

Care Matters: transforming the lives of children and young people in care Response from Barnardo's 11th January 2007.

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Introduction

Barnardo's is one of the largest children's charities working in 380 projects and with 110,000 children, young people and their families and carers across the UK. We work in some of the most disadvantaged communities and neighbourhoods and our services include 24 fostering and adoption services; 15 support services for young people leaving care; 6 services providing children's rights and advocacy for children in care and 3 residential special schools.

Barnardo's has been represented on the stakeholder group preceding the publication of 'Care Matters'; we chair one of the four task groups exploring the future care population and sit as a member on a second one looking at placement provision and quality.

This response is based on practice and research evidence and has been informed by consultation with our service users. Information was gathered from questionnaires returned by 42 foster carers and from 7 focus groups involving over 130 care experienced children and young people.

General Points

Barnardo's welcomes the principle of the green paper and its objective to transform the lives and improve the life chances of children and young people in care.

- We welcome many of the measures outlined in the Green paper including a free entitlement to school transport, more clearly defined roles and responsibilities for the designated teacher, pilots for a virtual head teacher, the HSBC private tutoring pilot and free or reduced cost access to leisure and sports facilities. We recognise that for services to be effective they must be provided in a way that is sensitive to the needs of children in care and in particular their desire not to be stigmatised or made to feel different from their peers. Young people have consistently told us they want to be respected as children, not as children in care, and policies and practices must always seek to find a balance between providing specialist and additional support as and when required without identifying or unnecessarily stigmatising the children or young people concerned.
- We welcome measures to provide extended support to care leavers coupled with better support and preparation for independent living. However whilst some young people will require support well into their adult lives, some young people

have told us they are concerned about taking their ‘care status’ with all its associated connotations into adulthood.

- Barnardo’s believes everyone involved in working with children in care or care leavers should be mindful to ensure they receive the same opportunities as other children. In our conversations with care experienced young people, they have consistently told us that very small things can make a tremendous difference to their feelings of self esteem and worth. Young people have told us they leave care without any photographs, that nobody attended sports day, parents evening or out of school activities. These measures cost very little, but require workers and professionals to put the same value on them as young people do.

“When you grow up in care you don’t have any photographs of your childhood. So you’ve got no memories, particularly if you don’t have a family you can’t see how far you’ve come. It’s like a blur; it makes you feel very different from other people. I don’t want to see my files- I want my memories”. Young person aged 18

Specific comments

1. The Pledge

The pledge outlined in ‘Care Matters’ would seem to be a suitable starting point for expressing the commitment to improve outcomes for children in care. We are disappointed that there is no explicit reference to children’s human rights as expressed in the UN Convention on the Rights of the Child, to which to UK is a signatory. While many of the proposals in ‘Care Matters’ are clearly about rights and entitlements, we believe that an explicit reference to this would only serve to strengthen the pledge.

2. Children on the edge of care

“If more support was available to families in non-judgemental and supportive ways I think many children could remain at home rather than entering the care system.” Barnardo’s front-line worker

Barnardo’s believes that families should be supported to stay together when to do so would be in the best interests of the child. Where this is not the case then care should be used as a positive option and not as substitute for lack of proper support.

- 2.1** We welcome a new approach to family intervention and intensive support where problems emerge. We believe that a ‘shared care’ approach which is widely used for disabled children - the use of short-break and or respite services - can be an effective

measure in keeping families together. Packages which might include respite care, residential placements (in schools or other units) and time with families can give individual family members time apart and breathing space whilst maintaining the overall commitment for the family to stay together if at all possible.

