

**Consultation response to:
*Framework for Action for Bereavement Care in NHS Scotland***

Children in Scotland welcomes the opportunity to submit a brief response to this NHS Scotland consultation document. We are the national independent agency for Scotland's children's sector, with over 400 members, including all the major children's charities, relevant associations, community groups and all but a handful of local authorities (see: www.childreninscotland.org.uk).

The great majority of this *Framework for Action* seems sensible and useful within the health sector and for adults (as well as the agencies and organisations serving them). We will leave it to individuals and groups with more expertise in these areas to make detailed comments.

We have three basic responses from our vantage point and experience.

First, we endorse the specific comments, and encourage NHS Scotland to heed the recommendations offered, in the consultation response from the Childhood Bereavement Network.

Second, we are disappointed by the relative lack of attention to the particular needs, wishes and rights of Scotland's children and young people who too often must deal with bereavement -- and the absence of 'joined-up' thinking and proposed action involving the children's sector and youth workers. For example, *Getting it right for every child* (GIRFEC) is a priority policy of the Scottish Government for all public bodies interacting with children and young people, including those in the health sector.

Given the ethos of *Equally Well*, we also note that children and young people from areas of the greatest deprivation -- and those from the most disadvantaged households -- are much more likely to experience the death of an immediate (or closely connected) family member at a younger age than children from more advantaged families/communities. Not surprisingly, these also are the children and young people with the fewest personal resources to draw upon in dealing well with bereavement -- and often have markedly poorer effective access to sources of external assistance and support.

Third, we think there is a good opportunity to revise this *Framework* to take Scotland's landmark legislation -- the Additional Support for Learning (ASL) Act -- into account and to encourage bereavement-related health services to become more actively involved in its implementation. Unlike "special education" legislation in other nations, the ASL Act is distinctive in its inclusion of all children and young people who are facing barriers to learning and success in school "**for whatever reason**" -- whether that reason is a temporary or long-term one. Bereavement is an oft-cited example of a circumstance that can cause problems for affected students -- and one that makes them eligible for additional support.

Under the ASL Act, children and young people have the legal right to receive -- and education authorities have the statutory duty -- to provide the extra help needed. While education authorities are the gatekeepers, there is established policy, practice and legal precedent for the direct and active engagement of the health sector in meeting needs that cannot be handled completely within schools or other education authority services.

With funding from the Scottish Government over the past decade, Children in Scotland has operated Enquire -- the national information and advice service about the ASL Act (and additional support needs more generally). We encourage NHS Scotland to take advantage of this opportunity to link its own bereavement strategy with the provision of additional support for learning under the ASL Act. **We also encourage signposting Enquire -- (www.enquire.org.uk or 0845 1232303 (Helpline) -- to NHS staff and other health care providers who are involved with children, young people and their families/carers.** They may find it helpful to make children and young people who are struggling in the aftermath of a death to become aware of their right to extra help through the ASL Act.

For questions or further information, please contact Sara Collier at scollier@childreninscotland.org.uk or on 0131 222 2412.

December 2010