**Commissioning Brief 1: Rights & Advocacy for Looked After children**

1. **Introduction:**
	1. Commissioning practice within Education & Children Services is aligned to Fife Council’s Monitoring & Evaluation Framework. The Framework is clear that any organisation in receipt of a recurring grant in excess of £10K must make a fresh application every three years. The current commissioning cycle is due to conclude in April 2024, at which point a new cycle shall begin.
	2. Commissioning priorities for 2024-27 have emerged from a high-level Strategic Needs Analysis (SNA), which reaffirms existing commitments to support families to remain safely living together through the provision of early intervention supports at the additional stage of the Child’s Wellbeing Pathway and targeted supports at the Intensive stage.   The SNA comprised three distinct elements (1) Policy Mapping & Analysis (2) Population Needs Assessment (3) Resource Analysis.
	3. Combined, these activities have helped to establish that poverty in the early years, unsupported caring responsibilities, disability, domestic abuse, mental health and substance use are the main vulnerabilities which cause suffering and distress within the family unit, and which can lead to family breakdown and fresh experiences of trauma and loss. The work detailed within the SNA establishes that recovery is best supported through models of support which are family inclusive, rights- based, and which focus upon and promote the ‘wellbeing’ of the whole family unit.
	4. This brief sets out Commissioning priorities to ensure that the Rights and Voice of families are at the forefront of their respective care journey’s.

1. **National & Local Drivers, Legislation, Best Practice …**

2.1 UNCRC:

The Convention contains 54 articles which set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. The Convention recognises the family unit as the natural environment for the growth and well-being of all its members and especially children. The Convention provides clear parameters about the responsibilities member states have to protect and support the well-being of children within the family unit, and the measures that must be taken to promote their voice within all decisions which affect them.

Core Articles which are relevant to this brief include, one, three, five, six, seven, nine, twelve, eighteen, nineteen, twenty, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-four and thirty-nine.

2.2 Children & Young People Scotland Act (2014):

The Children & Young People Scotland Act (2014) is a key part of the Scottish Government’s strategy to make Scotland the best place in the world to grow up and is underpinned by the UNCRC, the Alternative Care Guidelines and GIRFEC National Practice Model. Part 1 of the Act places new duties on Public Bodies to report on the steps they have taken to give further effect to the UNCRC requirements. Part 5 of the act provides guidance in regard to the ‘Child’s Plan’ and stipulates that the views of the child and the child’s parents must be taken into account in the preparation of the plan. Part 9 of the act focuses upon corporate parenting duties for public bodies to uphold rights and improve the well being of children who are looked after or are leaving care.

2.3 Getting it Right for Every Child (GIRFEC):

GIRFEC is The Scottish Government’s National Practice Framework designed to support the ‘wellbeing’ of children and young people within the family unit. GIRFEC contains a definition of Well-Being as Shared, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included. The Framework provides services and practitioners with a shared language for assessing, promoting and safeguarding the wellbeing of children & young people against these eight indicators. All of these indicators are relevant to this brief, but ‘Respected’ & ‘Included’ in particular.

2.4 The Promise:

The Promise insists that children and young people must be listened to - their voices should be heard and given real weight.  Their level of engagement with and participation in the Care Review has demonstrated that there is a significant appetite in Scotland from people to get involved in shaping policy and practice, specifically from communities with lived experience who are experts in how a system feels and behaves.

2.5 National Model and Principles for Whole Family Supports:

Whole Family Well Being emerged from The Promise as a set of high-level principles to support the design and delivery of community embedded, family facing, wrap around models of support to families on the edge of care. The Scottish Government subsequently established a high-level working group to aide further thinking and planning. The National Model establishes four drivers for change alongside indicators of success. Amongst the key drivers for change is a commitment to put *Children & Families at the Centre.* The key indicators for success include …

1. Children & family inclusion in designing models of accessible family support in communities.
2. Families always involved in decisions which affect them.
3. Children’s Services plans is rights based and start from what children & families need

2.6 Fife Council Children Services Plan 2023-26:

The Children’s Services Plan confirms Fife Council’s ambition to make Fife ‘*a place where every young person matters’.* Informed by the UNCRC, GIRFEC & The Promise, the plan contains four high level improvement priorities which are …

1. Health & Well Being
2. Children’s Rights
3. Equity & Equality
4. Supporting Families
5. Our most vulnerable children & young people

The plan contains high level commitments and detailed actions to embed and achieve these priority areas.

