



Residential Care Review: Call for views

Response prepared by

Family Rights Group on behalf of Your Family, Your Voice Alliance

Endorsed by:

Child Poverty Action Group

Working with Men

Parents Against Child Exploitation (PACE)

Women's Aid

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A. Introduction

This response to the call for independent evidence is prepared by Family Rights Group on behalf of the Your Family, Your Voice Alliance. It addresses questions 2, 3, 4, and 5 of the call for evidence. Questions 2 and 3 are addressed together.

This response has been informed by the work of Family Rights Group including its advice services and experiences of the members of the parents' panel, by discussions at the Your Family, Your Voice Alliance event¹ and input from partner agencies. It complements submissions to the residential review by the Kinship Care Alliance and by Parents Against Child Exploitation.

In preparing this response, we have recognised the national and international duties, obligations and rights variously provided for under the Children Act 1989², Children Act 2004³, the European Convention of Human Rights⁴ and under the United Nations Convention on the Rights of the Child⁵.

We also want to emphasise how important it is that the wishes and feelings of children and young people are taken into account when plans are made for them, and that if they are of an appropriate age, they are involved in decision making processes, including when care and protective arrangements are put in place for them. This is of particular importance in respect of children and young people who temporarily or permanently cannot live with their parents. Their acceptance of the placement, their understanding of why they are looked after and their wishes about maintaining safe family relationships is vital for any placement to work. Otherwise they are at significant risk of absconding (often with the intent to go back home) or exploitation.

1. Your family, Your Voice Alliance

1.1 Your Family, Your Voice is an alliance of families and practitioners working together to transform the system. The aims of this alliance are to influence how parents and carers, whose children are subject to, or at risk of state intervention are

¹ Your Family, Your Voice event, Manchester 2nd December 2015. Parents' voices and their experience of services.

² The welfare of the child is the paramount consideration – section 1 Children Act 1989.

³ Duties upon individuals and bodies to safeguard – section 11 Children Act 2004.

⁴ Article 6 ECHR & 8– right to a fair trial and private and family life respectively.

⁵ Article 3 (1): the child's best interests shall be a primary consideration; Article 8 (1): a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child; Article 12 (2): States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. (2) For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

perceived and portrayed in wider society and to work in collaboration with families to influence law, policy, practice and service design and delivery in child welfare, child mental health, youth justice and the education system. The Alliance works towards systems and services becoming more open and accountable; being more respectful of all children and adults' human rights; promoting effective human functioning; encouraging healthy relationships; and enabling individuals and families to have greater control over their own lives. Our intention is that that any state intervention or service builds upon families' strengths, rather than undermines their ability to identify and implement solutions; provides the support they need to avert crises developing; and promotes the child and their family's wellbeing.

2. Family Rights Group

2.1 Established in 1974, Family Rights Group is the 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 who are unable to remain at home. Our expert advisers, who are child welfare lawyers, social workers, or advocates with equivalent experience, provide advice to over 6000 families a year via our free and confidential telephone and digital advice service. We advise parents and other family members about their rights and options when social workers or courts make decisions about their children's welfare. We also 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 in their family network.

B. Our Response to Questions 2 & 3

Question 2: what works within residential care settings to improve outcomes for the young people placed in them?

Question 3: what improvements could be made to the way that residential care provision is commissioned, delivered, regulated and inspected to improve outcomes and value for money?

1. Involving and supporting parents when their children are in residential care arrangements

1.1 Residential placements may proceed under different statutory powers and duties, for example section 17 Children Act 1989 (CA), section 20 CA voluntary accommodation, s.31 care order or pursuant to Special Educational Need duties. Whatever the legal basis of the arrangement, local authorities are under a duty to involve parents/others with parental responsibility⁶ in making and reviewing plans for their child when they live in a residential care placement:

⁶ Others may hold parental responsibility as a result of a court order, for example a special guardianship order or a child arrangements order, or being appointed as a testamentary guardian.

- When a child is looked after (whether in care under a care order or in voluntary accommodation) they must consult with, and give due consideration to the wishes and feelings of parents and others holding parental responsibility, before making any decision about the child (s.22(4) & (5) CA 1989); and
- When a child is not looked after, parents and others with parental responsibility for their child should be consulted about any plans for their child to be in a residential placement. Parental responsibility is defined as being all the rights, duties, powers and responsibility which a parent has by law in relation their child and their property (s.3 CA 1989).;
- Parents/others with parental responsibility often need independent advice to enable them to fully understand the framework being applied (be that Child In Need, Child Protection, Section 20 voluntary arrangement, Special Educational Needs duties) and their rights and responsibilities within it, in order to make informed decisions and contribute to such plans for the child.

1.2 Parents typically need support that reflects their particular needs and circumstances in order to maintain a positive relationship with their child when they are in residential care. For example:

- Residential placements may be some distance away from a child's family so they may need help with travel arrangements and costs. This may be particularly the case where placement decisions are based on an assessed need to remove a child from a particular locality in which they have been at risk from non-familial abuse, as in the case of child sexual exploitation;⁷
- The level of contact promoted between a child and his/her birth family may be less than that afforded to children who reside with kinship carers or are placed in foster care, yet the child's need for contact may be as great and critical to their well-being;
- Parents of children in residential care may find themselves uncertain about how to best obtain information about their child's wellbeing and progress; whether such information should come direct from the residential setting or via the child's social worker and about the interaction of policies pertaining to the residential placement and those relating to the local authority. Local authorities should ensure that when they plan for a child to be in a residential placement, parents are supported to remain engaged in their child's life.

1.3 There are clear advantages for children, parents and practitioners when parents (and others with parental responsibility) are properly provided with information about a child's placement and progress in placement, and when they have the opportunity to work collaboratively with the residential placement⁸, for example:

- Children may feel more secure (and conversely less abandoned) in their placement knowing that their family are fully informed and involved;
- Parents may be better placed to be supportive of the care arrangement;

⁷ See the submission prepared by Parents against Child Sexual Exploitation (PACE) in response to the Call for evidence.

⁸ Therapeutic approaches to residential care and whether family involvement could improve long-term outcomes was considered by Geurts, E. M. W., Boddy, J., Noom, M. J. and Knorth, E. J. (2012) *Family-centred residential care: the new reality?* Child and Family Social Work, 17, 170–179. Their literature review indicated that family involvement was indeed important and though practice and models varied there was evidence of benefits in relation to a range of child outcomes.