- 2.2. Barnardo's is aware that some families may need support or intervention, but are reluctant to come forward and ask for help out of fear of judgement or in some cases because of negative personal experiences with statutory agencies. We would like to see families who may be encountering difficulties and require support to keep them together, to have a range of options about who provides services, including the private or voluntary sector.
- 2.3. We welcome initiatives to make better use of family and friends as carers and are aware that research shows family and friends can be a better placement option for some children young people than foster or residential care. We are concerned that effective measures are in place to ensure that it is an appropriate and safe placement for that child and not merely a decision taken for budgetary reasons or lack of other resources. We would concur with the recommendations made in the response from the Family Rights Group for measures to improve support for 'kinship' carers.
- 2.4. Barnardo's particularly supports the use of group conferencing as a tool for children on the edge of care but would also like to advocate its use to support families when children return home from care and for young people leaving care after 16. Barnardo's has 14 services using group conferencing methods and these have achieved positive results in preventing reception into care and enabling families to support each other and improve relationships. We would like to see a widespread requirement for group conferencing; although this will need adequate funding, training and resources it can lead to substantial long term savings.
- 2.5. We would like to see better support and parenting education made available at key points throughout children's lives. While Sure Start has proved popular and effective it is much more difficult for parents to access similar support at a later stage in their child's life when adolescent years can be turbulent and the time when 45% of children enter care.
- 2.6. Education breakdown whether through exclusion or truancy is a recognised risk factor for children and can put intolerable pressure on families leading to breakdown and reception into care. We would like to see more support for parents and children to maintain school places or to re enter mainstream education following exclusions.

3. Strengthening the role of the corporate parent

The measures proposed in 'Care Matters' to strengthen the role of the corporate parent may be useful. However, Barnardo's remain concerned that these appear to focus on social services agencies and do not address the issue of the responsibility of other sections of the local authority – for example housing departments - in relation to children in care. We are also concerned that there appears to be confusion between the role of independent visitors and independent advocates in paragraphs 3.43 to 3.50.

- 3.1. The proposals for 'social care practices' are worthy of exploration and Barnardo's can see the advantages of a dedicated service for children in care. However, we are concerned that this could further distance the responsibility for children in care from

other sections of both children's services and the local authority in general and dilute rather than support the concept of the corporate parent.

- 3.2.** We welcome the acknowledgement that children in care need a 'champion' and advocate but would strongly argue that the differences between the role of social worker as lead professional; an independent visitor and an independent advocate need to be much more clearly defined. There is of course a role for all of them, but while a social worker (whether in a practice or not) and an independent visitor can indeed be a consistent figure and champion for a child; the role of an independent advocate is quite different and should be identified as such. Professional, independent advocates have a vital role to play in relation to improving the educational outcomes for children in care in particular. A volunteer acting as an independent visitor would not have the time, specialist knowledge or access to other networks and services to act as an effective advocate for children in relation to education issues – for example an appeal against school exclusion. Social workers, even in the proposed practices, would remain employees of the local authority and therefore unable to bring the degree of independence needed in order to properly advocate for a child against local authority decisions.

4. Improving the quality and stability of placements

"I think when there is a breakdown it takes too long for decisions to be made, I believe in most cases the carer just needs respite whilst decisions are made with the full inclusion of the foster carer. Foster carers should be listened to more; also there should be more respite carers. On one occasion I had no sleep for 16 nights. Horrendous, it should never have gone on that long!" Barnardo's foster carer

In 2005/6, of 23,000 children under 16 looked after for more than 2.5 years; 65% had been living in the same placement for at least two years or were placed for adoption.ⁱ While this is 1% higher than the previous year, unless the rate increases dramatically the government is unlikely to achieve their target of 80% by 2008 and currently 12% of children in care still experience 3 or more placements. 'Care Matters' makes a number of proposals about commissioning; increasing choice and training and support for foster carers and residential workers. While these are all positive steps they will not necessarily address the issues of shortfall in foster carers and the poor status of residential work as a positive option for staff.

- 4.1.** 'Care Matters' emphasises the importance of providing a choice of placements and consulting children and young people. In our consultations with young people they agree with this but also understand that choice is not possible in some circumstances. However they tell us that what is most important is the opportunity to visit or meet the people who will be caring for them and to know the expectations of them or the 'ground rules' before a decision is taken about placements.
- 4.2.** Barnardo's would like to see more support available to foster carers and children at the beginning of placement and at times when there may be a risk of disruption or breakdown. Both foster carers and young people have told us they want more

support when problems emerge. Again the use of short breaks or respite services can be an effective measure both in crisis situations but more importantly as part of a planned package of care.

