



# **Corporate Parenting in The Scottish Legal Aid Board: 2025**

The Scottish Legal Aid Board

[www.slab.org.uk](http://www.slab.org.uk)

## Contents

About us .....	3
Corporate Parenting in Scotland .....	4
Our duties as a Corporate Parent .....	4
The importance of legal aid reform .....	4
Our contribution to wider Scottish Government outcomes .....	5
How we deliver our role as a Corporate Parent .....	6
The Public Sector Equality Duty .....	6
The United Nations Convention on the Rights of the Child .....	6
The Promise .....	6
Supporting access to justice currently .....	7
Policy development and impact assessment .....	7
Research and evidence .....	8
Customer service .....	8
Our employed solicitors .....	8
Staff training .....	9
Mentoring and staff volunteering .....	9
Collaboration in the children's hearings system .....	9

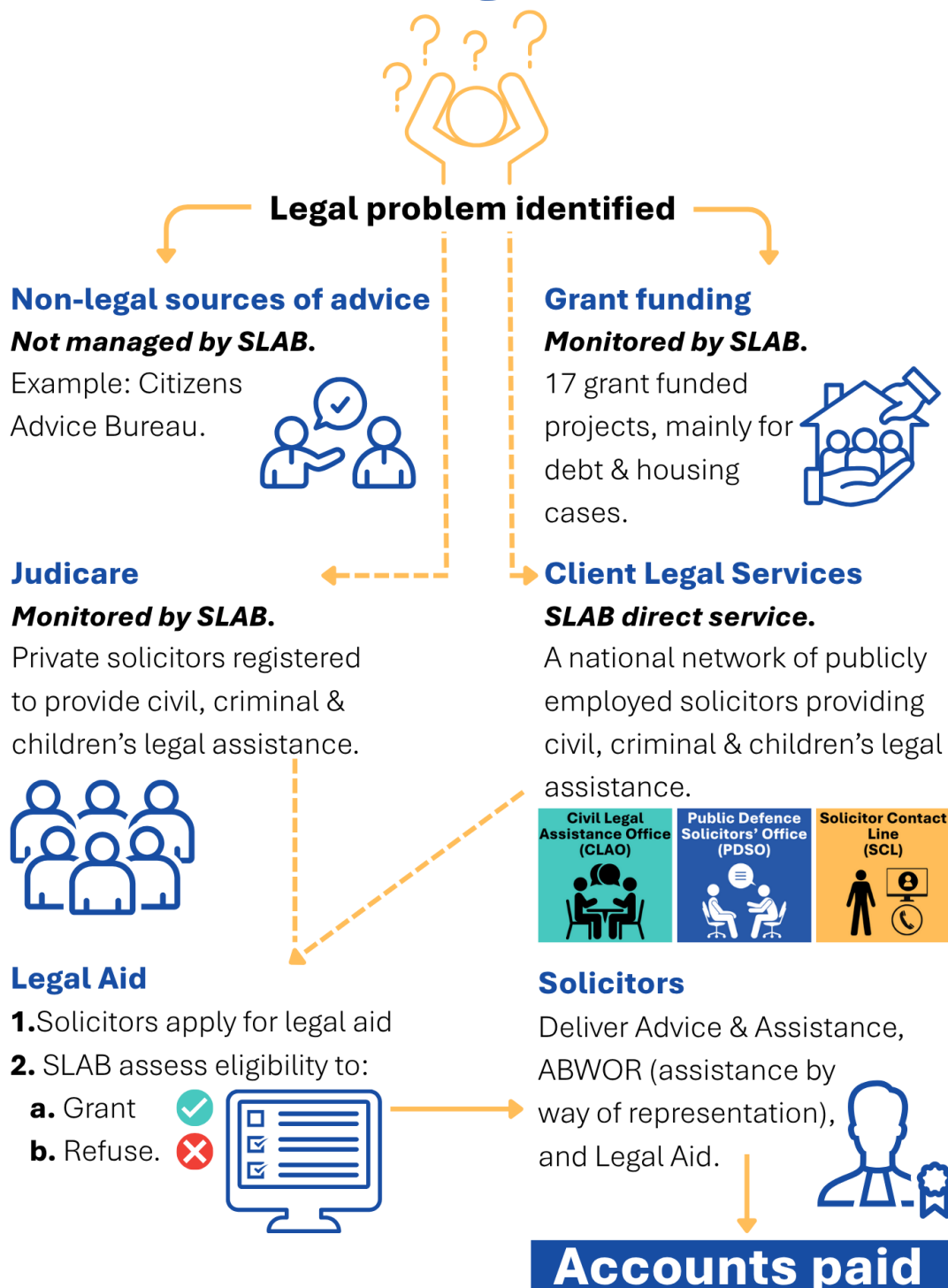
## About us

The Scottish Legal Aid Board was established in 1987 to manage legal aid in Scotland.