- Contact arrangements that best meet the child's needs and consideration of opportunities for a safe return home, are more likely to be at the forefront of care planning and reviewing in line with statutory duties.⁹ In turn, this means that opportunities for maintaining & strengthening family relationships and for reunification are not de-prioritised;¹⁰
- Research by the National Children's Bureau found that practitioners working within residential settings in England found discussions with parents and relatives of the children in residential care helpful or very helpful.¹¹

1.4 There are examples of models of residential care for children which are characterised by greater levels of parental involvement.¹² Research in the Netherland comparing more traditional residential care arrangements with a family centred model of residential care (the Child and Youth Care In Context model), revealed that in the latter, both parents and social workers reported that parents were more involved during the admission phase, received more counselling by residential workers, had more opportunities to have a say in care arrangements, and felt more parental responsibility. Importantly, parents had the opportunity to acquire skills to deal with their child's behaviour and were able to provide a secure base, whilst practitioners had a role in maintaining and re-establishing relationships between parents and children.¹³ Janet Boddy's¹⁴ research exploring children in care in four nations contrasted the significant differences between how families were engaged in their children's lives in England compared to in Denmark, the Netherlands and France. Children were more likely in those countries to be living in specialist residential care and the residential workers had higher levels of professional qualifications than in England. Family focused work in residential settings was also seen as less challenging given that the settings lent themselves to whole family opportunities, such as shared meal times. For families where direct involvement is appropriate 'samvaar' (a Danish concept of 'being together') included sharing meals, watching TV together; and even overnight visits to residential settings.

⁹ The local authority is under a duty to review the case of every child who is looked after (in care or accommodation) at regular intervals in compliance with the CPPCRR Reg 32.

¹⁰ Such approaches are appropriate having regard to the rights of children and parents to fair trial/decision-making processes and right to respect for a private and family life under Articles 6 and 8 ECHR as incorporated into domestic law by the Human Rights Act 1998 and the need for any interference with those rights to be necessary and proportionate.

¹¹ Mainey, A. and Crimmens, D. (2006) Fit for the Future? Residential child care in the United Kingdom. National Children's Bureau. Available at:

http://www.ncb.org.uk/media/518292/ncercr_fitforthefuture_nov06.pdf

¹² Geurts, E. M. W., Boddy, J., Noom, M. J. and Knorth, E. J. (2012) Family-centred residential care: the new reality? Child and Family Social Work, 17, 170–179. Available at:

http://www.celcis.org/files/4414/4041/4465/2011_Vol_10_1_Geurts_Parental_involvement_in_residential_child_care.pdf

¹³ Esther M.W. Geurts, Marc J. Noom & Erik J. Knorth (2011) Parental involvement in residential child care:

Helping parents to provide a secure base Scottish Journal of Residential Care.

¹⁴ Boddy J, Statham J, Danielsen I, Geurts E, Join-Lambert H, Euillet S (2013) Beyond contact: Work with families of children placed away from home in four European countries.

http://www.nuffieldfoundation.org/sites/default/files/files/Beyond_contact_Boddy_web.pdf

1.5 We would welcome increased and improved opportunities for residential care settings to be able to provide specialist family support to children and their families. For example, where a child has access to therapeutic intervention and family therapy would be beneficial to the child and family, this could be delivered as part of the residential therapeutic package. Further, community based services which mirror interventions provided in a residential placement should be identified so that parents and relevant family members might themselves be engaged in work which will help them to understand the needs of their child in residential care, better meet those needs, and maintain and build relationships whether with a view to a child returning home or to ensuring the best possible contact between a child and their family.

Recommendations

- a. All those involved in planning a residential placement of a child should be aware of the legal requirement to consult parents/others with parental responsibility about the plans for their child in a residential placement;
- b. The ongoing contributions of family members to the lives of children in residential care should be robustly recognised, supported and promoted both within the placement and in related care planning and review processes in order to:-
 - (i) foster better outcomes for children whilst in residential care;
 - (ii) proactively promote and maintain positive family relationships through contact and family finding¹⁵; and
 - (iii) maximise the chances of the child being supported to successfully return to their family network.
- c. Opportunities for parents and wider family members to familiarise themselves with support services provided to children in residential care should be identified and links should be made with services, such as family therapy, which can be delivered to families in the community to complement provision made in residential placements.
- d. There should be consistent, effective co-ordination between education, health and social care services, when a child is in a residential placement (particularly if they have an Education, Health and Care Plan). There should be explicit information for parents about the relevant duties and delivery of support by each agency and how they and the child (where appropriate) will be engaged in plans for their child's care.

2. Residential care and sibling relationships

2.1 The Care Inquiry (2013), conducted by 8 voluntary organisations, concluded that the greatest failing of the care system and associated child welfare procedures is that it too often breaks, rather than builds, relationships for children in care.¹⁶ When siblings enter the care system, the decision whether to place them together or separately is of vital importance and has significant lifelong consequences.

2.2 In January 2015, Family Rights Group published its report investigating the current experience of siblings in the care system and whether some placement types

¹⁵ See section 5 below

¹⁶ The Care Inquiry (2013) Making not breaking: Building relationships for our most vulnerable children Available at: http://www.frg.org.uk/images/Policy_Papers/care-inquiry-full-report-april-2013.pdf

are more likely than others to enable siblings to be raised together where it is assessed as being in their interests.¹⁷ The report revealed that children in unrelated foster care and residential care are overrepresented amongst those separated from their siblings compared to their overall numbers in the care population; only 1% of sibling groups who were all placed together were living in residential care. In contrast, children in kinship foster care were less likely to be separated from their siblings.¹⁸ The report highlighted research that has shown the benefits that siblings can gain from being raised together: for many, it is the closest relationship they ever experience, and they are able to share information and feelings, and develop a shared sense of identity. Even difficulties such as rivalries and jealousy can assist siblings with important life-skills such as learning to share and co-operate.¹⁹ A recent report by the Centre for Social Justice identified that 'one of our greatest concerns is that the bonds between siblings in care, which can lead to greatly valued lifelong relationships, are being broken'.²⁰

2.3 Children entering residential care can face additional difficulties, for example, they have to come to terms with the changes of key worker availability arising from residential workers' shift systems and some children's homes can seem scary and overwhelming. In this situation, the presence of a sibling can provide a great deal of reassurance.