- 4.3.** In our experience placement stability in foster care is dependent on recruiting and retaining the right carers in order to provide a range and choice of placements. While we understand the need to ensure rigorous training for carers, we are concerned about the increasing 'professionalisation' and the emphasis on gaining formal qualifications. There is a body of evidence to suggest that the qualities that make a 'good' foster carer and contribute to placement stability are those that cannot necessarily be measured by examination and qualification – warmth; tolerance; patience etc.ⁱⁱ We would like to see more emphasis placed on assessing these characteristics during the assessment process for carers. Nevertheless we do recognise that additional training and support will be needed for carers who are asked to take on children with particularly complex needs and think the tiered approach proposed provides a basis for ensuring that these carers do get the necessary additional training, support and remuneration.
- 4.4.** We are concerned that in some cases foster carers who are able to work with children with very complex needs are put under pressure to accept multiple placements, thereby compromising their ability to do good work. Our Fostering and Adoption services are extremely effective in terms of placement stability because they only have one challenging young person per placement, pay the nationally agreed fees, and offer first class training and support to carers. We also give carers the training to enable them to advocate for young people at school and in other settings.
- 4.5.** We welcome the measure for long term foster carers to have parental leave entitlements in the early stage of placements, similar to those granted to adopters. However, some foster carers report encountering difficulties on other occasions where the decision making powers are discretionary and at line management level. For example, carers have told us of experiences where they were denied time off work to care for a sick foster child, which would usually be granted to birth parents.
- 4.6.** Remuneration is of course important, particularly for those carers who may give up employment in order to care for those children with the most complex needs. The lack of standardisation of fees can lead to difficulties in recruitment and Barnardo's services have experienced difficulties in recruiting foster carers in particular local authorities where neighbouring ones pay a higher rate.
- 4.7.** We would like to see proposals in relation to support for both foster carers and residential workers out of 'normal' working hours. Local emergency duty social work systems are not resourced to provide direct intervention unless there is significant risk and immediate access to advice and support should be available to foster carers, residential workers and children and young people themselves. Such timely provision could prevent an escalation of crisis situations which can result in placement breakdown. Foster carers tell us that if they had access to such advice and support it could have more impact on whether they continue with both individual placements or generally as a carer, than the financial remuneration.

5. Ensuring a first class education

“Low expectations of you in school - I didn’t think my GCSEs results were very good but my teacher said she thought they were ok considering my background” Young person, aged 16.

In 2005/6 only 43% of children leaving care had one or more GCSE and only 7% had five or more. ⁱⁱⁱ Barnardo’s believes that children in care should be fully supported to maximise their educational potential and during the transition to adulthood they should be supported to enable them to make the most of all opportunities. Good education which meets the needs of each child is crucial if the this transition is to be successful and it can only be a matter of great shame that society’s ability to be a good ‘corporate parent’ appears to be severely compromised in this area. The educational under achievement of children in care up to year 11 is well researched and documented, but despite the long standing recognition of this issue there appears to have been no substantial improvement in recent years. Barnardo’s therefore welcomes the over due attention to this area in ‘Care Matters’.

- 5.1.** We welcome the initiative to give local authorities the power to direct schools to admit children in care, even where the school is already fully subscribed. However we are concerned about that City Academies will be exempt from such requirements, given the government’s ambition to establish more than 200 academies replacing failing urban schools by 2010. Academies are the government’s flagship education initiative and are fast becoming some of the most popular schools in some of the most deprived areas. Their exemption from the existing proposals means local government as the corporate parent will have an increasingly limited choice available when it seeks to exercise powers to direct schools to admit children in care.
- 5.2.** If the best performing schools are to be required to take children in care, there must be structures in place to ensure that these schools understand the care system, the needs of individual children placed there and that there is a support package in place to ensure that the child is not stigmatised, stereotyped or subject to bullying because of their care status. This package should include resources to ensure that children do not feel ‘out of place’, e.g. they have the right equipment and clothing and finance for after school activities. If the child is one of only a few in a school with predominantly affluent ‘middle class’ children they could easily be singled out without this support.
- 5.3.** ‘Care Matters’ recognises the importance of stability in education, particularly in years 10 and 11, but does not go far enough in outlining a school’s responsibilities to ensure looked after children are not denied access to their education through temporary or permanent exclusion. Given looked after children are disproportionately more likely to have their education disrupted through exclusion we are concerned about the degree of discretion in individual schools as to the interpretation of ‘last resort’. We would agree with the proposals in regard to managing difficult behaviour and disseminating good practice but suggest that there

