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scrutiny and improvement body  
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**The Scottish  
Government**

**nationalcarestandards**  
foster care and family placement services

revised march 2005

dignity —

privacy —

choice —

safety —

realising potential —

equality and diversity —



national **care** standards  
foster care and family placement services

dignity

privacy

choice

safety

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# Introduction

national **care** standards  
foster care and family placement services

## Introduction

The Scottish Commission for the Regulation of Care ('the Care Commission') has been responsible for the registration and inspection of a range of services, including fostering and related services (sometimes known as family placement services), provided by fostering agencies since April 2002.

Fostering agencies may be voluntary and independent services or they may be local authorities acting as fostering agencies. All fostering agencies must comply with these national care standards. They have been developed to make sure that the services that they provide are of high quality.

Fostering agencies provide a wide range of services. They may provide longer-term placements or short breaks. They may provide substitute care where a child's family is unable to provide care. They may provide complementary care to provide additional opportunities for a child or to give parents a break. These carers are sometimes called respite or family placement carers. The term foster care is used to describe all these situations.

All providers must provide a statement of function and purpose when they are applying to register their service. On the basis of that statement, the Care Commission will determine which standards will apply to the service that the provider is offering.

The standards cover the following activities:

- recruiting, selecting, approving, training and supporting foster carers;
- matching children and young people with foster carers;
- supporting and monitoring foster carers; and
- the work of agency fostering panels and other approval panels.

The standards do not apply to the services provided directly by foster carers themselves. The UK National Standards for Foster Care, published by the National Foster Care Association (now the Fostering Network) in 1999, are comprehensive service standards that apply to fostering services provided directly by foster carers, social work services and other agencies involved in the provision of child care services.

## **The national care standards**

Scottish Ministers set up the National Care Standards Committee (NCSC) to develop national standards. The NCSC carried out this work with the help of a number of working groups. These groups included people who use services, and their families and carers, along with staff, professional associations, regulators from health and social care, local authorities, health boards and independent providers. Many others were also involved in the consultation process.

## **Using the national care standards**

### **Services for children (standards 1 to 4)**

These standards are for children and young people who go to stay with foster carers.

### **Services for foster carers (standards 5 to 12)**

These standards are for people who are or who wish to become foster carers. They also set out how agencies should work to recruit families for children.

### **Management and staffing (standard 13)**

The standards in this section are addressed to everyone who uses the foster care service. They reflect the importance of knowing that the people who are responsible for the agency have the necessary experience, skills and training.

## **The principles behind the standards**

The standards are based on a set of principles. The principles themselves are not care standards but reflect your recognised rights. These principles are the result of all the contributions made by the NCSC, its working groups and everyone else who responded to the consultations on the standards as they were being written. They recognise that services must be accessible and suitable for everyone who needs them, including people from ethnic minority communities. They reflect the strong agreement that your experience of services is very important and should be positive, and that you have rights.



## The main principles

The principles are dignity, privacy, choice, safety, realising potential and equality and diversity.

### Dignity

Your right to:

- be treated with dignity and respect at all times; and
- enjoy a full range of social relationships.

### Privacy

Your right to:

- have your privacy and property respected; and
- be free from unnecessary intrusion.

### Choice

Your right to:

- make informed choices, while recognising the rights of other people to do the same; and
- know about the range of choices.

### Safety

Your right to:

- feel safe and secure in all aspects of life, including health and wellbeing;
- enjoy safety but not be over-protected; and
- be free from exploitation and abuse.

### Realising potential

Your right to have the opportunity to:

- achieve all you can;
- make full use of the resources that are available to you; and
- make the most of your life.

## Equality and diversity

Your right to:

- live an independent life, rich in purpose, meaning and personal fulfilment;
- be valued for your ethnic background, language, culture and faith;
- be treated equally and to be cared for in an environment which is free from bullying, harassment and discrimination; and
- be able to complain effectively without fear of victimisation.