2.4 Keeping siblings together is also what young people themselves say they want. A recent study found that 86% of all children in care thought it important to keep siblings together in care and over three quarters thought that councils should help children and young people to keep in touch with their brothers and sisters.²¹ The benefits of maintaining sibling relationships were identified in a recent survey conducted by Siblings Together, which found that the majority of respondents thought that having a brother or sister helped prepare them better for life whilst 75% said that having a sibling helped them make friends with other people more easily; and 71% said it helped them in their adult relationships.²² In parallel, government guidance recognises that maintaining contact with siblings is reported by children to be one of their highest priorities and acknowledges the value of sibling contact for continuity, stability, promoting self-esteem and a sense of identity at a time of

¹⁷ Ashley, C. and Roth, D (2015) Siblings in Care Available at: <http://www.frg.org.uk/images/PDFS/siblings-in-care-final-report-january-2015.pdf>. Family Rights Group wrote to all 152 English local authorities in August 2014, asking six questions relating to looked after siblings group. 122 local authorities responded. 64 % of authorities provided a full or near full response.

¹⁸ Ashley, C. and Roth, D (2015) Siblings in Care Available at: <http://www.frg.org.uk/images/PDFS/siblings-in-care-final-report-january-2015.pdf>

¹⁹ Ashley, C. and Roth, D (2015) Siblings in Care Available at: <http://www.frg.org.uk/images/PDFS/siblings-in-care-final-report-january-2015.pdf>; Lord J and Borthwick S (2009) Planning and placement for sibling groups; from Schofield G and Simmonds J eds The Child Placement Handbook: Research policy and practice (BAAF); Prynne B (1999) Looking back: Childhood separations revisited, from Mullender A ed (1999) We are family: Sibling relationships in placement and beyond (London: BAAF) .

²⁰ Centre for Social Justice (January 2015) Finding Their Feet, Equipping care leavers to reach their potential Available at: <http://www.centreforsocialjustice.org.uk/publications/finding-their-feet>

²¹ Morgan, R (2009) Keeping in touch: A report of children's experience by the Children's Rights Director for England Ofsted

²² Siblings Together (2015) Torn Apart Available at: <http://siblingstogether.co.uk/wp-content/uploads/2015/12/Torn-Apart.pdf>

change/unfamiliarity.²³ Further guidance emphasises the importance of sibling contact where children cannot be placed together.²⁴

2.5 We would welcome provision, enshrined in legislation and guidance, which more robustly reflects the important role of sibling relationships in the lives of children who are in care, including those in residential care.

Recommendations

- a. S.34(1) Children Act 1989 should be amended to include siblings in the list of people with whom a child in care shall be allowed contact;
- b. Guidance (including statutory guidance and the Independent Reviewing Officer Handbook as appropriate) should be amended to include presumptions that:
 - (i) It is in the interests of looked after siblings to be placed together unless it is contrary to an individual child's welfare needs;
 - (ii) When a child is not living with their siblings, their relationship should be supported and nurtured wherever they are living unless this would be harmful to the child's welfare;
 - (iii) For children who remain in residential care, their statutory reviews should always consider in detail how contact arrangements can be supported to ensure the child has positive relationships with their siblings;
 - (iv) When a child in residential care is in receipt of specialist services, the application of those services to promote any sibling relationship and sibling contact should be reviewed and become an express feature of care planning and review for the child.
- c. Given the significant impact that placement in residential care has upon sibling relationships as compared to kinship care, there should be a new legal duty on local authorities to ensure that potential placements with kinship carers are always explored and assessed for suitability including offering all families the opportunity to have a family group conference before considering a residential placement.

3. Initiatives to improve standards and responses to children in residential care

3.1 We are aware of examples of initiatives which aim to improve standards within residential care settings and respond to the difficulties that children face within those settings. Findings from the Department for Education commissioned initiative, 'Behaviour Management and Reducing Offending by Children Placed in Children's Homes' found that where children demonstrate disruptive or challenging behaviour within a children's residential care home, this can sometimes lead to unnecessary criminalisation of children. This adds to the disadvantages faced by this group of children and can blight their future employment prospects.²⁵ We are aware of

²³ Department for Education (2015) Children Act 1989 Guidance. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf

²⁴ Department for Education (2014) Looked After Children: Contact with Siblings, Update to The Children Act 1989 guidance and regulations volume 2: care planning, placement and case review

²⁵ Department for Education (July 2003) Behaviour Management and Reducing Offending by Children Placed in Children's Homes. Available at:

effective responses to address these concerns such as the initiative introduced by Cheshire Constabulary, which has assigned designated police officers to care homes in their area. This initiative aims to improve understanding of the mechanisms which could lead to children being prosecuted for behaviour within children's homes. It also examined examples of good practice in children's homes and by partner agencies in addressing behavioural challenge without unnecessarily criminalising children.

3.2 Social pedagogy aims to combine academic knowledge and an understanding of emotions in the context of hands-on practical work. It uses a relationship-based approach in working with children. Recent research²⁶ has explored how it can provide a framework for practice in working with children in residential care. The findings highlight that the UK is unusual as compared with other western European countries, in not routinely drawing on social pedagogy. The research found some improvements in practice within children's homes using social pedagogy, this was primarily in relation to managing children's behaviour and staff reflection. Improved involvement of young people and improved communication within the staff team were also identified by social pedagogues as positive changes resulting from their input.

Recommendations

- a. We recommend that there be ongoing funding of initiatives intended to improve professional responses to children in residential care and standards within residential care settings;
- b. We recommend that there is on-going support for the co-ordinated sharing of information between local authorities, providers and statutory agencies in England & Wales about initiatives, protocols and innovation in this area;

4. Ensuring that residential care providers prioritise children's welfare

4.1 We are extremely concerned about the dominance of the private sector, particularly private equity backed companies in owning children's residential homes. We fear that in such circumstances decisions are not universally driven by quality and safeguarding of society's most vulnerable children, with cost savings made at expense of employing suitably qualified and supported staff. As at 31 March 2015, 54 local authorities were not running a children's home themselves; less than one quarter of children's homes were run by local authorities and the proportion is continuing to decline.²⁷ We fear that intense budget pressures on local authorities

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262596/Mouchel_Report_summary_Executive_Summary_-_Final.pdf

²⁶ Berridge, D et al. (2011) Raising the Bar? Evaluation of the Social Pedagogy Pilot Programme in Residential Children's Homes: Department for Education Research Report DfE-RR148. Department for Education. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181597/DFE-RR148.pdf

²⁷ Ofsted (13 August 2015) Children's social care data in England Available at: <https://www.gov.uk/government/statistics/childrens-social-care-in-england-2015>

may place further and adverse pressure upon decision making at the time care plans are being formulated and residential placements are being sought for children.

