

# Tackling Child Neglect in Scotland

**Rapid review of legislation and policy**



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## Background Paper 3: Rapid review of legislation and policy

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## Introduction

1. On 25 February 2016 the Cabinet Secretary for Education and Lifelong Learning, Angela Constance, made a statement to Parliament announcing a programme of action on child protection. Scottish Government committed to reviewing policy, practice, services and structures of the current child protection system to identify what works well and what could be improved. The focus of the Programme is on processes and systems that underpin child protection in Scotland and tackling child neglect was identified as a high priority.
2. The Scottish Government is committed to building a fairer Scotland and tackling inequalities and recognises that achieving change will take time and will require collective effort and a shared vision of what a fair and equal Scotland should look like in the years to come. On 5 October 2016 Angela Constance, Cabinet Secretary for Communities, Social Security and Equalities launched the Fairer Scotland Action Plan at the Princes Trust in Glasgow. The plan sets out five clear commitments to change Scottish society and make it a fairer and more equal place to live:
  - A Fairer Scotland For All
  - Ending Child Poverty
  - A Strong Start For All Young People
  - Fairer Working Lives
  - A Thriving Third Age
3. The Centre for Child Wellbeing and Protection, based at the University of Stirling, was commissioned by Scottish Government to undertake a rapid review of policy with a particular focus on child neglect to inform the Child Protection Improvement Programme.

## Scottish Government legislation and policy

### Children's services

4. Scottish Government continues to pursue its ambition for Scotland to be the best place to grow up in by putting children and young people at the heart of planning and services and ensuring their rights are respected across the public sector.

### Legislation

5. **Children and Young People (Scotland) Act 2014** embeds the rights of children and young people across the public sector in line with the United Nations Convention on the Rights of the Child (UNCRC) and embeds its commitment to early years an early intervention in legislation through:

- ensuring that children’s rights properly influence the design and delivery of policies and services.
  - extending the powers of Scotland’s Commissioner for Children and Young People, so that this office will be able to undertake investigations in relation to individual children and young people.
  - legislating parts of *Getting it Right for Every Child*: all children and young people from birth to 18 years old have access to a Named Person; a single planning process to support those children who require it; place a definition of wellbeing in legislation; and place duties on public bodies to coordinate the planning, design and delivery of services for children and young people with a focus on improving wellbeing outcomes, and report collectively on how they are improving those outcomes.
  - increasing the amount and flexibility of free early learning and childcare from 475 hours a year to a minimum of 600 hours for 3 and 4 year olds, and 2 year olds who are, or have been at any time since turning 2, looked after or subject to a kinship care order.
  - better permanence planning for looked after children.
6. The **Post-16 Education (Scotland) Act 2013** provides a legal basis to underpin aspects of Scottish Government’s wide-ranging reforms to improve the way the post-16 learning system supports jobs and economic growth and helps young people meet their ambitions. The Act includes measures in relation to widening access to higher education with a view to increasing the number of young people from deprived backgrounds who go on to study at degree level and supporting the delivery of Opportunities for All – the guarantee of a place in learning or training for all 16-19 year olds - by ensuring that young people who disengage from, or are at risk of disengaging from, learning or training can be provided with appropriate support.

### Supporting approaches

7. **Getting It Right For Every Child (GIRFEC)** ensures that anyone providing support puts the child or young person – and their family – at the centre. GIRFEC is important for everyone who works with children and young people – as well as many people who work with adults who look after children. Practitioners need to work together to support families, and where appropriate, take early action at the first signs of any difficulty – rather than only getting involved when a situation has already reached crisis point. The GIRFEC approach is about how practitioners across all services for children and adults meet the needs of children and young people, working together where necessary to ensure they reach their full potential.
8. **Universal Health Visiting Pathway in Scotland (2016)** presents a core home visiting programme to be offered to all families by Health Visitors as a minimum standard. Along with core home visits, Health Visitors exercising the function of a Named Person on behalf of their Health Board will be required to be available and responsive to parents to promote support and safeguard the wellbeing of children by providing information, advice, support

and help to access other services. The Pathway is based on several underlying principles: promoting, supporting and safeguarding the wellbeing of children; person-centeredness; building strong relationships from pregnancy; offering support during the early weeks and planning future contacts with families; and focusing on family strengths, while assessing and respectfully responding to their needs. The programme consists of 11 home visits to all families - 8 within the first year of life and 3 Child Health Reviews between 13 months and 4-5 years.

