



FAMILY RIGHTS GROUP

Keeping children safe in their families



Supporting children in the care system

Advice for parents and families with a child in the care system

Ways you can support your child during the Coronavirus outbreak

This guidance was published on 26th March 2020.

Given the rapidly changing situation during the crisis, this guide may be subject to amendment and re-issue. We will update it to reflect any new relevant government or court guidance and we will publish the latest version on our:

website: www.frg.org.uk

twitter: [@FamilyRightsGp](https://twitter.com/FamilyRightsGp)

facebook: [Family Rights Group](https://www.facebook.com/FamilyRightsGroup)

www.frg.org.uk

Introduction

About Coronavirus

Up to date information can be found on the [NHS website](#) and [GOV.UK website](#).

Due to the Coronavirus outbreak, over the next few months, all of us will be practicing social distancing or will have to self-isolate. This will lead to significantly reduced physical interactions with people we love and care about.

The importance of your child's welfare must take priority over everything during this crisis. You may be worried about your child and desperately missing visiting them but you, your child, their carer, social workers, and other family members must follow government Coronavirus guidance on staying at home and social distancing.

Maintaining social networks is important for all children but it is often especially significant for those who do not live with their parents and who may struggle with identity, anxiety, prior rejection and loss. Keeping in touch with people they care about, particularly those they are close to, such brothers or sisters and grandparents or those with additional health concerns, will help provide reassurance during an already difficult time. This guide sets out ways that you might be able to support your child during the crisis, even if you cannot physically be with them.

We would encourage you to use this guide to think of ways that you can help your child to feel loved, reassured and cared about. Discuss with your child's social worker, and ideally also with your child's carers, a plan for how you and other relatives can safely support your child during the crisis.

This guide aims to help parents and families of children who are looked after in the care system. The guide also provides information for families whose children have been adopted.

This is a very difficult time. Whilst we have written it for families, we hope that local authorities, social workers and foster and residential carers, will find this useful and we would welcome your feedback.

- **Direct contact:** meeting and communicating in person.
- **Indirect contact:** communicating in ways other than physically being together, this could be online, or via letter or email.



The child's wishes and feelings

All children and young people will be facing varying degrees of disruption to their lives as a result of Coronavirus. Their views about changes in contact with you, and others who are important to them, need to be taken into account.



One of the lessons from our Lifelong Links work with children in the care system, is that if a child feels they cannot discuss how they feel because it might distress or worry their carer or indeed their parent then they may bottle it up and get anxious, or try and contact or visit people themselves, even if this is unsafe.

Regulations for local authorities are clear that at all times when working with a looked after child, the child's wishes and feelings must be taken into account by their social worker, and it is important that this is not lost during this crisis. If your child is looked after by the local authority, when you speak to their social worker about alternative contact arrangements, you might suggest that the social worker speaks to the child about any proposals you have to maintain indirect contact to see what they think about those proposals, and whether they have their own suggestions.

The legal context: looked after children

Your child is 'looked after' if they are in the care system. This is likely to mean that they are living with an unrelated foster carer, a kinship foster carer or are in a children's home, in secure accommodation units or, less frequently, in youth offending institutions.

Your child may be 'looked after' by the local authority under one of two possible legal provisions. These need to be taken into consideration when thinking through contact arrangements.

Care order or interim care order

When an interim care order or care order is made, the local authority **shares** parental responsibility for the child with the parents. A social worker must find out the parents' wishes about any decision they make about their child – for example in relation to contact – but the local authority has the final say.



Voluntary arrangement

This is where you have agreed to them being accommodated by the local authority (under section 20 of the Children Act 1989, in England or section 76 of the Social Services and Wellbeing (Wales) Act 2014, in Wales).

If you agreed to your child coming into the care system under a **voluntary arrangement**, and subsequently want them to return home, you can tell the local authority that you no longer want them to be accommodated. Clearly the current crisis may make the practicalities of this more complicated. Please see our advice sheet on [voluntary accommodation](#) for more information. The local authority **does not** have parental responsibility for the child in this instance.