## Comments

If you would like to comment on these standards you can visit our website and send a message through our mailbox:

[www.scotland.gov.uk/health/standardsandsponsorship](http://www.scotland.gov.uk/health/standardsandsponsorship)

You can also contact us at:

Care Standards and Sponsorship Branch  
Community Care Division  
Health Department  
St Andrew's House  
Regent Road  
Edinburgh EH1 3AG  
Tel: 0131 244 5387  
Fax: 0131 244 4005

# 1-4

## Services for children

- 1 Informing and deciding
- 2 Promoting good quality care
- 3 Helping you as an individual
- 4 Expressing your views

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## Informing and deciding

### Standard 1

**The agency makes sure you have all the information you need about the service and the role of your foster carer to help you and your family decide about using the service.**

- 1 You have information that clearly explains about the service. Everything is written in plain English or in a language and format that is suitable for you. It should include:
  - the aims of the service;
  - how to use the service;
  - the role of the foster or family placement carer;
  - what is available in the service;
  - contact names and phone numbers;
  - the complaints procedure;
  - policies and procedures for managing risk and recording and reporting accidents and incidents; and
  - the most recent Care Commission inspection report about the service.
- 2 You know that the agency tries to recruit a wide variety of foster carers who will be best able to meet the cultural and faith needs of you and the other children and young people who are identified as benefiting from a family placement now and in the future.
- 3 You can be confident that the agency has a code of practice which upholds your rights as a child if it uses information about you in an advertising or recruitment campaign.

## Promoting good quality care

### Standard 2

**You can be confident that the agency contributes to the provision of good quality care for you.**

- 1 The agency makes sure that, wherever possible, you and your family have the opportunity to visit and to meet the foster carer and their family in their home before you begin your placement. Information is shared about your preferences and routines and any special needs you may have.
- 2 You can be confident that before your placement, the agency carries out a general risk assessment of the living arrangements and makes sure any recommendations are followed. It also makes sure that a personal risk assessment of your needs is available.
- 3 You can be confident that the agency makes sure that your foster carer has, or can access, the resources and skills to meet your needs. If you have been a victim of abuse, the agency makes sure that your foster carer has the necessary skills to help you.
- 4 You know that the agency has arrangements in place to make sure that there are appropriate links between you, your foster family and your birth family.
- 5 You know that the agency monitors your foster carer's ability to help you to keep up family contacts, and friendships, as set out in your care plan, and that it respects and responds to your family's need for information and support and supports your foster carer when necessary.
- 6 You know that the agency makes sure that your foster carer:
  - helps you to get the healthcare that you need;
  - gets involved in your healthcare;
  - contributes to or makes decisions in partnership with you and your parents, where appropriate; and
  - understands the implications of your culture or faith.

- 7 You know that the agency makes sure that your foster carer:
  - provides you with an educationally-rich environment;
  - helps to meet your educational needs; and
  - helps you to develop the skills, ability and knowledge that you will need when you become an adult.
- 8 You know that the agency is aware of any equipment you may need and where you can get it from. The agency makes sure your foster carer has all the relevant information they need about adapting their home or vehicle if this is necessary and any help they may be offered.
- 9 You can be confident that the agency supports your foster carer to help you make use of therapeutic and other specialist services (for example, occupational therapy or psychology) that you need.
- 10 You can be confident that the agency encourages and supports your foster carer to help you to enjoy play and other leisure activities.
- 11 You can be confident that, if your placement starts at short notice, the agency will make sure your foster carer has the information they need to meet your needs and to keep you up to date about how long the placement will last.

## Helping you as an individual

### Standard 3

**You can be confident that your identity and self-esteem will be valued and promoted.**

- 1 You know that the agency recognises and reflects your individual needs and characteristics when it offers you a foster or family care placement.
- 2 You know that the agency makes sure that you are encouraged to take part in activities that develop your individual talents, interests and hobbies.
- 3 You know that the agency prepares and helps your foster carer to respect and understand issues of diversity, including sexuality and lifestyle choices.
- 4 You know that the agency enables your foster carer to help you find relevant information about your lifestyle choices and put you in touch with people who may support you.
- 5 You know that the agency makes sure your foster carer assists you with any intimate care needs you may have or any treatment you need in private and in a way which maintains your dignity.



