SUBMISSION TO THE NATIONAL FOSTERING STOCKTAKE

Introduction

FosterTalk Ltd

This submission is made on behalf of FosterTalk, an independent, not-for-profit organisation and a leading provider of independent support services to foster carers, their families and fostering services throughout the UK for over 11 years. FosterTalk works with over 140 fostering services from the statutory, voluntary and independent sectors and are currently supporting over 30,000 foster carers through our membership services. Members include foster carers, kinship/family and friends/connected persons foster carers, and special guardians. Our members also include foster carers offering staying put arrangements to care leavers.

FosterTalk also provides the Foster Carers Independent Support Service (“FISS”) which provides face to face support to foster carers who are the subject of allegations and/or serious complaints, in accordance with NMS 22.12.

FosterTalk is a non-political organisation and does not carry out lobbying or campaigning activities. All income generated is used for improving services and supporting foster carers.

Fosterline England

Fosterline is a free government funded helpline and interactive website providing impartial advice, information and support to foster carers and prospective foster carers in England. FosterTalk has been delivering Fosterline on behalf of the Department for Education since June 2013. Following a second successful tender in 2016, this contract was extended to end of April 2018, when the funding will be reviewed. The Department have stipulated within the tender specification that the successful bidder must work towards the service becoming self-sustaining by the end of April 2018.

Fosterline provides confidential advice and support on a wide range of issues of concern to foster carers including allegations, finances, care planning for young people, permanency, staying put, special guardianship, legislation, national minimum standards and best practice guidance.

Prospective foster carers can access advice and information about becoming a foster carer, the assessment process, training, finances and can use the interactive “find a fostering service facility” to locate a fostering service, either local authority or independent, in their local area. In this way, Fosterline supports fostering services in their recruitment objectives.

The Fosterline helpline is open Monday to Friday from 9 am to 5 pm, except for bank holidays, with a voicemail facility outside of these hours. All messages are responded to within 24 hours or on the next working day if left at weekends. Enquiries to Fosterline can be made by telephone, via live chat, email, web-forms and service users can book an appointment for a call back using the online calendar on the website www.fosterline.info.

Since June 2013 Fosterline has received over 225,000 engagements via the website, email, and Freephone telephone service. Fosterline has received over 11,000 direct calls from which over 16% were from prospective foster carers. An independent evaluation of Fosterline carried out by Birmingham City University in 2014 found that Fosterline provides “a low cost early intervention service which has the potential to provide a high return on the
Department’s investment”. FosterTalk have also commissioned a further independent evaluation of Social Return on Investment and will report in December 2017. The Independent Evaluation can be found here: http://www.fosterline.info/independent-evaluation-report/

Through the provision of these services, FosterTalk has a unique perspective on the issues most concerning foster carers and some of the barriers to the recruitment and retention of foster carers in England. These issues are shared with the Department in monthly, quarterly and annual reports and face to face meetings in order to inform policy and practice development.

As the organisation charged with delivering the government’s key fostering advice and information resource, FosterTalk would like to invite Sir Martin Narey and Mark Owers to meet with the management team of FosterTalk and Fosterline to discuss the issues raised in this document and to explore issues covered in the stocktake.

**Key Issues for foster carers contacting Fosterline England**

The top five issues of concern raised by foster carers generally consist of: allegations against foster carers, finances, care planning for young people, staying put, and special guardianship.

It should be acknowledged that foster carers contacting Fosterline tend to do so when they have a problem or are facing a crisis rather than when things are going well and this does mean that our evidence tends to focus on the negative rather than positive aspects of fostering. However, much can be learned from what is not working well as measures can be put into place to address this. Below are some of the main issues raised by foster carers when contacting our services.