4.2 We are concerned by the reported variation in the standards and staff skill-sets within residential care for children and differences in specialist support for very vulnerable children. We are aware of the need for, and existence in some areas of, specialist, highly skilled residential care services for children with specific needs, such as those who have been sexually exploited.²⁸ However, too often such children are placed in generic residential provision.

Recommendation

a. There be a formal investigation, including mapping exercise, examining the nature of the residential care provision which is being provided by the private sector at present and how this compares to the demand for both generic and more specialist residential care placements and the quality and skilled staffing levels within those settings.

C. Our response to Question 4

Question 4: Whether there are better alternatives for some of the children who are currently in residential care

1. Safe placement with parents with support

1.1 Timely, appropriate assessment, support to families and appropriately resourced, purposeful social work activity,²⁹ can prevent difficulties escalating into crisis. It is also crucial in assisting with the successful return home from care. Where the needs of a family are more complex, Farmer's research has identified the value of high intensity, relationship-based social work as well as multidisciplinary approaches, which are provided for as long as needed and which can help parents to meet the needs of children returning home from care.³⁰ The Care Inquiry, further confirmed that the 'intensive team around the family' approach might support the return of children home from care and that working with families includes helping children and adults understand past issues and cope with the future.³¹

1.2 The range and accessibility of services for families at an early stage should be improved. We are concerned that:-

- The provision of independent advocacy and advice is often not available to parents outside of care proceedings, and is very limited during pre-proceedings

²⁸ The response prepared by Parents Against Child Exploitation provides important information about such resources.

²⁹ Purposeful social work activity was identified as a crucial component for successful reunification by Biehal, N. (2006) Reuniting looked after children with their families: A review of the research, London: National Children's Bureau.

³⁰ Farmer, E., et al (2011) Achieving Successful Returns from Care: What Makes Reunification Work?, London, BAAF.

³¹ The Care Inquiry (2013) *ibid*

work. This can represent a significant barrier to families fully understanding legal frameworks, procedures, the local authority's concerns, their rights and options and can adversely affect partnership work with professionals;

- Services (e.g. CAMHS) which would help families often have very high thresholds, so families cannot access them when they need them, for example they are turned down until a crisis is triggered or are only available after a long wait ;
- Advice and support from local authorities in relation to domestic violence within families (including teen violence) is limited. This has been compounded by cuts in funding to specialist domestic violence services;³²
- There is a risk that if a family-centred approach is not taken, practitioners and commissioners may not consider specialist services which work with the young person and their family and enable them to remain safely in the care of his/her parents, such as family therapy, counselling and mediation;
- Support in the form of respite foster care is very rarely considered or put in place to support families;
- Family group conferencing is not being sufficiently utilised to plan for children to avert the need for children to become looked after or to plan for safe return home from care. The value of informal, familial sources of support are too often overlooked;
- Parents and practitioners have reported to us that when children deemed as being beyond parental control are placed in generic residential homes, problems can in fact seriously escalate. The provision of appropriate community –based intensive, specialist services to children and families may avoid the need for such young people to be placed in residential care. ; and
- Generic residential care homes are neither set-up nor are their staff trained, to effectively safeguard sexually exploited children or other children with specialist needs. This concern is set out in more detail in the response prepared by Parents Against Child Sexual Exploitation (PACE) to this residential review.

1.3 Local authorities are under a duty to review the case of every child who is looked after (in care or accommodation) at regular intervals³³. The review must consider all aspects of the child's case, including contact arrangements with their parents (as well as siblings and wider relatives), and whether the placement continues to meet the needs of the child.³⁴ Guidance states that the child's placement should not be changed unless it is clearly in the child's best interests having consulted all parties³⁵. Where a return to the care of a parent is explored, full assessment of how the parent can meet the child's needs and preparation and planning of how their support needs will be met is essential. This applies equally to children returning to live with their family under a care order or those under

³² In 2016 Family Rights Group will be publishing an online international practice review to raise awareness of good practice which has enabled children affected by domestic violence to remain within their families.

³³ CPPCRR Reg 32

³⁴ CPPCRR Reg 35 and Sch 7; Vol 2 Guidance para 4.29-4.30

³⁵ Vol 2 Guidance para 4.30

Section 20 voluntary accommodation.³⁶

Recommendations

a. That the Government invests in independent advice and advocacy to families to ensure their understanding of procedures, rights, their children's needs and options. As an immediate step the Government should secure the funding of Family Rights Group's advice service, given it is the only free, open access specialist legal advice service for families in this situation.

b. Guidance, including statutory guidance and the Independent Reviewing Officer Handbook (IRO), as relevant, should be amended so that:

- (i) Where a residential placement is considered by the review to no longer meet the child's needs, IROs should ask the social worker to offer the family a FGC to explore whether there are suitable carers within the family before seeking an alternative non-family placement;
- (ii) For children who remain in residential care, the review should always consider in detail how contact arrangements can be supported to ensure the child has positive relationships with their parents, siblings and wider family so that a return home remains a possibility for the future;
- (iii) When the local authority is assessing whether a child should return to their family, they should consider the continued use of specialist residential care and therapeutic services, as part of a package of support for the family placement.

c. Where a child is to return home from care we recommend that:-

- (i) That statutory guidance requires that a specialist support worker be allocated to work with the child and family to identify the resources and services in the community which the child and family need following the return home from care;
- (ii) That statutory guidance requires that a specialist worker is allocated to the child and family to coordinate the implementation and delivery of the support package for a minimum of 3 months following the child's return from care, or until such time as the package is sufficiently established and is being delivered in accordance with the child's assessed needs;
- (iii) Government should place a new statutory duty on local authorities to provide a list of services prescribed in regulation, which must be available to children and families when a looked after child returns home to a parent/parents from care. The framework for assessing and providing support for children placed with special guardians and adopters provides a clear precedent for this proposal.³⁷
- (iv) Children returning home from care to the care of a parent/parents should have priority admission to schools. This should mirror the priority presently given to looked after children and children who are subject to an adoption, child arrangements or special guardianship order and were

³⁶ The duty is equally applicable to children moving from care to the placement with others kinship carers. See section C, 2 for submissions relating to support for kinship carers.

³⁷ See: Special Guardianship Regulations 2005; and The Adoption Support Services Regulations 2005

- looked after immediately prior to the order.³⁸
- (v) A fund be established to help ensure that essential therapeutic services suitable to meet the child's needs are available to looked after children returning from care to a parent's care. This should mirror the support which the Adoption Support Fund.