## Expressing your views

### Standard 4

**You and your family and foster carer are encouraged to express your views on any aspect of the work of the agency.**

- 1 You and your family and foster carer know how to make a suggestion or complaint to the agency.
- 2 You know that the agency allows your foster carer to make representations or complaints on your behalf and also on his or her own behalf.
- 3 You and everyone else involved in a representation or complaint receive a report on the outcome within a time limit that is clearly set out in the agency's representations and complaints procedure.
- 4 You are given information about how to make a complaint directly to the Care Commission.
- 5 If you are disabled or if your first language is not English, you have access to translation, interpretation and communication support that you need to help you make your representation or complaint. These services are also available to your foster carer or your parents.
- 6 You know that independent advice and support can be made available.

# 5-12

## Services for foster carers

- 5 Assessing and approving carers
- 6 Completing the application
- 7 Information and advice
- 8 Practical help
- 9 Allowances and expenses
- 10 Fees
- 11 Reviews
- 12 The fostering panel

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# Assessing and approving carers

## Standard 5

**You know you will be fully assessed by the agency before being accepted as a foster carer.**

- 1 You can be confident that foster carers are assessed on their ability to promote the health, education and personal and social development of you and any other children and young people in their care.
- 2 You know that the agency has clear, published policies and procedures to assess and approve foster carers.
- 3 You know that the agency has clearly defined standards for foster carers to follow.
- 4 You can be confident that the assessment is carried out by a qualified social worker who has experience of child care, foster care and family placement work.
- 5 You know that the assessment and approval process involves all members of your household, including children and young people who have been fostered or previously adopted.
- 6 You know that the agency provides opportunities for prospective foster carers to improve their understanding of fostering through training and contact with experienced carers.
- 7 You know that the agency will make all necessary checks, including criminal records checks, to determine your suitability. These checks are repeated at least every two years.
- 8 You can be confident that you will be supervised and supported by an appropriately qualified social worker. The supervising social worker will visit in line with legal requirements. This includes at least one unannounced visit each year.

- 9 You know that the agency holds details of your records:
- if you are an approved carer;
  - if approval has been withdrawn; and
  - if you have withdrawn an application.

## Completing the application

### Standard 6

**You can be confident that the agency treats applications to become a foster carer fairly and without unnecessary delay.**

- 1 You know that you have access to your assessment report before a decision on approval is made. You can add to the report and go to the foster panel.
- 2 You know that applicants will be told whether they have been approved as soon as possible, and will be given the reasons for the decision.
- 3 You know that the agency has clear procedures for reconsidering applications and hearing appeals against decisions.
- 4 You know that the assessment will be completed within six months of the agency receiving a completed application form, unless unforeseen circumstances prevent this.
- 5 You know that prospective foster carers will receive regular feedback on the progress of the application (at least once a month). The agency gives them clear indications of any work that is needed to further the process.

## Information and advice

### Standard 7

**You have a written agreement with the agency, setting out the terms of approval and your role and responsibilities as a foster carer and the role and responsibilities of the agency.**

- 1 You know the number, age range and sex of the children and young people that may be placed with you, and the likely duration of the placement.
- 2 You know that the agency keeps copies of the written agreement between you and the agency.
- 3 You know that the agency publishes information that includes the following:
  - supervision and training arrangements;
  - arrangements for foster carer reviews;
  - placement agreements;
  - regulations and guidance that apply;
  - family contact and visiting arrangements;
  - insurance and legal liability;
  - foster carer support groups;
  - complaints procedures;
  - record keeping;
  - safe caring; and
  - transport.
- 4 You have written information on what to do if an allegation of abuse or neglect or another complaint is made against you.

## Practical help

### Standard 8

**You can be confident that the agency is committed to developing, preparing and training foster carers and makes sure that they work within its standards, policies and guidance.**

- 1 You know that the agency has a range of individual and group support arrangements in place, including the opportunity for foster carers to get involved in national networks such as the Fostering Network or Shared Care Scotland.
- 2 You can be confident that you have information about where to get support 24 hours a day.
- 3 The agency social worker keeps in regular contact with you.
- 4 You are trained to help and support your fostered child if he or she suffers any form of bullying or discrimination.