**Allegations against foster carers**

Many of the issues raised by foster carers were also identified during the independent research into unproven allegations against foster carers commissioned by FosterTalk and co-funded with the Sir Halley Stewart Trust in 2016. (Plumridge & Sebba, 2016). The researchers made a number of key recommendations for fostering services and policy makers as part of this research which is available here: https://www.fostertalk.org/wp-content/uploads/2016/07/impactofallegations_reescentrejuly20161.pdf

Foster carers report:

- Children are being moved from placements immediately, with no evidence of a robust risk assessment being carried out to justify decisions for children to remain or be moved.

- Lack of communication with carers throughout the allegation – carers appreciate the fostering service keeping in touch even when there is nothing to update or they can’t share details. It helps them to feel things are still moving on and they haven’t been forgotten. This can also help to maintain the relationship with the service should they continue to foster.

- No sense of ‘timeliness’ of investigation and post investigation process. No timescales to work to, no NMS regarding timescales and this impacts many families
and prevents them from continuing to foster even if outcome of investigation is positive.

- Lack of independent support as recommended by NMS 22.12 or not providing support until they are about to go to panel – often carers leave their fostering service or leave fostering altogether based on how an allegation was handled and how well supported they felt through the process.

- Allegations often highlight areas of the fostering service’s practice that has left carers vulnerable when an allegation is made such as poor matching, lack of safer caring policy, lack of risk assessment, lack of support and/or supervision, lack of specific training.

- It often feels like a ‘postcode lottery’ as to whether carers get things like independent support or ongoing financial support during an allegation. Carers have no way of knowing what sort of support they will get in this eventuality when they start fostering as they may, understandably, not think to ask or have other priorities when choosing a fostering provider. There is no standardised or uniform support across the UK.

- Standards of care concerns routinely come into play when a foster carer has an allegation against them – things that would otherwise have been addressed in supervision/annual review or in fact have not been raised at all previously. Too often unsubstantiated allegations become procedures for looking into standards of care (refer to NMS 22.10)

- Significant delay in completing investigations is common and leads to increasingly negative impacts on carers such as health and finances as well as further reducing the chance of the child returning to their care.

- It is common for carers not to receive the written outcome of the allegation in line with NMS 22.7.

Conclusions and recommendation regarding allegations:

- There needs to be more and better training on dealing with allegations for social workers, fostering managers, panels and for foster carers. In particular social work practitioners need a better understanding of the process for dealing with allegations, the NMS relating to allegations, the fact they should keep carers updated even if they can’t share details and the impact on carers. Their training should also recognise the impact an allegation has on the fostering team and SSWs as the fear/guilt often leads to them acting in a way that can be experienced by foster carers as defensive and negative.

- Foster carers training needs to empower them if they find themselves subject to an allegation by giving them the appropriate knowledge but it also needs to help them understand the safeguarding role the fostering service has and the actions that are taken, as I think a clearer understanding of this would help them to feel less unsupported.

- A clearer definition of “Supervision” by the supervising social worker would alleviate some of the standards of care concerns being raised within the allegation investigation process. Fostering Services should be more rigorous in their
expectations of the supervising social worker regarding communicating concerns about practice to the foster carer during supervision to avoid concerns escalating.

- The provision of independent support to foster carers should be mandatory.

Staying Put

Some of the issues reported by foster carers include:

- Foster carers not being given sufficient information about the financial implications of ‘staying put’ and that the young person, being an adult, is no longer in care, which changes the status of both the foster carer and the young person.

- Carers experiencing difficulties with young adults (e.g. drinking alcohol, experimentation with drugs, wanting their partners to sleep over, becoming pregnant, refusing education, unemployed) receive little or no support from the LA.

- Young person being given the option of Staying Put by their social worker without first consulting with foster carer which can then impact on the relationship between the carer and young person particularly if the carer feels unable to offer ‘staying put’ arrangement.

- Carers feeling pressurised by the LA and feeling this is financially/resource driven by the LA as a cheaper option than supporting the young person with housing and independence.

- Disabled young people being offered ‘Staying Put’ instead of shared lives adult placements as they will not be able to live on their own due to their disability.