Freephone telephone advice line on 0808 801 0366 if you need specific advice.

The legal duties in relation to contact for looked after children

The law says that unless the court gives a local authority permission to refuse contact, the local authority must allow the child to have **reasonable contact** with:

- Their parents,
- Their guardian or special guardian,
- Anyone who had a child arrangements order (saying the child should live with them) or a residence order immediately before the care order was made; and
- Their step-parents who also have parental responsibility for them¹.

Therefore, if you are within one of the categories above, the local authority **must allow the child reasonable contact with you.**

Local authorities have the power to **suspend contact for up to seven days in an emergency**, “*where they are satisfied it is necessary to do so in order to safeguard and promote the child’s welfare*”². Beyond this seven day period, the local authority requires the court’s permission to continue to suspend contact³. The current Coronavirus outbreak would constitute such an emergency. It is likely the social worker will propose that your child has regular indirect contact with you and for everyone’s safety, this will be considered to be “**reasonable contact**” for the purposes of complying with legal requirements.

For the wider family: Whilst local authorities do not have the same positive statutory duty to ensure “reasonable contact” takes place between children and their brothers or sisters or wider family as they do in relation to their parents, Schedule 2, paragraph 15 of the Children Act 1989 does provide:

“local authorities have a duty to try to **promote contact** between the child and

- their parents,
- any person who is not a parent but who has parental responsibility for the child, AND
- **any relative, friend or other person connected with the child**
- unless it is not reasonably practicable or consistent with the child’s welfare”

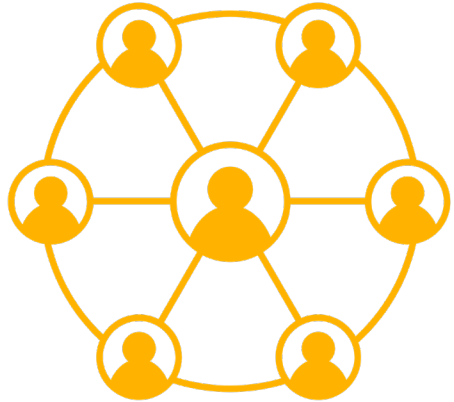
This means that local authorities should also take steps to arrange for a child in care to be in touch with their grandparents, brothers and sisters and others in their family network, unless this would not be good for them.

1 (section 34 (1) Children Act 1989)

2 (section 34 (6) Children Act 1989)

3 (section 34 (4) Children Act 1989).

So what can parents and families do at this time, to maintain relationships with their children who are looked after?



At present, government guidance recommends that in the vast majority of cases, direct contact between parents, family members and children in care should not be taking place. This is in order to comply with staying at home rules, and social distancing requirements.

We understand that many local authorities across the country are advising that direct, face to face contact should be suspended at this time, to guarantee the safety of children, their carers and their parents and wider family. However, even at this difficult time, local authorities should still be doing what they can to follow their statutory duties to allow children to enjoy reasonable contact with their parents.

We have set out, on the following pages, some creative ways in which relationships can be maintained and you can support your child during the Coronavirus crisis, even if you cannot visit them. However, if you are worried about your contact (including having adequate indirect contact), you should bear in mind the following:



1

A local authority still has a legal duty to maintain **reasonable contact** between children and their parents, where this is safe for the child – at this time, guidance indicates that reasonable contact would be indirect contact such as video and telephone calls, emails, letters.

2

Similarly, a local authority should still try to follow statutory guidance to **promote contact** between a looked after children and other family members, including their brothers and sisters, even if this is indirect rather than direct contact.

3

Normally, if a local authority refuses to allow contact between a parent and a child in care, they have to demonstrate that this is necessary to keep the child safe, and that this is an urgent situation. The current Coronavirus situation would meet both requirements. A complete refusal to facilitate any contact can only last for up to seven days, after which any further suspension needs to be authorised by the court. At the point at which contact is suspended, the social worker should also write to the parent to explain why.