## Allowances and expenses

### Standard 9

**You can be confident that you receive payments to cover the cost of caring for any children or young people placed with you. Payments are based on their needs and in line with the cost of caring for them.**

- 1 You know that the agency publishes details of the fostering and family placement allowances and expenses that will be paid and reviews them every year.
- 2 You know that the agency will record that they have given you information about allowances and expenses.
- 3 You know that you will be quickly refunded for any extra expenses that you incur.
- 4 You know that when a large amount of money is involved, you can claim expenses beforehand.
- 5 You know that the agency will make sure that:
  - you have enough money at the start of each placement;
  - payment details are clearly explained and recorded; and
  - there are internal audit reports about all allowances and expenses that the agency pays.
- 6 You know that the agency has a system in place to record all payments made to you and their purpose.



## Fees

### Standard 10

**You know that all arrangements for fees are clear.**

- 1 You know that the agency has clear published policies and procedures on all payments made, and that these include information about the skills, training and qualifications that are needed for different payment levels.
- 2 If your agency operates a reward payment scheme, information about this is readily available to you, including information about paid planned breaks from caring.
- 3 You can be confident that the contract between you and the agency for the reward payment scheme shows your employment status and sets out terms and conditions. Copies of the contract are held by the agency.
- 4 You can be confident that the agency gives you clear information about National Insurance and tax liabilities.

## Reviews

### Standard 11

**You can be confident that the agency has the necessary review systems in place to make sure that you are able to continue to provide good quality care.**

- 1 You know that each year the agency reviews your performance and the quality of care that you provide and a review meeting is held with your supervising social worker.
- 2 You can be confident that your review meeting is chaired by someone who knows about foster care and can form an independent judgement.
- 3 You know that your reviews always include an assessment of:
  - training and support received by you and your family;
  - information provided; and
  - levels of supervision.
- 4 You know that the agency reviews your access to the facilities you need to meet the needs of children placed with you, including their ethnic, cultural, language and faith needs.
- 5 You know that the review report is mindful of the need for privacy and confidentiality from the child's point of view and includes:
  - your views and those of members of your household;
  - the views of each social worker who is responsible for any child who has been placed with you since the last review;
  - the views of any other children and young people who have been fostered by you; and
  - the views of their parents.
- 6 You know that the review report includes an action plan to meet your training and support needs and those of your family.

- 7 You can be confident that the review report includes recommendations about your continued approval and the numbers and ages of children you are approved to look after. You are given a copy of this report before the review is held.
- 8 You know that you can put your views to a fostering or approval panel meeting if there are changes in circumstances or if the review recommends changing or cancelling approval.
- 9 You know that the report of the review meeting and its outcomes will be recorded, together with any comments you make.
- 10 You know that a review will be held as soon as possible after any significant incident, complaint or allegation of abuse or neglect.

## The fostering panel

### Standard 12

**You know that the agency has a fostering panel that is responsible for the recommendations it makes and reflects the community it serves.**

- 1 You know that the fostering panel includes professionally qualified and experienced staff, as well as medical and legal representatives, foster carers and people with experience of being in foster care or using family placements.
- 2 You can be confident that the fostering panel has knowledge and experience of the community it serves and can call on expert advice if necessary.
- 3 You know that there are published agency policies and procedures about setting up and running the fostering panel.
- 4 You know that each panel member goes through relevant police and local authority checks.
- 5 You know that there is a clear difference between the panel's responsibility to recommend and the agency's responsibility to decide.
- 6 You know that the panel publishes an annual report, with details of its members, terms of reference and a summary of its work.
- 7 You know that the panel has agreed procedures for calling on specialist advice to explain any aspect of the assessment or approval review report when needed.
- 8 You can be confident that the fostering panel will have all the relevant information it needs to make its decisions or recommendations. The panel will keep a record of the decisions and recommendations that are made at each meeting.
- 9 You can be confident that each member of the panel will receive the training they need, including regular information on how the fostering service is managed, the needs of looked-after children and important developments from research and best-practice guidance.