We are a Non-Departmental Public Body (NDPB). We operate independently but are accountable to the Scottish Government, who are responsible for the overall direction of legal aid policy.

We assess legal aid applications, administer grants on behalf of Scottish Government, review and pay solicitor and advocate accounts and operate a national network of publicly employed solicitors providing civil, criminal and children's legal assistance.

## Scotland's legal aid model



# Corporate Parenting in Scotland

The Children and Young People (Scotland) Act 2014 introduced new statutory duties on a range of public bodies, including the Scottish Legal Aid Board, as Corporate Parents.

The new duties came into effect from 1 April 2015.

Corporate parenting refers to the necessary actions of public bodies to promote and support the physical, emotional, spiritual, social, and cognitive development of a looked after child or care leaver, from infancy through to adulthood.

## Our duties as a Corporate Parent

The six duties set out in the Children and Young People (Scotland) Act 2014 provide a working definition of corporate parenting. Insofar as the duties are consistent with the proper exercise of our other functions, we must:

1. Be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom this Part applies.
2. Assess the needs of those children and young people for services and support it provides.
3. Promote the interests of those children and young people.
4. Seek to provide those children and young people with opportunities to participate in activities designed to promote their wellbeing.
5. Take such action as it considers appropriate to help those children and young people:
  - i. to access opportunities it provides in pursuance of paragraph (4)
  - ii. to make use of services and access support, which it provides.
6. Take such other action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to those children and young people.

## The importance of legal aid reform

Our main role is a funder of services delivered by the private and third sectors. We do not in the main deliver direct services to care experienced people.






The legislation that governs the administration of legal aid dates from 1986 but the expectations on the legal aid system are now very different.

A key consequence is that the case-by-case legal aid system does not have the ability to secure help for people or direct help to particular groups or types of case.

The Scottish Government has recognised the need for legal aid reform to deliver a more flexible system better able to react to advice demands through a range of different funding mechanisms.

## Our contribution to wider Scottish Government outcomes

Legal aid enables looked after children and care leavers to pursue or defend their rights or manage their personal affairs. This will often be at challenging times in their lives. The services we fund also make an important contribution to wider outcomes pursued by Scottish Government, as set out in the National Performance Framework. These will also have a positive impact on care experienced children and care leavers. Legal aid:

- enables people to pursue and protect their human rights and challenge discrimination 
- empowers people to challenge the state and institutions  
- is used for solicitors to represent children at children's hearings 
- funds businesses to deliver legal services 



# How we deliver our role as a Corporate Parent

## The Public Sector Equality Duty

The Equality Act 2010 introduced the public sector equality duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation, and other prohibited conduct
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

Our [Equality Outcomes Plan 2023–26](#) provides an overview of the work that we are carrying out to gather and analyse equality data to inform and improve our services, inform our advice to Ministers, and assist us in monitoring availability and accessibility of legal services, and improve the accessibility of information about legal aid.

The work on making key information about our work and legal aid accessible to those who need our help has involved reviewing a range of public-facing information on our website in addition to reviewing letters that we send out to applicants.

## The United Nations Convention on the Rights of the Child

In addition to our Corporate Parenting duties, we are also committed to the implementation of UNCRC rights which have been incorporated into Scots law through The United Nations Convention on the Rights of the Child (incorporation) (Scotland) Act 2024.

The UNCRC attributes rights and freedoms to children in an internationally binding human rights agreement. The convention has 54 articles; 42 set out the rights of children and young people and 12 set out how governments must publicise and carry out the convention.

While the fulfilment of Corporate Parenting duties may not be an explicit goal of incorporating UNCRC rights, much of the work we have done in relation to this will be to the benefit of care experienced individuals.

We view our obligations under UNCRC as working in tandem with our Corporate Parenting duties providing a framework of responsibilities that benefit care experienced people. Our [previous UNCRC reports](#) can be found on our website.

## The Promise

In 2020, the [Independent Care Review](#) engaged with over 5,500 vulnerable children, young people, and families. Feedback showed an overwhelming feeling of not being loved, lacking safety, and facing disrespect.

As a result, Scottish Government has made [a promise](#) to every child and young person in Scotland that by 2030 children will grow up loved, safe, and respected, so that they realise their full potential.

All Corporate Parents have committed to keeping the promise. We are actively engaging with Scottish Government and other partners on the Children (Care, Care Experience and Services Planning) (Scotland) Bill. The Bill aims to improve the care system and services for children and young people with care experience, implementing recommendations from the Independent Care Review. We will continue to be part of these reforms as they progress.





## Supporting access to justice currently

Through our day-to-day management of the legal aid system, we help those who are eligible for legal aid by funding the work that their solicitor or advocate does for them or supplying that help directly through our network of employed solicitors.

**Legal aid is available to care experienced young people and care leavers** if they meet the necessary statutory eligibility tests, which in a very general sense are focused on there being merit to the case and not having the means to pay for legal advice themselves.

