

Care Crisis Review

Family survey results

Developed by Family Rights Group
for the Care Crisis Review

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CARE CRISIS REVIEW

The Nuffield Foundation

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Family Rights Group

Family Rights Group is a charity that works with parents in England and Wales whose children are in need, at risk or are in the care system and with members of the wider family who are raising children unable to remain at home. The charity's overall objectives are to enable children to live safely within their family network, where possible, and to strengthen the positive family and community support networks of young people who cannot live with their parents. We advise parents, grandparents, other relatives and friends about their rights and options when social workers or courts make decisions about their children's welfare. We campaign for families to have a voice, be treated fairly and get help early to prevent problems escalating. We champion family group conferences and other policies and practices that keep children safe within their family network.

www.frg.org.uk

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INTRODUCTION

“We are facing a crisis and, truth be told, we have no very clear strategy for meeting the crisis.” - Sir James Munby, President of the Family Division of the High Court of England and Wales

“A review that considers changes that could be made nationally and locally to safely reduce the number of children coming into care is long overdue.” - Alison Michalska, President, Association of Directors of Children’s Services, 2017-18

The Care Crisis Review was established in response to the record numbers of children subject to care proceedings and the very high numbers of children in the care system. The Review is facilitated by Family Rights Group and is due to report in mid June 2018. It is funded by the Nuffield Foundation.

Survey Methods

The reflections set out in this paper are drawn from the results of an online survey conducted by Family Rights Group on behalf of the Care Crisis Review. The Survey was promoted via social media, FRG’s newsletter, organisations that sit on the Stakeholder Advisory Group and linked professional and practice networks. Family members were encouraged to complete the survey (hosted by Survey Monkey) and 871 family members responded.

The survey was ‘self-selecting’ in that family members actively chose to respond and inevitably this means this cannot be a representative sample of all family members using children’s services. Indeed, those dissatisfied with their experiences are more likely to have been motivated to respond. The organisations promoting the survey are more likely to have contact with families unhappy with their social care experiences, for example family members that have a positive experience are unlikely to use advocacy or advice services. There are also family members who will have not been able to respond, including those without internet access or those who find online written surveys difficult. The responses to the survey must be considered in this context, and it is difficult to generalise in anyway. The responses did however, offer some useful insights and raise some important questions that have relevance for future developments.

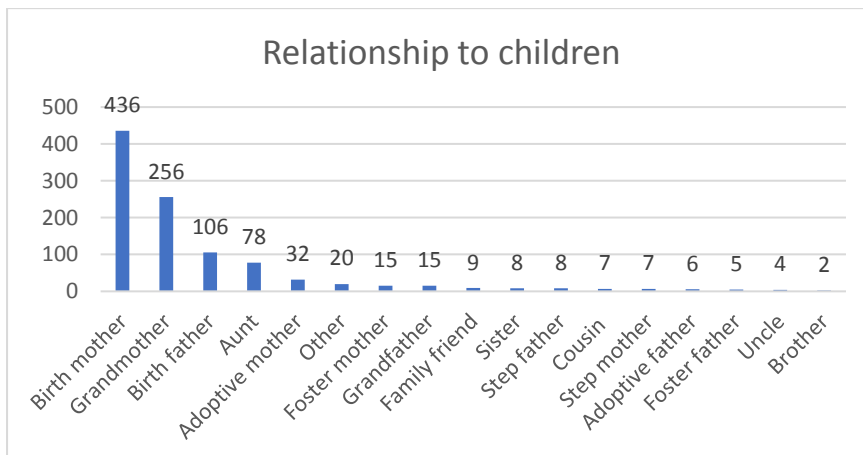
The analysis summarised the quantifiable responses in a series of charts, some of which are included in this report. The research team used a thematic approach to grouping the responses to the open ended questions.