2. Placement in kinship care

2.1 Research about kinship care arrangements has demonstrated that, despite having suffered similar adversities to children entering the care system³⁹ and being raised by carers who receive little, if any, support,⁴⁰ most children in kinship care are doing significantly better than children in unrelated care⁴¹ – in particular they feel more secure and have fewer emotional and behavioural problems. Recent research also highlighted that children in kinship care did better at GCSEs than those in residential care.⁴² These positive outcomes suggest that kinship care should be the preferred arrangement for many children who cannot stay safely at home with their parents.

2.2 Statutory guidance confirms the importance of a family group as a means by which to engage families early so that they can provide support to enable children about whom there are child protection concerns, to remain at home, or to look at alternative permanence options.⁴³ We are concerned that there remain a number of barriers to the early and effective approaches to identifying kinship support and kinship carers for children:-

- Although 76% of local authorities in England now run or commission an FGC service⁴⁴, only a minority run more than 50 FGCs a years and an even smaller number offer an FGC to all families prior to proceedings;
- There is no national requirement for FGC services to be accredited resulting in variations in the standard of FGC practice and delivery. This is further compounded by the scaling back of services as funding cuts bite;
- There is no standardised system across local authorities for conducting viability assessments. Family Rights Group has received considerable support from practitioners and the President of the Family Division for its proposal for minimum standards for such assessments.

³⁸ Department for Education (December 2014) School Admissions Code: Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. Available at: <https://www.gov.uk/government/publications/school-admissions-code--2>

³⁹ Farmer and Moyers (2008) Kinship Care: Fostering Effective Family and Friends Placements London, Jessica Kingsley; & Hunt, Waterhouse and Lutman (2008) Keeping them in the family: Outcomes for children placed in kinship care through care proceedings London, BAAF

⁴⁰ Farmer, E and Moyers, S (2008) Kinship Care: Fostering Effective Family and Friends Placements (Jessica Kingsley Press)

⁴¹ Selwyn et al (2013) The Poor Relations? Children & Informal Kinship Carers Speak Out (University of Bristol)

⁴² Sebba, J. et al. (2015) The Educational Progress of Looked After Children In England: Linking Care and Educational Data. Nuffield Foundation.

⁴³ Department for Education Statutory guidance on court orders and pre-proceedings. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306282/Statutory_guidance_on_court_orders_and_pre-proceedings.pdf

⁴⁴ Family Rights Group FGC mapping exercise (2015)

Recommendations

In order to ensure the early identification of suitable wider family members as alternative carers to a residential care placement, we recommend that:

- a. There should be a new statutory duty on local authorities that when they conclude that a child may need to become looked after or become the subject of care proceedings, they must, unless emergency action is required:
 - (i) identify, and consider the willingness and suitability of any relative, friend or other person connected with the child, to care for them as an alternative to them becoming looked after by unrelated carers; and
 - (ii) offer the child's parents or any other person with parental responsibility a family group conference, run by an accredited FGC service, to develop a plan which will safeguard and promote the child's welfare;
- b. The Department for Education supports the development of, endorses and helps disseminate, minimum standards for viability assessments.

3. Support for kinship care placements

3.1 For kinship carers to meet the needs of children who might otherwise be placed in residential care, they need access to appropriate support services. Where a child has complex needs or requires specialist services this should be available to the child and carer, mirroring the package of support that would be put in place were the child to be provided with services within a residential setting. To ensure that the needs of children who might otherwise be in residential care/be vulnerable to placement in residential care, are met in kinship care placements, specific forms of support may be required. This may include:-

- Specialist therapeutic support for the child;
- Access to advice and guidance for carers about behaviour management strategies, boundaries and responding to other challenges that may present; and
- Formal short-break and respite foster care services that are available to looked after children placed in unrelated foster care.

3.3 We are concerned that the same opportunities for this kind of comprehensive support is not readily available for children placed with kinship carers, including those under a special guardianship order, and that there is insufficient clarity about what support they can access. This may lead to family members who might otherwise be able to meet the needs of children who face placement in residential care, being deterred from putting themselves forward as carers. It may also result in some potentially suitable kinship carers being rejected as kinship carers on the basis that insufficient support would be available for the placement to work.

3.4 We share the concerns of the Kinship Care Alliance as set out in their response to the Residential Care Review, that proposed changes to benefits and tax credits in the Welfare Reform and Work Bill 2015 may deter some suitable family members from coming forward to take on the care of children who cannot remain with their parents and may put at risk existing kinship carer placements.

Recommendations

- a. Where a child is vulnerable to being placed in residential care, assessment be carried out as to whether the support services on offer to the child in a potential residential placement can be provided to the child in the community, whilst placed with a member of their kinship network. If so, local authorities should provide such services using the relevant statutory power, be that pursuant to section 17 child in need duties or pursuant to their duties to looked after children;
- b. We endorse the recommendations of the Kinship Care Alliance that there should be a national support framework for kinship care;
- c. The Welfare Reform and Work Bill 2015 should be amended to exempt kinship carers from:
 - (i) the benefit cap;
 - (ii) the proposed two children tax credit limit, by including kinship care in the category of 'exceptional circumstances'; and
 - (iii) the conditionality changes if the kinship carers is raising a child under 5 years old.

4. Treatment/therapeutic foster care

4.1 We support innovation and evaluation in developing models of foster care which can support those children with complex needs who may be vulnerable to being placed in residential placements, and which actively include family members in supporting children in those settings. Examples of approaches evaluated to date include the multi-dimensional foster care model.⁴⁵

4.2 The No Wrong Doors model in North Yorkshire provides a welcome example of innovation in developing alternatives to residential care drawing upon a family/foster placement model. No Wrong Doors challenges the perception that some young people cannot live within a family placement. Residential care is viewed as a form of placement which can be part of a transition for a young person to a family-based permanency arrangement. The model has adopted a broad agenda in terms of what information is required to understand a young person's challenges and behaviours. For example, a communication worker has been used to screen for speech, language and communication needs which may not have been picked up previously, to identify the impact on confidence and behaviour. The model has provided a focus point for developing a regional innovation forum including 15 local authorities and the Independent Children's Home Association.

Recommendations

⁴⁵ Eighteen local authorities in England delivered multi-dimensional foster care (MDFC) for adolescents from 2002. This was funded by the then Department for Children, Schools and Families and implementation was supported by a team at the Institute of Psychiatry. The Department for Education published the evaluation which identified some positive impact of the model for adolescents who were considered to exhibit anti-social behaviour were found to be better in these placements. Available at: Biehal, N. et al. (2012) The Care Placements Evaluation (CaPE) Evaluation of Multidimensional Treatment Foster Care for Adolescents (MTFC-A) Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249856/DFE-RR194.pdf

a. A commitment to funding the development of innovation in this area and the evaluation of therapeutic, family-based models.