9. **Curriculum for Excellence** (2012) aims to ensure that all children and young people from 3-18 in Scotland develop the attributes, knowledge and skills they will need to flourish in life, learning and work. The knowledge, skills and attributes learners will develop will allow them to demonstrate four key capacities, helping children to become: successful learners; confident individuals; responsible citizens; and effective contributors.

### Supporting policy

10. **Youth Justice strategy for Scotland (2015-2020)** focuses on advancing the Whole System Approach, improving life chances and developing capacity and improvement. Priority themes are: advancing the whole system approach, improving life chances and developing capacity and improvement. Partnership working has been a crucial element of success in preventing offending and will remain integral to the delivery of this strategy.
11. **Getting It Right For Looked After Children And Young People Strategy (2015)** has been developed with input from partners across the statutory and voluntary sectors and looked after children and young people. We are grateful for their engagement and contributions.
12. Scotland's **Mental Health Strategy for Scotland (2012-15)** is the successor document to Delivering for Mental Health and Towards a Mentally Flourishing Scotland. It builds on that work as well as on policy and service improvements taken forward alongside those main policy documents. Some of its key themes include working more effectively with families and carers and extending the anti-stigma agenda forward to include further work on discrimination.
13. The **Pregnancy and Parenthood in Young People Strategy** aims to help shift our approach of support to wider social determinants and health inequalities. The focus to date has often been on sexual health determinants and whilst this is clearly an important aspect it is not the sole risk factor that contributes to pregnancy in young people. Additionally, the new Strategy also aims to supporting young parents to help improve their health, social and economic outcomes. It is important that the Strategy does not duplicate or replicate existing strategies and frameworks, therefore the need for a policy mapping was essential as part of the development of the Strategy.
14. The **Early Years Change Fund** was established in 2011 as a partnership of the Scottish Government, local government and the NHS. Its task is to take forward a significant change programme to help deliver the joint commitment to prioritising the early years of

children's lives and to embed early intervention and prevention. Across the three years of the Early Years Change Fund from 2012-2015, the Scottish Government has committed £44 million; the NHS has committed £117 million and local government £105 million. The Scottish Government also contributed £8.5 million in 2015-16 to support the final transition year of funding. Delivery of this fund is through the [Early Years Framework](#), which sets out 10 overlapping elements that need to come together to deliver the vision for the early years and improve outcomes.

15. **National Practice Guidance on Early Learning and Childcare (2014)** sets the context for high quality Early Learning and Childcare as set out in the Children and Young People (Scotland) Act 2014. The guidance seeks to support practitioners in all settings and areas of Scotland who are delivering early learning and childcare.
16. **The Early Years Collaborative** is a coalition of Community Planning Partners - including social services, health, education, police and third sector professionals – is committed to ensuring that every baby, child, mother, father and family in Scotland has access to the best supports available. The Early Years Collaborative (EYC) was launched in October 2012, it involves all 32 Community Planning Partnerships and a wide range of National Partners. Its focus is on strengthening and building on services using improvement methodology. This method enables local practitioners to test, measure, implement and scale up new ways of working to improve outcomes for children and families.
17. The **Play Strategy for Scotland: Our Vision (2013)** sets out a vision for Scotland's children for all individuals, parents or carers, members of communities or professionals to ensure that all children and young people can access play opportunities in a range of different settings which offer variety, adventure and challenge. They must be able to play freely and safely while learning to manage risks and make choices about where, how and when they play according to their age, ability and preference.
18. The **Early Years Framework (2009)** is an approach which recognises the right of all young children to high quality relationships, environments and services which offer a holistic approach to meeting their needs. Such needs should be interpreted broadly and encompass play, learning, social relationships and emotional and physical wellbeing. This approach is important for all children but is of particular benefit in offering effective support to those children and families requiring higher levels of support.