- 10 You are given information about the appeals procedure and how, and in what circumstances, you may access this.
- 11 You know that the agency will consult the fostering panel when assessing its recruitment strategy, how it shares resources and how it works with other agencies.

# 13

Management and staffing

13 Management and staffing of the agency

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## Standard 13

**You can be confident that the management and staff of the agency have the professional training and expertise they need to provide an effective service.**

- 1 You know that the agency managers, staff and volunteers are recruited and selected through a process that takes account of safe recruitment practices. This includes:
  - criminal record checks;
  - checks with previous employers;
  - taking up references; and
  - cross-reference to the registers of the Scottish Social Services Council, or other professional organisations.
- 2 You know that agency staff are suitably qualified and trained for their roles. There is a staff development strategy and an effective yearly training plan for all staff.
- 3 You can be confident that all the staff use methods that reflect up-to-date knowledge and best-practice guidance, and that the management are continuously striving to improve practice.
- 4 You can be confident that staff are supervised and appraised. They have access to advice and support when they do their jobs. The roles and responsibilities of the management and staff of the agency are clear to you.
- 5 You can be confident that all staff employed by the agency have access to legal advice.
- 6 You can be confident that the agency has effective recording and information systems. All significant contacts and incidents are recorded.

- 7 You can be confident that a system of quality improvements based on reviewed practice is in place. Plans to improve the quality of service involve foster carers and children, young people and parents, where possible. Information (for example, annual reports) is produced, describing the performance of the agency.
- 8 You can be confident that the finances of the agency are properly managed. The accounts are audited and reported on every year. When staff members are involved in any financial transaction, it is carefully recorded. This is in a way that can be checked by the Care Commission.
- 9 You know that external managers monitor the service that foster carer receive from the agency. The quality and performance of the agency, the way the agency works, views and complaints are recorded and monitored.
- 10 You know that the external manager or board makes sure that the manager is suitable for the role.





# Annex A

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## Annex A

### Glossary

#### Abuse

Something that causes actual or likely significant harm to a child. It may be physical, emotional or sexual or neglect of a child.

#### Advocate

A person independent of any aspect of the service or of any of the agencies involved in purchasing or providing the service, who acts on behalf of, and in the interests of the person using the service.

#### Bullying

The intentional or perceived causing of pain, distress, anxiety, humiliation or social exclusion to one child by one or more other children, by physical or verbal means, or through damage or loss of property.

#### Care plan

An agreed plan for looking after a child and meeting his or her needs, made by a placing authority under Children (Scotland) Act 1995 requirements.

#### External manager

The person or group of people, sometimes a board or committee, responsible for the work of the agency but not involved in day-to-day management.

#### Family placement

A service which links a child to another whole family or individual especially recruited and prepared for the purpose, in whose home the child regularly spends short periods.

### **Fostering panel**

A panel which is set up to consider whether to recommend approval of foster carers. The local authority decides the number of people to be appointed to the panel, at least one of whom will be a medical adviser. It should reflect the background and heritage of the children who are likely to need placement and the foster carers likely to seek approval.

### **Fostering or family placement agency**

A local authority or independent service responsible for the recruitment, assessment, approval and training of foster carers.

### **Fostering network**

National organisation for foster carers (formerly the National Foster Care Association).

### **Matching**

The process of linking an individual child with a particular carer or carers who can best meet the child's needs.

### **Placement**

An agreement for a child to stay with a particular foster family. This may be a longer-term placement or a short break.

### **Prospective foster carers**

Individuals who have expressed an interest in fostering or who are in the process of application, assessment or approval.

### **Respite care or 'short breaks'**

There are many kinds of arrangements for respite care or short breaks for children. These include provision within a child's home, daytime care, occasional overnight stays and regular periods of care with an approved family or foster carer, or in a residential home and shared care arrangements with foster or other family carers. Children who stay away from home overnight are looked after by the local authority and the Arrangements to Look After Children (Scotland) Regulations 1996 apply.