SURVEY RESPONDENTS

The category of respondents

Figure one summarises category of the respondents – most frequent responders were birth mothers followed by grandmothers:

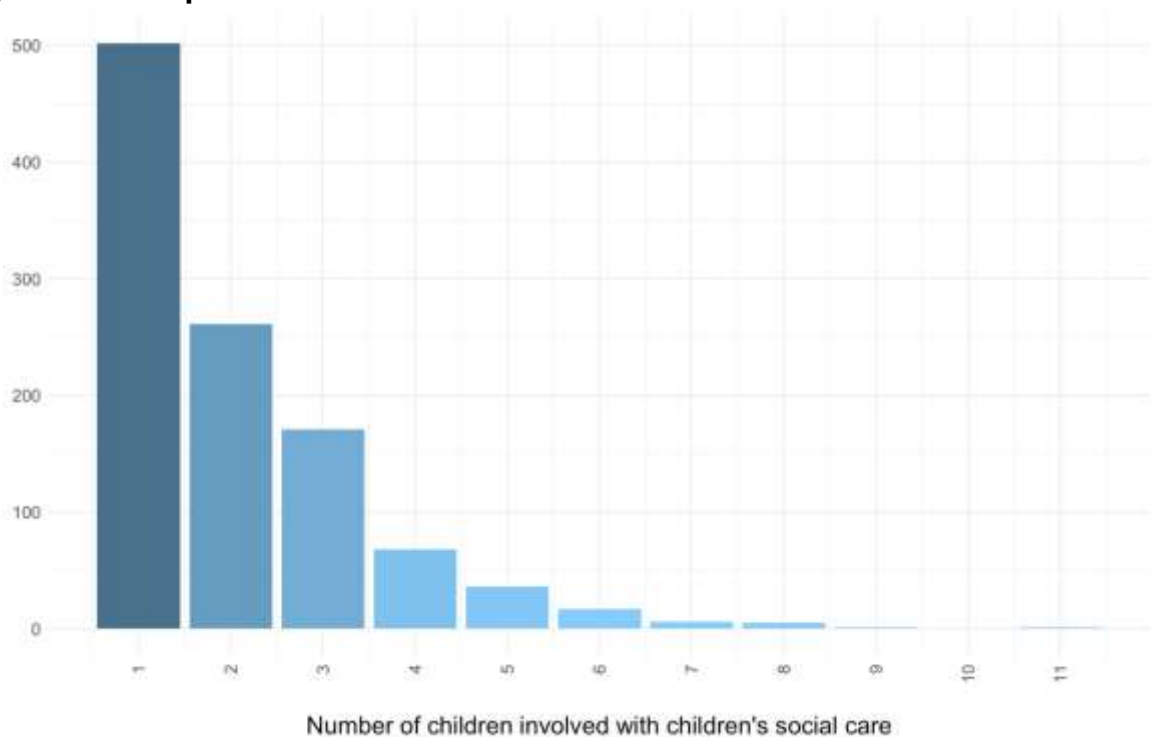
Figure One: respondent status



Service involvement

Figure two shows that most respondents (around 60 per cent) had one child involved with children's services:

Figure two: respondent involvement with services



Of those that chose to answer, the majority were birth parents whose child had previously lived with them but didn't live with them now. Around half of those replying had children who had been subject to care proceedings (52 per cent) and/or the subject of child protection plans (46 per cent). 30 per cent of respondents had a child who had been subject to the pre proceedings processes (30 per cent), 17 per cent had a child who was voluntarily accommodated and 19 per cent had a child placed for adoption. Less than 1 in 5 (19 per cent) had been involved in a family group conference.