## Children's lives

### Legislation

19. **Public Bodies (Joint Working) (Scotland) Act 2014** provides the legislative framework for the integration of health and social care services in Scotland. It requires the local integration of adult health and social care services, with statutory partners (Health Boards and Local Authorities) deciding locally whether to include children's health and social care services, criminal justice social work and housing support services in their integrated arrangements. Key features of the Act include national outcomes for health and wellbeing

will apply equally to Health Boards, Local Authorities and Integration Authorities; requirement for Health Boards and Local Authorities to establish integrated partnership arrangements; and establish an integrated budget to support delivery of integrated functions, which will cover at least adult social care, adult community health care, and aspects of adult hospital care that are most amenable to service redesign in support of prevention and better outcomes.

## Supporting approaches

20. Fairer Scotland was built on the public debates about independence in 2013 and 2014. The Fairer Scotland conversation was launched to build on this. It started with a simple question: what matters to you about fairness and social justice in Scotland? In March 2016, the ideas from the conversations were summarised in an interim report outlining five high-level aims for Scottish society to be achieved by 2030. **The Fairer Scotland Action Plan (Scottish Government 2016)** set out 50 actions for this parliamentary term to move towards achieving these ambitions. Detailed below are those with significance for families experiencing neglect:

- **Poverty and low income**
  - **Action 1** In 2017, introduce a new socio-economic duty on public bodies to help make sure that the sector takes full account of poverty and disadvantage when key decisions are being made.
  - **Action 2** £100,000 new funding so that people with experience of living in poverty can speak out, tackle stigma and push for change to public services.
  - **Action 3** Establish a national Poverty and Inequality Commission in 2017/18.
  - **Action 4** Launch a £329 million programme to tackle poverty in Scotland.
  - **Action 5** Tackle the poverty premium as lower income households often have to pay higher prices for basic necessities like gas, electricity and banking than better-off families.
  
- **Participation, dignity and respect**
  - **Action 7** Set a target for Councils to have at least 1% of their budget subject to participatory budgeting supported by the £2 million Community Choices Fund. The fund will give communities the chance to vote on how public money is spent in their area. Help communities to start talking to public bodies about local issues and local services through the new process set out in the Community Empowerment (Scotland) Act 2015. Finally, communities can tackle poverty and inequality on their own terms through the Empowering Communities Fund.
  
- **Housing**
  - **Action 14** Deliver more warm and affordable homes in this Parliament and pledge to invest over £3 billion in the next five years for at least 50,000 affordable homes, of which 35,000 will be for social rent.
  - **Action 16** Improve the provision of temporary accommodation including for young people and work with local government to develop a new approach in the face of UK welfare reforms.

- **Action 17** Make social security fairer where it can and commit to abolishing the bedroom tax. The Government will introduce longer-term disability awards where people have a long-term condition and make Universal Credit (UC) fairer by ensuring that all eligible claimants can have the rent element of their UC paid direct to their landlord if they wish.
- **Action 19** Work with a range of partners to help people claim the benefits they are entitled to.
- **Action 20** Enable people to have access to affordable, healthy and nutritious food.
  
- **Health**
  - **Action 21** 250 Community Links Workers to work with GPs to connect people with local services and support.
  - **Action 22** In the next two years, extend home visiting services for families with young children.
  
- **Justice**
  - **Action 24** Better use of community-based interventions to reduce re-offending.
  - **Action 19** Introduce a Bill to establish domestic abuse as a specific offence.
  