- Social workers appear ill-informed and not able to explain differences between staying put and fostering and the implications for the young person and the foster carers. Policies and procedures not in place, as required by regulations.

- Young people who are ‘staying put’ may compare themselves with the foster carer’s own adults living in the home and may feel aggrieved for having to pay more of their income to the carer or being treated differently in other ways.

Conclusions and recommendations on Staying Put:

- There needs to be better training for social workers and foster carers in Staying Put, with a review of the policy underpinning it. When introduced, Staying Put was envisaged as offering stability and security to young people up to the age of 25 years by enabling them to remain in the foster home. This rarely happens.

- There needs to be greater clarity around the status of foster carers who offer Staying Put arrangements, which are currently outside of fostering regulations, thereby acting as a disincentive to carers who might otherwise have offered this option.

- Guidance should be issued around a national minimum allowance for Staying Put arrangements, and consideration should be given to a standard allowance for Staying Put Carers to recognise their work and commitment.
Special Guardianship

A number of calls to Fosterline are from foster carers who are being asked to consider a Special Guardianship order for their foster child. Foster carers raise the following concerns:

- That SGO’s are being used as used as a budgeting tool to enable the LA to save money. SGO allowances are generally paid for 2 years and then means tested and therefore a much cheaper option for the local authority than a long term foster placement.

- Pressure is often applied to foster carers to take out SGO rather than continue to long term foster and their commitment to the child or young person is called into question. Many foster carers have genuine reservations about taking an SGO due to the support needs of the child in placement and fear that they will be unable to access necessary services if they are no longer in foster care.

- There is a lack of written information about SGO’s provided to foster carers to enable them to make an informed choice. The financial and legal implications of such an order are not made clear to carers who are often not given time to make an informed decision.

- Foster carers for independent fostering agencies report being told that unless they agree to take an SGO the child will be removed from their care. It is generally clear that this decision is financially motivated on the part of the LA.

- Grandparents are increasingly being asked to take SGO rather than continue as kinship foster carers.

Conclusions and recommendations re Special Guardianship Orders:

- Policy and practice around SGO needs to be revisited to ensure that decisions are being made in the best interests of the child and not for financial reasons.

- The financial arrangements for Special Guardians should be reviewed to ensure that Guardians are not financially discouraged from offering this option.

- Better, clearer, written information should be provided to prospective Special Guardians.

- Fosterline advisors are able to provide extensive information on the pros and cons of SGO’s together with a list of suggested questions to ask the LA prior to making a decision.

- Fosterline always recommends that legal advice is sought by foster carers who are approached to take an SGO as this is legal change of status and has implications for the whole of the young person’s childhood.
Key Issues to be explored in the Stocktake

We would like to offer the following comments based on our experience both of providing independent support to FosterTalk’s 30,000 plus members and Fosterline’s user base of foster carers and prospective foster carers in England. These comments encompass the knowledge of our staff team which comprises highly qualified and experienced fostering social workers, managers, assessors, trainers, advisors and foster carers, with experience of working in the statutory, voluntary and independent sectors.

What works best within fostering settings to improve outcomes for the children and young people placed?

- Positive relationships with children and young people where they are listened to and positively valued by their foster carers, Social Worker and Supervising Social Workers
- Good clear matching in placements between foster carers and young person to minimise the risk of placement disruption or numerous moves
- Consistent social work support for young person and foster carer; regular visits and contact with young person.
- A foster carer buddy system to support new foster carers as they grow in their fostering careers; active and meaningful support groups that positively influence foster carers.
- Training that reflects the needs of foster carers. This must include training around complaints, concerns and allegations, to include NMS awareness which demonstrates the support that foster carers can seek in the event of an allegation from their agency and from independent sources.

What improvements could be made to the way that fostering provision is commissioned, delivered, regulated and inspected to improve outcomes and value for money?