2.7 Social Work Participation & Engagement Strategy:

A service wide Participation & Engagement Strategy was developed in 2022 as part of ongoing and regular improvement activity. The strategy aims to strengthen relationship-based practice, through a focus upon the right of children and young people to be heard. The strategy establishes the principles for the inclusion of children’s views and opinions at the individual, organisational and strategic levels: it maps existing practice against these parameters and sets out future improvement activity.

2.8 Children’s Hearing (Scotland) Act 2011:

Part 12 of the Children’s Hearing (Scotland) Act 2011 sets our clear parameters as to the rights that children & families have to be heard within the Hearing process. This legal right is given further weight within the ‘National Practice Standards for the Children’s Panel’, which contains eight standards which all Panel members are expected to uphold. Standard 1 states that ‘Children & Young People are at the centre of everything we do’ and there are three resulting actions which panel members must adhere to, which are …

1. Help & encourage every child and young person to participate in their hearing
2. Satisfy themselves that each child or young person has been given all the information he or she needs.
3. Satisfy themselves that each child or young person has been informed of their rights.

**3.Service Model**

3.1 The service model should be cognisant of legislation, policy, evidence and research to improve outcomes for children and young people in Fife who are looked after;

* at home
* away from home, in a foster/residential or secure placement
* in kinship
* in continuing care.
	1. The service should be underpinned by the guiding principles specific to rights in the UNCRC (Article 2,3,6,12):
* non-discrimination
* the best interests of the child
* right to life, survival and development
* right to express views, have them given due weight considering age and maturity
	1. The service should demonstrate a person-centred approach to empower children and young people to know and act on their rights as part of the children planning process (Childs Plan). It should also increase the accountability of individuals and organisations who are responsible for respecting, protecting and fulfilling these rights.
	2. The service should contribute to improvement in wellbeing outcomes for children and young people through an active engagement, participation, person centred advocacy model ensuring children and young people’s voices are at the centre of service planning and delivery.
	3. This service is focused on providing information, advice and advocacy about rights for children and young people who due to their circumstances may not feel included, listened to or understood by adults who play a part in their life both within the family, wider community and professional system.

3.6 The components of the services delivery model should evidence and include:

* an approach which builds confidence and increased awareness of rights
* empowers children and young people to express views on needs and wishes on matters which are important to them
* supports active engagement and participation in decision making meetings such as Child Protection Case Conferences, Children’s Hearings, Looked After reviews and education meetings
* is innovative and creative supporting increased engagement of children and young people individually and on a group basis
* increases participation and engagement in services such as social work, education, health, training and employment
* provides accessible verbal, written and web-based/digital information on rights, legislation, services, policy and national groups
* mechanisms led by children and young people to actively feedback their experience of services either informally or formally
* contributes to practice, service and policy improvement through active involvement in local and strategic groups
* provides analytical data to help support service improvement and delivery, including collective issues reporting
* promotes a rights-based approach and model across the children’s services partnership in Fife
* raises awareness and knowledge of the service across the children services partnership
	1. Fife Council has commissioned Fife Voluntary Action to lead on a review of existing children and families support which is aimed at establishing the conditions where the views and experiences of children, young people and families are central to system transformation and funding of future children’s services in Fife so that in turn children and families in Fife experience better outcomes and are able to thrive.
	2. This work is being undertaken using a co-production approach with the involvement of children, young people, and families alongside both third sector and statutory sector providers. The project is in its early stages but is expected to produce recommendations in March 2024. Commissioned Services will be expected to align their own models to the findings from this work as it emerges and adopt recommendations aimed at informing the future planning, design, delivery and commissioning of family support services in Fife.
1. **Outcomes**
	1. To deliver this brief the service will require an outcomes/performance framework with tools to evidence the progress of children, young people on the impact of interventions. The outcomes for this service are split into two distinct groups based on the support for children and young people and service improvement / quality assurance.

**Outcomes for Children and Young People**

* Improvement in children and young people’s awareness and understanding of their rights leading to improved wellbeing
* Improvement in children and young people’s confidence and ability to express/share views
* Improvement in children and young people’s engagement, participation and understanding in decisions which affect them
* Improvement in children and young people’s active involvement in meetings
* Improvement in children and young people’s engagement with services
* Improvement in children and young people’s active participation and feedback to local and strategic groups

 **Outcomes for Service Improvement**

* Increased availability of analytical feedback of the lived experience of children and young people who are looked after
* Increased awareness of rights across the children services partnership
* Improvement in collaborative working to promote and embed children rights

**5. Eligibility & Referral Criteria**

5.1 The service will be provided to Fife’s children and young people looked after in and out with Fife within the features outlined in section 3.