Whereabouts of children

Figure three: whereabouts of children

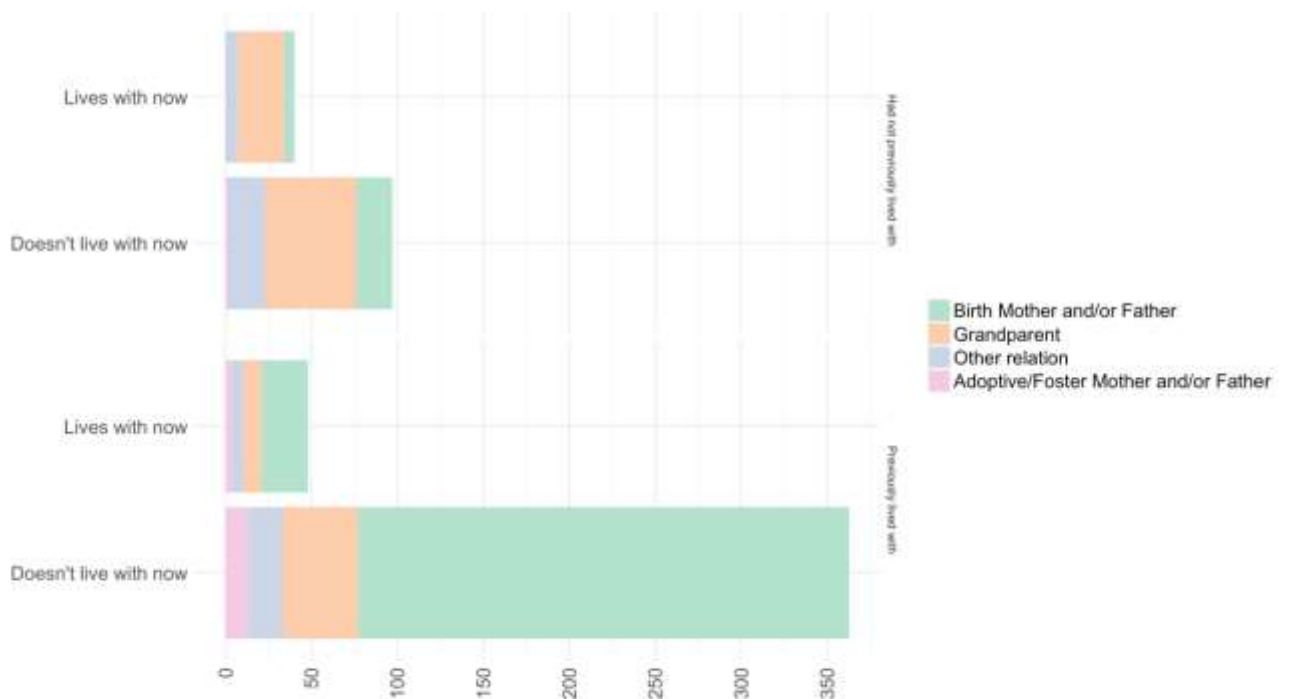


Figure three shows the breakdown of respondents by whether the child/ren who had been involved with the care system were living with them or not, and whether they had previously been living with them. Most respondents were family members where the children had previously been living with them but they no longer lived with them (at the time of completing the survey), for example, they had been taken into care. There was a sizable proportion of grandparents responding to the survey who were now raising their grandchildren.