- **Child poverty**
  - **Action 26** In early 2017, introduce a new Child Poverty bill.
  - **Action 27** Introduce a Scottish Baby Box in 2017 to help reduce costs in the early days of life.
  - **Action 28** Create a new Best Start Grant to bring together Healthy Start vouchers and Sure Start Maternity Grant (when powers transfer)
  - **Action 29** By 2020, entitlement to free early learning and childcare will almost double for all 3 and 4 year olds, as well as those 2 year olds that stand to benefit most.
  
- **Education**
  - **Action 26** Progress in closing the attainment gap.

## Supporting policy

### 21. **Homes Fit for the 21st Century: The Scottish Government's Strategy and Action**

**Plan for Housing in the Next Decade (2011-2020)** sets out the Scottish Government's housing vision and strategy for the decade to 2020. For 2020, the vision is for a housing system, which provides an affordable home for all.

22. The **National Youth Work Strategy (2014-2019)** was developed jointly by the Scottish Government, Education Scotland and YouthLink Scotland. It aims to set out ambitions for improving outcomes for young people through youth work. It has been developed in the context of the Strategic Guidance for Community Learning and Development, and it aims to ensure that we harness and build on our partnerships and what we know works in delivering vibrant and effective youth work practice.



23. **Child Poverty Strategy (2014-2017)** continues to promote and support good mental and physical health and wellbeing among children and young people as they develop towards adulthood is vital to the development of happy, healthy and productive future generations and parents of further generations. With relation to vulnerable children and families: to ensure a particular focus on the most vulnerable children and families. These include families with disabled children, children who offend, are in homeless families, looked after or accommodated, who live in substance misusing households, are at risk in situations of domestic abuse and violence or live with parents who have mental health problems or learning disabilities. In many instances, these risk factors overlap and are strongly associated with poverty and deprivation.
24. **Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls (2014)** is Scotland's strategy for preventing and eradicating violence against women and girls. The overall aim of the strategy is to prevent and eradicate violence against women and girls, creating a strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from such abuse - and the attitudes that help perpetuate it. Four key priorities are set out within the strategy: (1) Scottish society embraces equality and mutual respect, and rejects all forms of violence against women and girls; (2) women and girls thrive as equal citizens: socially, culturally, economically and politically; (3) interventions are early and effective, preventing violence and maximising safety and wellbeing of women and girls; and (4) men desist from all forms of violence against women and girls and perpetrators of such violence receive a robust and effective response.
25. **Developing the Young Workforce - Scotland's Youth Employment Strategy (2014)** was informed by the independent Commission for Developing Scotland's Young Workforce set up by Scottish Government in 2013. Its remit was to explore how Scotland might develop a modern, responsive and valued system for vocational training and emulate the labour markets of the best performing European countries. The Commission's final report was published on 3 June 2014 and set out 39 recommendations, all of which built upon the Scottish Government's Economic Strategy, the introduction of Curriculum for Excellence and the extensive reforms of Post 16 Education. This strategy and implementation plan sets out how the Scottish Government will implement the Recommendations of the Commission for Developing Scotland's Young Workforce to drive the creation of a world class vocational education system to reduce youth unemployment by 40% by 2021.
26. The **National Parenting Strategy: Making a positive difference to children and young people through parenting (2012)** is about valuing and supporting Scotland's parents as one of the single biggest ways of giving children the best start in life.
27. **Improving Maternal and Infant Nutrition Framework (2011)** is aimed at a variety of organisations with a role in improving maternal and infant nutrition. There are many partner organisations but, primarily, the NHS, local authorities, employers, the community and voluntary sector have the most opportunity to influence culture and behaviour

change. The framework is aimed at policy makers within these organisations as well as frontline staff and volunteers.

