

Children's Hearings Scotland (CHS) Response to the 'Moving On' From Care Into Adulthood consultation

Children's Hearings Scotland (CHS) welcomes the opportunity to respond to this consultation. Whilst we do not have a direct role in supporting young people when they have left care or reached the age of 18, we are committed to making sure that every child that has been through the children's hearing system in Scotland has their rights upheld and is provided with the resources they need to realise their full potential in adulthood. We welcome the recent enactment of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 and recent passing of the Children (Care and Justice) (Scotland) Act 2024, particularly the extension of eligibility for all under 18's to be referred to the children's hearing system when there is a concern around their welfare, or they are in conflict with the law. We fully support the ambitions of this consultation to keep The Promise and make sure that young people with care experience are given the support and resources they need to move on from care into adulthood.

Continuing Care and Aftercare services are crucial, yet their provision across Scotland and the level of resourcing made available to deliver them is inconsistent. The delivery of these services should, of course, be bespoke for each young person to meet their specific needs, and every person with care experience has the right to receive high quality and consistent care, support and guidance, regardless of the area within Scotland that they reside.

Access to Continuing Care and Aftercare services should not be determined solely by a young person's chronological age; an 'age and stage' approach must be taken which reflects their wellbeing and emotional development, vulnerabilities and other contextual factors. Support should be proactively provided to each young person at a time, place, and delivered in a way that works best for them. Every young person should play a lead role in defining and developing their own support package and have direct influence over what their successful path into adulthood looks like.

A set of core standards that young people leaving care are entitled to, such as a secure tenancy, support to gain access to employment, training or education, and access to therapeutic services and additional support to connect with their communities should be in place across Scotland. This will give all young people leaving care a level of security that is lacking in our current system.

The provision of a safe, secure tenancy is critical to the wellbeing of young people moving on from care. No young person leaving care should experience homelessness or be placed in homeless accommodation. All local authorities, as corporate parents, have a duty to ensure young people leaving care, up to the age of 26, are supported to successfully integrate into a community where they feel safe and supported. For those who are struggling to sustain successful integration into a community, the fact that the level of support is reduced when the Continuing Care age limit of 21 is reached and then ceases altogether when they reach 26 is a concern. Young adults typically don't leave their family home until their late twenties in

modern day society, enjoying a high level of security whilst they mature, study or begin their working life. Many young people leaving the care system do not have this opportunity. They often find themselves leaving their residential placement, ill-equipped to manage their own tenancy and overwhelmed by new responsibilities such as managing bills and gatekeeping their home, which leaves them at high risk of homelessness and more susceptible to exploitation. This is amplified when a young person is moving from a highly regulated environment, such as secure or residential care, to independent living. As with their peers it would be beneficial if young people with care experience have the option to return to safe and supported accommodation if they struggle to live independently.

These issues, alongside the increased likelihood of having experienced multiple childhood adversities, means young people leaving care are structurally disadvantaged. A secure tenancy and the supports required to successfully navigate this transition, including education and support to manage their finances, must be guaranteed for every young person leaving care and form a key objective of the core standards we refer to above.

Care experienced young people often face additional health challenges, both physically and psychologically. Health and wellbeing needs can change drastically during the period of transition from care and continue to change throughout adulthood. It is vital that support services are available at the correct time and are easy to access, which is particularly important when a young person requires assistance from out-of-hours services. Health, wellbeing or addiction support should not stop or be interrupted due to entitlement thresholds determined by chronological age. Corporate parenting responsibilities should be a lifetime commitment. Support should only ever be reduced when it is safe to do so, based solely on the individual needs of the person. Access to peer support can form an important part of recovering from trauma and adverse experiences and should form a fundamental part of all wellbeing planning for young people moving on from the care system.

Low attainment levels affect many young people leaving care. Opportunities to complete education or embark on further study can be limited by a range of factors. Young people leaving care may not have the practical, emotional and financial support that is often provided by family members. The current support structure for care experienced young people focuses on financial support, which is welcomed but does not address other complexities arising due to the effects of adverse experiences, such as misaligned chronological and developmental age and complex learning needs meaning more time may be needed to complete a qualification. Support to bridge the known attainment gap must form part of the core standards, such as care experienced young people having access to bespoke tutoring and academic support, and both financial and practical support to 'level-up' the availability of, and knowledge of using digital devices. Support to reach full potential extends further than purely financial assistance.

For any support package to be successful, it has to be truly tailored to the needs of the person. There is no greater way to achieve this than ensuring effective participation and inclusion of the young person in the planning process for their transition and empowering them to hold



Scotland's service providers to account if a clearly defined set of core standards and entitlements are not met.

Children's Hearings Scotland: Our Role

A children's hearing is a legal tribunal comprised of trained Panel Members who make decisions as to whether compulsory measures of supervision are required for children in need of care and protection, or whose behaviour puts themselves, or others, at risk of harm. Panel Members are trained to take a rights-based approach to making these decisions, with the welfare of the child being the paramount consideration.

CHS was established in July 2011 as a public body to support the National Convener to deliver their statutory function; to recruit, train and support tribunal Panel Members. Our vision is of a Children's Hearings System where everyone works together, making sure that all are cared for and protected, their rights are upheld and their views are heard, respected and valued. Our mission is to improve outcomes for children by enabling Panel Members to make high quality decisions with them and the people that matter to them.