DHSSPS – Care Matters in Northern Ireland

Barnardo’s Northern Ireland Response

September 2007
Chapter 1: Context

1. Do you consider that Chapter 1 (Context) successfully identifies the context of care provision in Northern Ireland?

YES ☑ NO

Chapter 1 helpfully sets out the context of care provision in Northern Ireland. Some further contextual consideration of how our society views children could be added to this section, particularly children associated with the care system. Often children who enter the care system acknowledged as victims due to the trauma they have suffered are then increasingly perceived as problems due to the accumulation of adversity that afflicted them. Barnardo’s would recommend that the context reflects not only the upholding of children’s rights, but also a statement of values and principles affirming the position of children in our society, particularly those who are most disadvantaged.

Chapter 2: A Vision for the Future

2. Chapter 2 identifies two ambitious key goals to underpin Government’s vision for the future of care provision in Northern Ireland (para. 14). Do you believe that these are desirable and achievable?

YES ☑ NO

Barnardo’s applauds the detailing of a comprehensive vision, underpinned by the United Nations Convention on the Rights of the Child. The emphasis on family support and partnership is sound, as is the intention to put the voice of the child at the centre of reform. Quality of services, stability for children in care and a focus on outcomes supported by realistic targets are some of the key elements required to improve the life chances of children in care.
Barnardo’s believes that the targets identified are both desirable and achievable, but wishes to make the following comments about them.

(i) To achieve these targets will require considerable investment. If the investment is not forthcoming, this document will remain aspirational and undermine the confidence and morale of those working in the sector.

(ii) It would be helpful if the document was more specific about the range of strategies which will be used to achieve this 20% reduction of children in care.

(iii) There is a concern that in seeking to achieve this target without sufficient resources children may be left in situations of unacceptable risk, and that some of the failures identified in the recent Inspection of Child Protection Services in Northern Ireland may be repeated.

(iv) While these two targets are ambitious, our view is that further ambitious targets should be set. One key target which is recommended relates to the retention of social work staff in post. It is widely recognised that the nature and quality of relationship between worker and child plays a significant part in achieving positive outcomes. The creation of career grade posts in this respect is welcomed. **It is recommended that targets are set for social work employers which aim to retain workers in post for substantial periods of time e.g. 5 years.]**

(v) There should be clarity of terminology to avoid confusion e.g. the term ‘pathway’ is being used in a number of contexts.

**Chapter 3: Children on the Edge of Care**

3. Do you consider that Chapter 3 successfully identifies the needs of children on the edge of care?

   [ ] YES  [X] NO
There is a clear need to recognise the factors which bring children to the edge of care early and ensure these are responded to by the appropriate services. With regard to the categories identified it was considered that (a) “children who, while living at home have unstable or fractious family relationships” may be rather too wide. However, we would wish that children marginalised in the Education Sector through suspensions and exclusions from school be included in the list. Some consideration may also be given to children with severe learning difficulties.

**Chapter 4: Supporting Families and protecting Children**

4. Chapter 4 outlines a range of actions aimed at supporting families and protecting children. Please indicate whether you support the actions in the following areas:

A) Protecting children and young people more effectively by strengthening safeguarding arrangements (at para.5):

   YES ☑️    NO

   The strengthening of safeguarding arrangements is welcomed. The responsibility of the authorities to take action to protect children in circumstances where a child has not made a complaint must be emphasised if we are to protect our children effectively. This is particularly relevant in relation to young people at risk of sexual exploitation.

B) Further developing family support and intervention services (at para. 8):

   YES ☑️    NO

   The wide ranging measures to boost family support and give effect to one of the cornerstones of the Children (Northern Ireland) Order 1995, are long overdue. The emphasis on
Family Group Conferencing, Kinship placements and a range of therapeutic supports, provides an opportunity for social work to be refocused. Barnardo’s have, for many years provided a broad range of family support services; as well as seeking to develop new services, significant efforts should be made to build on existing services which have proved effective. The document should recognise parenting and family centre provision and promote effective engagement to develop these.

In enhancing therapeutic support services designed to prevent children coming into care, an analysis of the key factors or combinations of factors which lead to their reception into care, point to the need to develop services around issues such as domestic violence, alcohol/substance abuse, and mental health. These factors are commonly cited by Trusts when advancing arguments that the threshold criteria of significant harm is met in applications for public law orders.