28. **Valuing Young People (2009)** focuses on ensuring that all young people have the support they need to achieve their potential; positive opportunities for, and positive engagement with young people; and early intervention to nurture potential and offer support at an earlier stage in a young person's life.
29. **Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland (2009)** is a framework for tackling antisocial behaviour in Scotland is about promoting positive outcomes: by preventing ASB before it occurs; by encouraging agencies to work together more effectively; by involving communities more closely in developing local solutions; and by communicating positive, evidence-based messages about our people and places. Overall, it is about building on success and spreading good practice across Scotland. The Framework aims to focus more on prevention and early and effective intervention and move away from the narrow focus on enforcement; address the causes of ASB, such as drink, drugs and deprivation, and not just the symptoms, promote positive behaviour and the work of role-models and mentors, as well as punish bad behaviour in an appropriate, proportionate and timely manner and create more choices and chances for people to succeed, thereby reducing the likelihood of them being involved in ASB.

## UK Government legislation and policy

### Children's services

30. The Westminster Government has often re-stated its long-term objectives of encouraging early intervention, reducing the number of 'troubled families', tackling youth unemployment and increasing social mobility (Action for Children 2012). It has also stated its commitment to improving the child protection system. Following the election of the Conservative Government in May 2015 the then Prime Minister, David Cameron, announced within his first 100 days of office that protecting children is a priority for his Conservative government. For the first time, Preventing Abuse and Exploitation has been given a ministerial portfolio with Karen Bradley, MP as the first incumbent. This role sits within the Home Office and is very much focused on protecting children from abuse and supporting children who have experienced abuse.

### Legislation

31. **Children and Families Act 2014** introduced a number of reforms including the encouragement of 'fostering for adoption' which allows approved adopters to foster children while they wait for court approval to adopt; introduces a 26 week time limit for the courts to decide whether or not a child should be taken into care. In some cases, this limit may be extended by eight weeks; arrangements which allow children in care to stay with their foster families until the age of 21 years. This is provided that both the young person and the foster family are happy to do so and introduces a single assessment process and

an Education, Health and Care (EHC) Plan to support children, young people and their families from birth to 25 years. The EHC plan will replace statements of special educational needs. Most of the legislation relates to England and Wales but legislation in relation to helping both parents of a child to do the best for their child, starting from before the child is born, and rights to flexible working.

32. The **Prevent Duty (2015)** advice about the 'prevent duty' in the Counter-Terrorism and Security Act 2015 is for school leaders, school staff and governing bodies in all local-authority-maintained schools, academies and free schools; proprietors, governors and staff in all independent schools; and proprietors, managers and staff in childcare settings.

### Supporting approaches

33. One key development is the **Child Protection Taskforce** set to drive forward fundamental reforms to protect the most vulnerable children in our society and give them the opportunity to succeed. The taskforce will be responsible for leading improvements across police, social services and other agencies – focusing on transforming social work and children's services and improving inspection. In January 2016 the Taskforce published *Children's social care reform. A vision for change* (Department for Education 2016) and set out reforms in three areas: people and leadership, practice and systems and governance and accountability.
34. **Early Intervention Grant** was introduced in 2010 at around £3.2 billion in today's prices. Work by the Children's Society and National Children's Bureau identified that by 2015 however, the value of the grant has been more than halved to around £1.5 billion and the new data about funding to local authorities shows that Early Intervention funding is expected to fall further, to just £900 million by 2020 – a reduction of 70% over the course of the decade (<http://www.childrenssociety.org.uk>).

### Supporting policy

35. **Working together to safeguard children (2015)** is an updated version of the key statutory guidance for anyone working with children in England in March 2015 replacing the previous version published by Department for Education in 2013. It sets out how organisations and individuals should work together and how practitioners should conduct the assessment of children. This was not a major review, but does include changes around referral of allegations against those who work with children, clarification of requirements on local authorities to notify serious incidents; and a definition of serious harm for the purposes of serious case reviews.
36. **Troubled Families programme** applies to England only. The government's £448 million 3-year budget for 2012 to 2015 was drawn from 6 Whitehall departments. Local authorities were paid up to £4,000 on a payment-by-results basis for turning around troubled families. There were 117,910 families targeted under the government's Troubled Families programme 2012 to 2015. In response to the results of this first phase, the second phase of the Troubled Families programme was launched in 2015, with £920m

allocated to help an additional 400,000 families. The second phase will run until 2020.

