

Foster Care in England

**A Review for the Department for Education by
Sir Martin Narey
and Mark Owers**

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Acknowledgements

We hope this review offers a thorough critique of foster care in England with realistic and affordable recommendations. I feel confident that if those recommendations are accepted, fostering, which is already a success, will be much improved.

We have not investigated every fostering-related issue. But we have probed every issue which we were urged to review by carers, professionals or children and young people. The exception to that is the vital issue of mental health support for children in care, including fostered children. Much work was taking place on this issue as we conducted our review, and there was little to be gained by our simultaneously reviewing the subject. Suffice to say we are encouraged by the publication of the Transforming children and young people's mental health provision green paper in early December 2017, and in particular the commitment to pilot a new 4-week waiting time for children and young people's mental health services. Achieving that will be particularly vital for all children in care, not just those being fostered.

I am, first and foremost, immensely grateful to all the carers, professionals, and care-experienced children and young people who wrote to us, met us or did both. Civil servants at the Department for Education (DfE) have been ceaselessly supportive while being punctilious in respecting the independence of the review. I am particularly grateful to Caroline Keim, an economist at the Department, who has made a significant contribution in helping us to understand the data.

The review would have taken much longer, and as reviewers, we would have been much less informed, were it not for Mary Baginsky, Visiting Senior Research Fellow at King's College London, whose evidence review, published shortly after we started work, was invaluable. Similarly, our deliberations and digestion of vast amounts of evidence would have been much more difficult were it not for the guidance of a small advisory group including Sue Westwood and Bernie Brown, senior local authority managers in Stockport and Bolton respectively; Satwinder Sandhu, CEO of Independent Fostering Agency (IFA) Home Finding and Fostering; and John Simmonds OBE from Coram BAAF, who again has been willing to share his considerable wisdom and knowledge about the care system and children. Max Wrigley also offered guidance and challenge as we developed our recommendations.

Colin Foster and Andrew Rome's forensic accountancy helped us to much better understand IFA pricing and to be certain that better commissioning could reduce costs falling on local authorities. The Children's Commissioner independently surveyed the views of children for us and has been encouraging throughout. I'm delighted that she has provided a foreword.

But my most heartfelt and grateful thanks go to two people. First, to Jenny Briggs, the civil servant in the Department who leads on fostering policy and who has been seconded to the review. She worked tirelessly and very often, at incredible speed, to make sure we made progress. There was never a question we posed for which she didn't produce an answer within about 24 hours. Assuming Ministers accept them, I am delighted Jenny will lead on the implementation of our recommendations.

Finally, I want to thank my co-reviewer, Mark Owers. I first discovered Mark when he was part of the Prime Minister's Delivery Unit. I was intrigued to meet a curious hybrid: part children's social worker; part civil servant; and part a personal contributor to the care system, through having adopted two of his five children. I hope that this report sufficiently captures his passion, determination – and sometimes impatience – about ensuring children who have been hurt and neglected at home get the best possible experience from their time in care.

Sir Martin Narey
Whitby, North Yorkshire
December 2017

Foreword by the Children's Commissioner

Every child growing up needs and deserves the love, care and support of a family. For the thousands of children in foster care, it is no different, if not even more acute. That is why I welcome this review of fostering and the candid way it shines a light on what being in foster care feels like for a child. It examines issues such as the importance of stability and building consistent and trusted relationships - issues I've raised before, and which we at the Children's Commissioner office are now measuring in the Stability Index - and the vital role of carers in helping children to build confidence, develop talents and be ambitious for their future.

Our ambitions for foster children should be high. Children in foster care tell me that they want to live in a family that has the same expectations for them as they would have for their own children, with foster carers who do all they can to help their foster children succeed and thrive as they grow up.

Defining the relationship between foster parents and children is always challenging. Children in foster care are growing up without their own family and are in a vulnerable situation. There needs to be rigorous safeguarding processes in place, but it is also essential to meet foster children's emotional needs, and encourage them to build resilience. If we want children to feel part of their foster family, we have to make sure there are no needless bureaucratic barriers preventing their foster carers from treating them in the same way that they would treat their own children.

Children in care often tell me they wish they could be treated 'like all the other kids'. They find it embarrassing and insulting when they have to go through a bureaucratic process just to get permission for the most normal, everyday things, like visiting friends or having a haircut. Being treated this way can make them feel alienated from their peers and as if they can't be trusted by their foster family. They feel they are being marked out as different and as an outsider, the exact opposite of feeling part of a family. I think that this needs to change. Being a parent is a constant round of decisions and negotiations about clothes, haircuts, freedom to visit friends and much more. Whilst there will always be the need for exceptions, foster carers need to be able to take on more of these responsibilities.

Many older foster children are also scathing about their carers' inability to show them affection or to give them a hug. Younger foster children often feel worried and confused about the lack of physical affection they are shown. I'm pleased that this report is recommending changes in this area. Any suggestion that all physical affection is to be avoided risks leaving children feeling unwanted, unloved and insecure.

I'm pleased too that this report has looked at how children and carers are matched together, something that children have very clear views and ideas about. Of course, not every placement will always work out, despite the best intentions, and when children do move placement I would like them to be consulted about the adults and children who are important to them. When things do go wrong, it is important that children know their rights to advocacy, how to access that advocate and be aware of the Help at Hand service provided by the Children's Commissioner.

In the end, more than anything, foster children want to feel they are part of a family. A family life built on strong, valued relationships provides them with a sense of belonging and stability, and most say it is by far the best thing about being in care. This review is an important part of the drive to make that a reality for many more foster children.

Anne Longfield OBE
Children's Commissioner for England
December 2017

Introduction and Summary

Fostering – people taking children into their homes and looking after them, permanently or temporarily, has always been with us. But in the United Kingdom it has only enjoyed legal status since 1926. Fostering now takes many forms¹ and its use has grown significantly as the use of children's homes has reduced. The vast majority of children in care - about 75% - are fostered, and local authorities spend £1.70 billion during 2016-17 in doing so. On 31 March 2017 there were 53,420 children in foster care and during that year there were about 78,000 placements (as some children changed foster home). Most of the children in care in England, and most of those fostered, are there because they have suffered abuse or neglect (about 65%). A further 15% are in care as a result of family dysfunction.

Outcomes

The care system in England, in which fostering plays a predominant role, has an undeservedly poor reputation. The reality is that fostering is a success story. The research is clear, and has established, that for some decades now, children have entered care with serious problems,

But that in general their welfare improved over time. [This finding] has important policy implications. Most significantly it suggests that attempts to reduce the use of public care are misguided and may place more children at risk of serious harm.²

Education

Fostering and the wider care system are particularly criticised because children in public care perform very poorly in education compared to the general population, with only about 6% of care leavers aged 19 to 21 attending university compared to half the non-looked after population. But this is not a useful comparison, when you consider the extent of abuse and neglect many children in care have suffered before entering care. Furthermore, the proportion of children with special educational needs is four times higher in the care population than in the general population. The reality is that when it comes to education, far from failing children, the care system can serve children well. Research by Sebba and

¹ The Department for Education refer to eight forms of foster care: Emergency, Short Term, Short Breaks, Remand, Fostering For Adoption, Family and Friends, Specialist Therapeutic, and Long Term (<http://www.gov.uk/foster-carers/types-of-foster-care>)

² Forrester, Goodman, Cocker, Binnie and Jensch; Journal of Social Policy 2009 (a review of all research since 1991)

colleagues (2015) compared the educational progress of in children in care with similar groups. They found that:

Care generally provided a protective element and that early admission into care combined with longer placements were associated with consistently better outcomes than those experienced by children who entered the care system later (post Key Stage 2), those who stayed in care for short periods of time, and children classified by the local authority as being in need (children on the edge of care).³

This is not to say that the educational attainment of children in care cannot be improved. It can be and it should be. David Berridge⁴ has demonstrated how things like previous poor academic attainment and genetic inheritance before care can be exacerbated by low teacher expectations and a failure to prioritise education in the life of a child in care. But the care system's reputation as failing children educationally is not deserved.

Children's views

Children don't always feel they belong in their foster homes or in the fostering system. Children and care leavers told us that they think their voice too often goes unheard and they are made to feel different to other children, both at home and in school.⁵ But overall, children's' views about fostering are remarkably positive. Although they have strong views on how and why fostering could be improved, their overall sense of well-being is surprisingly high. Research conducted at the Hadley Centre for Adoption and Foster Care Studies at the University of Bristol⁶ was funded in order to give local authorities a better understanding of the experiences of children in care and the practices that help children to flourish.

The research discovered that although more looked after children than in the general population disliked their appearance, feared bullying and had reduced access to the internet, more than three quarters of children trusted their carer and only 5% did not. 97% of children said they had a trusted adult in their lives and 89% said they liked school (most of the time). More than 80% felt involved in decisions made about them by their social

³ Mary Baginsky, The Fostering System in England: Evidence Review for the Department of Education 2017

⁴ Berridge, D. (2012) Education of young people in care: What have we learned? Children and Youth Services Review

⁵ Evidence to the Review from Children in Care Councils

⁶ Bright Spots - Local Authorities delivering good care experiences for young people: University of Bristol, School For Policy Studies, 2017

worker and about the same proportion felt settled in their placements. Crucially, 83% of children thought their lives were getting better in care and, remarkably, a larger proportion of children in care than in the general population always felt safe.