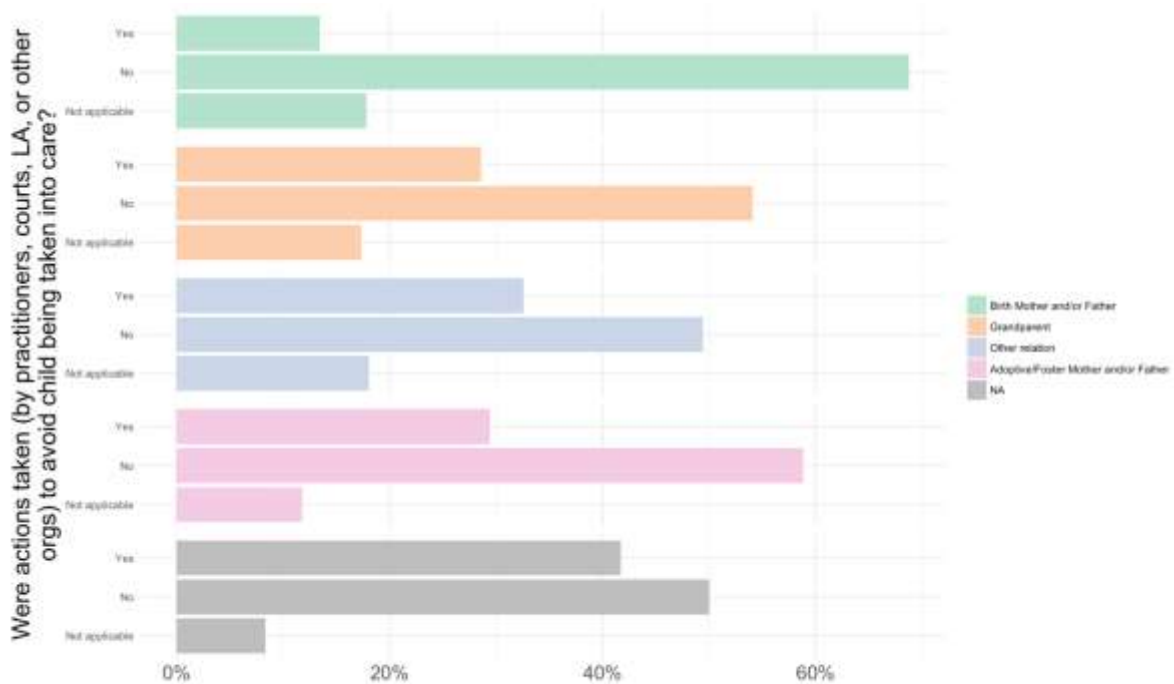
Proceedings

Families were asked about actions to avoid proceedings. 712 answered. 62 per cent of families who responded felt that neither practitioners, local authorities, nor court

nor any other organisation had acted to safely avoid the child or children entering or remaining in care. 21 per cent said they had been helped, 17 per cent said the question wasn't relevant.

70 per cent of families reported that no services were provided that helped safely avoid their child or children entering or remaining in care. Only 15 per cent, of the 706 respondees who answered the question, reported that services had been provided that helped.

Figure four: Preventative actions



Services or approaches that were experienced as positive and mentioned by families included:

- A team around the family that encouraged professionals and families to work together to help the child
- Family group conferences
- Practical assistance, for example a nursery placement for the kinship carer.

Some individual practitioners stood out for praise:

‘Her social worker was amazing. My granddaughter was on the at risk register before she was born.’

‘We were assigned a new social worker, an experienced lady in her 50s. She listened to us and we were then able to listen to her and true dialogue became possible. We came to trust her.’

Other areas where families felt ill informed or unable to have their voice heard included:

- Nearly three quarters (74 per cent)¹ of families felt that individuals or agencies could have acted differently to avoid their children entering or remaining in the care system. Birth parents, in particular, took this view (n: 709 respondents).
- Only 17 per cent of respondents said they had the information and legal advice they needed to understand their rights and options when the local authority was involved with their family. 75 per cent said they did not, 8 per cent were unsure (n: 709 respondents).
- 75 per cent of respondents said they didn't understand children's service procedures when the local authority was involved with their family, only 15 per cent said they did (n: 657 respondents).
- Only 13 per cent felt that their family was able to have their views heard by the local authority in relation to decisions or plans affecting their family, 84 per cent did not. 4 per cent were unsure (n: 654 respondents).
- 21 per cent said they understood court procedures when their family was involved in family court proceedings, compared to 69 per cent who said they did not. 10 per cent were unsure and 9 per cent said the question wasn't applicable (n: 621 respondents).
- Less than 1 in 10 (8 per cent) said the local authority had worked in partnership with them and their family, 20% said the local authority sometimes did, 72 per cent said seldom or never (n: 649 respondents).

¹ The data asked, if there was more than one child in the family, about the first child involved with children's services.

