

# **DELIVERING GOOD PRACTICE INITIAL ASSESSMENTS OF FAMILY AND FRIENDS CARERS IN THE CONTEXT OF COVID-19**

## **An appendix to the Initial Family and Friends Care Assessment: A good practice guide**

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**We are also grateful to the additional contributions from an expert advisory group including kinship carers, legal and social work practitioners, academics, children's social care leaders and managers. In particular we would like to thank Kelli Eboji, Katy Halliday, Carolyn Housman, Joan Hunt, VyVy Lewis, Mary Ryan, Enza Smith, Steve Walker and Donna Weaver**

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## SUMMARY

The duties and responsibilities as set out in law when undertaking kinship assessments remain as they were. This is also the case with the principles of best practice as set out in the [Initial Family and Friends Care Assessment: A good practice guide](#).<sup>1</sup> However, delivering good practice in the current circumstances is challenging in several ways:

- Social workers contact with, and assessments of, potential carers may need to be through phone and virtual means;
- Potential carers may be having to cope with a range of challenges resulting from Covid-19 as well as the impact of the crisis in their family that has resulted in a child or children needing long term care from a family member;
- Family members who might be suitable may not be in a position to offer immediate care because of the health risks they are dealing with;
- Family members may be dealing with a number of serious questions about their future because of the broad uncertainties resulting from the pandemic.

The purpose of this short document is to assist practitioners in these unique circumstances to produce a robust and balanced assessment which is appropriately child and family centred and which can support sound decision-making.

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## The legal context

The *Initial Family and Friends Care Assessment: A good practice guide*<sup>2</sup> is designed to be used by local authorities to support decision making as to whether a family member or friend might be a potentially realistic option to be a carer for a child who cannot live safely with their parents. It sets out the key issues to be addressed in the very early stages of identifying potential carers. That guidance is as relevant today as it was when it was first drafted.

However, the public health measures in force resulting from the Covid-19 pandemic make aspects of the delivery of the guidance challenging. This appendix sets out some possible ways to respond to those challenges.

In introducing the Adoption and Children (Coronavirus) (Amendment) Regulations 2020 on 24th April 2020, the Department of Education has made time-limited

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<sup>1</sup> Initial assessments are also known as viability assessments.

<sup>2</sup> [https://www.frg.org.uk/images/Viability\\_Assessments/VIABILITY-MASTER-COPY-WHOLE-GUIDE.pdf](https://www.frg.org.uk/images/Viability_Assessments/VIABILITY-MASTER-COPY-WHOLE-GUIDE.pdf)

amendments to some of the child placement regulations to address issues raised by the pandemic as it applies to the children's social care sector. It is important to note that none of that fundamentally impacts on initial assessments of potential family and friends carers. When a local authority is considering or has decided to issue care proceedings then it will need to consider in a timely way with whom the child should be placed.

Where this cannot be the parent or a person with parental responsibility, the local authority must place the child with a person or in a placement which is, in their opinion, the most appropriate. This is defined and set out as a hierarchy in section 22C(6) of the Children Act 1989 as:

- (a) an individual who is a relative, friend or other person connected with (the child) and who is also a local authority foster parent;
- (b) a local authority foster parent who does not fall within paragraph (a);
- (c) a children's home in respect of which a person is registered under Part 2 of the Care Standards Act 2000

It should be noted that sub-section 7 prioritises wherever possible, the placement of the child with a person in section 22C(6)(a). The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 do not change that duty in any way.

### **Practice Considerations during Covid-19**

The first priority for the practitioner remains the identification of the most suitable persons to be assessed as a potential carer for child who may be unable to remain with either of their parents.

This can be challenging if the parents are the primary source of family information and they object to sharing this information with the local authority especially if the wider family are not aware of the seriousness of the issues to be resolved. Family group conferences can be very helpful in enabling the family network to identify who within the family may be able to care for the child on a contingency or longer term basis, what support could be provided within the network and what support is required from agencies, as well as exploring other issues that are relevant. Most local authorities have or commission a family group conference service, and many of these are continuing to operate during the crisis, albeit through virtual meetings. [Family Rights Group has produced a good practice guide for local authorities on enabling family group conferences during the crisis.](#) The guide is also relevant in considering practical steps that local authorities can take to assist each family member to have their views heard and contribute to decisions about a child, including ways of overcoming hurdles resulting from digital poverty. <sup>3</sup>

The initial family and friends care assessment guide sets out the steps that practitioners should follow and what family and friends should expect from any such