Foster Carers

We reject the notion that foster carers should be defined as professionals with equivalent status - for example - to social workers. Foster carers are lay people, often extremely skilled, and they should be helped to increase their skills. And while their views are not simply important, but often vital, they are frequently unable to take a dispassionate view. And quite rightly too. We want foster carers who will be as biased and tenacious in pursuing the interests of their foster child as most of us are in pursuing the interests of our own children. Similarly, we do not believe that carers should become employees of either their local authority or their fostering agency. Carers overwhelmingly see fostering as a vocation, and see themselves primarily as substitute parents. We can see where employment status might bring some protections to carers. But it would also bring significant obligations, more oversight, and drastically impinge on their independence. Indeed, we believe that the unique status and heart of fostering would be lost.

But carers need, at all times, to be treated professionally. We were invariably impressed with the carers we met and frequently fascinated and moved by their decision to take an unknown, often older and often difficult child, into their home. Carers have a remarkable vocation. But they are frustrated when they are excluded from discussions leading to important decisions about their foster child or when they are thwarted from using sensible discretion when making day-to-day decisions about the child or children in their care. When we first heard of a carer having to get social worker permission – and the social worker then obtaining the birth parent’s permission – for minor issues such as allowing a child to have a haircut, we thought we were listening to exceptional and infrequent occurrences. Sadly, this was not the case.

Physical Affection

We know that some people will think this is a soft issue and not a great priority. We don’t. We believe that ensuring that carers are confident in giving physical affection and comfort is vital to a healthy childhood and to making children feel like other children. As the Children’s Commissioner told us, young people are scathing about the lack of physical affection they are offered. Various advice to carers needs to change, but, more than that, a shifting philosophy - which has seen ‘foster parents’ being called ‘foster carers’; children being discouraged from calling their long term carer Mum or Dad; and sometimes carers being framed as just another professional in a child’s life - needs to be arrested. When

carers want to love a child, they should not be discouraged by formal guidance or feel intimidated by the remote threat of allegations.

The Financial Compensation and Reward of Foster Carers

We found wide inconsistencies and a general lack of clarity about the compensation and reward given to carers. Although few carers who wrote to us, and even fewer we met, majored on pay and reward, we are very clear that there is no conflict between being a caring or loving foster carer and being adequately compensated. No one looks at dedicated occupations such as nursing and believes there is something inherently wrong about nurses being paid. And yet there is sometimes reluctance to champion compensation and rewards in fostering (and the helpful way they are treated for tax and benefits purposes) in case it supports the view that carers are only fostering for the money. There should be no shyness in acknowledging that some foster carers (a minority of course) are receiving income substantially above the current average wage. But they might be caring for a child or children of exceptional challenge and their remuneration should be compared to the alternative costs of residential care.

Recruitment

It is often said that there is a very large shortage of foster carers. The Fostering Network has said that the shortfall in England is about 5,900.⁷ In fact, although more carers are needed, there is not an absolute shortage. The overwhelming majority of children needing a fostering placement on any one day are placed. Indeed, at any one time, there are about 16,000 fostering households without a child living with them. The shortages are down to geography or the availability of carers who can look after more challenging children. This means that, too often, matches are made between carers and children that are not ideal and, after a short period, the child has to be moved again.

We believe there is merit in developing a national register of foster carers so that matching can be informed by up to date information about carers' experience, skills and availability. But we also need better arrangements to encourage those who enquire about foster care - often tentatively - to apply. We think that too many local authorities and IFAs may not be as good at this as they believe. And we need to know more about why carers leave before retirement.

⁷ The Fostering Network Recruitment Targets: <https://www.thefosteringnetwork.org.uk/advice-information/all-about-fostering/recruitment-targets>

Commissioning and the costs of fostering provided by Independent Fostering Agencies (IFAs)

Some local authorities directly provide almost all their foster care. Others provide very little, or in one instance - Doncaster - none at all. Both positions are entirely legitimate. But most local authorities both commission and directly provide care but not necessarily in any coherently and robustly delivered fashion. We saw many examples of local authorities failing to recruit a planned number of carers, which resulted in them needing to commission the large remainder of placements at short notice.

Generally, commissioning needs to vastly improve. It is gravely limited by the fact that 152 individual local authorities commission from IFAs, and there is a startling failure to obtain best value from a market in which the providers, not the purchasers, too often have the upper hand. We saw virtually no evidence of discount pricing for large numbers of placements from the same provider and framework contracts, set up after long and tedious processes. These were routinely ignored in favour of more expensive spot purchase arrangements. Local authorities need to come together into about ten consortia and negotiate with IFAs to provide placements at significantly reduced cost, almost certainly through guaranteeing them a certain level of business. The routine absence of such arrangements is extraordinary.

Local authorities in England place about 66% of children in placements they manage directly and place the remaining third in placements provided by IFAs which mainly operate in the private sector. It was sometimes suggested that the quality of care provided by local authority placements was higher than that provided by IFAs. We saw no evidence of that and we were not surprised to note that 90% of IFAs are rated as good or outstanding by Ofsted.

Local authorities and the Association of Directors of Children's Services (ADCS) were however insistent that the costs of placing children in IFA placements was excessive and significantly more expensive than providing in house placements. The reality is that once local authority overheads are taken into account, along with the indisputable reality that IFAs care for more challenging children and therefore have to invest more in both the pay and support of their carers, the gap is very small, and is smaller than the varying cost of in house provision across local authorities. But that does not mean that local authorities are wrong to search first among their own carers when looking for a match for a particular child. This policy - known as *In House First* - is entirely sensible, but much criticised by IFAs. We are clear that local authorities would be acting recklessly were they to act differently. And that is because the marginal additional cost of using an in house carer will always be vastly

less expensive than paying the full costs of an IFA Carer. And we were satisfied that when a suitable carer could not be found in house, local authorities promptly widened their search to IFA providers.

Although only three local authorities are close to being self-sufficient on foster carer provision (recruiting more than 95% of the carers they use⁸), many more - if they were sufficiently determined - could join that number and better exploit the back office economies of scale. Conversely, there is considerable scope for local authorities to follow the example of Peterborough and engage an independent fostering agency to work in partnership and deliver the entirety of their fostering service. They should not be discouraged from making such partnerships with IFAs from the private sector whose quality of care, and an ability to find homes for the most challenging children, is not in dispute.

Matching

Matching is overwhelmingly supply led and not needs led - much more so than in adoption. Research has suggested that in as many as half of all placements, the social worker has no choice at all when choosing carers.⁹

While it is not always possible to respond to a child's wishes when making a match with carers, more can be done to involve them and prepare them for moving in with a new family. And they need to be made much more aware of their rights to advocacy. The quality of the information about children which is shared with IFAs is sometimes unfairly negative and can demonise some children. And, there should be much greater scope to allow carers to take the initiative in forging successful matches, through letting them study profiles of children needing a home and by developing the fostering equivalent of adoption activity days.¹⁰

Failed Reunification

Placement disruption is sometimes inevitable when compromises are made in placing a child. Children can be placed in homes where they can overwhelm carers. But fostering placements in which children have begun to thrive are also disrupted when unsuccessful

⁸ Children looked after in England (including adoption), year ending 31 March 2017

⁹ Matches and Mismatches: The Contribution of Carers and Children to the Success of Foster Placements [Ian Sinclair, Kate Wilson](#)

¹⁰ Pioneered by Coram Baaf, the days are designed to be child-centred, relaxed days in which children can have fun. Adopters can meet children and establish whether or not they feel an emotional connection. The children that normally attend Adoption Activity Days are those children that tend to wait longer for adoptive families.

attempts are made to reunite children with their birth parents. Successful reunification of a child with its birth family must be the first aim of the care system. But such efforts must be made with a critical awareness of the extensive research evidence about the risk to children. One recent study¹¹ found that over 40% of young people who re-entered care aged between ten and fifteen years had already had three or more previous periods in the care system. Those children have been failed.

Birth Family Contact and Sibling Separation

Foster carers wrote to us or spoke to us almost always about the children for whom they cared and rarely about themselves. Their priority was always making a better life for the child, making them happy, and improving their life chances. To that end, we frequently heard about concerns over contact between birth parents and the fostered child and the assumption that it was invariably in the interests of the child. The law changed in 2011 and now specifies that any contact arrangements should only be in place where they are in the interests of the child's welfare.¹² It is clear that practice within local authorities and the courts have not changed as substantially as Parliament might have intended. Similarly, we noted a continuing belief that keeping siblings together in fostering placements was invariably to their benefit. Often, it is. But some brothers and sisters will flourish better in separate placements from which they can see each other regularly.

Permanence

Fostering can be hugely successful. When fostering lasts in the long term, outcomes for children fostered are similar to those adopted, demonstrating, in the words of Hill¹³, that fostering, like adoption, can:

represent the most radical, comprehensive and potent therapeutic input in the lives of abused and neglected children.

But the success and the potential of fostering is frequently undermined when the child leaves care. Even when a fostering placement has lasted for many years and until the child reaches adulthood, its termination, when the child is only eighteen, comes at a time when children fortunate enough to be living with their birth parents continue to receive

¹¹ Boddy et al (2008)

¹² Fostering Service Regulations: 2011

¹³ Hill, C.M. (2009) The health of looked after children. In G. Schofield and J. Simmonds (editors) The Child Placement Handbook: Research, Policy and Practice. London: British Association of Adoption and Fostering

emotional and financial support. That is why Staying Put,¹⁴ the practice of allowing children to stay in foster care until their 21st birthday, has been so warmly welcomed. It has made a tangible difference. In the year 2016-17, 51% (1,630) of young people who turned 18 whilst living in foster care remained in foster care.¹⁵

But we need to see permanence in the same way that most of us, as parents, view permanence. Our ambition must be for many more fostering arrangements to last beyond the 18th or the 21st birthday. We believe there is scope for a substantial proportion of children in fostering placements to leave the care system but continue to live with their carers either under Special Guardianship Arrangements,¹⁶ or through being adopted. That would be to achieve genuine permanence, which should be the overwhelming priority of the care system and a priority for the Department for Education.