C) Maximising the potential for children to benefit from family and friends placements (at para. 11):

YES ☑ NO

Potential exists for increasing the placement of children with family and friends, but this must be done in line with the principle of the paramountcy of the welfare of the child and where it does happen the placement should be sufficiently resourced and monitored.

D) Enhancing therapeutic support for children and families with very complex needs (at para.12):

YES ☑ NO

This is strongly supported in the context of being clear about what skills, experience, training and qualifications individuals undertaking these tasks will need. Stability in the staff/carers
groups involved in this is crucial and the long term nature of some of this work should be recognised. Such services need to be easily accessed and waiting lists significantly reduced to ensure availability at the earliest point possible.

E) **Strengthening early identification of children in need through information sharing and co-operation (at para. 13):**

YES ☑ NO

The sharing of information should be formalised and legislation to ensure improved co-operation should be drafted.

F) **Better meeting the health needs of children (at para.14):**

YES ☑ NO

Focus on health needs is welcomed. Greater emphasis needs to be put on the psychological and emotional health needs of children.

G) **Evaluating the effectiveness of these initiatives (at para.15):**

YES ☑ NO

In evaluating the effectiveness of these initiatives the views of children in receipt of services should always be sought to inform service development. Sufficient funding to allow for longitudinal studies into the effectiveness of preventative initiatives is required.

**General Comments**

Para 6, page 24. The reference to Child Contact Centres for children who have particular problems is misleading, and doesn’t seem to fit in this section. This paragraph needs to be reworked.
Chapter 5: Ensuring Children are in the Right Placements and Promoting Placement Stability

5. Chapter 5 emphasises the importance of ensuring that children are in appropriate and stable placements. Please indicate whether you support the actions in the following areas:

A) Ensuring adequate placement choice for children and young people (at para.5)

YES ☑ NO

- Ensuring that there is an adequate placement choice for children and young people presents considerable challenges, both for resource investment and recruitment of suitable carers. It is felt that there is little choice at present and any advance on this is, of course, desirable.

- Residential care should be seen as a positive choice for some and the importance of residential units adhering to their statements of purpose is stressed, in order that children’s needs might be met.

- The proposal that children remain up to six weeks in a care placement while plans are being made does not square with the current reality for children who are the subjects of court proceedings. It is likely that assessments to determine their care arrangements will take much longer to complete and therefore either this aspiration requires review or the court process requires further scrutiny.

- As Northern Ireland society is changing rapidly, attention is required to ensure that placements meet the cultural needs of children.

- The delegation of everyday decisions to foster carers to normalise family life for the children they look after is warmly
welcomed. The document does not, however, address the impact this may have on the birth parents’ rights to exercise their parental responsibility, which they will have retained. This issue needs to be addressed. Failure to do so could result in challenges under that Human Rights legislation.

B) Further strengthening foster care and the range of placement options for young people (at para. 9):

YES ☑ NO

The proposals to strengthen foster care and the range of placement options is welcomed. Dedicated CAMHS services are urgently required. It is important for children that they have resources which follow them through their life, such as memory boxes and life story books to help them maintain and develop a sense of identity.

C) Ensuring appropriate consideration and assessment of children’s contact needs (at para. 14):

YES ☑ NO

Consideration and assessment of children’s contact needs form a crucial part of their Care Plan. Useful assessment models already exist and receive wide recognition in the courts.

The first sentence in paragraph 14 suggesting that “research into the benefits of contact is inconclusive” is too general and rather unhelpful, particularly in the context of paragraph 10. The issue is to consider the purpose and nature of contact and conduct an informed assessment of a child’s contact needs, which includes the views of the child.

D) Maximising the extent to which children and young people are able to effectively participate in care planning and reviews (at para. 15-17):

YES ☑ NO
A review of the Looked After Process should be commissioned to ensure that it is built around that needs of the children, with a focus on enabling them to participate effectively.

E) Increasing the number of independent LSC Chairs (at parap.18):

YES ☑️ NO

F) Supporting the promotion of a permanence ethos for looked after children (at para. 24):

YES ☑️ NO

It would be helpful to state a definitive view of what constitutes permanence. The Special Guardianship provision will enhance options.

G) Expanding the role of Guardian ad Litem to deal with Special Guardianship applications (at para. 25):

YES ☑️ NO

H) Avoiding entry to criminal justice institutions for looked after young people (at para.26):

YES ☑️ NO

Young people who have experienced care are over represented in the criminal justice system. Such young people should still be regarded as “in need” and supported by social services.