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<sup>3</sup> [https://www.frg.org.uk/images/200219\\_FGC-covid-guide.pdf](https://www.frg.org.uk/images/200219_FGC-covid-guide.pdf)

assessment. The bullet points set out below identify a number of practice issues that authorities should consider in the light of the challenges presented by Covid-19:

- Face to face assessments or meetings are taking place in some situations in parts of the country. Different creative approaches are being taken, such as socially distanced conversations in the garden. Circumstances for each child and family will differ, as they will for staff members. If a face to face assessment is being considered, the perspectives and circumstances of each individual, including health and well-being, need to be explored heard and respected prior to the assessment
- The child may already be living with the carer, as a result of an emergency due to Covid-19. This may also result in added urgency for the assessment being undertaken.
- Practitioners should be aware of, and show an understanding of, the impact of living through this crisis on all children and families, including older people such as some grandparents. In this context functioning of the prospective carer, child and parents may all be affected by the heightened global anxiety and reduced levels of social and professional support etc. It will be important for practitioners to explain that they understand this, and they may want to explore this with the potential carer during the assessment. Practitioners may want to consider recommendations set out in helpful guidance drawn up by the Association of Clinical Psychologists: Guidance for Clinical Psychologists who act as Expert Witnesses in the Family Courts during Covid-19<sup>4</sup>
- Decision-making about when and how assessments are carried out are likely to have lasting ramifications for all concerned, and most significantly, the child. It is especially important that families are directed to independent legal advice about proposals for assessment work during Covid-19 and that they can access further advice, should they need to as the assessment progresses. As ever, it is important that families understand their legal rights and options. See the main guide on accessing independent legal advice and directing families to Family Rights Group's free legal advice line or Coram Children's Legal Centre's advice service.

## **Planning and Preparation**

- If part or all of the assessment is to take place remotely, then consideration needs to be given with the child and family as to what the barriers are to their full engagement and ways that this could be overcome. This should include discussions about the family's access to a computer that facilitates discussions including the payment of data usage by the local authority.
- Whatever the details of the plan for the assessment, there should always be a pre-assessment discussion by phone or video call with the prospective carer to explain and discuss the purpose of the assessment "visit" and agree on how, when and where this "visit" will happen. There may need to be more than one pre-assessment discussion. A copy of the purpose of the assessment and what is to be expected should also be sent to the potential carer by letter or email.

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<sup>4</sup> [https://acpuk.org.uk/expert\\_witness\\_guidance/](https://acpuk.org.uk/expert_witness_guidance/)

- If there are any members of the household, including children, who need to be spoken to, this should be discussed with the prospective carer. Consideration needs to be given to how this can be child-led, including the time needed to help prepare the children/individuals and make arrangements for how these discussions can best take place.
- If the assessment is to be conducted remotely, then practical arrangements should be discussed with the prospective carer. For example, what time of day this can be done so the staff member and the prospective carers have minimal disruption and maximum privacy. Similar thought is needed in relation to which room/space can be used in the practitioner and prospective carers' home or office for the interview.
- To help a family prepare in advance for the assessment, some local authorities are using different approaches, again depending upon the individual family's situation. This should include an email or letter to the prospective carer being sent prior to the remote assessment "visit" with a copy of the assessment template and any other relevant and helpful information. This should set out the purpose of the assessment and what it will focus on. Some prospective carers are willing to draw their family genogram beforehand and send a photo of it to the practitioner.

#### **Tips for conducting virtual assessment visits:**

- The practitioner can ask the prospective carer to arrange a "virtual tour" of their home. This should include all rooms and outside spaces. The prospective carer can also be asked to take photos of each room which can be emailed to the practitioner following the visit. Some family members may not have the technology or know how to do this. These issues will need to be resolved including providing access to a step by step guide.
- If there are children in the household whose views will form part of the assessment, a similar approach needs to be taken as it would if the practitioner were meeting them face to face. Children will need to feel comfortable, for example by introductions, using a "break the ice" game or asking them to show some of their school work/arts and crafts/toys.

#### **Providing support during the assessment process**

- Assessments may need to be completed over several calls, as telephone/video sessions can be intense and exhausting. It is important to pay attention to the prospective carer's pace and to check in with them at different points.
- Be ready to provide information in a way that works for the individual or family,
- Ensure that the prospective carers have contact details (phone and email) for the person completing the initial assessment and the child's social worker (if these are different) so that they can resolve any questions that they may have.

## **Further Issues**

Family members, including grandparents, may not be in a position to take on the care of the child immediately because of Covid-19 or other health related risks. Where this is the case, it should not mean the child is excluded from this option altogether. Instead discussions should take place to identify possible solutions that may resolve this, including ensuring that contact is meaningfully maintained and that a fully informed risk assessment is completed.