should be a requirement for children in care to have automatic access to an independent advocate (as they do for complaints) when they are excluded. This would allow for an independent person to access any appeals process. Additionally for those who are permanently excluded, we would like to see the implementation of the 2003 Social Exclusion recommendation ^{iv} that *local authorities should make immediate arrangements to provide full time education for children (in care) who do not have a school place*. – Home tuition or permanent placement in a Pupil Referral Unit is not good enough.

- 5.4.** With relation to the stability of school placements, Barnardo's would re state the recommendations made in our report '*Failed by the system*' published in August 2006 which we believe could improve the educational experience and outcomes of children in care:
- There should be a requirement that children's services departments maintain children in the same school even if there is change of care placement, unless it is completely untenable because of distance.
 - Children should not change care placements during GCSE years, in particular young people should not have to be planning to leave care while they are in exam periods – either GCSE or A levels.
 - There should be a requirement that someone attends both parent's evenings and other school events for every child in care. The decision about who attends should take into account the views and wishes of individual children and need not necessarily involve extra work for social workers. For example, one young person in a residential unit told us that his grandmother had always attended his school events, with social services paying bus fares etc.
 - Children's services plans should have a specific requirement to address how agencies will work together to support children in care to improve their education experiences and outcomes.
 - Children in care should be consulted in decisions regarding their education and this should form part of the statutory review process.
- 5.5.** We welcome the initiative to investigate the feasibility of an on-line learning resource for children in care, but feel the effectiveness of such a measure would require greater access to ICT facilities for them. Some children do not have access to computer facilities in foster placements and in previous Barnardo's research^v young people have told us that where computers are available in children's homes, they can still encounter difficulties getting access to use the facilities due to demands and competition with other children.
- 5.6.** In principle, we agree with the proposal to make available a personalised annual budget of around £500 per year for social workers to spend on each child in care to support their education. But there would need to be proper arrangements in place to ensure that this is not used for those things that would normally be provided for a child living in their own family, for example – membership of or equipment for after school clubs or activities. These should be routinely provided and the personalised funds used only for specific extra support.
- 5.7.** We would encourage the government to adopt a more flexible approach to the distribution of these funds. Pilots could be used to assess if the fund is best placed with social workers, or if the budget for should be held by foster carers or key

workers in residential units. We also think there would be value in piloting whether older children might manage the money themselves. In a focus group with children and young people at a Barnardo's children's rights service in London, young people told us they welcome the availability of such funds but reported that it could be difficult for them to get in touch with social workers when they need to. Placing budgets with older young people would also help them with budgeting and money management skills.

- 5.8.** In our consultation with Barnardo's foster carers we asked them who their foster children go to in the first instance when they need additional educational supported and help with the associated costs. Well over half the carers we consulted told us young people go to them in the first instance; only four respondents said children went to their social workers. We asked the same question to care leavers and again most said they went to their foster parents in the first instance
- 5.9** 'Care Matters' proposes 'encouraging' schools to give special priority to the needs of children in care in relation to the £990 million personalisation fund. Barnardo's would like to see a much more robust approach to ensuring that the personal education plans for children in care make full use of the funding available – we would like consideration to be given to per capita ring fencing of the fund for each school.
- 5.10.** We welcome the measures to provide a free entitlement to school transport, more clearly defined roles and responsibilities for the designated teacher, the role of the virtual head teacher and the HSBC private tutoring pilot, but we would urge government to keep in mind young people's concerns about privacy and unnecessary stigmatisation in the planning and delivery of such services.
- 5.11.** We note the proposals to consider boarding school placements and acknowledge that this might be appropriate for a small number of children in care. However, it cannot be seen as a solution to the educational under achievement of all children in care. There may be some children whose educational needs can be best met at a specific boarding school; we know from Barnardo's experience of running 3 residential schools that they can provide the stability needed to enable children who have experienced chaotic lives to re-engage with learning processes. We must however be wary of a return to the practice of wholesale 'shipping out' of children in care to 52 week boarding schools. And where boarding school is to be considered, there must be robust systems in place to ensure that the links to home and local communities are maintained. Any decision about a child's education should also take into account the views and opinions of the child themselves, and there must be close working with schools to ensure children do not feel isolated or stigmatised by their care status.