The development of restorative practices in children’s residential homes has been championed by Barnardo’s with
significant positive outcomes. Such initiatives should be built upon.

I) **Enhancing residential child care and address workforce issues within this sector (at para. 27-31):**

**YES ✓ NO**

The integration of residential care, including secure care, within the wider care system is fully supported by Barnardo’s who have pioneered an integrated service in Northern Ireland (Children’s House/Professional Fostering).

With regard to residential staff, it should be recognised that the skills required to do the job must be drawn from a wide base to include e.g. therapeutic skills, advocacy skills and those associated with restorative practice. Staff should also be trained on the specific risks/vulnerabilities which many children in residential care face e.g. drug/alcohol misuse and the risk of sexual exploitation.

Attention needs also to be paid to the development of accommodation and services for our most highly disturbed children, in particular those, who, at present, can only be accommodated in therapeutic communities across the water.

J) **Ensuring effective monitoring of Care Plans (at para. 32):**

**YES ✓ NO**

Independent Reviewing Officers will act as an important safeguard for children to ensure the full implementation of Care Plans. Post holders have the opportunity of ending drift in plans and ensuring proper protective arrangements for children are in place. In particular they could help to ensure strategic action would be taken regarding young people in very risky, persistently concerning situations. Ref Paragraph 11.6.13
and 11.13.2 of the Inspection of Child Protection Services in Northern Ireland.

Chapter 6: Corporate Parenting

6. Chapter 6 seeks to ensure that all professionals effectively exercise their role as corporate parent for children in care. Please indicate whether you support the actions in the following areas:

A) Emphasising and prioritising the responsibilities of corporate parenthood (at para. 3):

YES ☑ NO

Barnardo’s welcomes the emphasis on corporate parenting and believes that the Trusts’ position in this respect will be strengthened by increased recognition and support from other agencies e.g. PSNI, Education Sector, NIHE etc. Paragraphs 6.2.8 and 11.6.6 of the recent Child Protection Inspection emphasise the joint responsibility to protect children and young people, and that such action is not dependant on a complaint being made.

The proposals in paragraph 5 which aim to limit the number of key persons who will exercise responsibility for children are important steps to improving the current situation. This also links to our suggested recommendation set out in Chapter 2, of a target to retain key staff in post for minimum periods of time.

However an audit of all the potential professionals referred to in this document who could be involved with a young person reveals that he/she will still have to deal with significant numbers of professionals when involved with the care system. The document helpfully sets out to address the multiple needs of children in care and recommends a range of teams and
individuals to meet these needs. The tension between meeting needs to improve outcomes and limiting the number of professionals involved in children looked after has not been fully resolved by this document, and Barnardo’s would welcome further work being done in this area.

B) **Better co-ordinating the health needs of children in care (at para. 6):**

   YES ☑️    NO

   This should include the sexual health needs of older children/young people.

C) **Facilitating consistency in corporate parenting (at para. 8):**

   YES ☑️    NO

   The emphasis on social workers building long term relationships with children and families is welcomed, as is the proposal for multidisciplinary membership of looked after children’s teams, where relevant skills are mutually respected.

   The proposal to reduce the requirements for statutory visiting to children in Kinship care requires careful consideration and assessment of risk. The role of the Independent Reviewing Officer could be vital here. It is suggested that any amendment in legislation should be permissive in nature as a reduction in statutory visiting may not be desirable in all cases.

D) **Providing effective and timely information to young people (at para. 10):**

   YES ☑️    NO

   Young people need to be informed in appropriate ways – letters, leaflets, forms to be filled in may be difficult for
some young people, so creativity is required. Where a Family Group Conference has been convened, this offers an ideal forum for timely and clear explanations to be given to the child.

E) Enhancing the effectiveness of care planning (at para. 11):

YES ☑ NO

In accordance with the UNCRC, children should be aware of and actively involved in their Care Plan. The Plan must promote the best interests and rights of each child, and ensure it achieves the goal of being child centred. In doing so, account needs to be taken of the findings of the Inspection of Child Protection Services in Northern Ireland concerning the management of high risk behaviour of young people at home, in particular those at risk of inappropriate sexual activity. Ref in paragraph 11.13.2 of Child Protection Inspection Report.

The views of the Family Courts should be sought in considering any revision of Care Plan content.

F) How best can we increase the freedom of social workers to address the needs of children in the context of transparent standards and financial controls (see para.9)?