¹⁴ <http://www.gov.uk/government/publications/staying-put-arrangements-for-care-leavers-aged-18-years-and-above>

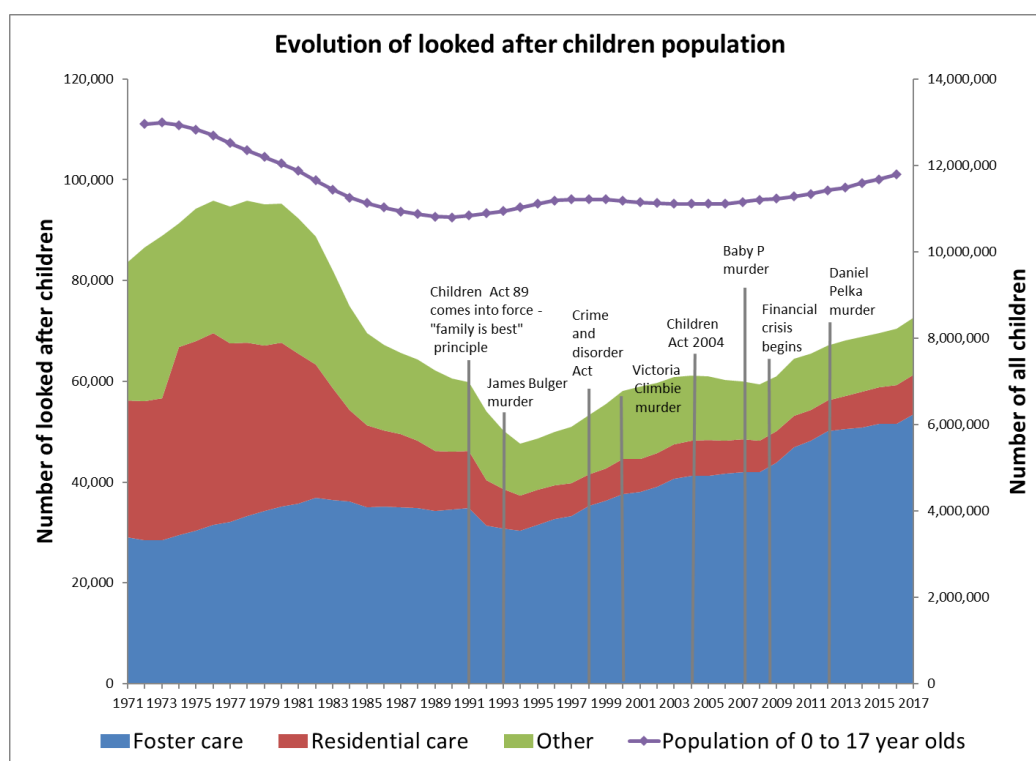
¹⁵ Children looked after in England (including adoption), year ending 31 March 2017

¹⁶ A special guardianship order is an order appointing a person or persons to be a child's special guardian. Applications may be made by an individual or jointly by two or more people. Joint applicants do not need to be married. Special guardians must be 18 or over. The parents of a child may not become that child's special guardian.

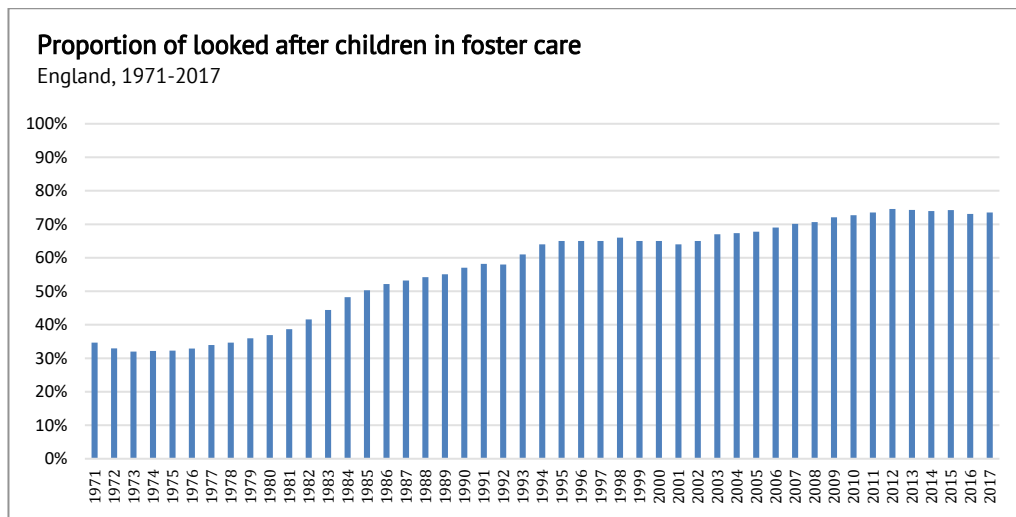
Chapter 1: Foster Care in England. A Data Summary

Children

- In the early 70s, around 29,000 children, 32-35% of all looked after children were in foster care. This rose to 50% in 1985. The proportion has since increased steadily and has been stable at around 73% to 75% since 2011.
- In total, there were 53,420 children in foster care from a total care population of 72,670 at 31 March 2017.¹⁷



¹⁷ Figures provided for residential accommodation 1971 – 1990 consist of children in community homes, and voluntary homes and hostels. 1991 onwards: children in secure units, homes, and hostels. Figures since 1991 exclude children looked after under an agreed series of short- term placements (recorded for the first time from 1991, and excluded from previous statistics). 1971 to 1991: All numbers of children have been rounded to the nearest hundred. 1992 onwards: All numbers of children have been rounded to the nearest ten.



- In 2016-17, local authorities spent £1,701million on their fostering services, just £45million more than in 2015-16 but a 4% increase, in real terms, from spending in 2012-13.¹⁸ Of the £1.7 billion, £102million is spent on children placed with family and friends carers. The vast remainder, around £1.60 billion, was spent on children placed with strangers.
- The majority of children in foster care - 60% - are aged 10 or over.
- 23% of fostered children are aged between 5 and 9 and 18% are aged 4 or under. 54% of all children in foster care are male, a proportion that has been steady since 2006.¹⁹
- Children in foster care are predominantly white. At 31 March 2017, 76% of children in foster care were white, 9% were of mixed ethnicity, 7% were black or Black-British, 4% were Asian or Asian-British and 3% were from other ethnic groups.²⁰
- Children in foster care are more likely to live close to their home than children in other placement types. 80% of children in foster care were in placements located 20 miles or fewer from their home, compared to 59% for children in other placement types.²¹ 33,270 (62%) of children in foster care were in placements inside the council boundaries and 20,160 (38%) were placed outside the council boundaries²² (although

¹⁸ Section 251, financial data collection, S251 outturn 2015-16. Real terms figures derived using GDP deflators at market prices

¹⁹ DfE Data Annex

²⁰ DfE Data Annex

²¹ DfE Data Annex

²² Children looked after in England (including adoption), year ending 31 March 2017

not necessarily far from their home).²³

- Most children in foster care are looked after as a result of a court making a Care Order. At 31 March 2017, 40,630 (76%) children in foster care were under a Care Order, 9,820 (18%) were under voluntary agreements (accommodated under Section 20) and 2,920 (5%) children were under a Placement Order authorising the local authority to place them for adoption.
- There may be more than one reason for a child being looked after and placed in foster care, but the primary reason is abuse or neglect (65%) followed by family dysfunction (15%).²⁴
- The mean duration of the 49,240 foster placements ceasing during 2016-17 was 369 days. 26% of foster care placements that ceased had lasted less than a month, 48% had lasted between a month and a year; 12% had lasted between one and two years; and 13% of placements had lasted for more than two years.²⁵
- The most common reasons for a placement change for children in foster care who moved placements during 2016-17 was a change to the care plan (35%), followed by the foster carers asking for the placement to end (12%).²⁶
- The use of foster care as a proportion of all children in care varies across local authorities. In 2016-17, for example, 87% of looked after children from Gateshead were in foster placements (85% in Croydon, 58% in Camden, and 57% in Barnet). Local authorities with lower proportions of children in foster care tend to have a higher proportion of children in residential care.²⁷

²³ The number of young people placed in out of authority foster placements has continued to rise. Where limited choice is the primary reason, we should be concerned. But as explored in a recent study for the Local Government Association (Brodie et al: Out of Borough Placements For London's Looked After Children, (2014) out of area placements should not automatically be considered negatively.

²⁴ DfE Data Annex. The category of need (CIN) codes record the main reason why a child is being provided with services. There are eight codes and only one can be recorded for a given child.

²⁵ Children looked after in England (including adoption), year ending 31 March 2017

²⁶ Children looked after in England (including adoption), year ending 31 March 2017. These statistics are experimental statistics. Information on reasons for placement changes was collected for the first time in 2016. A small number of local authorities notified the department of problems recording the data in this first year; figures should therefore be treated with caution.

²⁷ Children looked after in England (including adoption), year ending 31 March 2017

- The majority (66%) of children in foster care were placed with foster carers from their own local authority, 29% were placed with foster carers from private IFAs, 4% with foster carers from voluntary/non-for profit IFAs and 1% with foster carers from other local authorities.²⁸

Education

- Although children in foster care do not do as well educationally, compared to the general population, they do rather better than other children classed as 'in need' (and generally living at home with support from children's services).
- In 2016, 25% of children in foster placements²⁹ reached the new expected standard or above in the headline measure for reading, writing and mathematics at Key Stage 2 (KS2). Compared to children in need at KS2, attainment for children in foster care is slightly higher.³⁰
- The proportion of children reaching the expected standard is higher for children in local authority foster provision than for children in IFA provision.³¹ In writing, for example, 49% of children in local authority provision reached the expected standard compared to 41% of children in IFA placements.³²
- 62% of children in IFA provision had a Special Educational Need (SEN) status at KS2 compared to 54% of children in local authority provision at KS2. Children with SEN who are in local authority foster care do slightly better than children with SEN who are in IFA provision. However, children with SEN statements or Education, Health, and Care (EHC) plans seemed to be doing slightly better in private placements than in public placements at KS2.

