looked after at home ranging from less than one month to 42 months.

Children in the *at home* group were looked after at home for an average of 21 months with the total duration ranging from less than one month to 47 months. Many of the children in the *at home* group were looked after at home for lengthy periods including 46% looked after for one to two years, and 20% for three to four years. There was a clear spike in the number of children looked after at home for 9-12 months. This spike might reflect a response to legal requirements as the maximum time a CSO can be in place without being reviewed by a Children's Hearing is one year, suggesting that decision making may be system-driven rather than needs-led. Another explanation may be that it takes time to assess parental capacity and engagement before decisions are made to discharge a CSO, or request that the Hearing extends the duration of the CSO at home, or makes a CSO away from home.

Over half (51%) of those in the *at home* group who were placed away from home after the baseline year spent less than 12 months looked after away from home, compared with just 28% of the children in the *away from home* group. There are a number of possible explanations for this difference. First, children in the *at home* group were older when they became looked after, and older still when they were placed away from home. Consequently, it is possible that professionals' concerns might be less acute than for the very young children who comprised the majority of the *away from home* group. Second, all of the at home group had been looked after at home on a CSO prior to being placed away from home so were well-known to services. In some cases, this may have made services more confident about returning children home. In other cases, it may have led them to conclude that children could not be safeguarded at home and that a permanent placement away from home was necessary.

Three to four years after they started to be looked after away from home, two thirds (66%) of the *away from home* group were in placements intended to be permanent. The most common destination for children was reunification with parents, a route taken by nearly one third (31%) of the *away from home* group. Most children in the *at home* group remained at home over the four years.

Reunification with parents was the quickest route to achieving permanence. Other types of legal permanence took much longer to achieve, with adoption taking over two years on average.

At the end of the study period, just over 21% of the *away from home* were on an adoption pathway, 11% were living with relatives on Section 11 Orders – the numbers of which rose steadily over the course of the study, reflecting a fall in the number of children looked after away from home. A small number (2%) of the *away from home* group had achieved legal permanence through Permanence Orders.

A key finding is that three to four years after becoming looked after away from home in 2012-13, nearly one third of the children were still (or again) looked after away from home without a legal order in place providing them with stability or permanence.

Implications for policy and practice

- Remaining at home under supervision and being removed from home are very different experiences for looked after children. It would therefore be helpful if the Scottish Government's annual reports on Children's Social Work Statistics disaggregated the statistics they present on children looked after away from home from those on children looked after at home.
- Collection of information on children's ethnic origin and additional support needs should be improved, as the study revealed significant levels of missing data.
- There was variation in the rates of children who became looked after across the 32 Scottish local authorities, suggesting a variation in the approaches of local authorities, Children's Hearings and the judiciary.
- Significant numbers of children became looked after away from home before their first birthday; over 25% of the cohort were under six weeks old, and 250 were less than seven days old. It is important to understand the circumstances in which children become looked after away from home at a very early age, including the significance of pre-birth assessments and work undertaken with parents to prevent separation.
- The largest group that had achieved permanence comprised children reunified with their parents. It is important that these families receive sufficient support to sustain their safety and wellbeing.
- The study raised questions as to why some children were looked after at home for three to four years. Local authorities may wish to investigate the circumstances in which this occurs and whether it is appropriate.
- For some children, the path to permanence was slow, especially for those on an adoption pathway. For nearly one third of the children looked after away from home, there was no evidence of a permanent placement three to four years after becoming looked after. Further attention to permanency planning is needed to ensure that children who cannot be reunified with birth parents are placed in a permanent alternative family as soon as possible.
- Permanence Orders were rarely used for the young children in this study; increased use of such orders for this age group may be one strategy to help reduce the number of children experiencing impermanence.

About this research

This is briefing paper is based on research by:

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Additional reference

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