FAMILY REFLECTIONS

1. Frustration and Distress

Families understood the pressures on professionals and their reflections on practice should be seen as correlating with the practitioner survey responses. The pressure of high caseloads, funding cuts and unrealistic timescales impacted on social work practice. While some participants acknowledged this; their experience of a lack of compassion at such stressful times, coupled with poor practice, inadequate timely information and poor legal representation, created desperate situations, which caused acute stress to families.

'Children's social care are understaffed and over worked. There is no time for them to work with us properly, every time I rang them for support I could not speak to my social worker. The newly qualified young social workers are not experienced enough to deal with complex issues. Social workers change constantly. They leave without warning and then you wait months to be reallocated and start all over again. I have become a parent that has lost all hope and faith in social care. I used to ask for support and help but now I would never welcome children's services in to my home because we have gained nothing from them. We were put at risk by my child with mental health issues, my child is a risk to himself. However, this was ignored until he was removed from my care and placed with his dad. Now social workers are seeing what is truly wrong and finally putting things in place. This could have been done years ago like I ask. I have now lost the relationship I had with my child due to the lack of help we received.'

An overarching theme to emerge is families' feelings of frustration and distress from experiencing a system that they found hostile and practitioners, who they felt were at times judgmental when they were expecting support. This contradiction led to a mistrust of professionals that is particularly apparent toward social work practitioners.

'The phrase "working together" had no meaning in my case, it felt as if the local authority had an agenda and stuck to it regardless, ignoring inaccuracies pointed out to them throughout the whole matter. I believe that the complete system is flawed. The way social workers approach child protection and interact (or not) with parents needs to change, they need to provide relevant information, and address the lack of meaningful help available to support families which would encourage and facilitate change that would help avoid care proceedings.'

'Our experience was horrendous, and the social worker's attitude made it much worse. We were treated as idiots and pushed beyond our limits due to her contemptuous and disrespectful attitude.'

"We were not treated with respect from the social worker and were, in fact, belittled by her at every opportunity despite every other professional involved speaking up for us and for the care we were giving."

There were examples cited by respondents of: information being withheld, poor organisation, a lack of consistency, meetings rearranged at short notice, inaccuracies in case records, court reports and assessments that were not corrected despite repeated requests, key documents not being forwarded in a timely manner and often too late to be seen by the family prior to meetings and court dates, and a lack of transparency about child protection processes. Families' frustration was further exacerbated by what was felt to be a lack of acknowledgement of inadequate practice or apology and often with no attempt to rectify mistakes made.

'We weren't sent a copy of the initial assessment before the child protection conference; our Public Law Outline (PLO) letters were issued to us without warning or explanation and had another child's name on them. There were so many procedural errors and it's just unacceptable. To top it off, after week five of our son being born and coming straight home with us and the PLO process being dropped, we have still had no apologies from anyone for the mistakes made even though the whole ordeal still upsets us to this day.'

'Poor communication between social workers and parents; planned meetings cancelled because social worker's focus has moved on, but parents still confused. Legal procedures confusing even as a relative with access to information. Social worker turned up late and announced huge changes to children's care plan in the middle of a meeting with 12 people in, rather than warning parents during the meeting immediately before which was with social worker (resulting in crisis for parent with mental health issues). Social worker dragging heels over family viability resulting in children missing a family wedding..... The removal social worker team seem worn, tough and burnt out, and not the best at their job.'

'Our child's social worker made so many mistakes in her assessment that the child protection conference had to be called off 20 minutes in and rescheduled for the following week.'

2. Inadequate legal advice.

Families discussed the availability and value of legal advice. Some in receipt of legal aid felt they would have had much better legal advocacy if they had been able to pay for their solicitor. Moreover, cuts to legal aid meant that some relatives had to find substantial sums to finance their court proceedings.

"I was assigned somebody to represent me who was recommended by local authority and was assigned a paralegal and not a proper solicitor. This was on legal aid. If I had paid for a solicitor myself I believe that I would have had better advice and a better chance at keeping him with me."