Commissioning and Delivery

Regional commissioning groups/consortia operate in many areas of the UK. These operate a “preferred provider” system whereby independent/voluntary fostering services apply to be included and are assessed against a set of criteria including quality and price. Placements are then made with providers on this list.

However, most, if not all local authorities place children “in house” before looking externally and then many placements are made on a short term basis in the hope that a local authority carer becomes available. This arrangement is not in the best interests of children since they have little or no prospect of stability as there is always the “threat” that they will be moved.

Clearly, financial issues have to be considered when placements are made but this should not override the best interests of the child. There has been no recent comparison of costs between local authority foster placements and those in the independent sector. Local
authorities tend to include only the amount paid to their foster carer in their costs, rather than the “actual cost” of providing the resource. Independent provider’s fees include all costs relating to providing the service including staff costs, salaries, training, buildings, etc. It is therefore important to compare like with like when looking at placement costs.

We would suggest the following steps be taken to improve commissioning and delivery:

- A review of the actual costs of providing a foster placement in the LA and independent sectors.
- A clearer definition of child’s need to enable appropriate matching and to ensure comparisons can be made between LA and external placement availability.
- Compare like with like, i.e. do not compare “basic” placement with specialist placement and then choose on the basis of cost. Choice should always be dictated by need.
- Temporary placements to be made only where this is demonstrably in the child’s best interests
- Clear placement planning, regular review, consult with child and foster carer, focus on achieving positive outcomes for child in placement.
- Cost should never be the deciding factor in making placement decisions. Value for money has many aspects; what are the social costs of multiple placement disruptions? What are the costs for the young person in terms of their mental health, sense of self-worth and emotional well-being? These must all be weighed very carefully.

Regulation and Inspection

Fostering Services are currently regulated and inspected by Ofsted. Inspectors are generic and not fostering specialists, although training is given. Inspection is generally seen by fostering services as based on “tick lists” and does not get to the key issues of how well the fostering service is meeting the needs of children or young people, and also meeting the requirements of the Fostering Services Regulations and National Minimum Standards in practical terms with foster carers.

FosterTalk sees many examples of where fostering services (both statutory and independent) appear ignorant of the requirements of the FSR and NMS in terms of providing support to foster carers, or where they are aware of the NMS choose to ignore them. Examples of this are given in the section on allegations, above, but also extend to supervision, training and support of foster carers, placement planning and review and information sharing.

FosterTalk recommends the following for consideration:

- A Review of FSR and NMS. Whether or not the FSR and NMS are fit for purpose has been discussed many times, and there is a case to be made for a root and branch review, with new more realistic standards being set for the delivery of fostering services in England.
A review would also need to consider whether Ofsted is the best body to regulate and inspect fostering services, or whether an alternative specialist inspectorate is needed. We would envisage this body as having an advisory as well as a regulatory role, i.e. by being available to give practical advice to registered managers regarding issues affecting the service.

A more accessible inspectorate would have positive advantages as inspections could then be less of a tick list exercise and more one of engagement with staff, foster carers and young people looked after by the service.

The status, role and function of foster carers in relation to other professionals as part of the team working with a child in care.

There are four main areas for consideration in the role and status of foster carers; recognition, reward, training and registration.

Recognition:

Foster Carers are the least valued members of the social care system and yet, arguably, carry the most responsibility. They care for the most vulnerable young people in society for very little reward and less recognition.

- Foster carers feel they are not consulted by other professionals and not seen as a ‘professional’ or involved in decision making for the child despite being their main carer. They feel their voices are not heard, taken seriously or offered appropriate support when needed. They are not generally seen as key members of “the team around the child” and should be recognised as such.

- Foster Carers are often called upon to act as advocates for the child they care for, to speak on their behalf of to help the young person articulate their views, e.g. in care planning meetings or reviews. Often foster carers find themselves ignored by other professionals when they attempt to do this, or find that their views and opinions are minimised or dismissed altogether. Foster carers tell us there is often a view that “the social worker knows best”.