## **Shared Care Scotland**

National organisation promoting and supporting short breaks.

## **Whistle-blowing**

The disclosure by an employee (or professional) of confidential information that relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employer or employees. (Lord Barrie QC 1995)

# Annex B

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## Annex B

### How the standards will work

#### **The Scottish Commission for the Regulation of Care**

The Regulation of Care (Scotland) Act 2001 ('the Act') set up the Care Commission, which registers and inspects all the services regulated under the Act, taking account of the national care standards issued by Scottish Ministers. The Care Commission has its headquarters in Dundee, with regional offices across the country. It will assess applications from people who want to provide registered services. It will inspect the services to make sure that they are meeting the regulations and in doing so will take account of the national care standards. You can find out more about the Care Commission and what it does from its website ([www.carecommission.com](http://www.carecommission.com)).

#### **The Scottish Social Services Council**

The Act created the Scottish Social Services Council ('the Council') which was established on 1 October 2001. It also has its headquarters in Dundee. The Council has the duty of promoting high standards of conduct and practice among social services workers and in their education and training. To deliver its overall aims of protecting service users and carers and securing the confidence of the public in social services, the Council has been given five main tasks. These are: to establish registers of key groups of social services staff; to publish codes of practice for all social services staff and their employers; to regulate the conduct of registered workers; to regulate the training and education of the workforce; to undertake the functions of the National Training Organisation for the Personal Social Services. The Council has issued codes of practice for social service workers and employers of social service workers. These describe the standards of conduct and practice within which they should work. The codes are available from the Council website ([www.sssc.uk.com](http://www.sssc.uk.com)).

#### **How standards and regulations work together**

The Act gives Scottish Ministers the power to publish standards that the Care Commission must take into account when making its decisions. It also gives Ministers the power to make regulations imposing requirements in relation to care services.

The standards will be taken into account by the Care Commission in making any decision about applications for registration (including varying or removing a condition that may have been imposed on the registration of the service).

All providers must provide a statement of function and purpose when they are applying to register their service. On the basis of that statement, the Care Commission will determine which standards will apply to the service that the provider is offering.

The standards will be used to monitor the quality of care services and their compliance with the Act and the regulations. If, at inspection, or at other times, for example, as a result of the Care Commission looking into a complaint, there are concerns about the service, the Care Commission will take the standards into account in any decision on whether to take enforcement action and what action to take.

If the standards were not being fully met the Care Commission would note this on the inspection report and require the agency to address this. The Care Commission could impose an additional condition on the agency's registration if the agency persistently, substantially, or seriously failed to meet the standards or breached a regulation.

If a voluntary or independent agency does not then meet the condition, the Care Commission could issue an improvement notice detailing the required improvement to be made and the timescale for this. Alternatively, the Care Commission could move straight to an improvement notice. The Care Commission would move to cancel the registration of any voluntary or independent agency if the improvement notice does not achieve the desired result. In extreme cases (for example, where there is serious risk to a person's life, health or wellbeing) the Care Commission could take immediate steps to cancel the registration of a voluntary or independent agency without issuing an improvement notice.

If the Care Commission determines that the services provided by a local authority acting as a fostering agency are consistently failing to meet the standards, the Care Commission will bring this to the attention of the Scottish Executive.



Regulations must be followed. In some cases not meeting a regulation is an offence and the provider may be prosecuted. Breaking or not meeting any regulation is a serious matter. Decisions by the Care Commission on what to do when standards or regulations are not met will take account of all the relevant circumstances and be proportionate.

# Annex C

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## Annex C

### Useful reference material

#### Legal

##### **The Children (Scotland) Act 1995**

This Act puts children first. Each child has the right to:

- be treated as an individual;
- form and express views on matters affecting him or her, and have these taken account of; and
- be protected from all forms of abuse, neglect or exploitation.

Parents and local authorities have rights and responsibilities in achieving the balance of care.