D. Improved outcomes for children in care

Question 5: Any other issues which might contribute to better outcomes for children in care

1. Family Finding - A broadened concept of permanence

1.1 We are concerned that the current child welfare system is often very poor at building and strengthening family and community networks around young people who are at risk yet stability and support from family and community is amongst the most important ingredients for young people making a successful transition to adulthood.⁴⁶ Innovative and evaluated ways of engaging members of children's family network are crucial for looked after children and those on the edge of care. This includes children who are in residential care.

1.2 Family finding, an approach used in the USA seeks to identify and engage relatives and other supportive adults, who are estranged from, or unknown to, a child in the care system. Family finding emphasises the value of continuity of family relationships in order to offer ongoing support, provide an explanation for historical events and reinforce identity, belonging and a sense of self for the young person.

1.3 Family finding starts from the premise '*that every child has a family, and that they can be found if we try*⁴⁷'. The approach stresses a broader notion of permanence for the child/young person than is traditionally envisaged in social work practice. Family finding isn't simply in order to find a place for the young person to live; rather, it emphasises the value of continuity and permanence of family relationships (be it with relatives or others connected to the child).

1.4 The family finding model that is most widely used within the US, has six stages, namely: discovery; engagement; planning; decision-making; evaluation and follow up support. It aims to create a life-long support network for the child/young person, by drawing upon the historical connections, knowledge and expertise of the child/young person, their family and professionals who have worked with or cared for them. Using a range of techniques to search for family connections and examining historical timelines with the young person and their family, family finding practitioners set initial targets of achieving a least 40 connected family members from the intervention. This network is then convened, usually through a family group conference (FGC), to enable family driven planning for the young person.

⁴⁶ Department for Education (2014) *Rethinking support for adolescents on the edge of care*.

⁴⁷ Kevin Campbell, quoted on the National Institute for Permanent Family Connectedness website <http://familyfinding.org/>

1.5 The family finding model has been implemented in a number of states in America⁴⁸ and Canada. It is now commonly used by local US jurisdictions to comply with a federal law introduced in 2008 that requires child welfare agencies to initiate family search and engagement strategies for children entering care.⁴⁹ This has led to the growth in practice support, training sites and research programmes evaluating outcomes of the approach⁵⁰.

1.6 Between 2013 and 2015 there have been 13 evaluations of the model's implementation. Eight of these have been experimental in design with subjects allocated randomly to the family finding provision as opposed to 'normal' services.⁵¹ The evaluations demonstrate successful outcomes for family finding in a number of areas:

- It consistently led to increased connections with the wider family of young people in the care system;⁵²
- Evidence for increased family connectedness was particularly marked for young people who had recently entered the care system (with up to 3 times as many family connections being made than for young people who had been in care for longer);⁵³
- The evaluation of family finding in Iowa measured the impact of the intervention in relation to emotional and relational permanency. This found significant improvements for young people in this regard and in the incidence of legal permanency;⁵⁴
- Family finding aimed at young people who had recently entered the care system led to an increase in the focus of work with their parents. The intervention resulted in more family contact with young people who had recently entered care than those in long term care (twice as much) and the proportion of family

⁴⁸ Family search and engagement processes have been used in New York, Louisiana, California and Colorado, among other states and counties. <http://www.nrcpfc.org/downloads/SixSteps.pdf>

⁴⁹ The Fostering Connections to Success and Increasing Adoptions Act, signed into law by President Bush on October 7, 2008 requires that the state child welfare agency must exercise due diligence to identify and provide notice to all grandparents and other adult relatives of each child within 30 days of the child's removal from his or her parent(s)' custody. The Act also introduced the Family Connection Grant (which we understand President Obama has increased funding for) for the purpose of helping children who are in, or at risk of entering, foster care to reconnect with family members. http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.5553303/k.5EAD/Fostering_Connections_to_Success_Act.htm

⁵⁰ See evaluation section of <http://www.nrcpfc.org/downloads/SixSteps.pdf>

⁵¹ For a review of the evaluations see: <http://www.childtrends.org/?publications=family-finding-evaluations-a-summary-of-recent-findings>

⁵² 'Approximately three quarters of the children served experienced increased family connections or had kin-focused permanency plans developed' Family Finding: What Do Recent Evaluations Tell Us? Karin Malm, Child Welfare Program Area Director August 15, 2013 PowerPoint and webinar http://www.familyfinding.org/resourcesandpublications/research_webinar.html

⁵³ Family Finding: Does implementation differ when serving differing child welfare populations. Karin Malm and Tiffany Allen October 2011 http://familyfinding.org/uploaded_files/fck/files/Child%20Trends%20Oct%202011.pdf
'In addition, there appear to be considerably more interactions between the family finding worker and the family connection, for children new to care than for children lingering in care (44.9 compared with 21.3, $p < .05$).'

⁵⁴ Four Oaks Family and Children's Services (2012). Families for Iowa's Children. Family Connections Discretionary Grant Awarded by the Department of Health and Human Services Administration for Children and Families (Award Number: 90-CF-0003).

members attending subsequent planning meetings was significantly higher for cases of children new to care,⁵⁵

1.7 Family Rights Group has received initial funding from KPMG Foundation to develop the trial of a UK Family Finding Model in the United Kingdom.

2. Parents and children fleeing domestic violence

2.1 Domestic violence can involve physical or sexual abuse, rape, emotional abuse and isolation, coercion, threats, intimidation, economic abuse, financial control, forced marriage and honour-based violence. It can happen online as well as offline. Women are affected by, and respond to, domestic violence in different ways and the children who reside in a home in which domestic violence occurs may suffer and be at risk of suffering emotional, psychological and physical harm. We know that a parent who suffers domestic violence has to navigate very complex situations in order to keep themselves and their children safe. Domestic violence is now the most common underlying reason cited by families, who contact Family Rights Group's advice service, as to why children's services are involved.

2.2 We are concerned that the impact of provisions in the Welfare Reform and Work Bill, including the limiting of child tax credit to two children and the lowering of the benefit cap will make it harder for victims suffering domestic violence to seek support, flee and maintain separation from an abusive partner. This in turn places the children at great risk of being received into care. Moreover, when couples make joint claims for Universal Credit, the money will now be paid into a single bank account, which could also make victims of domestic violence more vulnerable where perpetrators can exercise exclusive control over financial resources.