²⁸ DfE Data Annex

²⁹ This covers only children looked after for at least 12 months and that were in a foster placement for at least 6 months at 31 March 2016.

³⁰ DfE Data Annex. Children in need data excludes children who are also looked after.

³¹ LA foster provision includes children placed in own LA, other LA and other public provision. IFA provision includes private and voluntary provision.

³² The comparative analysis of children in LA and IFA provision only looked at children that had been placed in either provider type for at least 6 months.

- At Key Stage 4 (KS4) the average attainment³³ score for children in foster care was 29.1, compared to 22.6 for children in need.³⁴
- At KS4, 55% of children placed in IFA foster care had SEN status compared to 50% of children in local authority foster care.

Wellbeing

- In 2015-16, the Strength and Difficulties Questionnaire (SDQ), (a standardised measure of children's emotional and behavioural health³⁵) completed for children in foster care aged 5 to 16 showed 13% had 'borderline' scores and 36% had scores that were a cause for concern. This compares with fewer than 10% of the general population aged 5-16.³⁶
- The proportion of children in foster care with 'cause for concern' SDQ scores is lower than the proportion for those in residential care but higher than in the general population.³⁷
- The proportion of children with 'borderline' and 'cause for concern' SDQ scores is significantly higher for children placed with IFAs. In 102 out of 146 local authorities where data was available, average SDQ scores were higher for children placed with independent providers.³⁸
- In 2015-16, 2% of children in foster care had been identified as having a substance misuse problem during the year compared to 10% in the rest of the looked after

³³ Attainment 8 measures the average achievement of pupils in up to 8 qualifications including English (double weighted if the combined English qualification, or both language and literature are taken), maths (double weighted), three further qualifications that count in the English Baccalaureate (EBacc) and three further qualifications that can be GCSE qualifications (including EBacc subjects) or any other non-GCSE qualifications on the DfE approved list.

³⁴ This covers only children looked after for at least 12 months and that were in a foster placement for at least 6 months at 31 March 2016.

³⁵ DfE Data Annex. This information is collected for all children who have been looked after continuously for at least 12 months on 31 March 2016 and who were aged between 4 years old and 16 years old (inclusive) on the date of the last assessment. They could have been in another placement type than a foster placement when the SDQ was completed.

³⁶ Meltzer, H., Gatward, R., Goodman R. & Ford, T. (2000). *Mental Health of Children and Adolescents in Great Britain*. London: The Stationery Office.

³⁷ Goodman, A., & Goodman, R. (2012). Strengths and Difficulties Questionnaire scores and mental health in looked after children. *The British Journal of Psychiatry*, 200(5), 426-427.)

³⁸ Based on SFR41 2016 data.

population. The proportion of children who had a substance misuse problem was significantly higher for those children in independent foster care provision.³⁹

- Findings from the Bright Spots survey of 611 children and young people in care showed that 'being looked after' was a positive intervention for most. The majority of children (83%) emphasised that being in care had improved their lives and that overall they had moderate levels of subjective well-being. Importantly, a larger proportion felt safer in their placements, and liked school more children in the general population. Most children and young people also thought their carers showed an interest in their education.^{40 41}

Foster Carers

- There were 44,320 approved fostering households as at 31 March 2016, less than a 1% fall from the previous year (44,625).
- Of these, 4,665 were family and friends households, 1,850 provided short breaks only, and 1,320 were connected person households.⁴²
- There were 14,525 (40%) long-term fostering households approved for two children and 11,475 (31%) fostering households approved for three or more children.
- About 67%, (29,720) fostering households were registered with local authorities and the remaining 14,595 fostering households were registered with IFAs.
- 47% of all IFA long-term households offered permanent or long-term placements in comparison with 38% of local authority households. Three quarters of long-term households (415 households) that provided multi-dimensional treatment placements as a primary offer were in the IFA sector.

³⁹ DfE Data Annex. This information is collected for all children who have been looked after continuously for at least 12 months on 31 March 2016.

⁴⁰ Seventy-seven per cent of children in the survey were in foster placements.

⁴¹ Wood, M., & Selwyn, J. (2017). Looked after children and young people's views on what matters to their subjective well-being. *Adoption & Fostering*, 41(1), 20-34.

⁴² Ofsted, *Fostering in England 2015-16*

- As at 31 March 2016, 61% of fostering places were filled and 23% were vacant. The remainder were not available.⁴³ The percentage of places that were filled decreased from 64% in 2015 to 61% in 2016. On average, the vacancy rate for IFAs was higher (27%) than that of local authorities (21%).
- There were 16,920 applications to foster in 2014-15. This appeared to drop significantly, to 11,460 in 2015-16 (although almost a quarter of agencies did not provide data to Ofsted, suggesting the fall might have been much smaller than the figures suggest).⁴⁴ In addition, although fewer applications were considered and completed in the year, a greater proportion resulted in approval than in previous years. We believe there has been a modest recovery in the number of applications in 2016-17.
- The total number of fostering households that de-registered between 1 April 2015 and 31 March 2016 was 4,610. Short breaks households were approved for the longest period on average before de-registration (7.7 years), followed by long-term fostering households (5.9 years), and family and friends and connected people households (1.7 years). This is likely due to family and friends and connected people households being approved to look after the specific child they know for a short period of time.⁴⁵
- The average weekly local authority spend on a foster placement is approximately £634 per child per week (2016-17 prices) but with significant variation between different local authorities and regions.⁴⁶ The spend ranges from around £350 to around £900.⁴⁷
- All foster carers should get at least the recommended national minimum allowance of between £125 (for babies in all regions other than the South-East and London) to £219 (for 16-17 year olds in London) per week.⁴⁸

⁴³ Not available places included those occupied by care leavers under “Staying Put” arrangements and those only available for siblings. Places were also unavailable for reasons relating to foster carers (for example, on hold due to personal and medical reasons) or the needs of children already in placement, for example, a requirement for solo placements.

⁴⁴ 105 agencies did not submit any data on foster carer applications.

⁴⁵ Ofsted, Fostering in England 2015-16

⁴⁶ PSSRU, 2018.

⁴⁷ Weekly cost estimate is derived by dividing the S251 outturn spend on ‘Fostering Services’ (line 7) and ‘Children placed with family and friends’ (line 12) by the number of days children spent in foster care throughout the year. The day estimate is then multiplied by 7 to get the week estimate. The analysis excludes outliers due to reporting concerns.

⁴⁸ The Fostering Network told us that not all local authorities pay these minimum amounts.

- Most foster carers recruited by local authorities and almost all recruited by IFAs receive a fee in addition to the weekly allowance. These payments remunerate the foster carers for their experience, skills and time.

Chapter 2: Helping Carers to Make Fostering More Effective

There are many extraordinary families fostering children. They selflessly devote their lives, relationships, resources, experiences and homes to provide love, care, support and stability to the country's most vulnerable and traumatised children, often for many years.

“We are on call 24 hours a day, offering care that like all parenting, gets little immediate thanks and requires skills that have to be sustained long term – patience, resilience, compassion, love. And we suffer the profound pain of separation only almost immediately to start again with a new face, and do the same again. So even if I do say so I, we, are remarkable!”⁴⁹

Overwhelmingly, the Foster Carers we met and heard from were committed to helping children. They want to make a difference. And although there are many frustrations, most carers find it rewarding. At its best, it can be extraordinarily satisfying:

“I love fostering and have had four placements with 3 babies... I have four daughters ranging from seven to fourteen-years-old and we have found it a highly positive experience for all of us. We have tremendous support from our fostering social worker, the wider fostering department and as a mainstream carer, the training we receive from [agency] is given by staff who are passionate about their roles, and is high quality, informed, and enables us constantly to develop good practice. I have found that my opinion is asked of by all professionals that I come into contact with and I feel that I am well informed of the progress of the plan for the child.”⁵⁰

In such circumstances, fostering can be a wonderful experience for children. As one child told the Children's Commissioner when asked if she had any ideas to improve fostering:

“I've no ideas because they are loving and caring foster carers...and they love me”.

And it is evident that fostering has improved. One foster carer who, together with his wife has been fostering for over 25 years, told us that:

“The day-to-day practice of fostering has been modernised beyond recognition over the time we have been involved with it and this should be celebrated.”

⁴⁹ Submission to the review from a foster carer

⁵⁰ Ibid

Fostering is seen largely as a caring role. We believe caring is hugely important. But fostering is about more than that. One foster carer highlighted some of the many tasks of the role:

“Being a foster carer is demanding, requiring an impressive skillset that goes beyond that of a parent. Foster Carers are required to fulfil all of the expectations of a parent, whilst also taking on administrative functions, undergoing continual professional development similar to that of any profession, ensuring compliance with a myriad of policies and procedures which can vary massively between placing authorities and acting as an advocate for the child when accessing services on their behalf. Being a foster carer is more than a job. It is a way of life.”

