

#KeepThePromise



# Residential Care

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Autumn 2020

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Between 2017 and 2020, the Care Review heard the experiences over 5,500 care experienced infants, children, young people, adults and members of the paid and unpaid workforce had of Scotland's 'care system', and their vision for what needed to change. This vision was set out in ['The Promise'](#) which reflected what was heard and detailed the foundations that Scotland's care for its children and families must be built on:



**Voice:** Children must be listened to and meaningfully and appropriately involved in decision-making about their care, with all those involved properly listening and responding to what children want and need. There must be a compassionate, caring, decision-making culture focussed on children and those they trust.



**Scaffolding:** Children, families and the workforce must be supported by a system that is there when it is needed. The scaffolding of help, support and accountability must be ready and responsive when it is required.



**Family:** Where children are safe in their families and feel loved they must stay – and families must be given support together to nurture that love and overcome the difficulties which get in the way.



**Care:** Where living with their family is not possible, children must stay with their brothers and sisters where safe to do so and belong to a loving home, staying there for as long as needed.



**People:** The children that Scotland cares for must be actively supported to develop relationships with people in supported to listen and be compassionate in their decision-making and care.

This series of briefings is intended to help Scotland **#KeepThePromise**, highlighting key areas of alignment between what was heard during the Care Review and mapping those to different sectors, in order to guide and inform planning and implementation. They will also bring into focus the substantial amount of overlap between these areas across all parts of the country's workforce. It is hoped that in doing so, the briefings will support inter-sector, partnership discussions on how to take forward Scotland's Ambition, to make it the best place in the world to grow up.

Each briefing begins with a bullet point summary of the 'headline' themes for the sector. The remainder of the document highlights key sector-relevant themes and sections from The Promise giving the relevant page numbers to help signpost readers.

# Briefing Summary

- Residential Homes and Schools must prioritise the quality of relationships that children experience in residential settings.
- Staff must be recruited on the basis of their values rather than educational levels.
- Children must not be further stigmatised, and any rules that do so must end.
- Scotland must strive to become a nation that does not restrain its children.
- The workforce must be supported to ensure a caring, relational and trauma-informed response to challenging behaviour.
- Decision making processes must involve children and prioritise their rights and needs.
- Scotland must stop the criminalisation of care experienced children by supporting the workforce to behave and treat children in a way that is relational rather than procedural and process driven.
- The importance of relationships cannot be overstated- Scotland must nurture and sustain positive relationships for care experienced children.

## Residential Homes and Schools must prioritise the quality of relationships that children experience in residential settings

- p.79** Residential Homes and Schools can be the right place for a children or young people, specifically those who would find the intensity of family settings overwhelming and prefer residential care for this reason as it can put fewer demands on them.
- p.79** What must be prioritised are the quality of relationships that children experience in residential settings.
- p.79** Residential care is quite distinct from other care settings as children do not live with all the adults caring for them. The workforce in residential care settings will be coming in and out of the home. There is a unique opportunity for relationships to flourish in this setting but obstacles and barriers, particularly during and beyond transitions out of care, must be removed.
- p.79** Residential settings must operate with a cohesive set of values that uphold the rights of the children they are caring for. Those values must be therapeutic, recognising that children require thoughtful, supportive relationships as a basis on which to heal and develop as young adults, for example:
- p.79** The needs of the children living in a residential home at the time must inform any rules as opposed to a blanket set of instructions and restrictions.
- p.79** Recognising that children and young people may have supportive, kind relationships with sessional staff as well as

core staff, the residential provider must be supported to find the right balance between having consistent core staff along with the flexibility of additional support that works for the children and young people.

- p.79** Young people who leave residential care may wish to maintain relationships with workers and this must be supported and given time. Blanket policies that prevent the maintenance of these relationships must be removed.
- p.79** Staff must be recruited on the basis of their values rather than educational levels.
- p.79** Children must not be further stigmatised, and any rules that do so must end. For example, staff should be allowed to use their own cars to take children to school, rather than relying on taxis, this would allow the opportunity for supportive relationships to develop whilst driving a child or young person to school or college.
- p.80** Residential Care settings must be supported and resourced to keep places open for young people in line with continuing care legislation. Scotland must ensure that this is not brought to an end when young people do not want to and are not ready to leave.
- p.80** The Inspection of residential settings must focus on the children's experience of the relationships. Inspection must be led primarily by what those who live in residential homes say and how they feel they are being cared for.

## Scotland must strive to become a nation that does not restrain its children.

- p.85** Care experienced children and young adults told the Care Review how frightening, painful and embarrassing the use of restraint is for them. The Care Review has heard from children and care experienced adults that they were restrained in times of distress.
- p.85** Many children and adults felt that members of the workforce who delivered restraint presented as either angry or stressed. The Care Review has been told of restraint being used not to keep children safe, but as a punishment for perceived wrongdoing.
- p.85** The Care Review has also heard from children and care experienced adults who actively sought restraint as it was the only time they felt human touch.
- p.85** Where a child or young person's stress is met by a stressed adult who is unable to respond sensitively and effectively to the child's needs, the stress of both the care giver and the child increases.
- p.85** Restraint does not work for anyone. Pain compliance techniques have no place in a Scotland that aims to ensure its children feel loved.
- p.85** Scotland must strive to become a nation that does not restrain its children. This cannot be simply a statement of intent. Scotland must support its workforce to manage very difficult situations.
- p.85** This means a genuine focus on response to challenging behaviour in a trauma informed way, building relationships in advance so that a child or young person's history, current

circumstances and behavioural triggers are known and can be responded to individually, in advance of, during and after a crisis occurs.