"I need a person to come in (to school) just for me. Some times when I ask for help the teacher can't give it to me" young person aged 13

6. Improving life outside schools

It is important that children in care have access to as wide a range of services and activities as all other children and we commend the proposals to ensure that children in care are included in the implementation of the mainstream 'Youth Matters' strategy and the proposals to ensure better health education and care. We are particularly

concerned with the need to keep children in care out of the formal criminal justice system, where possible and to ensure they have the maximum opportunity for rehabilitation when they do engage in criminal behaviour.

- 6.1. It is crucial that children in care do not become criminalised by behaviour that would, in other circumstances be dealt with informally. The proposals for managing behaviour and better use of restorative practices are sensible but need to be accompanied by a requirement for formal protocols between police and children's services departments – we would recommend that the handbook '*Reducing offending by looked after children*' produced by NACRO^{vi} should be routinely used as a model of good practice.
- 6.2. We welcome the recommendations for a needs assessment and continuing involvement for children in care who go into custody but again would like to see a more robust requirement that this is the norm. It is difficult to see which children in care would not qualify; therefore the presumption should be that it would be applicable to all children unless there are specific reasons why it should not. There should be a requirement that pathway planning as well as preparation for leaving care and involvement from the leaving care team/services should continue while in custody.

7. Easing the transition to adult life

"I want to stay with my carers for ever and get a job and buy them a car" Young person, aged 14

Notwithstanding the provisions of the Children (Leaving Care) Act 2000, too many children still leave care at too young an age and struggle to survive independently.

- 7.1. Our consultations with young people, foster carers and Barnardo's practitioners have shown widespread support for the proposal to allow young people to remain living with foster families until age 21 including when the young person is at university. Legitimate concerns were expressed by a small number of foster carers who felt the decision should be in consultation with the foster families. Foster carers also felt they would need additional financial support, more short breaks or respite services and additional training preparing carers to deal effectively with older teenagers. We are concerned that there should not be a 'blanket cut-off' age of 21, particularly for young people in higher education. Increasingly young people complete higher education or university courses later in their 20s (e.g. 22/23) having taken up gap year work opportunities in the UK or abroad, or simply because they have needed additional time to re-sit or change courses at some stage in their educational career.
- 7.2. We would query why this proposal is restricted to those in foster care rather than including all young people regardless of their placement.
- 7.3. The proposal to give looked after children the right to remain living with foster carers until aged 21 and the power of veto in relation to leaving care before 18 is to be commended in terms of giving young people a choice. However, we are concerned that this may offer no real choice to young people who are in unsuitable or fragile placements – for them independence can look attractive however unprepared they may be for it. We would like to see a presumption that no child leaves care before

they are 18 and that any accommodation for care leavers aged 16 and 17 should be subject to the same standards and regulation as accommodation for children under 16.