Professionalisation

With the increasing demands being placed on foster carers, there have been calls for fostering to be professionalised or, as is frequently demanded by some fostering organisations, for Carers to be treated as professionals on an equal status with professionally qualified social workers. The Fostering Network told us:

“We believe it is essential that foster carers are respected and treated as skilled co-professionals.”⁵¹

What is meant by the term *professional* in the context of such demands is often vague, implying little more than an understandable and entirely reasonable wish for carers to be involved in decision making about the children for whom they care. For example, in making the case for professionalisation, the Fostering Network went on to say:

“Often the foster carer is the person who knows the child best... They need to be given all the information on each child, be fully involved in decision-making, and empowered to make appropriate day-to-day decisions concerning the children in their care.”

We would endorse that entirely. That, as we argue later, is about being treated professionally. But the GMB Union want more than that. They told us:

“Foster carers should be classified as professionals with access to full working rights including annual leave (where respite can be suitably arranged), sick pay, pensions, skills payments and fees and access to trade union representation.”⁵²

⁵¹ The Fostering Network’s submission to this Review

⁵² GMB Submission of Evidence for the Review, June 2017

Few of the carers we met thought of themselves primarily as professionals, but all wanted to be treated professionally. Most saw themselves as substitute parents and think of the children in their care as their own. This was nicely captured *by the ADCS President, Alison Michalska, who told the Education Select Committee:*

“We can get hung up on the word “professional”. I would see that the foster carer is the absolute expert for the children they are working with and should be treated as any other parent, any other professional. Their views are incredibly important.

Do I think that we should attach a label of professionals to foster carers? I think it would be misunderstood and certainly many of the foster carers in my own authority, if they thought they had to be a qualified professional, would never have become foster carers because [of] what they provide – they are highly skilled at offering very loving, ordinary homes with extra skill on top.

What I am arguing for is standards about what support foster carers could expect, -... rather than them being seen as a distinct employed profession because that would put off a huge number of people.”

We are clear that is unrealistic to believe that Foster Carers, however competent they are, indeed, even if they happen to hold professional qualifications, can play an equal part alongside necessarily dispassionate social work professionals, in determining what is best for a child in care.

Frankly, often the last thing we need is for foster carers to be dispassionate. We need them to get emotionally involved, we want them to be subjective, we want them to fiercely advocate for the child or children in their care. Because that is what parents do. Foster carers are not professionals. But - and this is crucial - they must be treated professionally.

Failure to Treat Carers Professionally

Many carers told us that they were treated professionally, and that they felt valued. But a significant minority told us that often, they felt ignored. One carer told us:

“Too often we are excluded, our views and opinions which are based on living with the child 24/7, are ignored and actions taken based on social workers and managers’ views. The foster carer is usually seen as the weakest link, the least important role, which in my view is a real shame.”

Another said:

“We often feel undervalued and dismissed...This is particularly evident in education and during regular review meetings. Ultimately, we are the people who care for the child day-in, day-out. We do not ‘drift’ in and out of the child’s life, visiting once every six weeks (in the case of social workers) or every six months (in the case of Independent Reviewing Officers).”

The foster carer’s views about the child or children in their care may not always prevail. But their views should always be sought when key decisions are made. Some local authorities are excellent at doing that, but some are not. And national guidance could be clearer.

Statutory guidance includes lots of commendable references to involving carers in making decisions. But the key document⁵³, which deals with reviews of children who are in foster care, is inconsistent in promoting the importance of the role of carers and fails to list them as people who must be involved in reviews. Instead, they are listed, along with general practitioners and teachers, as people whose views might be relevant.⁵⁴ And in another part of this voluminous document, although the involvement of carers is encouraged, this is subject to veto by the child in their care.⁵⁵ The guidance should be changed to ensure the involvement of carers in review meetings is the default position, and they are only excluded in exceptional circumstances. And, although the child’s views need to be listened to - and the reason for their wishing to exclude their carers must certainly be explored - foster carers should always be involved.

Delegated Authority

Not being properly involved in significant decisions about children in their care frustrates and sometimes significantly de-motivates carers. But when carers have to involve social workers and local authorities in insignificant decisions about children it frustrates them even more. There are a range of issues and decisions - things that most families see as incidental and routine, such as allowing a child to have a haircut - which should be left to carers to make decisions about. To that end, the Government revised regulations in 2013, to achieve better delegation to carers of such decisions.⁵⁶ The regulations provide an unambiguous rationale:

⁵³ Children Act 1989: Fostering Services, Volume 4: statutory guidance on fostering services for looked after children. Department for Education, July 2015

⁵⁴ Section 4.19

⁵⁵ 4.4 requires: Responsible authorities must ensure that their system provides for the full, participation of the child’s carers, subject to the wishes and feelings of the child.

⁵⁶ The Children Act 1989, Guidance and Regulations: Section 3.188

Poor planning around delegation of authority can delay decision-making and lead to children missing out on opportunities that enable them to experience a fulfilled childhood and feel part of their foster carer's family... Looked after children say that problems obtaining parents' and local authorities' consent to everyday activities make them feel different from their peers and cause them embarrassment and upset.⁵⁷

The regulations helpfully divide decisions into three broad categories. The first includes those that are about day to day parenting, including routine decisions about medical or dental treatment, education, leisure and home life, faith and religious observance, and use of social media. The regulations require that such decisions should routinely be delegated to carers. The second category includes delegated of authority on routine, but also on longer-term decisions, for example, about school choice. The regulations require that such decisions should not be made in isolation by the carers but should involve others, the identity of whom being determined by the child's permanence plan. The third category includes significant events in a child's life, including applying for a passport, leaving the UK for more than a month, changing surname or religion or undergoing surgery. Such decisions should only be made by those holding parental responsibility for the child, whether that is the birth parents, some other individual, or the local authority.

It is clear that, four years after the regulations were changed, and all too frequently, professional practice has not changed. As one carer told us:

"It can be difficult to promote normality where delegated authority is limited. For example, our authority [to make decisions] in respect of our current placement was not provided until the child had been in our care for almost five months. During this time, we were unable to authorise anything at all without recourse to the social worker. As it stands, we still have to gain permission for haircuts, sports and social activities, school photographs, sleepovers and holiday room sharing arrangements."

Another foster carer, pleading for change, said:

"Give delegated authority quicker and more of it to foster carers. Surely it is of more benefit to the carer and child that they can benefit from steady and persistent parenting, rather than have to seek authority from other parties. This way it lessens the feeling for the child that they are different from other children and that decisions

⁵⁷ Paragraph 3.193, Department for Education. (2015) The CA198 guidance and regulations Volume 2: care planning, placement and case review, London: Department for Education.

made are timely and made by the carers who ultimately have been chosen by the local authority to care for those children.”

Most tellingly, a thirteen-year-old fostered child, told us:

“I am of a place in life where things like getting your hair cut or ears pierced are things that people around me can go and do whenever they feel like it. [But] I have to ask the local authority before I get this done and sometimes this can be denied, or my social worker won’t answer to this because they have too many cases. I feel that children in long-term care shouldn’t always have to consult the council on these decisions... Long term foster carers know these children better than the local authority, therefore why should the local authority have more say in a foster child’s life than their care givers?”

Too often we make it more difficult than is necessary for foster carers, effectively and comprehensively, to parent the children in their care. One carer shared with us her problems with education for a foster child (for whom there was no prospect of reunification with her birth parents. The carer wrote to us at the beginning of the review and said that, despite a difficult start in life, one of the children in her care was very bright:

“[She] is so very bright that my husband and I are hoping that she will be able to attend an independent school close to where we live as she will really benefit from the opportunities there for her and indeed it will be us paying the fees, however this is subject to social worker approval and virtual school approval and this annoys me.”

By the end of the review the carer confirmed to us that her request – privately to fund the education of her foster child - had been refused.

Delegated authority is empowering for foster carers and good for children. And it is good for hard-pressed social workers with one telling us:

“If you want something doing for a child, ask the foster carer to do it and give them the power and support to do it. You will find they do it more quickly and more efficiently as it matters more to them than a social worker with so many other competing demands.”

We think that the categorisation of types of decision, which might be delegated to carers, is sensibly defined in the statutory guidance. But unless carers are explicitly clear about being able to independently take decisions listed in the first category, they will continue to feel exasperated. More importantly, children will needlessly feel frustrated, unhappy, and made to feel different to other children. The DfE should urgently remind all local authorities that the delegation of total authority for all category one decisions should apply automatically to

foster placements unless, for exceptional reasons, such delegation is inappropriate. In those cases, the reasons for the exception must be set out in the child's placement plan. This is vital because many carers have been led to believe that they have to be given explicit permission to take decisions that lie in category one. They do not. They have that authority unless the local authority explicitly - because of specific safeguarding or other serious issues - takes it away from them.

It was sometimes suggested to us that such routine delegation was impossible for the 18% of children who are in foster care at the request of and with the agreement of their parents (those voluntarily accommodated). In such circumstances, the regulations prescribe that the child's care plan, including the authority delegated to carers, needs be agreed with the child's parents. But only in as far as is reasonably practicable. We do not believe it is reasonably practicable for carers to be asked to parent a child, while simultaneously preventing them from making day-to-day decisions. We would urge the Department for Education and local authorities to recognise that delegated authority to carers must apply to voluntarily accommodated children too, and that birth parents should be helped to understand that is in their child's best interests. Other than in exceptional circumstances, birth parents should not be allowed to veto the ability of foster carers to provide day to day parenting.

Physical Affection

Fostering regulations require that:

Carers should provide a level of care, including physical affection, which is designed to demonstrate warmth, friendliness and positive regard for children.⁵⁸

But all too often we found that foster carers believed that demonstrations of physical affection were frowned upon, or they had been taught to be fearful of potential allegations. In one example, we heard of a foster carer in a room with other carers and changing a baby's nappy. On completion, she raised the child's Babygro and blew a raspberry on his bare tummy. Other foster carers in the room were very concerned that her expression of affection for the baby was inappropriate and could even be seen as a safeguarding issue. These concerns and anxieties can result in some children in care not receiving the physical or emotional affection they need that helps them to thrive. In turn, this will impact on the

⁵⁸ The Fostering Services (England) Regulations 2011

child's ability to express their need for comfort, re-assurance and understanding from an emotionally responsive carer. These are the fundamentals of a healthy childhood.