## Children's lives

### Legislation

**37. The Welfare Reform and Work Act 2016** implements policies that were contained in both the Conservative Party manifesto ahead of the 2015 general election as well as statements made in the July 2015 budget. Among other measures that Act represents the Government's attempts to increase employment, curb the welfare budget, reduce child poverty and support working households. The Act will: lower the benefit cap to £20,000 per year for couples and lone parents and £13,400 for single claimants, except in Greater London (with the ability to make further cuts without consultation with parliament); places a freeze on the level of certain working-age social security benefits and tax credit amounts for the next four years including income support, jobseeker's allowance, employment and support allowance, housing benefit, universal credit, the individual child elements of child tax credit; and the entitlement to universal credit and child tax credit has been limited to a maximum of two children in each household. This applies to the UK.

### Public sector spending

38. The 2010-2015 Coalition Government targeted the social security budget with unprecedented cuts in expenditure totalling £22 billion a year in 2014-15. Major changes implemented under the Welfare Reform Act 2012 included the restructure of the whole working age benefits system and a wide range of changes to the social security system that have had a significant impact on families with children, including freezing child benefit rates frozen and introducing a sliding scale via income tax from people earning between £50,000 and £60,000, removal of the baby element of child tax credit. This was an extra £545 in the first year, payable to low and middle income families, and cut childcare costs covered by working tax credit cut from 80 per cent to 70 per cent. Working parents may need to pay up to £1,560 a year extra for childcare. From October 2013 Universal credit started to replace income-based benefits and tax credits for new working age claimants and in the 2015 Budget, the Chancellor announced further cuts to the welfare budget including a lowering of the benefit cap and the reductions in working tax credits.

39. The Westminster budget of summer 2015 introduce a series of measure to support children and families which included: a new National Living Wage of over £9 an hour by 2020; a new National Living Wage of £7.20 an hour for the over 25s to rise over £9 an hour by 2020 and an increasing the tax-free Personal Allowance to £11,000. However, also announced were further savings to be made of £12 billion by 2019-20 through welfare reforms and a further £5 billion by 2019-20 from measures to tackle tax avoidance, planning, evasion, compliance, and imbalances in the tax system. Working-age benefits, including tax credits and Local Housing Allowance will be frozen for 4 years from 2016-17 (not including Maternity Allowance, maternity pay, paternity pay and sick pay) and support through Child Tax Credit will be limited to 2 children for children born from April 2017 and rents for social housing will be reduced by 1% a year for 4 years, and

tenants on higher incomes (over £40,000 in London and over £30,000 outside London) will be required to pay market rate, or near market rate, rents

40. In 2012, the Local Government Association (LGA) published its financial outlook for councils in light of Future funding outlook for councils from 2010/11 to 2019/20 in response to the Chancellor's 2012 Autumn Statement. The preliminary analysis concluded that 'our model shows a likely funding gap of £16.5 billion a year by 2019/20, or a 29 per cent shortfall between revenue and spending pressures.' (p.2). Following the Spending Review in 2013, the LGA updated its funding outlook report to incorporate an additional 10 per cent real-terms cut to council funding for 2015/16 and has expressed concerns about the significant pressures this could add to children's social care.

### **Welfare reform**

41. The Coalition Government introduced changes to the welfare system through the Welfare Reform Act 2012 and Universal Credit will provide a single payment for people who are looking for work or on a low income, and will be implemented between 2013 and 2017.