No further comment.

G) How can we develop the role of Independent Visitors (see para. 12 14)?

In the context of limiting the number of people involved with a looked after child, yet maximising the contribution of individuals, there is potential for the independent advisor and
advocacy roles to be integrated. To ensure independence, these services should not be delivered by the statutory sector.

H) **Is it necessary or desirable to legislate for greater provision of advocacy to make it available to all children and young people in care?** (see para. 15):

Yes. In developing an Advocacy Service, care needs to be taken to establish working protocols between professionals from different agencies involved with children and young people.

**Chapter 7: Education**

7. **Chapter 7 looks at how we can enhance the educational achievement of looked after children. Please indicate whether you support the actions in the following areas:**

A) **Creating dedicated education LAC teams in each of the new HSS Trust areas (at. Paras. 8-9):**

**YES ☑ NO**

Barnardo's welcomes the range of measures outlined which aim to enhance the educational achievement of looked after children. The LAC teams proposed should liaise closely with the child's carers and ensure a co-ordinated and consistent approach to meeting his/her educational needs. These teams should promote a holistic view of the child and where a child is having difficulty learning because of blocks caused by emotional trauma, they should ensure this is understood and seek appropriate therapeutic services.

A key role for this team, as well as the carers, will be to assist the child with the transition from primary to post primary education.
B) Better assisting foster carers and key workers to engage with learning and schools (at para. 14):

YES ☑ NO

This must be a reciprocal process to enable a consistent approach by schools and carers to the child, particularly in dealing with any significant behavioural issues, where they exist. The development of the role of foster carers and key workers as first educators is a positive step, but must be accompanied by relevant training.

C) Ensuring an effective balance in terms of sharing information on looked after young people with and within the education sector (at para. 15-17):

YES ☑ NO

Awareness training should be provided for all teachers on the issues, concerns and needs of looked after children, including how their traumatic experiences might impact upon them.

Children and young people need to be involved in discussion about whom information is shared with and their views on this issue taken into account.

D) Providing equal access to learning opportunities and additional support for children and carers to better meet the educational needs of young people (at para. 18-23):

YES ☑ NO

E) Paragraphs 24-34 consider how best to assist looked after children to access opportunities in further education and training. Are these measures sufficient to achieve a step change in outcomes for young people in leaving care?
YES ✓ NO

It is worth reemphasising the critical nature of the teacher's ability to understand the needs of looked after children and develop creativity in working with them.

Chapter 8: Life Outside School and Care

8. Chapter 8 highlights the need for improvements in services outside school and care provision to enhance the lives of young people in care. Please indicate whether you support the actions in the following areas:

A) Ensuring that other statutory agencies co-operate with HSS Trusts to deliver improvements for looked after children (at para. 2):

YES ✓ NO

B) Assisting young people to enjoy life and participate in activities outside the school and care environments (at para. 7-8):

YES ✓ NO

The thrust in the document to “normalise” life for looked after children is welcomed. Children and young people should have a stake in their communities and should be assisted to enjoy life and participate in activities in ways which do not stigmatize them. In enabling this to happen there will be lots of practical arrangements to be made e.g. transporting children to youth clubs, sports activities etc. These “normal” practical aspects of caring should be as unencumbered by bureaucracy as possible.

C) Improving the identification and co-ordination of the health needs of looked after children (at para.9):
YES ☑️      NO

Careful assessment of emotional/mental health need is essential. Access to CAMHS services should be available when children and young people need them. Close collaborative working between CAMHS professionals and foster carers/residential staff is required.

D) **Promoting the sexual and emotional health of looked after young people (at para. 10):**

YES ☑️      NO

Barnardo’s experience suggests that much more is needed than what is proposed here. In many cases, children in care have suffered significant abuse including sexual abuse. Therapeutic input, including positive relationship work at an early stage, may be more likely to reduce sexual activity and risk taking, than advice on avoiding pregnancy. Additionally, for some young women becoming pregnant can be about meeting their own emotional needs, and this too has to be addressed.

E) **Avoiding alcohol and substance abuse amongst looked after young people (para. 12-13):**

YES ☑️      NO

“Experimentation” should, while not condoned, be recognised as a part of the normal growing up process. Where problems develop, the proposals in this section need to go hand in hand with prevention work and therapeutic input.