"The whole thing was frankly very scary. It was clear we would need a lot of money to fight the local authority in its early adoption plan. A friend gave me £90 for some legal advice from a local solicitor - when I went for the advice I

came out feeling doom and gloom when she said adoption was very usual in these cases. We had to borrow the first £5000 and it was only when my mother passed away and left us her estate that we could confidently pay for the legal representation we absolutely needed in court. We did not qualify for legal aid as my partner worked and there was no point asking the local authority as they were against us as future carers. The first solicitor was a poor choice and just by sheer good luck and the recommendation from my son's solicitor (luckily found by my partner) we were able to find out about a brilliant solicitor who worked tirelessly on our behalf. There should be clear and comprehensive information from the local authority and also the Citizen's Advice Bureau to help prospective kinship carers.'

'I was provided with brief advice of less than one hour paid for by the local authority - this may have been more helpful if longer.'

These difficulties compounded for families the sense that the system colluded against them in the decision to remove their children. This feeling of powerlessness is connected to the inadequate independent legal support many said they received.

3. Bureaucratic minefield

For many respondents the care proceedings were difficult to follow and lacked transparency. They felt ill prepared for the procedures they were being led through and some felt they would have done things differently if they were given the chance to do it all again. Families felt that communication needed to be much better throughout the entire process. This included careful explanation at each stage and adequately explaining the rationale for decisions that were made along the way.

'Filling this out has made me realise just how little I understood about the whole process and how unfair this all was that they took my youngest son especially.'

'There is nothing out there to help families involved in social services or the family court. I've spent two years thoroughly teaching myself of the family courts and social services.'

'In the care proceedings we were much more naive, later we had some knowledge, but even then we were not totally clear about all the facts about Special Guardianship Orders. I do feel too that very little is done to help birth parents understand where they are going wrong, help them to access maybe courses or support that is not judgemental and finally to support them in understanding why the child had to be removed, think this would help them in the long run to try and enable them to see what they need to do to get their children back.'

4. Lack of Early Help

Echoing the findings from the practitioners' survey, some families felt with earlier help they could have managed to keep their children at home. They reported that often the only contact with social workers is at crisis point, rather than in a more supportive manner earlier on, adding to their feelings that social workers took an adversarial approach to families.

'How was I able to keep two and lose one? What was so bad about my parenting that they let two stay with me? If we had had the right help and the right support, my daughter may not have gone through eight placements in four and a half years and now be in a children's home.'

'More help should be given to parents BEFORE children are removed from families. Social workers need more time to work individually with families not all rules and procedures should apply to ALL families regardless of the situation.'

'The system is too quick to remove children without offering support to birth parents. They should always consider the wider family and support them through the difficult process and also continue to support after the final order has been granted.'

One respondent reported how such early help had made a difference to their family:

'By using the early help model it supported the family and worked with them to make a positive change and sustain that change.'

Another described how some help was provided, but it didn't address some of the underlying difficulties:

'We had at first more visits from family workers but for the domestic violence, mental health nothing helped.'

5. Insufficient support for family and friends carers

The majority of family and friends carers (also known as kinship carers) who responded to the survey were grandparents (over 80 per cent). A consistent theme was that children's social care need to explore options early enough for wider family members to support parents to keep their children or to take on the care of the child if they couldn't remain at home.

'We had a lovely social worker who gave the parents every chance but they wouldn't adhere to what was needed so she included myself, grandad an uncle and aunty in the proceedings.'

Many family members however, described situations where they had either not been considered in care proceedings at all, or too late in the process:

'If social workers were allowed to inform the wider family before the situation had deteriorated to the point where there was no choice but to remove the children we may have been able to put in more support - we were told that the support we were unknowingly giving probably masked the amount of neglect the children suffered! We were taking them on holiday without knowing that they were subject to a protection order. The parents did not want us told because they didn't want us to know about the drugs problem.'