Recommendations

We recommend that the Welfare Reform and Work Bill 2015 should be amended to exempt parents who are primary carers and are escaping domestic abuse from:

- a. The benefit cap;
- b. The proposed limiting of child tax credit to two children (by placing them in the category limit;
- c. The conditionality changes if the parent is raising a child under 5 years old.

3. Advice and representation for parents (and others with parental responsibility) where children are subject to applications for secure accommodation orders

3.1 A local authority can make an application for a secure accommodation order to place a child in secure accommodation (section 25 Children Act 1989). This is a

⁵⁵ Malm K and Allan T (2011) 2011 Family Finding: Does implementation differ when serving differing child welfare populations.
http://familyfinding.org/uploaded_files/fck/files/Child%20Trends%20Oct%202011.pdf

grave order that allows the deprivation of a child's liberty for up to 3 months and for a further period of up to 6 months⁵⁶. An application for such an order can only be made in respect of a looked after child (i.e. those who are subject to interim care orders or final care orders and children who are accommodated under a section 20 voluntary arrangement). Where a parent has given their agreement to their child being accommodated (section 20), the local authority need not pursue an application for an interim care order in order to be able to make an application for a secure accommodation order.

3.2 When a local authority applies for a secure accommodation order on a voluntary accommodated child, parents and others with parental responsibility do not have a right to legal aid to be represented in the secure accommodation order proceedings. This means that whilst the child and local authority have access to legal representation and advice at such hearings, parents and those with parental responsibility do not. Moreover, it is unlikely that parents will have had access to independent legal advice before agreeing to voluntary accommodation and proposed plans for secure accommodation. Thus, parents may have had no legal advice at any stage of the child protection planning or court process relating to the placement of their child in secure accommodation. It is therefore questionably whether parents/others with parental responsibility have genuinely given their informed consent, consistent with the Court of Appeal judgment in *Re N (Children) (Adoption: Jurisdiction)* [2015] EWCA Civ 1112. Parents of children on a final care order also do not get legal aid if a secure accommodation order is considered after care proceedings are concluded.

Recommendations

- a. Parents and others with parental responsibility, have access to free, independent legal advice in respect of any plan for a child to be placed in secure accommodation.
- b. Non means tested and non merits tested public funding be extended to parents and others with parental responsibility in all applications for secure accommodation orders under section 25 Children Act 1989.
- c. Government should provide statutory guidance about the use of section 20 voluntary agreements in the context of plans for the placement of children in secure accommodation.

4. Staying put arrangements

4.1 The Children and Families Act 2014 inserted into the Children Act 1989 a mechanism by which young people who had reached the age of 18 years (and thus who had ceased to be looked after) could 'stay put' in the home of their foster carer(s) until the age of 21. In 2013, at the age of 22 years, 50% of adults in the UK still lived with their parents.⁵⁷ In contrast, young people leaving care often lack the family and

⁵⁶ Regulations 11 and 12 of The Children (Secure Accommodation) Regulations 1991. Note that the time periods for children who are remanded under section 23 Children and Young Person Act 1969 differ, as per Regulation 13.

⁵⁷ National Audit Office (17 July 2015) Care leavers' transition to adulthood. HC 269

informal support networks that other young people depend upon for educational support and economic opportunities, emotional stability and a home. This can be seen starkly by examining numbers of care leavers not in education, employment or training (41%) compared to 15% of all 19-year-olds.⁵⁸

4.2 We are concerned that the absence of an analogous staying put arrangement for children who have been placed in residential care, places them at a disadvantage as compared to their peers who have been placed in foster care. Where children are settled and succeeding in residential care placements and require ongoing support, a staying put arrangements should be available. As highlighted by the Education Committee in 2014, extending support to such young people ‘should be considered an investment, which will lead to better outcomes for the individuals in question and for society as a whole’.⁵⁹ Models such as the No Wrong Door approach provide a potential template for the delivery of post-18 support and foster carer support for such children.

4.3 Staying put provision for those who have been in residential care would be wholly in keeping not just with the arrangements in place for children in foster care, but also with the wider statutory and non-statutory provision which recognises the vulnerability of care leavers, the challenges they face and the need to provide additional support for them. These provisions include:-

- The duties upon Local Authorities to provide care leavers with specified forms of advice, assistance and support until the age of 21 years, or 25 years where the care leaver is in education and training;⁶⁰
- The government’s 2013 published care leaver strategy which made a commitment to coordinate the activities of government departments to improve support available for care leavers in respect of key matters including financial assistance, housing, education and health;
- The care leaver charter which set out a series of key principles which are to remain constant through any changes in legislation, regulation and guidance concerning care leavers. These are designed to raise expectation, aspiration and understanding of what care leavers need and what the government and local authorities should do to be good Corporate Parents.⁶¹

Recommendations

- a. That provision be made in statute, supported by appropriate statutory guidance, for a mechanism by which young people who have been cared for in residential care who have reached the age of 18 years could ‘stay put’ in the a placement linked to their residential placement and thereby maintain links with their key worker(s), until the age of 21.

⁵⁸ National Audit Office (17 July 2015) Care leavers’ transition to adulthood. HC 269

⁵⁹ Education Committee (9 July 2014) Second Report Into independence, not out of care: 16 plus care options.

⁶⁰ Children (Leaving Care) Act 2000 amending Part II of Schedule 2 of the Children Act 1989.

⁶¹ Department for Education (2012) Care leavers’ charter. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/264694/Care_leavers_charter.pdf

5. Young people in residential care who are asylum seekers, whose claims to stay have failed or have been given permission to stay

5.1 We are extremely concerned about Government proposals in the Immigration Bill 2015 to withdraw leaving care support from young people leaving care whose asylum or other claims to stay in the country have failed. If the Bill was implemented unamended, support from a personal adviser, welfare rights advice and funding for higher education and training would be removed as soon as the looked-after child turns 18 if they have had their asylum application rejected or leave to remain otherwise denied. We know from our collective experience that unaccompanied asylum seekers who are children often do not get the specialist legal advice and support they need to regularise their status or maximise their chances of being given leave to remain. Such proposals will cause extreme distress, anxiety and damage to extremely vulnerable young people who have already often experienced extreme trauma in their childhood. We propose that instead of withdrawing support, the focus should instead be on ensuring that they have high quality, specialist legal immigration advice and support at an early stage.