42. Not all welfare changes are yet fully implemented and Universal Credit is in the early stages of rollout. The full impact of all changes is not yet known, however, early indications are that the impact of the reform programme will vary greatly from place to place as the spread of benefit claimants across the UK is uneven (Beatty and Fothergill 2013). This programme of welfare reform, however, is affecting families with children across the whole of the UK. Research commissioned by Action for Children, NSPCC and The Children's Society estimated the impact of these changes on families with children with a special focus on the impact on vulnerable families (Reed 2012). It found that the changes to the tax and benefit systems on average, will have a negative impact on every type of vulnerable household. Tax and benefit changes disproportionately hit the most vulnerable and their negative impact on family income increases the more vulnerable you are. The report identified that while the introduction of Universal Credit should result in a gain in income for some of the most vulnerable families; this is not large enough to offset the losses resulting from other changes to the benefit system, such as changes to Housing Benefit and disability benefits.

43. The report estimated a substantial increase in the number of vulnerable families with children between 2010 and 2015 as a result of changes in tax and benefits, spending cuts and the ongoing effects of the economic downturn. Beatty and Fothergill (2013) point out:

'It is only reasonable to expect that the welfare reforms will hit the poorest parts of Britain hardest. After all, one of the reasons why some places are so poor is that they have so many people claiming benefits. On the other hand, the welfare reforms extend well beyond just those who are out-of-work to include large swathes of the employed population as well. So just how big will the impact be on different places? And just how much harder will the reforms hit the poorer parts of Britain than more prosperous areas?' (Beatty and Fothergill 2013, p.4)



44. In their report looking at the local and regional impact of welfare reform, Beatty and Fothergill (2013) acknowledge that the figures show the impact of only those reforms that have come into full effect. The authors had not looked at the likely impact of universal credit as they considered that this is best understood as a repackaging of existing benefits, was not expected to result in a net reduction of benefit entitlement and that its impact will be felt beyond 2015.
45. However, with the lens of neglect concerns about universal credit might justifiably be less about the provision of benefit but how the benefit is paid. Individuals will be expected to apply and manage their account online, and receive monthly payments paid into a bank account. Support with housing costs will go direct to claimants as part of the monthly payment. The standard allowances will also be age-related with lower rates for younger, single individuals; the Government argues that lower rates for under 25 is because they generally have lower living costs and lower wage expectations.
46. Despite Beatty and Fothergill's identified limitations on the data presented, their report echoed the findings of a study of the impact on London authorities of welfare reform commissioned by the Local Government Association (2013). The conclusions so far are that:
- Generally, the most deprived areas across Britain are being hit the hardest which the authors note is a 'clear and unambiguous relationship' (Beatty and Fothergill, p18).
  - The financial loss in the areas most affected by welfare reform is twice the national average (£470) for a working adult and the loss for those in areas least affected by welfare reform is about half the national average.
  - Estimates suggest that almost 60% of welfare reform reductions fall on households where somebody works, and that reductions are greater for working households than non-working households.
  - The three types of areas hardest hit are the older industrial areas of England, Scotland and Wales (e.g. substantial parts of North West and North East England, Glasgow and South Wales Valleys); several seaside towns (e.g. Blackpool, Torbay, Yarmouth) and some London boroughs (e.g. Westminster and Brent)
47. Some areas are seeing much greater impacts because of the combination of high benefit dependency and high rents. It is clear that approaches that need to take to respond to welfare reform will be very different depending on local circumstances (Wilson et al. 2013). The identified routes, however, out of welfare dependency into employment or moving area could be seriously hampered if the supply of employment is not here and housing stocks are low. Indeed the early findings from Wilson et al. that working households experience greater reductions in welfare benefits is of concern. Looking behind the figures, it suggests there may be parents working hard to support their families already experiencing tight budgets subject to further reductions but with little possibilities

or opportunities to change their circumstances.