Covid-19 is likely to affect the child and family members in different ways. Some of these may be short and some longer terms impacts, including economic and social uncertainty or personal loss. The practitioner's role is to support the potential carer consider the reality of becoming a child's carer during, or in the aftermath of, this pandemic, including consideration of:

- current and future health issues for the carers and the child,
- employment status – both now and into the future,
- financial stability – both now and into the future,
- access to core resources such as food and the other resources that sustain daily living,
- school and the specific plan for return to school,
- the impact of the evolving public health measures,
- the impact on the child's physical and mental health and wellbeing,
- the child's special educational needs and/or disabilities,
- managing contact with birth parents and other relatives,
- the emotional and mental wellbeing of the child and the carer.

Part of the discussion with the carer should be to consider whether some of these challenges could be mitigated and what support would be required to do so. In drafting the assessment, it is important that the assessor sets out how these issues were addressed including the balance of the strengths and risk factors in the assessment. They should also comment on whether the assessment process itself was restricted as a result the Covid crisis.

The assessment must be made available to the prospective carers with an identified timescale for comments to be returned. This should include:

- their views on the process of the assessment – do they feel that it was adequate and in what, if any, ways do they feel it was limited as a result of the Covid-19 crisis;
- any comments/amendments that they have made on the draft assessment.

A final copy of the assessment with the prospective carers' comments should be made available to the person assessed.

## **International assessments**

In normal circumstances, undertaking an initial assessment of a family member who lives abroad can be challenging. Social workers undertaking such an assessment

are advised to seek specialist advice to address both legal, ethical and practice issues. Where remote technology can be used, social workers must be mindful of the Covid-19 situation in that country including accessibility/security/cost local technology, culturally sensitive response/reaction/attitudes and knowledge of the local health and support services.

Relevant guidance on international viability assessments (and more) can be found here:

- Children and Families Across Borders (CFAB) sets out guiding principles for obtaining viability and kinship assessments in foreign countries here: <http://cfab.org.uk/news/cfab-issues-interim-guidance-overseas-assessments-during-covid-19>
- The Outbound service at the Inter-country Adoption Centre. <http://www.icacentre.org.uk/outbound-subscriber-gateway/>
- The Hague Conference on Private International Law COVID-19 Toolkit: [https://mcusercontent.com/cfefbb23e3b1980b7b06f7e96/files/adde3f85-4d91-4761-957e-362a293da9f8/538fa32a\\_3fc8\\_4aba\\_8871\\_7a1175c0868d.pdf](https://mcusercontent.com/cfefbb23e3b1980b7b06f7e96/files/adde3f85-4d91-4761-957e-362a293da9f8/538fa32a_3fc8_4aba_8871_7a1175c0868d.pdf)

### **Principles guiding the initial assessment:**

Whatever form of workable contact is possible, the four principles as set out in the original guidance on initial assessments are still highly relevant. Initial assessments, like all assessments, should be:

- conducted in a spirit of enquiry
- working in partnership
- focused on the child and their needs and development
- evidence-based, and include analysis of the evidence.

These are weighty principles and challenging to deliver but it is important to reflect on the extent to which they drive the process and in turn make the initial assessment meaningful. The coronavirus pandemic does not change any of that.

A further issue is introducing flexibility into the process. The main message can often be 'time is of essence' given the pressure to comply with care proceedings processes. But time pressures are not helpful if it leads to assessments that lack understanding, detail and balance. These are life changing and life-defining decisions for the child or children and other family members and they cannot be rushed. The importance of exploring all the available options fully cannot be overstated. If the initial assessment is identified at completion as lacking evidence, then that must be clearly indicated in the conclusion to that assessment. And these issues must be appropriately set out in any subsequent submissions to court including the need to extend timescales to enable a robust conclusion to those proceedings, and on the basis of full and fair assessments having been completed.

Placement with family members is a priority as set out in law and it is fundamental to the commitment, loyalty and belief about the nature of family life. We cannot underestimate the challenge that comes with Covid-19, but the sector must deliver

what we have to come know to be best practice, and use our humanity and creativity to find workable solutions even in these difficult times.

**Further useful resources:**

Neil E, Copson R, Sorensen P (May 2020) Contact during lockdown: How are children and their birth families keeping in touch

<https://www.nuffieldfjo.org.uk/resource/lockdown-keeping-in-touch>, Nuffield Family Justice Observatory

Family Rights Group (March 2020) [Advice guide for parents and families with a child in the care system: ways you can support your child during the Coronavirus outbreak](#)

Family Rights Group (March 2020) [Top tips for kinship carers to help maintain relationships during the Coronavirus outbreak](#)

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