4

In the current circumstances the local authority is unlikely to need court authorisation if they can demonstrate they have responded reasonably, for example by setting up an adequate level of indirect contact.

Practical considerations

Getting hold of a social worker may be really difficult at this time, and so the more proactive you can be, the better. We would suggest sending an email or text message to your child's social worker, setting out some suggestions for indirect contact. In considering this, if contact is normally supervised, you need to set out how you have taken this into account. Putting forward constructive suggestions may make it easier for the local authority to agree and organise indirect contact.

Whilst it is not easy to compare the experience of face to face contact with your children to a video call, try to think through what arrangements might be comparable with the level of contact you normally have. If, for example, you see your child for two hours every week, then you may want to suggest that at the moment, you have two shorter video calls at set times a week, and can send a letter or card to the child once a week. You might want to suggest some of the ideas that we set out below.

Any plan for supporting your child, through indirect contact, will need to include ground rules, for everyone's benefit, including the importance of your child having some routine. Ground rules might therefore include how frequently you or other relatives will communicate with your child, at what time of day, whether it will be through different methods (e.g. one day a call, and another day a letter), how long calls might last, and how safety concerns might be addressed.

There may be days when your child does not want to communicate, so ground rules might also cover how to manage such situations in a way that does not cause added distress to them and minimises your anxieties and upset (for example, could you call back in an hour if your child doesn't want to speak or could the carer just send you a short update about how your child is doing, in that situation?).

It is important that if you agree to communicating with your child in a certain time of day or in a certain way, that you do all that you can to stick to this. If they do not hear from you, that could significantly increase their anxiety and fears. If you are ill or cannot communicate, as you had agreed, please find a way of letting the child's social worker know, or if appropriate, their carer and the child.

If your face to face contact is normally supervised, the social worker will want to ensure that any indirect contact is supported in a similar way. We set out below some ideas about how indirect contact can be overseen. Normally, changes to contact arrangements would be discussed at a looked after child review meeting, but at the moment those meetings cannot take place in person. Local authorities are looking at ways to hold meetings remotely (for example, by phone or via video conferencing). If you do not have a looked after child review meeting scheduled in the near future, then you can ask the child's social worker to set up a call or video conference so that you can discuss immediate contact arrangements. We would always recommend following up any call with an email to confirm your understanding of what was agreed. You should also ask your child's social worker how they plan to hold the next looked after child review meeting.

Your child's care plan should be updated to set out the alternative contact arrangements. This will be helpful to ensure that everyone is clear about the interim contact arrangements. You might also want to discuss with your child's social worker (or, if they are not available their manager or independent reviewing officer), what happens if anyone in the child's home or your child becomes ill during the crisis. You could propose the best ways that you can be contacted and kept up to date.

If you do not feel that the local authority is allowing you a reasonable level of indirect contact to your child, you can apply to the court for a contact order. However, the reality at this time is that the Family Court is overwhelmed with the demands of setting up remote court hearings in respect of ongoing and urgent cases, and so it will be very difficult to get your case into court quickly. We would urge you to try to work with the social worker to come up with a solution before even considering an application to court, which could take many, many months to even get before the court, let alone be resolved. You may wish to call Family Rights Group's freephone telephone advice line on 0808 801 0366 to discuss this. Whilst not specific to the present situation with Coronavirus, this [advice sheet](#) also provides more information about contact with children in care.

If there was already a plan for your child to return to your care in the very near future, they may already be spending increasing amounts of time at your home. If the Coronavirus crisis has impacted on planning for your child to return home, for example a social worker has said that they should stay with their foster carer for longer, then you could ask for an urgent looked after child review to be held (it can be held via telephone or video conference facility such as Skype).