## Impact on families

48. In 2012, Action for Children, the NSPCC and The Children's Society commissioned a study to consider the impact change to the tax and benefit system will have on families (Reed 2012). As part calculating the number of children and families, who may be considered vulnerable, Reed took several factors into account:

- Worklessness – no parent in the family is in work;
  - Housing – the family lives in poor quality and/or overcrowded housing;
  - Qualifications – no parent in the family has any academic or vocational qualifications;
  - Mental health – the mother has mental health problems;
  - Illness/disability – at least one parent has a limiting long-standing illness, disability or infirmity;
  - Low income – the family has low income (below 60% of the median);
  - Material deprivation – the family cannot afford a number of food and clothing items.
- (Reed 2012, p.6)

49. These are the same set of indicators or factors present in the lives of many children experiencing neglect as identified in a recent review of literature on neglected children by Daniel, Taylor and Scott (2010). Living with any number of these factors does not mean a child is being neglected. However, the more factors present in a child's life does increase the likelihood of neglect – a 'single whammy' for children.

50. Reed's calculations found that the changes to the tax and benefit systems will disproportionately hit the most vulnerable families. Overall, the negative impact is perversely greater for families with more vulnerabilities, particularly affecting families with four or more vulnerabilities present in their lives – a 'double whammy' for children.

51. Moreover, these families may depend more on public services than other families, and their children are likely to be more affected by cuts to provision – a 'triple whammy' for children.

## Conclusion

52. The Scottish Government's commitment to its children and young people is not in doubt, both in its rhetoric and the planning programme for this parliamentary term.

53. Today, the number of families living in difficult circumstances is likely to increase with demands on services which are subject to huge cuts. The suspected withdrawal of prevention services to preserve protection services, changes in welfare and benefit which may result in reduced financial support and the possibility of families moving due to over-capacity, and a universal credit system paid direct to adults could result in greater

numbers of children suffering greater degrees of neglect in greater isolation. These wider reforms are of great concern to children who may be living in neglectful situations and may have the impact of worsening an already difficult homelife.

54. The Scottish Government has protected Scottish society from some of the wider UK welfare reforms, but to what extent can this be maintained? The Government has clearly articulate its vision for Scotland and published an action plan to address many of the structural and community issues which are the backdrop to the lives of neglected children. In terms of achieving real change in the lives of individual children, the legislative and policy building blocks are in place.
55. The challenge will be moving from the rhetoric and planning to concrete change and in the context of the UK Government's wider and significant changes to welfare provision.



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Legislation	Scotland	England	Wales	NI
<b>National legislative executive</b>	Scottish Government	Department for Education	Welsh Government	Northern Ireland Executive Government
<b>Some key overarching legislation</b>	<p>Children (Scotland) Act 1995</p> <p>Children’s Hearing (Scotland) Act 2011</p> <p>Children and Young People (Scotland) Act 2014</p>	<p>Children Act 1989</p> <p>Adoption and Children Act 2002 (amended Children Act 1989 by expanding the definition of "harm" to include witnessing domestic violence).</p> <p>Children Act 2004</p> <p>Children and Young Persons Act 2008</p> <p>Children and Families Act 2014</p>	<p>Children Act 1989</p> <p>Adoption and Children Act 2002 (amended Children Act 1989 by expanding the definition of "harm" to include witnessing domestic violence).</p> <p>Children Act 2004</p> <p>Social Services and Well-being (Wales) Act 2014</p>	<p>Children (Northern Ireland) Order 1995</p> <p>Safeguarding Board Act (2011)</p>

Policy	Scotland	England	Wales	NI
<b>Key national guidance and policy</b> (all underpinned by UNCRC)	<p>National Guidance for child protection in Scotland (2014)</p> <p>Further guidance has been published for health professionals, and protecting disabled children.</p> <p>Getting it right for every child (GIRFEC)</p> <p>Early Years Collaborative</p>	<p>Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (2015)</p>	<p>Safeguarding Children: Working together under the Children Act 2004 (2004)</p> <p>All Wales Child Protection Procedures</p>	<p>Our children and young people: our pledge: a ten year strategy for children and young people in Northern Ireland 2006-2016</p> <p>Co-operating to Safeguard Children (2003)</p> <p>Safeguarding Board for Northern Ireland (SBNI) 2011 Regulations</p>



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