

Barnardo's Scotland: Written submission to Education and Culture Committee's inquiry into decision-making on whether to take a child into care

Barnardo's Scotland welcomes the Committee's ongoing inquiry into decision-making on whether to take a child into care. We supported much of the content of the committee's recently published interim report.

There are multiple challenges regarding the decision-making process and these relate to a variety of practice and process issues. For example, how services share information and work in partnership is vital - practitioners must have a good grasp of their role and function within the context of GIRFEC, as well as understanding the impact of unmet need such as neglect.

Barnardo's Scotland believes that there are some key ways in which the decision-making process should be improved. Early intervention, robust assessment, evidence based interventions, good supervision and case scrutiny are key ingredients to improving the decision-making process and ultimately the outcomes for children at risk of or being taken into care. However there are six particular areas we would like to raise with the committee.

1. Neglect

The model developed for our Parenting Capacity Assessment work in Fife focuses on the issue of neglect, which is one of the key themes that the Committee has highlighted as part of its inquiry. Our work has highlighted the need for practitioners to be aware of the impact of neglect across a continuum of need. The issue of neglect has often been seen as a low priority or less important than other risk-based concerns such as abuse. Clear assessment frameworks that consider needs as well as risk are essential and can provide a robust evidence base for intervention. There needs to be a greater focus on neglect as part of the assessment process.

2. Assessment

In Fife we have been considering decision-making and permanency plans, and our experience tells us that a good assessment is vital. Interventions and practice need to be based on a robust evidence-based approach.

An outcome focussed approach is also essential, with practitioners being clear on an outcome measure and the appropriate timescale

for change. Our experience is that, at times, decisions have been delayed due to false optimism in terms of parental capacity to change and improve and also their ability to sustain change in the long term. These delays can lead to further long term problems for the child and need to be avoided wherever possible.

Early intervention is vital and decision-makers need to be aware of pathways to access other support services to help. Barnardo's services in Scotland provide a range of additional and targeted services, which must work closely with partners in health, social work, police and education.

3. GIRFEC and consistent decision making

The upcoming Children and Young People's Bill can also play a crucial role in improving decision-making around care. The consistent application of the GIRFEC/wellbeing approach, based on sound practice development in relation to the duty to provide a named person and, where appropriate a single child's plan, could deliver significant improvement in decision making processes. This crucial oversight role will help ensure earlier interventions with children at risk and also that relevant agencies are talking to each other and sharing information appropriately. However, greater clarity is still required around the relationship between lead professionals and the new planning process, how the voices of children and young people themselves will be heard in the new processes, and how the integrated approach which is at the heart of GIRFEC will be achieved consistently.

4. Children's rights

There has been considerable discussion regarding the rights of parents and the rights of children with regards to the decision-making process. In terms of the children's rights we believe a framework is required that puts the child at the centre and assesses parental capacity, risks and protective factors from the position of the child's needs and outcomes, in order to ensure that rights are upheld.

Such a framework is used by Barnardo's in Fife, where it is practice to ensure the child's views are heard and that they contribute to the decision-making and planning processes.

It is crucial that the rights of the child remain at the forefront of a practitioner's approach.

One way of looking at this is from an outcome and evidence based perspective, for example, through support to enhance parenting capacity is there visible evidence of a positive difference and impact on the child, do practitioners seek the views of children, do they see children on a one-to-one basis, do they encourage feedback from children that is shared with parents and contribute to assessment need.

Barnardo's Scotland believes that all practice should be underpinned by a commitment to promote children's rights. We hope that this is something that will become more apparent with the passing of the Children and Young People's Bill, and its commitment to the UNCRC. The UNCRC clearly states the requirements of what children need to grow and develop rights- the key is ensuring in supervision and planning that it is very much from a child's perspective.

5. Understanding the causes of delay

The Scottish Children's Reporter Administration (SCRA) research on permanency planning processes published in 2011 highlighted the need for decisions to be taken early, as well as the poor outcomes experienced by those left waiting for a permanent decision.

Our practitioners have highlighted that children that remain in care for more than six months are much less likely to be returned home. Far too often decisions are allowed to drift long after the initial six months. There is a propensity for the cases of children in foster care to be given a lower priority, as they are in a safe and secure setting, and focus on those in greater crisis. This leads to drift and delay in that child getting a permanent decision.

However, Local Authorities are under considerable financial pressure. Community Planning Partnerships have been required to prioritise early years work. It is likely that the welfare reform process will lead to more families moving into crisis. The numerous demands on ever decreasing financial resources may put pressure on local authorities to prioritise cases that are seen as the most vulnerable or highest tariff, potentially to the detriment of children young people who would benefit the most from speedy decision making.

A critical factor in improving decision-making is making sure that practitioners are clear on why an intervention is being undertaken, that progress is measured, ensuring that progress is sustained or acting on indicators of need and risk which in the long term will be harmful, as well as having clear multi-agency plans that are reviewed regularly.

6. Foster Carers

Barnardo's Scotland believes that more resources are also needed to support foster carers and adopters. There is also a need to recruit more foster carers and adopters, particularly those trained to deal with children with complex needs and challenging behaviour.

We provide a national fostering service and as part of our work in preparing this response we spoke to a number of foster carers about their role and their thoughts on the decision-making process, which they experience every day.

The foster carers we spoke to believe that the decision-making process takes too long. They also expressed concern that when decisions are made it can take a considerable length of time before these decisions are fully implemented. Delays and drift in decision-making and implementation can cause considerable stress for a child who does not know where their long term future will be. This can have an impact on the child's mental health, behaviour and wellbeing.

Our foster carers have concern about the optimistic approach taken by social work departments towards birth parents. They believe they are given too long, too many second chances, which from their experience leaves children with an uncertain future and all the stress and challenges that come with that. It is their experience that many of these children often end up being permanently removed.

Our foster carers have told us that the lengthy decision-making process really affects the children in their care. However they also believe that generally the decisions, when taken, are ultimately the right ones.

The foster carers agreed that decisions need to be made sooner, and that the overly optimistic approach to birth parents needs to be reconsidered. They believe the rights of the child- should take precedent over the parent's rights.

The biggest issues and challenges facing foster carers are that, often as a result of the uncertainty of their future, many children come to them with complex and challenging needs, which can be hard to address, especially when it is unclear what will happen to the child in the long term.

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