5.2 We are also horrified to learn that the Government is proposing in the Immigration Bill to withdraw support for university fees from all migrant teenagers leaving care, including those given permission to stay. Rather than creating greater barriers to getting to University, we should be celebrating the determination and hard work of all looked after young people, including those in residential care, who secure a university place. They provide a role model to many other young people in the looked after system. Migrant looked after children are extremely unlikely to have access to any financial resources of their own to pay their way through university, so such a move will effectively act as a block to them securing a university education and entering careers and jobs for which a university education is a pre-requisite. It is also a short-sighted step economically by the Government, given the contribution such young people could and would make to our future economy.

Recommendations:

- That measures in the Immigration Bill to remove leaving care support from young people leaving care whose asylum or other claims to stay in the country have failed, are withdrawn
- That measures in the Immigration Bill to withdraw support for university fees from all migrant teenagers leaving care, are withdrawn.

6. Addressing the impact of welfare reforms on young parents who are care leavers

6.1 Evidence from the Centre for Social Justice based upon data provided by 93 local authorities, revealed that 22% of female care leavers became teenage mothers;

this is three times the national average⁶². 1 in 10 care leavers aged 16-21 have had a child taken into care.⁶³ When supported as care leavers in accordance with statutory duties and non-statutory guidance, and when supported as young parents, care leavers are better placed to be able to keep their own children safely in their care. When unsupported, care leavers are, particularly vulnerable to losing their own children to the care system. Extra stresses caused by poverty and debt, will increase pressure on these young parents, making them even more vulnerable to losing their babies. Teenage mothers are most at risk of experiencing the removal of their children to state care. Recent research interviews with 72 mothers who had experienced recurrent removals of their children to state care, found that 46% had been in care themselves.⁶⁴

6.2 Under the current system of Income Support and Income-based Job Seeker's Allowance, the rate of personal allowance which is payable to a claimant depends upon the claimant's age and whether the claimant has children or not. Under 25 year olds who are not parents, receive a lower rate of personal allowance than those over 25 years old. A lone parent aged 18 years or over will receive the same higher rate of personal allowance that over 25 year olds are entitled to.

6.3 Under Universal Credit, the government has introduced different rates of standard allowance for single claimants (regardless of whether they are a parent), depending on whether the claimant is aged under or over 25 years old. Therefore under Universal Credit, the standard allowance for a single parent under 25 years of age is £251.77 per month, almost £65 less per month; or nearly £780 less over the course of a year, than lone parents of that age receive under the current regime.

6.4 Many young parents under the age of 25 who are care leavers are entirely reliant on welfare benefits and tax credits to support themselves and their child(ren). We are very concerned about the impact the reduced rate of universal credit will have on these already very vulnerable young parents. We are concerned that the impact of this reduction in income may force some young parents who are care leavers into severe financial hardship and debt. This may result in them having to move home away from the formal support networks and the services which are an integral part of their own Pathway Plans⁶⁵ as well as the plans in place to support them in caring

⁶² Centre for Social Justice (January 2015) [Finding Their Feet, Equipping care leavers to reach their potential](http://www.centreforsocialjustice.org.uk/publications/finding-their-feet) Available at: <http://www.centreforsocialjustice.org.uk/publications/finding-their-feet>

⁶³ Centre for Social Justice (January 2015) [Finding Their Feet, Equipping care leavers to reach their potential](http://www.centreforsocialjustice.org.uk/publications/finding-their-feet). Based on Freedom of Information Requests by Centre for Social Justice in August 2014, to which 108 of 119 local authorities were able to give data.

⁶⁴ Broadhurst, K and Mason, C (2015). Mother's experiencing recurrent removal of children – presentation at Your Family, Your Voice Event on 2nd December 2015. Interview participants were accessed via local authorities and care leavers are still often known to local authorities.

⁶⁵ A Pathway Plan is a plan which local authorities must make to plan for a care leavers health and development, education, training and employment, contact with family and managing money. Pathway Plans continue until a care leaver reached 21, or 25 if the care leaver is in education or training.

safely for their child/ren. It could lead to young parents being denied the chance to provide consistent and stable care for their children.⁶⁶ We are concerned that the payment of a lower personal allowance undermines those provisions which aim to support care leavers and particularly undermines the government's commitment under the leaving care strategy to 'ensure that care leavers are adequately supported financially in their transition from care to adulthood to enable young people leaving care to have the same opportunities to fulfil their potential as their peers'.⁶⁷

5.5 We would add that it is essential that care leavers, particularly young parents have access to welfare rights advice. Unfortunately, such provision is being cut as a result of austerity measures, which means that some young parents may be receiving less than they are entitled to and may be benefit sanctioned for failing to comply with rules that they do not understand.

Recommendations

a. We recommend that a New Clause be inserted into the Welfare Reform and Work Bill to provide that the higher rate of standard allowance payable to Universal Credit claimants who are single and aged 25 years old and over, should also be payable to single claimants with dependent children who are under the age of 25 years where the claimant is a care leaver.

7. Young mothers including care leavers whose children are removed

7.1 New research based on records relating to 43,541 birth mothers who had children removed from their care between 2007–14, has examined the relationship between young motherhood and the risk of court-ordered removal. The research found that younger mothers are most at risk of reappearing in the family justice system and experiencing the recurrent removal of children from their care.⁶⁸ Almost one in every three girls/young women in the age groups 16-17 years and 18-19 years in the study, is likely to reappear in a subsequent set of proceedings within seven years. A mother who had had a child removed is herself unlikely to get the required level of help to bring about changes to enable her to keep any future children, because agencies were not under any statutory obligation to provide comprehensive post removal support.

⁶⁶ National Audit Office (2014) Children in Care reports that the cost of one child being in an independent foster care placement for a year is £40,000. Available at: <https://www.nao.org.uk/report/children-in-care/>

⁶⁷ Department of Education (October 2013) Care Leaver Strategy. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266484/Care_Leaver_Strategy.pdf

⁶⁸ Broadhurst, K. et al. (2015) Connecting Events in Time to Identify a Hidden Population: Birth Mothers and Their Children in Recurrent Care Proceedings in England. *British Journal of Social Work* (2015) 1–20. Available at: <http://bjsw.oxfordjournals.org/content/early/2015/12/14/bjsw.bcv130.full.pdf+html>.

Recommendation:

a. That Government places a statutory duty on local authorities and health services to assess their needs and provide support services to young parents in care or care leavers, if their child becomes looked after/is adopted.

b. The Government extends investment in initiatives such as the 'Early Family Drugs and Alcohol Court' which aims to support pregnant mothers, who have had a child previously removed, to be able to safely raise the new baby.