More detailed advice to carers from numerous local authorities and IFAs, and based on advice formulated by the Fostering Network⁵⁹ purports to be supportive of physical affection, but implicitly discourages it. This, from one local authority, is typical:

Physical contact should be given in a manner which is safe, protective and avoids the arousal of sexual expectations, feelings or in any way which reinforces sexual stereotypes. Whilst staff/carers are actively encouraged to play with children, it is not acceptable to play fight or participate in overtly physical games or tests of strength with the children.

Of course, carers must be sensitive to the appropriateness of their physical contact with children. There are essential boundaries that we have become more conscious of recently as awareness of sexual abuse has increased. But, we find it depressing that the potential arousal of sexual expectations is headlined in this statement. It is bound to discourage many from any expression of intimacy, however much a child might welcome that. And the guidance might encourage carers to believe that there is an epidemic of allegations relating to alleged sexual abuse. In fact, in the year ending March 2015, there were only around 193 such instances, which very little more than an average of one in each local authority in the twelve-month period⁶⁰.

A number of organisations go further in discouraging physical affection from male carers. This, from an IFA:

Most allegations are made against male carers and most abusers are heterosexual men...Carers should be aware that showing physical affection towards children/young people could be misinterpreted and put them at risk. This particularly applies to male carers where a female carer is not present.

It would be a brave male carer who, after reading that, and when alone with a foster child who had perhaps fallen and been hurt, were to offer them a comforting hug. And how many male carers would feel encouraged to take or pick up a child from school, or pick them up after an evening out (as most fathers do) in the light of this:

⁵⁹ The Fostering Network: *Safer Caring: A New Approach*

⁶⁰ The Impact of Unproven Allegations on Foster Carers: Gillian Plumridge and Judy Sebba. The Rees Centre and the University of Oxford, July 2016

Carers should be aware of the possible risks of being alone in a car with a foster child. In particular male carers should be aware of the additional risk of allegations and take sensible precautions (e.g. in some cases it may be advisable for the child to sit in a back seat).

Sometimes advice miserably fails to discriminate between infants or toddlers and older children, where caution might need to be exercised, and where the child can express a view about being hugged. This advice is typical:

Do not use hugs, kisses, cuddles etc. without first checking out that the child wants this.

And while insisting that a child can never come into a carer's bed might be appropriate for older children, it will often not be appropriate for an infant or toddler who will often value the comfort that can bring, particularly when ill or after nightmares.

Of course, children and young people do not want to experience intrusive behaviour, but they frequently welcome and value the comfort that physical affection can provide. As one care leaver told the Guardian recently⁶¹:

My foster mother Jenny's first words to me were: "Can I have a hug?" This big-hearted Jamaican lady was and is the kindest, most selfless soul I had ever met. We clicked instantly, and I ended up staying with her for two years."

We heard many anecdotes, sufficient to worry us that a belief that it was professionally discouraged, or anxiety about allegations, discourage foster carers from the natural expression of warmth and affection towards their foster children, meaning these children are in some cases deprived of the physical contact and comfort they need. The Department for Education, which publishes voluminous guidance on every other aspect of fostering, is silent on this issue. Not so TACT and we admire this from their guidance to carers:

Showing affection is a very important part of your caring role and should never be avoided because of the fear of allegations.

We are absolutely of the view that physical contact should be encouraged and celebrated in fostering. Children, particularly infants, should be held, cuddled and kissed in the same way parents and carers from all cultures across the world comfort their children. And a growing

⁶¹ The Guardian, 12 February 2016

body of evidence suggests that doing so is demonstrably good for children and can help them to thrive.⁶²

And, contrary to the beliefs of some practitioners and carers, Ofsted is not likely to be critical of demonstrations of physical affection. They told us:

“It’s important that foster carers are sensitive to the wishes, feelings and experiences of individual children. But we wouldn’t want to see an overly-cautious, inflexible approach to their role that would mean children wouldn’t receive the kind of warm and nurturing care they need and deserve. That includes physical affection.”

Department for Education guidance and regulations are silent on this key issue and such silence - which is disappointing - must encourage the view that physical affection is considered inappropriate. Of course, foster carers need to deal sensitively with intimacy issues, particularly with older children. But carers should be in no doubt that, unless it is unwelcome to the child, they should not curb the natural instinct to demonstrate personal and physical warmth. We urge the DfE to make that clear in future guidance.

Rationalising the Professional Supervision of Placements

There are sometimes too many professionals involved in supervising fostering placements: the children's social worker, the fostering social worker (sometimes referred to as the supervising social worker) and the independent reviewing officer. Supervising visits from two separate social workers - often from the same local authority - might be justified in the early weeks of a placement, but when it happens routinely it represents an unnecessary intrusion into the life of a foster family and the child in care. A number of witnesses suggested that for stable placements, local authorities should have the discretion to allow just one social worker simultaneously to take on the role of the fostering social worker and the children's social worker.

Match Foster Care, an independent fostering provider, has piloted this as part of the Department for Education's Innovation Programme. They have seen high levels of satisfaction from both foster carers and fostered children, who appreciated the greater

⁶² According to Notre Dame psychologist Darcia Narvaez, in an article published in *Developmental Science* in January 2016, children who have positive experiences with regards to affectionate touch, free play and family togetherness grow up to be less anxious adults. And oxytocin, one of the so-called 'feel-good chemicals,' is released into the body only after physical contact lasting about eight seconds suggests Noel Janis-Norton, author of the *Calmer, Easier, Happier* series of books. And the *American Journal of Psychological Science* has suggested that hugging may offer some protection against upper respiratory infection and illness.

consistency of workers (having one social worker instead of two) and the quicker, more effective decision making about issues such as contact.

It will be argued by some that reducing regulatory supervision in this way might not be appropriate when the foster carers have been recruited and are being supported by an IFA. We don't believe that to be the case. What is vital is that such supervision is given by a professionally qualified social worker focussed on the child and the carer together. Whether such professionals are employed by a local authority or an independent fostering provider is irrelevant. We heard consistently good things about fostering social workers, whether or not they were employed by local authorities or by independent agencies. One carer told us:

“We work as one team, they understand the challenges, I feel listened to and supported, they are most experienced and can effect change, they are reliable, they know me and they have always given me the support and information needed, I can ask them anything big or small... my Supervising Social Worker is invaluable.”

By contrast, we did not hear similar levels of approval for the work of the child's social worker and in the written evidence we received there were numerous criticisms of the children's social worker. Ofsted confirm that impression, reporting that foster carers are less likely to be satisfied with support from children's social workers and there is particular concern about the impact of high staff turnover on the availability and quality of that support. The level of that turnover is, indeed, troubling. According to the Children's Commissioner's Stability Survey for 2015-16, and based on a sample of 12,500 children in care, 57% saw a change of social worker during that year. A quarter of children saw the identity of their social worker change twice in that period.

One experienced and extremely impressive foster carer explained the differences in the approaches and the stability of the two social workers:

“In terms of consistency, we have had 5 Fostering Social Workers (FSW) in 20 years. We know children that have had 5 Social Workers in a year! This means that variations and inconsistencies in the way our FSW works with us are rare as we have time to develop an appropriate relationship, sort out between us any variations in view/style and come to an understanding of the way each other works. The FSW obviously has detailed understanding of how Fostering works whereas most Children's Social Workers (CSWs) appear to have little knowledge of our role and responsibilities or the 'mechanics' of how it works... which can then lead to difficulties in the placement which are unnecessary. Whilst I appreciate that many CSWs have a huge and difficult case load, if they could somehow have more/better training on Foster Care at some point in their career, I think it would be better for the YP we look after... Our FSWs have always got involved with the YP placed with us

and acted as support to help us keep placement working well. They are able to provide a useful 'bridge' on many occasions. Consistency of CSW is a big issue not just for us, but for the child as well. When their Social Worker changes, for whatever reason, it is usually very hard for them and the new one always does things differently."

We therefore suggest that local authorities should decide which individual social worker is best placed to offer the support to the foster family in long-term placements. As well as resulting in a welcome reduction in family intrusion, and sometimes confusion, this change would deliver cost savings to hard-pressed local authorities. But it is important to stress that we recommend this, not simply to save money, but because we think it will be in the interests of fostered children.

In most cases, we suggest the single individual should be the fostering social worker but that can be determined on an individual basis. Where it is the fostering social worker who is chosen to take on the dual role, it would mean that individual would act as the responsible authority in supporting the child in placement and would undertake looked after children reviews, personal education plan reviews, and managing contact with the birth family, while continuing to offer support to the foster carers.

Independent Reviewing Officers

Since 2004, all local authorities have been required to employ Independent Reviewing Officers (IROs). IROs are expected to ensure that care plans for children and young people fully reflect their needs and that each child's wishes and feelings are given full and due consideration.⁶³ They also have a duty to monitor the local authority's performance as a corporate parent and raise areas of poor practice with senior managers.

During the last thirteen years there has been considerable debate as to whether IROs are having the intended impact on service quality and improvement. In their 2013 thematic report on IROs⁶⁴, Ofsted identified a number of weaknesses including poor oversight of care plans; excessive caseloads; lack of rigour in review recommendations and follow-up; a failure to consult properly with children; poor quality annual reports; and inadequate oversight of IROs' work by their line managers.