5.2 In line with GIRFEC and the Getting it Right in Fife Framework (GIRIFF) children and young people can access the service direct, by telephone, text, e-mail and/or social media.

5.3 A key objective across the children services partnership is for children and young people to be actively involved and contribute to their child’s plan. For this to be meaningful, good communication is essential, on this basis referrals can be made, when criteria is met, by children and young people, named persons in universal services or the lead professional who is likely to be the child or young person’s Social Worker. Additionally, a referral may be an outcome of a Looked After Review or LAC planning meeting

5.4 The Intensive Community Support Panel (ICSP) is the current forum to actively review the deployment of scarce resources across Fife. Many of the most vulnerable children and young people receive other support services due to wellbeing needs and risks. On this basis the ICSP will be the forum to review the effective coordination of this service.

**6.Scale & Cost**

6.1 Drawing upon service levels established for the current commissioning cycle (2021-24) and routine monitoring data, it is anticipated that the service will work with between 250-300 children and young people per year and that the exact number will be monitored and managed through performance reporting in the Service Level Agreement.

6.2 The budget envelope established for the delivery of the Brief is £315,000

**7. Networking & Communication**

7.1 Collaborative working to improve outcomes is a key requirement and the service should have a proven track record of working effectively on a multi-agency basis building strong relationships with a range of statutory and non-statutory services

7.2 The service should be visible and have a community presence across the 7 localities in Fife, contributing to local networks, sharing good practice and influencing service delivery and development both at a local and strategic level.

7.3 The service should provide detailed information on the service model and interventions raising awareness of provision and the ability to work in a flexible and agile way.

**8. Continuity of Care**

8.1 The service provider will be expected to provide consistency of staffing both in levels and personnel for children, young people and families, particularly through periods of absence, sickness and holidays. The service will share their organisation’s comprehensive recruitment, induction and workforce development programme for staff members of this service. This should evidence capacity building with the staff team to use effective evidenced based interventions for the specified groups.

**9. Risk Management**

9.1 For each service user, identify all situations which involve elements of risk to themselves or others, and evidence the planned response which attempts to reduce and control the risk/s.

9.2 To manage risks effectively the service must have policies and procedures on the following:

* Operational policy reflecting equalities legislation
* Staff absence and management policy
* Recruitment policies and procedures
* Procedure for lone working and working in service users’ homes
* Use of volunteers
* Risk assessment and management
* Dealing with accidents and incidents
* Responding to distress related behaviours
* Protection of vulnerable groups including both an Adult and Child Protection Policy
* Confidentiality Policy
* Training and staff development
* Job description and details of duties
* References and enhanced disclosure check for staff
* Procedures for the supervision, appraisal and disciplinary of staff
* Whistleblowing policy

**10. Recording & Monitoring**

10.1 The service must have a record management system in place compliant with GDPR guidelines with a workforce who are knowledgeable and competent to record accurately in respect to direct contact and reports for all groups.

10.2 Information regarding the overall service provided may be requested by Fife Council at any time for example, how many hours have been worked, the type of contact that took place, the work involved, changes to service plans/interventions, complaints, successful/unsuccessful outcomes and the reasons for these.

10.3 Records kept should ensure that information on the outcomes for the service can be collected for evaluation and analytical purposes

10.4 An Agreement Monitoring Meeting will be held every quarter and a report submitted to the meeting by the service.

10.5 The grant will be monitored via Fife Councils Monitoring and Evaluation Framework, a Link Officer will be appointed to work closely with the service. The Link Worker will be supported by the Social Work Service Monitoring Officer

**11. Complaints**

11.1 For each quarterly Agreement Monitoring Meeting the service provider must provide report detailing the following information:

* The number of complaints the service provider has had during the previous quarter, by type of complaint
* The number of complaints in respect of service provision funded by Fife Council
* The outcome of the service providers investigation
* The number of complaints which were upheld and details on complainants who were satisfied/unsatisfied with the outcome
* General changes to the service providers policies and procedures as a result of complaints and progress with implementing any changes
* The service provider will be required to co-operate in any investigation of a complaint as requested by Fife Council and to remedy any concerns that Fife Council has regarding the provision of the service