F) **Helping looked after children avoid crime and anti-social behaviour (at para. 16-18):**

YES ☑️      NO
The emphasis on de-escalating challenging behaviour and finding alternative methods of dealing such behaviour is useful. Restorative practices are producing positive outcomes for looked after children, and these should go alongside appropriate therapeutic help.

G) We would also like to seek views on the best way to ensure co-ordination, pooling of funding and joint commissioning to young people leaving custody and care (see para. 18):

No further comment.

Chapter 9: Transition to Adulthood

9. Chapter 9 identifies how all young people need support in making the transition to adulthood and outlines a range of actions which seek to meet the additional needs of looked after children during this important time. Please indicate whether you support the actions in the following areas:

A) Improving outcomes for young people leaving care (at para. 8):

YES ☑ NO

The document sets out important principles to underpin the drive to improving outcomes for young people leaving care. Of course, an improved early care experience will assist with this. The aspiration to ensure young people do not leave care when they are not yet ready to needs to be supported by responsive and robust services for 16-17 year olds.

The Inspection of Child Protection Services in NI report notes the importance of preparing young people for independent living, including helping them “to identify and avoid potentially dangerous or harmful situations such as sexual exploitation”.

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B) Developing the infrastructure and services for young people making the transition to adulthood (at para: 11):

YES ☑ NO

The holistic approach to the development of the infrastructure and services for young people in transition is much needed. Barnardo’s supports the addition of continuing support to young people with complex needs up to age 25 years. It is important that this includes continued access to specialist mental health/therapeutic services.

The penultimate point on page 95 refers to young people who do not meet the threshold for adult disability services, yet who require life long support. Are there any proposals as to how such life long support is to be achieved?

C) Providing access to suitable living arrangements, including remaining with carers (para. 12-14):

YES ☑ NO

The assessment and preparation phases for young people moving to supported living arrangements are key elements in seeking to enable positive outcomes to be achieved. As with residential care, it is crucial that the workers employed by accommodation providers have the necessary skills and knowledge to deal with the complex emotional and psychological needs of this population of young people.

D) Preparing young people for adulthood (para.15):

YES ☑ NO

The proposals for preparing young people at an early stage for adulthood are desirable. Skilled work is required however in working with young people from 13 years of age, to avoid the creation of anxiety and fear in them. This work should be done
in the context of the themes of normalisation and good parenting expressed in the document.

E) Improving financial support for young people leaving care (para. 16):

YES ☑ NO

F) Assisting young people leaving care to continue in education, employment and training (para. 17 and 18):

YES ☑ NO

Some of the young people will lack confidence and be behaviourally and socially ill-equipped to engage in further education, employment and training. Skilled work will be required to build their self-esteem, self-efficacy and acceptable interactive behaviours. Often young people are reluctant to go to appointments, so it would be useful for outreach services to be developed to encourage initial contact.

Agencies involved with young people could look to the provision of opportunities for young people within their own organisations.

G) Increasing participation in higher education (para. 21-23):

YES ☑ NO

Fully support.

H) We would welcome views on the feasibility of introducing a bursary to provide financial support to young people in higher education to meet the costs of tuition fees (see para. 22):

Young people leaving care must be treated as a special case. Every effort is required to ensure that their education
attainments are significantly enhanced, and that they are not weighed down by financial burdens of fees, loans, accommodation costs etc. If a step change in educational outcomes for young people leaving care is to be achieved all current barriers to that change need to be removed.

**HUMAN RIGHTS**

10. Do you think that the document promotes human rights?

   YES ☑ NO

11. Are there any aspects where potential violations may occur?

   YES ☑ NO

   Yes. Challenges may arise, if, in giving more rights to foster carers to decide on day to day arrangements, the exercise of parental responsibility of birth parent is eroded.

**EQUALITY IMPLICATIONS**

12. Are the different needs of the different Section 75 groups of people adequately addressed by the actions?

   YES ☑ NO

   It would be important to give some more profile in the document to our changing population in Northern Ireland and how the cultural and linguistic needs of children are promoted.
13. Are you aware of any evidence, either qualitative or quantitative, that the actions may have an adverse impact on equality of opportunity or on good relations?

   YES    NO  ✓

14. If you feel the adverse impacts cannot be alleviated within the strategy outlined, please suggest alternatives that could be considered to reduce the adverse impact.

   No further comment.

15. Could the strategy better promote equality of opportunity or good relations?

   YES  ✓  NO

   As 12 above.

Margaret Kelly, Assistant Director, Policy