If the plan was for your child to move back into your care very soon anyway, you could ask your child's social worker whether it might be feasible for them to make that move sooner than planned, if this can be done in a way which is in the child's best interests, and safe for all who are involved. The Government has acknowledged in recent guidance¹ that shared care arrangements for child **who are not** in the care system can be organised, where safe, and it may be that similar arrangements can be made for your child if they were already staying at your home for part of the week as part of a plan for them to move back full-time with you imminently.

1 *Staying at home and away from others (social distancing)* - published 23 March 2020 <https://www.gov.uk/government/publications/full-guidance-on-staying-at-home-and-away-from-others/full-guidance-on-staying-at-home-and-away-from-others>

We have been contacted by parents who feel that there are important health and care related matters that their child's carer may not know about, for example, your child is new to their placement and has complex needs. In this situation, we would suggest you email your child's social worker setting out information that you feel the carer needs to know. If you do not use email, then you could send them a text. If you are in touch with your child's carer, you could also send them a copy. If you cannot get hold of your child's social worker, then copy their manager and the child's independent reviewing officer into your email or text, emphasising the importance of this information.

Family group conferences

Ideally, you, your wider family, your child, their carer and their social worker will all be in agreement as to how you can all support your child during this time. But this may prove difficult, for example, if your child has complex additional needs, including emotional and behavioural challenges, is at risk of child exploitation, or there is a particular crisis, such as a death in the family, or your child's carer become ill.

You may find it helpful in this situation to ask the social worker to refer you to a family group conference service to help draw upon everyone's ideas and strengths to make a safe plan to deal with any difficulties. See this [advice sheet](#) for more information about family group conferences.

Local authorities are starting to convene virtual family group conferences, for example via Skype or Zoom, to agree interim plans and arrangements.

Guidance in relation to contact for parents whose children have been adopted

We are conscious that there will be many birth parents of children who will be very worried about their children's health and wellbeing.

Those children, particularly those who were older when they were adopted, are likely to also be worried about their birth parents.

If you are a birth parent or an adoptive parent, you may wish to approach your local authority to discuss this. Many birth parents and children who have been adopted have 'letterbox contact' annually, and it would be entirely reasonable to suggest that an additional letter could be sent at this time. If you are worried about this, you might want to call Family Rights Group's advice line on 0808 801 0366 to discuss this.

Practical ways to support your child in care during the crisis



Children who are looked after may live with foster carers, in children's homes, in residential schools, in secure accommodation units or, less frequently, in youth offending institutions. The facilities for indirect contact will significantly vary between placement types, but we include our ideas of options for indirect contact below, so that parents can discuss these with their child's social worker, and work out what will be best for them and their child, to facilitate safe, meaningful communication.

Whilst we primarily refer in the examples below to contact between the child and parents, the same approach applies to facilitating relationships with all who the children love or care about, especially brothers and sisters who do not live with the child, and other relatives and people who are important to the child.

Whilst some of the suggestions below may feel daunting for those less confident in using information technology, there are also suggestions about using the tried and tested phone or letter.

There are lots of creative ways of supporting your child, even if you cannot visit them. If they are little, you can blow them kisses over a camera on the phone and they can try to catch them, or you can sing nursery songs or read stories to them. You could play 'I spy', or other games, or help them learn their letters. If your child cannot speak, you could try Makaton signs that can help them communicate. With school age children, you could find out what school projects they are working on, and see if you can help them do it together. You could try exercise or dance routines together, or set each other a task master challenge, such as drawing, impersonating a famous person or inventing a song. One parent and their child are writing down every time they want a hug, and then when this crisis is over, they are going to catch up on all their hugs. We would love to hear ideas that you find work well, so we can share them with other parents and families.

Telephone

For many, regular phone calls will be a good option. It is an easy way to communicate, but the following points should be kept in mind:



Where children are living with unrelated foster carers, it is unlikely that you will have the carer's telephone number. In this situation free conference call sites like [Zoom](#) or [Skype](#) might be best. This allows people to dial into a generic number with a passcode and allows multiple people to talk together, or have a video call. If your contact is usually supervised, your child's social worker might say that your calls also need to be supervised. This might mean that the carer is in the same room and the call will be on speaker phone. If the call is supervised, then it will need to be at a time of day that the carer can be around.