The Act is accompanied by regulations and guidance, published as *Scotland's Children (1997)*

##### **The Data Protection Act 1998**

The Act covers how information about living, identifiable people is used. All organisations that hold or process personal data must comply.

##### **The Disability Discrimination Act 1995**

This wide-ranging Act, which came into force in 1996, makes it illegal to discriminate against disabled people in employment, access to goods, services, transport and education.

### **The Human Rights Act 1998**

This Act includes the European Convention on Human Rights into Scots and English law in relation to the acts of public bodies. Its purpose is to protect human rights and to maintain and promote the ideals and values of a democratic society. The Articles of Convention include:

- freedom of thought, conscience and religion;
- freedom of expression;
- freedom of assembly and association;
- the right to have respect for private and family life; and
- the right to marry.

### **The Police Act 1997**

Part V of the Police Act 1997 was implemented in April 2002. This provides for the Scottish Criminal Record Office to issue criminal record information certificates to individuals and organisations.

### **The Public Interest Disclosure Act 1998**

The Act protects workers who ‘blow the whistle’ about wrongdoing. It mainly takes the form of amendments to the Employment Rights Act 1996, and makes provision about the kinds of disclosures which may be protected; the circumstances in which such disclosures are protected; and the persons who may be protected.

### **The Race Relations Act 1976**

The Act makes racial discrimination illegal in employment, service delivery, training and other areas.

### **The Race Relations (Amendment) Act 2000**

The Act makes racial discrimination illegal in public activities that were not previously covered. It puts a general duty on public organisations to promote race equality.

## **The Regulation of Care (Scotland) Act 2001**

The Act establishes a new system of care service regulation including the registration and inspection of care services which takes account of national care standards. The Act also creates two new national, independent bodies, the Scottish Commission for the Regulation of Care, to regulate care services, and the Scottish Social Services Council, to regulate the social service workforce and to promote and regulate its education and training.

You can visit these websites for information:

- Regulation of Care (Scotland) Act 2001  
[www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2001/20010008.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2001/20010008.htm)
- Regulation of Care (Scotland) Act 2001 Statutory Instruments  
[www.scotland-legislation.hmso.gov.uk/legislation/scotland/s-200201.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/s-200201.htm)

## **Policy**

### **Aiming for Excellence: Modernising Social Work Services in Scotland 1999**

The White Paper sets out the proposals to strengthen the protection of children and vulnerable adults, and to make sure high quality services are provided. The Scottish Commission for the Regulation of Care is an independent regulator set up for this purpose.

### **The Way Forward for Care**

The Scottish Executive Policy Position Paper of July 2000 develops the proposals set out in Aiming for Excellence. It includes proposals for regulating independent healthcare.

### **Our National Health 2000**

The health plan aims to improve Scotland's health and close the health gap between rich and poor, restoring the NHS as a national service and improving care and standards.

## **The UN Convention on the Rights of the Child**

The Convention is not a law but a code that the Government signed up to in 1991. It recognises that young people under 18 in Scotland do have rights. These rights must be given fairly, and children and young people must be kept safe and well, and able to take part in society.

## **The Same as You? 2000**

A Scottish executive review of services for people with learning disabilities.

## **Other useful reference material**

*Children (Scotland) Act 1995 Regulations and Guidance Volume 2, Children Looked After by Local Authorities.* The Stationery Office, 1997.

*Children's Safeguards Review.* The Stationery Office, 1997.

*Feeling Safe? Report – the views of young people. Who Cares? Scotland,* 2001.

*Learning With Care – The Education of Children Looked After Away From Home by Local Authorities.* The Stationery Office, 2001.

UK Joint Working Party on Foster Care, *UK national standards for foster care.* National Foster Care Association, 1999.

UK Joint Working Party on Foster Care, *Code of practice on the recruitment, assessment, approval, training, management and support of foster carers.* National foster Care Association, 1999.

*Valuing Diversity – Having regard to the racial, religious, cultural and linguistic needs of Scotland's children.* Social Work Services Inspectorate: The Stationery Office, 1998.

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