- Many foster carers tell us that they feel pressured by their fostering service to accept placements they are not best suited to or for which they lack training for example, around mental health issues, attachment and self-harm which leaves them feeling vulnerable and de-skilled.

Pay/Reward

While foster carers do get paid this is not the main reason they foster, but rather it enables them to do so. Foster carers need to maintain a family home and support themselves and their family. It is difficult to combine other paid work with fostering and most fostering services require one partner in a couple to be full time foster carers. Therefore it is essential that the reward element of fostering enables them to do so.

- There is no national standard of payments for foster carers and this varies widely through the UK. The DFE recommended national minimum allowance for foster carers represents the amount deemed necessary to provide for the child. It does not
include any element of reward which the department leaves to the discretion of the fostering service.

- Foster carers are classed as self-employed and must therefore submit annual self-assessment returns and pay national insurance contributions to HMRC. The amount ignored for tax purposes has not been raised for over 10 years, remaining at £10,000 per annum.

- The self-employed status and how this affects entitlement to other benefits is a source of worry and concern to foster carers. They do not receive sick pay, holiday pay or maternity payments, therefore are very vulnerable to loss of income if they are ill or do not have a placement for any reason. Foster carers are unable to obtain insurance to cover loss of earnings.

- Some Trades Unions are recruiting foster carers as members and are seeking employment status on their behalf. While the cost of affording employment rights to foster carers would be prohibitive, it is essential that the crucial area of pay and reward is considered in the stocktake.

**Training & Support**

A key indicator of “professionalism” is the amount of training undertaken and a commitment to continuing professional development. There is no nationally recognised training for foster carers and there is no national “foster carer qualification” such as there is for social workers, and other social care professionals.

- While the Training Support & Development Standards for Foster Carers do exist, they are outdated and require review and revision. This would need to be done in line with any review of the national minimum standards which refers to them and which they underpin.

- There should be a new national training programme for foster carers, pre-approval, post approval and continuing, which is certificated and recognised so that every foster carer for every fostering service would be trained to the same standard.

**Registration of foster carers**

As part of any review of the regulation and inspection of fostering services, a national register of foster carers should be considered.

- Registration would enhance the status of foster carers as members of the social care workforce.

- In the same way that social workers are registered, foster carers should be party to their own national register. This could hold details of all foster carers in England, their registering fostering service, their approval criteria, their ages, gender, ethnicity and the level of training received.

- This would give an accurate picture of the fostering resource available in England and indicate where the needs and gaps lie. It would also make it easier for fostering services to lodge any concerns about a foster carer leaving the service as it would be easier for fostering services to check new applicants.
• It would also enable government planning, policy development and statistical gathering which are currently done by both Ofsted and the DfE. A new registration and inspection agency could hold the register.

How the experiences of young people can be improved when entering foster care, transitioning between placements (between carers or into other settings), and leaving foster care.

FosterTalk and Fosterline do not work directly with looked after children and young people, but a great many of the calls to our service are around placement issues such as care planning, moving to independence, Staying Put, and children’s voices not being heard. Foster carers are great advocates for the young people they look after and seek advice as to how to ensure that their needs are met. The following section reflects some of the issues and concerns raised by foster carers about and on behalf of the young people they look after.

Child entering foster care:

• For young people to have an ‘induction’ why they are coming into care, with relevant reading materials they can refer to, what they can expect in their foster placement.

• For children to be able to meet their foster carers first if timescales allow, and where possible to be given a choice of placements.

• For children to know when they will be able to see family members and how contact will be arranged to enable attachments to be continued.

• For siblings to be placed together unless there is a safeguarding reason for this not to happen.

• For every looked after children to be provided with an advocate to help them express their views.

• For children to know how long they are going to be in foster care and that they will not be moved against their wishes.

• For foster carers undertaking specialist care i.e. asylum seekers, parent and baby placements for placing authorities to be satisfied the carers have knowledge, understanding and appropriate support for these placements by their fostering service.