- 7.4.** Barnardo's welcome the proposal to provide extra money for child trust fund accounts, but recognise this will only impact on a small percentage of the care population, those born on or after the 1st September 2002. Barnardo's would like older children in care to have similar opportunities to develop assets for use when they reach 18. In addition Barnardo's believes there should be a minimum level of leaving care grant for each young person, consistent across all local authorities. We would like to see a required national minimum, and support the comments made on this in the response to 'Care Matter's from the Action on Aftercare Forum.
- 7.5** We also encourage local government to think more carefully about the types of accommodation care leavers move into on moving to independent living. We know that care leavers are vulnerable to many social problems such as drugs abuse, exploitation and crime, yet it is too often the case that care leavers are placed in areas of the community where these problems are rife. Whilst we recognise there may be limited housing stocks available, we believe local authorities should have a duty to demonstrate that care leavers are provided with the best accommodation available (given individual circumstances) in the best localities available. All local authorities should be required to develop protocols with relevant housing authorities about the accommodation for care leavers and these should include arrangements for priority accommodation allocations; formal arrangements for reporting tenancy difficulties at an early stage and programmes of awareness raising for housing professionals about the particular needs of young people who have been in care.
- 7.6.** Barnardo's is very concerned about transition arrangements for young people in care when they need to move to adult social services, particularly as it affects disabled young people. We are aware of the difficulties young people encounter when placed outside of the local authority from which they originate and move into a new local authority in terms of transitional arrangements. In our experience local authorities can spend needless time arguing between themselves about which local authority should fund adult service. This places unnecessary financial hardship on carers in the short-term whilst local authorities are in dispute. Plans usually can't begin until young people reach 18 which is far too late for those with complex needs.
- 7.7.** The measure to improve access to further and higher education are commendable but we would also like to see proposals for increasing supported employment and believe there is an untapped opportunity to link to the commercial and business sector to achieve this. There are already some examples in innovative practice using New Deal arrangements; for example Barnardo's Youth Build Project in Paisley has developed an excellent partnership with local construction companies, resulting in both training and employment for young people. There are other good practice examples in the adult sector which could be used as models; for example the Lattice Foundation work with young offenders, offering training and enhancing their future employment prospects.

" Yes (I want to stay until I'm 21) because I want to be able to properly plan what I'm going to do" young person aged 17

8. Additional concerns about asylum seeking children

8.1. Barnardo's works with unaccompanied asylum seeking children (UASC) in a variety of settings

- Through specialist fostering projects which recruit and support foster parents for UASCs on behalf of the local authority
- Through leaving care schemes offering support to young asylum seekers leaving care
- Through our wider work with young people in the community.

Barnardo's is also a member of the Refugee Children's Consortium (RCC) and fully supports the response made by this body. In particular we strongly endorse the call to see asylum-seeking children as children first and foremost and to use children's legislation and Every Child Matters as the benchmark for good practice.

8.2. Our experience of working with UASCs is that they are among the most vulnerable children and young people we meet. They have usually lived through multiple losses and trauma and face huge challenges in making the transition to this country. The uncertainty of their legal position hangs over their lives, affecting their health and wellbeing. At the same time they are often resilient and resourceful and highly motivated to learn and achieve.

8.3. We acknowledge that the Government is shortly to consult on new arrangements for the support of this particular group of children and young people and we believe there are a number of pressing issues for consideration:

- In our view, all decisions about this group of people must be based firmly on the needs of the children rather than on their immigration status.
- The challenge will be to develop arrangements that recognise the special needs of these children but in no way disenfranchise them from the 'mainstream' services in education, accommodation, health care and community support.
- Recent research for Barnardo's into the experiences of UASCs^{vii} we work with and the concerns of professionals showed that these children and young people face considerable difficulties in the transition from care towards independence. Practice often falls short of the standard envisaged by the leaving care framework.
- There is often a shortage of foster carers or suitable residential placements for UASCs that can meet their cultural and ethnic needs.
- Young people often feel unsupported and lonely on leaving care and struggle to cope with financial independence
- Young asylum-seeking care leavers can have great difficulty accessing continuing education.
- There are particular difficulties for UASCs who are also pregnant or mothers – individuals barely acknowledged in the research literature.

ⁱ Dfes First release 16th November 2006. *Children Looked After (including adoptions and care leavers 2005 - 6*

ⁱⁱ *Foster placements: why they succeed and why they fail.* Sinclair. I, Gibbs. I and Wilson. K. K.K. Jessica Kingsley Publishing 2004; *A kind of loving- a model of effective foster care.* Wilson.K. British Journal of Social Work 1st Dec. 2003

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- iii Dfes First release 16th November 2006. *Children Looked After (including adoptions and care leavers 2005 – 6.*
 - iv Social exclusion Unit (2003) *A better education for children in care*
 - v *'Failed by the system'* Barnardo's August 2006
 - vi Nacro (2005) *A Handbook on reducing offending by looked after children.*
 - vii *'Looking forward: unaccompanied asylum seekers leaving care'* unpublished MSC dissertation, Bianka Atlas, Edinburgh University. Barnardo's 2006