Eligibility criteria are set out in primary and secondary legislation, and we are unable to grant legal aid on the basis that someone is care experienced or a care leaver. However, we do have a range of discretion, particularly around the assessment of financial eligibility. For example, our legislation gives us the **discretion to disregard the Care Experienced Student Bursary paid under regulation 3(1) of the Student Support (Scotland) Regulations 2022** for the purposes of assessing financial eligibility for legal aid. This means that this bursary is not included in the assessment of an applicant's disposable income.

As with much of what we do in relation to facilitating legal aid within the structure of primary and secondary legislation, there are interventions that, whilst not directed specifically at them, will nevertheless **benefit care leavers**.

## Policy development and impact assessment

**Our corporate parenting duties have been mainstreamed into our policy making process.**

When reviewing and developing policy we require our staff to consider whether there is evidence from within SLAB or elsewhere that suggests the **potential or actual impact on our corporate parenting**

**duties.** In addition, as part of assessing the benefits of policy change, we must consider any **opportunities to promote our corporate parenting duties.**

It is our approach that our stated policies, practices, processes or services have an accompanying [Equality Impact Assessment](#) that sets out where specific policy, practice, process or service does or does not have an impact on equality groups. These assessment are completed as part of the policy development process, and they explicitly require **consideration of care status as an extension of the protected characteristics that are to be considered.**

The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 helps protect children's rights and wellbeing. While not specific to Corporate Parenting, the duties we have in relation to the UNCRC are likely to be relevant to care experienced children. Our policy development and review process requires the completion of a **Child Rights and Wellbeing Impact Assessment**, which ensures that the rights of children are accounted for when developing our policy and services.

## Research and evidence

Research is a key means by which we inform our policy development. Our surveys of the clients of our employed solicitors and private sector legal aid solicitors **asks if the client has been care experienced.** Our regular staff survey also asks for this information.

As part of the legal aid application process, we ask solicitors to collect a range of equalities information from their clients. This includes asking about the care experience of the client.

## Customer service

Many care experienced people may also be vulnerable. Our [Vulnerable Customer Policy](#) seeks to recognise customers in vulnerable circumstances and then adapt our business processes and professional services, so our customers do not suffer detriment at any point due to the vulnerability.

We also have a specific [complaints process aimed at children](#). We follow the Child Friendly Complaints Handling Guidance set out by the Scottish Public Services Ombudsman. We ask customers to let us know if they are under 18 when they complain to us, are complaining on behalf of someone who is under 18 or complaining about a matter affecting someone under 18. If we are told this, we deal with their complaint under the child-friendly process.

## Our employed solicitors

Our network of employed solicitors through our Client Legal Services (CLS) directorate is Scotland's largest multi-disciplinary legal aid practice.

The purpose of CLS is to deliver high quality criminal and civil advice, assistance, and representation services that improve outcomes for our clients and service users.

The CLS consists of the Civil Legal Assistance Office (CLAO), which provides advice and representation to people with particular types of civil legal problems, the Public Defence Solicitors' Office (PDSO), that provides advice and representation on criminal matters, and the Solicitor Contact Line (SCL), that provides a dedicated advice and representation service, 24 hours a day, to people detailed in police stations.



**Our Corporate Parenting duties have been incorporated on a business-as-usual basis in CLS** and clients who are accepted into the service are asked if they are care experienced **as this may be an important factor in how their case is handled.**

Our CLS solicitors work regularly with justice sector stakeholders such as **Children's Hearing's Scotland, Police Scotland, and Local Authorities**, all of whom are Corporate Parents.

## **Staff training**

Corporate Parenting awareness is part of our mandatory induction training for all new staff, and a training module is available on our in-house learning management system, which is accessible to all staff.

## **Mentoring and staff volunteering**

We encourage staff to volunteer for **mentoring young people who are care experienced.**

There are two mentoring schemes, both specifically directed at mentoring young people with care experience:

1. Intandem, which is run by Scottish Government
2. A scheme operated by the charity Move On.

A **staff volunteering policy is also in development** which will set out the time allowed for staff to take part in volunteering for mentoring.

## **Collaboration in the children's hearings system**

We collaborate with a range of other organisations and Corporate Parents in our work in the interests of care experienced people.

We participate directly in the **children's hearings system** in Scotland, either through the **funding of legal representation**, the **delivery of direct legal services** or through **participation in the Children's Hearing Improvement Partnership (CHIP)**. [CHIP](#) brings together partners from across the hearings system including charities, justice sector partners, and government agencies, and its focus is on change and improvement within the children's hearings system.

We also attend quarterly tri-partite meetings with justice partners [Children's Hearings Scotland](#) and the [Scottish Children's Reporter Administration](#) to discuss any children's hearings' issues and developments.

We are also a member of the **Children's Hearings Redesign Workstream Group** on preparing and planning for children's hearings.

We also regularly monitor our children's guidance, and we are about to expand upon it to clarify when solicitors can be paid to represent clients at ICSO extension hearings before a sheriff.