

# **The Children's Society's submission to the Department for Education's consultation on improving permanence for looked after children**

## **Introduction**

The Children's Society is a leading national charity, providing vital help to the most vulnerable children, young people and families in our society through a range of services. We work with over 48,000 children each year, supporting them and advocating on their behalf to tackle discrimination or disadvantage in their daily lives. Our priority is children who have nowhere else to turn, such as young refugees, children at risk on the streets, disabled children and children in trouble with the law. We seek to give a voice to children and young people and influence policy and practice so they have a better chance in life.

Our submission is based on evidence from our research and direct work with looked after children. We work with looked after children through nine projects that provide advocacy services, support independent visitors for looked after children and support children in care councils.

We welcome this consultation on improving permanence for looked after children. We have chosen to focus on issues that can be informed by learning from our direct work with looked after children. We believe that the proposed changes are mainly positive but further steps are needed to ensure that the needs of children are fully met.

**Q.2 Do you agree that the wishes and feelings of foster carers and registered managers should be ascertained and taken into account as part of the review process?**

**Q3. Do you agree that foster carers and registered managers should be invited to review meetings where these are held?**

It is important that all people who are involved in providing care to a looked after child are involved in informing how this care can be better provided. To this extent we believe it would be beneficial for foster carers and registered managers to have an opportunity to contribute to the review processes.

However, we also know from our practice that children and young people do not always have positive relationships with their carers, either in foster placements or children's homes. Their presence in review meetings – already dominated by adults in different professional capacities – could be prohibitive to children's effective participation in their review meetings.

Looked after children often report feeling powerless when decisions are made that affect their lives and they do not always feel able to contribute to the decisions made about their lives. Even though both legislation and statutory guidance requires that a child's wishes and feelings are ascertained when decisions are made about them, this does not happen in many cases<sup>12</sup>.

There is also an expectation that Independent Reviewing Officers (IROs) will support children to lead on aspects of their review meetings thus enabling them to take increased ownership of the meeting. It does not happen in many cases even though it should form part of their preparation for independence.<sup>3</sup>

➤ ***We believe that as part of empowering children to be more involved in decisions about their lives children and young people should have a say on whether foster carers and registered managers should be invited to the review meetings.***

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<sup>1</sup> Ofsted (2013) Thematic review of Independent Reviewing Officers.

<sup>2</sup> Ofsted (2012) Children in Care monitor

<sup>3</sup> Department for Education. IRO Handbook (2010)

**Q4. Do you agree that the definition of permanence should be amended so that it encompasses long-term foster care?**

**Q.8 Do you agree that foster carers should be able to ask local authority to assess them as a long-term foster carer for a particular child.**

We agree that the definition of permanence should be amended to include long-term foster care and that foster carers should be able to request assessment as long-term foster carers for a particular child.

Research shows that placement stability is one of the key factors that determine positive outcomes for children in care. Findings from our advocacy practice with looked after children shows that more than a third of advocacy cases are focused on resolving issues related to placements. This includes poor quality of placements, safety of placements, frequent and abrupt changes to placements, often without preparation and consultation with children themselves and placements not meeting the needs of the child<sup>4</sup>. From experience, we know that due to a lack of proper placement planning far too many placement decisions are still being made in an emergency. The APPG inquiry into children missing from care also heard evidence that placement decisions can be based on economic reasons.<sup>5</sup> Placements that do not meet the needs of the children are more likely to break down.

We are concerned that the consultation does not explain criteria that will be used to assess whether the placement, that has been decided as a temporary option in the first place, can become a long-term foster placement.

The importance of attachment is mentioned in the consultation document in relation to such decisions. We agree that it is a very important criterion. But from our practice we know that some children are placed in temporary placements and remain there for long periods – sometimes over 12 months. During this time they may form an attachment to their carers but the placement is still not meeting the needs of the child. Our practitioners find that many placements are not adequately meeting the needs of children placed there, particularly if the children have additional needs, either related to their previous history of running away, or special educational needs or a disability.

- ***Paragraph 9.3 of the consultation document proposes an amendment to the guidance to explain long-term foster care. This amendment should refer not just to 'attachment' or 'the most appropriate option' but should also include the reference to 'and that the needs of the child can be fully met in such placement'.***
- ***Further detailed guidance is needed on how long-term placements are going to be agreed. This should also clearly state that the needs of the child – social, emotional, educational and physical – have to be met to ensure that the child achieves the best outcomes possible.***
- ***Written confirmation of the decision about long-term foster care arrangements should include information about how the needs of the child will be met in such placements.***

**Q6. Do you agree with the proposal to introduce a requirement for local authorities to publish a permanence policy?**

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<sup>4</sup> Pona, I., Hounsell, D. (2012) The value of advocacy for looked after children London: The Children's Society available from [http://www.childrengsociety.org.uk/sites/default/files/tcs/the-value-of-advocacy\\_final.pdf](http://www.childrengsociety.org.uk/sites/default/files/tcs/the-value-of-advocacy_final.pdf)

<sup>5</sup> Jonathan Stanley, Chief Executive to the Independent Children's Homes Association, told APPG inquiry that it is "not always the social worker who makes the decision, but the decision comes from commissioning colleagues in the local authority". He goes on to say that "We have evidence that cost over care balance is as much as 80:20, often 70:30, and 60:40 is good today".

We agree with the proposal. We know from our direct work with looked after children and care leavers that leaving care is something that looked after children are not experiencing in a positive way.

A young person we consulted with said:

*'They give you a world in care only to take it away from you when you turn 18.'*

Research also shows that care leavers health and well-being worsens when they leave care. It is very important that children are given an option to leave care when they are ready and that this is not based on their age alone. Local permanency policies should reflect this.

- ***The proposal should include a requirement to publish clear plans in relation to staying put policies.***

**Q14. Do you agree with the proposal to introduce more flexible requirements for social work visits to children in long-term fostering arrangements?**

We believe that in long-term fostering arrangements where a child is settled and happy it may be viable to reduce social work visits to once every six months. At the same time it is important to note that six months is a long period of time in cases where placements deteriorate. Research also shows that children in foster placements are less likely to know or to access advocacy services.

- ***Children should be asked about whether the reduction in social care visits is desired.***
- ***Children should also be informed about their entitlement to have support of independent advocates.***

**Q15. Do you agree that there should be a more proportionate approach to the review which reflects the long-term nature of the arrangements?**

**Q16. Do you agree with the proposed changes to what must be covered in a child's review where the child is in formalised long-term foster arrangements?**

Similarly to our answer to the previous question we believe that in long-term fostering arrangements where a child is settled and happy it may be viable to reduce the required number of review meetings from every six months to every 12 months, provided that the review process is carried out by an IRO at least every six months.

- ***The guidance should reflect this change and require IROs to ascertain a child's wishes and feelings not just in preparation to the review meeting once every 12 months but also during the review process on a six monthly basis.***
- ***During the review process IROs should inform the child about their right to have support of an advocate to make their views known, or when they have a representation or complaint to make.***
- ***In relation to proposals in paragraphs 10.28 and 10.29, we believe that it is important to add a requirement for the review to include 'whether the child's needs are being met fully to help the child achieve his potential'.***

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