⁶³ IRO handbook: statutory guidance for independent reviewing officers and local authorities on their functions in relation to case management and review for looked after children, Department for Children, Schools and Families (DCSF), 2010 (pp. 9–12).

⁶⁴ Ofsted. (2014) *Independent Reviewing Officers: taking up the challenge*, London: Ofsted.

Some progress has been made in the ensuing period and we heard from some witnesses who valued the role – for example, they thought IROs ensured that care plans were reviewed in a timely manner and there were occasional instances when they intervened to prevent a child being inappropriately moved from an IFA to an in house placement. Overwhelmingly, however, we got a sense of indifference towards the role. Carers were invariably dubious about the efficacy of the IRO and, very frequently, we heard that the money spent on them could be better invested elsewhere in the care system. One fostering manager told us:

“I’m not overly enthusiastic about them. At their best, they can drive out ‘drift’, they can be used to unstick process issues and sometimes they meet with and listen to carers. But they are hit and miss.”

A Director of Children’s Services questioned their impact:

“I am not clear about the measurable difference they make. My budget is under immense pressure and I can’t afford to have personnel that are not demonstrably improving the lives of children.”

Another Director said he would rather use their expertise elsewhere:

“Some of our authority’s most experienced social workers are IROs. I would much rather they worked with children or led services.”

Many witnesses felt that IROs’ status as local authority employees prevented them from being independent and free to speak out. Some suggested that IROs should sit outside local authorities altogether, with the Children’s Commissioner for example. An Assistant Director highlighted some of the inherent tensions that could be relieved through relocating them out of councils:

“IROs are supposed to provide high support and challenge to social workers and senior managers. But all too often they find themselves in an underperforming service and in an environment where there is a lack of trust, openness and an unwillingness for people at the top to listen. IROs get caught up in the culture and find it incredibly difficult to speak truth to power.”

We were not convinced that the effectiveness of IROs would improve simply by removing them from the employment of local authorities, and do not believe that should happen. Being employed within a local authority does not mean that IROs cannot assert themselves and some do. If others are ineffective within a local authority, they are likely to be ineffective outside. There is a more fundamental problem here. The real issue is whether, rather than spending large amounts of money checking that children are being

appropriately placed and cared for in the care system, we should invest that money in more frontline and line management staff to make that happen. The estimated potential savings for reinvestment could be anything from £54 to £76 million or more.⁶⁵ Our conclusion is that, despite the commendable commitment of some individuals, we saw little to recommend the IRO role and believe local authorities should be allowed to dispense with it, re-investing savings in front line staffing.

Fostering Panels

A number of contributors were sceptical about the contribution made by fostering panels and, when we probed their value for money and effectiveness in various discussions, opinions were mixed but mostly critical. One distinguished commentator told us:

“Ensuring that the process has been followed, that the focus of the preparation and assessment has been on the detail of the strengths, opportunities, motivation and commitment of foster carers and these driving the process and decision making seems to be hugely important. These issues could be lost... But if panels themselves are bureaucratically driven and take up resources that should be used to facilitate and enable foster carers, then that is not good either. And that does happen.”

We believe there needs to be a thorough assessment and consultation with the sector and with carers about the effectiveness, cost, and value for money of fostering panels and we urge DfE to commission such an assessment.

Allegations

Facing an allegation of abuse or neglect is inevitably a distressing experience for foster carers and their families. Carers generally accept that immediate action has to be taken to protect children from possible harm, and that allegations have to be investigated promptly and thoroughly. But a minority believe that they are inadequately supported through the investigative process and that some allegations are demonstrably mischievous.

According to Ofsted, in 2015-2016 there were 2,450 allegations against foster carers, which is a slight rise of just over 1% on the previous year. In only about a

⁶⁵ Estimated number of IROs = Number of children in care (at March 2017) 72,670 divided by the average caseload (50-70 cases as recommended in the IRO guidance) = 1,038 to 1,453. Using an average yearly salary of £40,000 based on current IRO job adverts + on costs of 30% = £54 - £76 million. Caseloads will vary and are higher than the recommended limits but this calculation does not take any account of the costs of managing the IRO service.

quarter of cases across both years was the allegation referred to the Fostering Panel for them to consider whether or not abuse had taken place.

Biehal's⁶⁶ research concluded that between one-fifth and one-quarter of allegations are confirmed as involving an act that could be defined as abuse or neglect. This means that in about 1,800 cases a year, carers are drawn into investigative processes, which can be lengthy and can sometimes necessitate the removal of the foster child, but where the allegation was without merit. Such cases will, inevitably, be distressing. But it is important to remember that 1,800 or so cases a year represents just one allegation each month for every 350 children in foster care. This does not support suggestions that the number of unproven allegations is at crisis levels, as was sometimes suggested to us. Nor are foster carers uniquely vulnerable to allegations, as suggested to us by the newly formed Foster Care Workers Union. Similar risks are an unfortunate fact of life for many individuals employed in caring or similar roles, including teachers, nurses and social workers.

Nevertheless, if trivial issues were routinely treated as formal allegations, then that would demoralise foster carers unnecessarily. The CEO of The Fostering Network has argued that there is:

*an almost non-existent threshold for an allegation to be brought against foster carers.*⁶⁷

And the Foster Care Workers Union told us in their submission to the Review that:

“Allegations range from name-calling to rape. There is no distinction or separation in category of allegation; even if the nature of the allegation may appear trivial, for example, an ex-carer was accused of describing a child’s ears as big...”

We believe that particular example is probably false. It is certainly not typical. We didn't meet anyone from a local authority who was not sympathetic to the hurt that might be caused by untruthful allegations. But none believed that petty issues were formally investigated. Alison Michalska, President of ADCS told us:

“Periodically one hears in the press and amongst commentators that allegations against foster carers are out of control, that local authorities investigate every allegation however minor it may be, including where this disrupts the foster placement. I have never seen any evidence that such an approach is routinely taken

⁶⁶ Keeping children safe: allegations concerning the abuse or neglect of children in care Final report Nina Biehal, Linda Cusworth, Jim Wade with Susan Clarke. University of York, 2014

⁶⁷ Safer Caring: a Blog from Fostering Network's Chief Executive, November 2017

by local authorities. There may be occasions, though I dispute that it is widespread, that a foster placement may be disrupted as a result of an allegation, but that would be a last resort. Local Authorities are not in the business of destabilising the lives of children in care.”

That said, and however unlikely it might be that an individual foster family will be exposed to an allegation in any one year, it is unacceptable if such a family do not receive support. Plumridge and Sebba⁶⁸ found that most carers were upset by the allegation itself, but equally upset by their ensuing treatment (although a remarkably small proportion - about 16% - in their sample of carers withdrew from fostering). Nevertheless, the fear of an allegation bothered a number of the carers to whom we spoke and some of them had little confidence that they would be well supported were one to be made against them. Carers we spoke to felt passionate about that. The 2011 regulations⁶⁹ are explicit about the management of allegations and the support that should be given to carers who are the subject of allegations:

There [should be] written guidance for foster carers and staff, which makes clear how they will be supported during an investigation into an allegation including payment of allowance and any fee to foster carers while investigations are on-going... During an investigation the fostering service [should make] support, which is independent of the fostering service, available to the person subject to the allegation and, where this is a foster carer, to their household, in order to provide: a. information and advice about the process; b. emotional support; and, c. if needed, mediation between the foster carer and the fostering service and/or advocacy (including attendance at meetings and panel hearings).

We do not believe that this guidance needs to be changed. But local authorities need to be sure that it is followed in all cases. And carers need to be reassured that, however unlikely the prospect of an allegation being made, they can be confident that they'll be supported through the process.

⁶⁸ The Impact of Unproven Allegations on Foster Carers, Gillian Plumridge and Judy Sebba, The Rees Centre for Research in Fostering and Education University of Oxford*

⁶⁹ Fostering Services: National Minimum Standards

Peer Support to Foster Carers

Professional support to carers is important. But so is peer support. Carers often rated it as more important than professional support, particularly at times of uncertainty and when wanting immediate advice. As one carer told us:

“Other carers... they understand my issues and my needs, they are living with the same things I am, they understand as they live with a child 24/7.”

Foster carers support each other by sharing their knowledge and experience; giving emotional and practical support; providing respite; and by socialising together. Peer support can be impromptu or organised more formally. The Mockingbird Family Model (MFM), which has been piloted and evaluated with seven fostering agencies and extended to a further ten, provides a proven approach to peer support. The model establishes an extended network of family support with one carer, the *hub carer*, providing support to 6-10 carers who live in close proximity to the central hub home. The dedicated *hub carer* is a specially recruited and trained carer offering peer support, coaching, planned and emergency respite care, and social events for families. The hub home can provide a neutral environment for shared decision-making meetings, social worker visits and sibling and birth family visits. Hub carers do not have a foster child in placement full-time but offer support and relief to the other carers. The model aims to achieve improvements in placement stability; strengthen relationships between foster carers and social workers; improve carer recruitment and retention; raise the status and motivation of carers; and reduce carer isolation.

The evaluation, published in 2016, is encouraging. Meetings enabled carers to talk openly with other carers living with similar challenges and to learn from each other without prejudice. Hub carers were highly responsive and flexible to the needs of families. Respite was provided by the same person on every occasion, which enabled children and carers to develop trusting and stable relationships.⁷⁰

While it remains too early to conclude whether the Mockingbird Family Model has improved placement stability, there are some indicators that point to precisely that. The evaluation identified two features as likely to contribute to an increase in resilience and improved foster carer retention - and therefore fewer placement breakdowns: increased access to familiar and reliable respite care, and the peer support networks.

⁷⁰ McDermid, S., Baker, C., Lawson, D., & Holmes, L. (2016). The evaluation of the mockingbird family model: Final evaluation report.