[WhatsApp](#) is another option which might be good for children, particularly older children who might have their own phones. Voice clips and photos could be sent via WhatsApp, as an easy way of keeping each other updated.

If you are a parent who is, for example, worried about having enough credit on your phone, or being able to access WiFi then do talk to the social worker for support with this. In complying with their duties to allow reasonable contact, the local authority should support you with this in the same way they might support you with travel to contact.

You might want to look at this [BBC news article](#), which provides a helpful guide to making video calls using different devices.

Social Media

[Facebook Live](#) and [Google Hangouts](#) online programmes that offer direct and simple ways in which people can text, talk and video call each other. Children under the age of 13 cannot have their own account on Facebook and Google Hangout (nor on YouTube). So this option is only for teenagers or else needs to be organised by their carer on their Facebook or Google account with them supervising.



“Closed” Social Media Groups

Sites such as [Yammer](#) allow people to join a ‘closed’ network group in which photos, messages and videos can be shared – it is like Facebook but only invited people can see your profiles and conversations. People can only join with an invite from you. No-one else from outside your network can see posts.



Letters and cards

Never underestimate the power of a letter or card, particularly at a difficult time like this. Children and family members can send letters backwards and forwards and include drawings, photos and stories to keep each other up-to-date.



As long as addresses can be safely shared, then this can be an excellent way to not only stay in touch, but offer some structured time to compose a letter and other materials for different people.

For children who are looked after by unrelated foster carers, or for those children who are adopted, letters and cards can be shared through the local authority, as well as being photographed or scanned and sent electronically by email.

Blogs

Blogs are a way of writing and publishing your thoughts and ideas and documenting your day. It can be a really good way of communicating with the world. Words, pictures and videos can be posted for a public audience to see. Content would have to be safe enough to post using this method, but could make an interesting home-school project for children and young people.



There are a good number of sites that make it easy such as [Wix](#), [Wordpress](#) and [Blogs](#).

Emails

Email is a great way to communicate and send pictures, letters and video. Specific email addresses can be set up quickly and easily for the purpose of communicating with loved ones. This is a particularly good way for older children to keep in touch. If you or another family member normally has supervised contact, the social worker may want themselves or the carer to also be able to read emails sent and received.



Video diaries or vlogs

Video diaries or [vlogs](#) can be made using mobile phones and laptops to share on social media through sites such as YouTube or WhatsApp. You can even make your [account private](#) so that videos can only be seen by people you send the details to. Alternatively you can record a video and send it by email as described above.



Making videos can be fun to do for older children and a more personal way in which to keep in touch. They can be filmed and edited allowing for safety.

If the person you are recording it for is deaf or hard of hearing you are able to add subtitles using [Headliner](#), a free to use website. Headliner will automatically add subtitles once you upload your video or vlog. It just requires a little editing by yourself.

We do not know how long the effects of Coronavirus will impact on all of us. Family Rights Group will continually update our advice as further guidance is issued by the government, and as matters develop. If you need further advice and support, please do contact our advice service on 0808 801 0366, and one of our specialist legal and practice advisers will be able to help.

We welcome your feedback. Please email any comments to: jjohnston@frg.org.uk

Family Rights Group works with parents in England and Wales whose children are in need, at risk or are in the care system and with members of the wider family who are raising children unable to remain at home.



We champion policies and practices that keep children safe within their family and strengthen the family and community support networks of children in the care system.

Telephone Advice Line

If you are a parent, family member or friend of a child, in England or Wales, who has social workers involved in your child's life, or if you need extra support from Children's Services, and would like to speak to an adviser, please call our free and confidential helpline.

0808 801 0366

(Monday to Friday 9.30am to 3pm)



@FamilyRightsGP



Family Rights Group

www.frg.org.uk