## The workforce must be supported to ensure a caring, relational and trauma-informed response to challenging behaviour

- p.85** To ensure a caring response, there must be a curiosity about the reasons behind challenging behaviour, recognising that all behaviour is communication.
- p.85** To reduce restraint, Scotland must ensure that the workforce is nurtured and supported, recognising that children may exhibit challenging behaviours that may at times make them feel scared.
- p.85** Individual members of the workforce cannot manage those behaviours in isolation, they must be supported to put theory into practice and to step in.
- p.85** The responsibility to create an environment which actively reduces the likelihood of restraint is as important as responding appropriately to individual children in crisis.
- p.85** Settings of care must establish a leadership culture that upholds children's rights and applies the values of care, attachment, attunement and co-regulation in day to day life.
- p.85** Scotland must reflect on the impact of the equal protection legislation that removes the defence of 'justifiable assault' to ensure that all children wherever they live, are protected from all forms of violence.

- p.85** Scotland must also pay attention to the use of seclusion, where children are contained and isolated often for long periods. Seclusion is not an acceptable part of trauma informed care.
- p.86** Scotland must ensure that whilst working towards change:
- The rights of children must be at the forefront of every decision about the use of restraint.
  - The practice must only be used to keep people safe and must always follow a model which focuses on co-regulation, so that the workforce reflects on their responses.
  - There must be clear preventative factors built into practice around challenging behaviours, de-escalation and subsequent reflection.
  - Workforce awareness of attachment and attunement must inform all decisions that involve risk and restraint and seclusion.
  - All restraints and use of seclusion must be recorded and reported on so that Scotland can understand its use and monitor progress towards its cessation.
  - Scotland must keep listening to children about their experience of restraint and prioritise a full understanding of the impact of restraint on children. There must be active consideration of the impact not just on one child but on others living in a location where restraint takes place.
  - Scotland must listen to the workforce about their experiences.

- p.100** Scotland must recognise that the workforce is also made up of survivors of trauma. Those with lived experience must be supported to be part of the workforce and nurture their instinct to 'give back,' but there must be recognition of the pain that may accompany that involvement. They must be supported to continue to care.

## Decision making processes must involve children and prioritise their rights and needs

- p.72** Attachment and Co-regulation – Secure attachments, based on loving, consistent relationships, must be the bedrock of every decision made about children.
- p. 41** To support parents and ensure Local Authorities are fulfilling their obligations to children and families, Scotland must test the extension of the enforcement and compulsion powers to ensure both families and those with statutory responsibility are compelled to attend and comply with the orders of the Children's Hearing.
- p.41** Whilst working to prevent the criminalisation of children, Scotland must develop a more progressive, rights-based youth justice approach that builds on the Kilbrandon principles and makes them a reality for all.
- p. 42** Everyone involved in The Children's Hearing System must be properly trained in the impact of trauma, childhood development, neuro-diversity and children's rights. That training must be comprehensive and regularly reviewed. Those training requirements must also be required for all the different and various professionals who appear at Hearings, including legal representatives.

- p. 44** Whilst retaining the commitment to the Kilbrandon principles, Scotland must comprehensively assess and consider the role of volunteers in the decision making structure of Hearings.
- p.44** There must be an approach to care and support that is based on early intervention and prevention. In the long term, The Children’s Hearing System must plan to shrink and to specialise. Full and proper consideration of implications for the operating model, including the dependency on volunteers, must be integral to this planning.
- p.116** Legal Representation – Scotland must consider the creation of an accredited legal specialism to set standards for legal professionals representing children.

## The importance of relationships cannot be overstated- Scotland must nurture and sustain positive relationships for care experienced children

- p.25** Scotland must create an approach to care where maintaining, sustaining and protecting loving relationships is possible and much more probable.
- p. 63:** Relationships that are important to the child – All children must be supported to continue relationships that are important to them, where it is safe to do so.
- p.63** If children are removed from the care of their parents, Scotland must not abandon those families. Families must continue to be provided with therapeutic support, advocacy

and engagement in line with **10 family support principles** of intensive family support.

- p. 67:** Scotland must limit the number of moves that children experience and support carers to continue to care.
- p.68** Any transition in a care experience child’s life must be limited, relational, planned and informed.
- p. 87** Scotland should be a good parent to the children it has responsibility for. That means carers and workers must act, speak and behave like a family so that Scotland can be the best parent it can be. Scotland must stop stigmatising the children it cares for.
- p. 88** In all care settings, Scotland must provide and promote positive, regular experiences for children.
- p.89** Care experienced children and young adults, particularly in residential care, told the Care Review about how they had too often had police involvement for behaviour that other families would accommodate within the family.
- p.89** There is no evidence that care experienced children engage in more offending behaviour than their peers, but the consequences of their behaviour whilst in care are much more likely to result in criminalisation. It is the settings of care and workforce responses to behaviour that drives the criminalisation of care experienced children.
- p. 91** Scotland must stop the criminalisation of care experienced children by supporting the workforce to behave and treat children in a way that is relational rather than procedural and process driven.

# #KeepThePromise

**'The Promise'** outlines an approach to family and to care that will mean that Scotland can truly be 'the best place in the world to grow up.' To achieve that, there is considerable work to be done.

This series of briefings is intended to support your organisation in thinking about what it means to #KeepThePromise. It should be used to help you to align organisational policies, strategies and practices with what the Care Review heard, and to identify what changes can be made to those, both now and in the future. The Care Review made clear that it is simply not possible to isolate any one aspect of the system. Therefore, these sector briefings should also help organisations understand who else they need to work with in order to make change happen.

To realise the ambitious scale and extent of change, The Promise Team will need the ongoing input and views of all those with responsibility. Please look at the #KeepThePromise **engagement document** to help you think about the work of change.

**The Promise website** will be regularly updated with information and resources.

For more information about what the Care Review heard about residential care see the **Evidence Framework**.



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