• Any mental health issues identified and met within short time of placement.

• Mental Health services available to foster carers with regard to specific parenting approaches best suited to individual children’s needs.

• Independent Reviewing Officers to act independent of the placing LA with a mandatory duty to promote the best interests of the child and ensure the Care Plan is appropriate to their needs.
Child Transitioning between placements (between carers or into other settings)

- Children to be consulted about placement moves and given a choice of placements. Children should be able to meet their new foster carers and have phased introductions, including overnight stays where possible.

- Placement moves should never be made for financial reasons, only for reasons connected with the best interests of the child and taking the child’s views into consideration. Anecdotally it appears that moves from independent sector placements to “in house” LA placements are routinely made for financial reasons.

- All involved when finding new placements or placing children back with parents should prioritise School placements being maintained particularly if the fostered young person is in their teens and close to exams or if placement not changing during these times.

- For fostered children to be able to maintain and be placed/or have contact with siblings or contact with other people (including school friends) who are important to them.

- Advocacy provided to each looked after child to ensure their voice is heard.

- Independent Reviewing Officer to ensure placement move is in the child’s best interest and meets their needs.

Young Person Leaving foster care:

- Proper Pathway Planning to commence when LAC is 14 years old, in accordance with Regulations and Guidance. IRO’s to ensure that this takes place.

- Independent advice and support available to young person and foster carers as to the realistic options for independent living, including benefits, housing and education.

- Staying Put arrangements properly financed and discussed with foster carers well in advance of the foster child’s 18th birthday and before this is offered to the young person so they are not upset if their carer is not able to offer this arrangement.

- Young people placed “out of area” should be given a choice as to whether they remain in that area or return to their “home” area. Some young people are told that funding will not be available unless they return to their home area.

- Young people leaving foster carer should have the option of returning to foster care or supported living if their chosen route to independence does not work out for them.

- Specific training for foster carers and young people around “preparing for Independence” to commence well before the young person has to make this decision. This should include all areas such as budgeting, cooking, personal hygiene, social media and “keeping safe”.

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Most children do not leave home until well into their 20’s. It is too much to expect young care leavers to cope alone from the age of 18, even if they think they can. We need to explore a wider range of support for young carer leavers than is currently available. The voluntary sector could be key to this.

Further/Higher Education should always be explored as the primary option to leaving care. Financial arrangements need to be put into place to support this.

No young person should be leaving care without a formal written agreement as to their right to ongoing support and how this will be provided.

The role of the Independent Reviewing Officer (IRO)

There is a belief that the IRO is not truly independent of the LA and therefore fails to challenge the care plan appropriately in the best interest for the LAC. This might be with regard to ongoing planning, placement moves, contact with siblings or other family members, and leaving care.

The role needs to be strengthened to place greater emphasis on the duty to promote the welfare of the child and ensure their voice is heard. The IRO needs to be truly independent of the Local Authority as under the current system they are poorly placed to challenge decisions, particularly those made for financial reasons.

A possible solution would be to have the IRO come under the jurisdiction of an independent body similar to CAFCASS or aligned to the Children’s Commissioner.

IRO’s should ensure that all looked after children have access to an advocate. Looked after children are entitled to independent advocacy, however some foster carers have been reprimanded for contacting advocacy services for their looked after child.

Conclusion:

FosterTalk very much welcomes the Fostering Stocktake and we look forward to playing an active role in developing ideas and possible solutions going forward. We hope that you find our contribution helpful and look forward to reading other submissions in due course as well as to contributing to the ongoing work of the Stocktake Team.

FosterTalk provides Annual Reports for Fosterline which give a greater insight into the issues and concerns raised by foster carers and prospective foster carers. The 2016 Report can be accessed here: [http://www.fosterline.info/fosterline-annual-report-2/](http://www.fosterline.info/fosterline-annual-report-2/)

Please feel free to contact us for further information or discussion as follows as follows:

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