"I believe early intervention and support for the twin's mother would have given the children a chance to stay with her. Also, after a short period of time being placed with us we were told by social workers that we had to go to court for a residence order as they were going to put the twins up for adoption. We were very scared of losing them and trying to support our daughter - their mother - emotionally, through those very difficult and scary times, took a huge toll on us.'

Some respondents described how decisions for family members to take on the care of children in their family network were rushed through by professionals, often at a late stage in proceedings and without adequate legal and financial information to make an informed decision.

'Grandparents/family members, who have children placed with them, are emotionally blackmailed into taking Residence Orders/Child Arrangements/Special Guardianship Orders. We are threatened that if we don't proceed with this the children will be removed from our care and adopted out of family. Once the orders are in place, I had to apply to the court, and represent myself for my three grandchildren. Social services close their cases saying they no longer have a legal obligation to help (not that I ever had any help from them anyway). The children are treated as third class citizens, receiving no emotional support/therapy etc.'

'We supported our grandchild's mother throughout and feel we helped in a small way to enable her to keep her baby but we did this despite the local authority ,not because of. They never involved us in anyway and at times appeared confused about their own plans and processes. The rush to secure a care order was anxiety driven by them. Yes, there was a risk but one which could have been safely managed in a different way.'

Participants wanting to care for children in the family network had struggled to get funds for legal representation. Information about the complexity of child protection and legal processes has not been communicated clearly and this had resulted in families feeling frustrated with the process:

'The lack of clear process round special guardianship, lack of clear policy and procedures relating to viability assessments. Our viability assessment was not shared with us but was lodged in court and the outcome shared before we were told of the outcome. We were not offered to be party to any proceedings. A further addendum to the viability was required and again the same thing happened, the whole process was shambolic.'

'More practical help for kinship carers and special guardians... I couldn't have legal help unless I paid for it (which I couldn't afford) so I had to simply cross my fingers and hope the social care team had done enough to get me awarded custody - despite the birth mother making several outrageous allegations about me. I don't feel there's enough support for special guardians.'

There was a view from family and friends carers who filled in the survey that they felt unprepared for their role and struggled to meet the cost of caring for children. There was also a feeling that insufficient effort was made to see the wider family as an asset, who could love and care for children in their network but who equally needed support to do so. Family and friends carers spoke of feeling abandoned by children's services in the aftermath of proceedings, with no or little support and struggling with the physical, emotional and financial burden of caring for children at a later stage in their life.

'Grandparents looking after their children full time should have access to financial benefits and emotional support - if not more, as they are older, and it massively disrupts a life when one should be slowing down. Grandparents (and other family members) should be really encouraged to help – it's part of the social fabric of this country that we have lost - the extended family network.'

'Proper support put into place for kinship families, not having to fight for what our children need, fair support packages, not to be made to feel you shouldn't be asking for anything but be grateful the children are with you.'

'Our experience with the social worker and social services was very stressful despite us doing everything we could to ensure the safety and happiness of our grandchildren. We took them in and then were refused extra financial help from the social services which made us struggle and get into debt. The social worker treated us as if we had done something wrong and rarely listened to us despite us giving them all information requested and pushing for the children's circumstances to be looked at more carefully earlier on.'

6. Lack of partnership working and voices not heard

Underlying the Children Act is the principle of partnership working to safeguard children and enable them to thrive. The survey found that families often didn't feel that it was a partnership, they felt their voices were not listened to and this was compounded by feeling any complaints were rarely acted upon. There were some exceptions to this, with one family member responding that what had made a difference in her case was "we all worked together"

Some families also had suggestions for how this could change:

'Take complaints against individual social workers/managers seriously especially where complaints of misconduct have been made. Listen to the children and take them seriously. Work with parents to keep (where possible) families together and if this is not an option work towards that (again if feasible)

Look at how social workers are being educated - get parents involved so that they can see the person behind the 'case study.'

'Professionals should take time to listen to serious concerns of parents encouraging nervous people to speak up, also allow and encourage extended families to speak out about the treatment of professionals using a family member to act as a liaison between the two groups to address anything.'