All fostering services should consider introducing this type of structured peer support for carers. Not all will be able to provide something as sophisticated (and the costs are not insignificant, estimated to be more than £30,000 a year) but arrangements of this nature are likely to promote carer retention and placement stability.

Recommendations

1. We are clear that it is unrealistic to believe that foster carers, however competent they are, indeed, even if they happen to hold professional qualifications, can play an equal part alongside necessarily dispassionate social work professionals, in determining what is best for a child in care. Frankly, often the last thing we need is for foster carers to be dispassionate. We need them to get emotionally involved, we want them to be subjective, we want them to fiercely advocate for the child or children in their care. Because that is what parents do. Foster carers are not professionals. But - and this is crucial - they must be treated professionally.

2. Statutory guidance includes lots of commendable references to involving carers. But the key document that deals with reviews of children who are in foster care is inconsistent in promoting the importance of the role of carers and fails to list them as people who must be involved in reviews. Instead, they are listed along with general practitioners and teachers, as people whose views might be relevant. And in another part of this voluminous document, although the involvement of carers is encouraged, this is subject to veto by the child in their care. The statutory guidance should be changed to ensure the involvement of carers in review meetings is the default position, and that they are only excluded in exceptional circumstances. And, although the child's views need to be listened to - and the reason for their wishing to exclude their carers must certainly be probed - foster carers should always be involved.

3. We think that the categorisation of types of decision which might be delegated to carers is sensibly defined in the statutory guidance. But unless carers are explicitly clear about being able, independently, to take decisions, they will continue to feel exasperated. More importantly, children will, unnecessarily, be frustrated, unhappy, and feel different from other children. The Department for Education should urgently remind all local authorities that the delegation of total authority for all category one decisions should apply automatically to foster placements unless, for exceptional reasons, such delegation is inappropriate. In those cases, the reasons for the exception must be set out in the child's placement plan.

4. We do not believe it is reasonably practicable for carers to be asked to parent a child, while simultaneously preventing them from making minor decisions. We would urge the

Department for Education and local authorities to recognise that automatic delegated authority to carers must apply for voluntarily accommodated children too, and that birth parents should be helped to understand that is in their child's interests. Birth parents cannot be allowed to veto the ability of foster carers to provide day to day parenting.

5. Department for Education guidance and regulations are silent on physical affection and such silence - which is disappointing - must encourage the view that physical affection is considered inappropriate. Carers should be in no doubt that, unless it is unwelcome to the child, they should not curb the natural instinct to demonstrate personal and physical warmth. We urge the Department for Education to make that clear in future guidance.

6. We suggest that local authorities should decide which individual social worker is best placed to offer the support to the foster family in long-term placements. As well as resulting in a welcome reduction in family intrusion, and sometimes confusion, this change would deliver cost savings to hard-pressed local authorities. But it is important to stress that we recommend this, not simply to save money, but because we think it will be in the interests of fostered children.

7. Our conclusion is that, despite the commendable commitment of some individuals, there is little to recommend the IRO role and believe local authorities should be allowed to dispense with the role; re-investing savings in front line staffing.

8. We believe there needs to be a thorough assessment and consultation with the sector and with carers about the effectiveness, cost, and value for money of fostering panels and we urge the Department for Education to commission such an assessment.

9. We do not believe that Department for Education guidance on allegations needs to be changed. But local authorities need to be sure that it is followed in all cases. And carers need to be reassured that, however unlikely the prospect of an allegation being made, they can be confident that they'll be supported through the process.

10. All Fostering Services should consider introducing structured peer support for carers. Not all will be able to provide something as sophisticated as the Mockingbird model (and the costs are not insignificant, estimated to be more than £30,000 a year) but arrangements of this nature are likely to promote carer retention and placement stability.

Chapter 3: The Financial Compensation and Reward of Foster Carers

Almost none of the carers we met prioritised pay as an issue and of those who submitted evidence, fewer than one in five mentioned pay as an issue (that was until a rather transparent campaign organised just as this review was concluding, led to us receiving 369 identical letters). The fact that so few carers majored on pay - being much more likely to talk about how their foster children could be better supported - is of credit to them but we are very clear that there is no conflict between being a caring or loving foster carer and being adequately compensated.

Foster carers need to maintain a family home and support themselves and their family. It is often difficult to combine other paid work with fostering and with some placements and fostering services require one partner in a couple to be a foster carer full time. So it is essential that the reward element of fostering enables them to do so. It sometimes appeared to us that there was too little prominence given to the reality that fostering is reasonably remunerated, perhaps from fear that it would attract people with the wrong motivations (we heard from one carer who didn't know she would receive any payment until shortly before her first foster child was placed).

Allowances and Fees

Foster carers get an allowance to cover the cost of caring for a child. The Government sets the recommended national minimum rates and they are updated every April. They range from £125 a week to care for a baby in areas of England other than London or the south east, to £219 a week to care for a 16 or 17-year-old in London. In addition to the allowance, which is intended to cover the costs of caring for the foster child, nearly all fostering services also pay carers a fee - or a reward - on top of the fostering allowance.⁷¹ Although the Government sets the rates for the allowance, it is for individual fostering services separately to decide the size of the fee they pay their foster carers. The amounts paid by both local authority and independent fostering agencies vary considerably - depending on a range of factors - for example, the age of the child and their specific needs, the type of fostering, the carer's skills and capabilities, and their length of service.

Many new carers, those looking after children in the 0-4 age bracket and without complex needs, as well as kinship or family and friends foster carers, will – understandably - not

⁷¹ In a recent report produced by the Fostering Network⁷¹, they estimated that 86% of local authority foster carers received a fee in addition to the allowance. Almost all IFA Carers receive fees in addition to allowances.

receive a fee. The Fostering Network suggested that over half (54%) of local authority fostering services in England pay no fee at all to such foster carers. But for children with more complex needs, and who pose a significant caring challenge, fees - quite properly - rise substantially.

This means that, taking allowances and fees together, some carers will receive a not insubstantial amount. In one London local authority, if a carer is looking after a 16-year-old child, the total of their fee and allowances will be in the region of £450 a week. For carers recruited by IFAs, their total package might be higher, and in our research, we observed that the mean total of pay and allowances paid to carers by one particular IFA was £585 a week.

Tiered and Skill Based Fee Systems

Some local authorities have introduced a tiered skill-based system of remuneration ensuring that those carers who commit to professional development are rewarded. Leeds and Hampshire, two impressive local authorities, have developed a model for their carers which provides clear entry requirements and post approval expectations for carers, allowing them to progress through the tiers if they meet the skills and competency requirements. In Leeds, and depending on which tier a foster carer sits, the fees range from £120 to £220 a week (in addition to the fostering allowance). We warmly endorse tiered approaches to paying fees, linked to the skills and experience of the carers. Implemented widely, such models could drive greater consistency in fostering, aid better matching between child and carer and could provide improved knowledge about the skills of the foster carer population.

Foster Care Income, Taxation and Benefits

While fostering allowances are generally very visible in recruitment material, the additional existence of fees and, more importantly, the ways both allowances and fees are treated for tax and benefits purposes is not as well promoted and could be much better publicised. Foster carers don't have to pay tax on the first £10,000 of income and they get further tax relief for every week that a child lives with them, meaning they may have no tax liability for incomes much greater than £10,000 pa.⁷² Similarly foster carers are treated more favourably by the benefits system. Fostering allowances and fees received for fostering are fully disregarded for the purposes of calculating entitlements to means tested benefits and as long as carers are still searching for work, not necessarily full time work, they can continue

⁷² HMRC provide this example: Laura is a foster carer for a 14-year-old for the whole of the year and for an 8-year-old for 10 weeks of the year. She doesn't have to pay tax on the first £25,000 she earns because she has a basic tax exemption of £10,000 and gets additional tax relief totalling a further £15,000 for the weeks her foster children are with her.

to receive jobseeker's allowance, and they can still claim income support and employment and support allowance.⁷³ Carers are entitled to disregard fostering income when applying for a rebate against council tax and some local authorities no longer require foster carers to pay any council tax at all.

Foster Talk⁷⁴ provides a useful example of the tax and national insurance liability in 2016-17 for Malcolm, an imaginary carer of two children, with a fostering income of £34,500 and non-fostering income of £4,500. In that year, he would typically have paid only £498 in tax and national insurance.⁷⁵ By contrast, a non-foster carer and with the same total income of £39,000 a year would have paid about £9,300 in tax and national insurance. Indeed, a non-foster carer would have to have a gross salary of almost £54,000 a year before receiving the same net income as Malcolm.

We are not remotely suggesting that such payments, and their treatment for tax and benefits purposes, are extravagant. Indeed, it would be easy for us to argue that carers deserve more, although it would be much less easy for local authorities to afford additional payments. But we do not believe current payments - when considered in the context of HMRC's tax and benefit arrangements - are inadequate, nor to be an obstacle to recruiting high quality carers (although, the tax and benefits arrangements could be better publicised). We know that Sarah Anderson, from the Foster Care Workers Union, is regarded as an outstanding carer. But we do not agree with her when she told the Guardian⁷⁶ earlier this year that most foster care workers are underpaid.

Employment

Some foster carers, fostering organisations and trades unions are calling for foster carers to be regarded as workers or employees. Around 60 foster carers elected in 2016 to unionise and join the Foster Care Workers Union, part of the Independent Workers' Union of Great Britain (IWGB). Similarly, some 500 Foster Carers in Yorkshire and north Derbyshire have

⁷³ Foster Carers: Claiming Benefits While Fostering: <http://www.gov.uk/foster-carers/claiming-benefits-while-fostering>

⁷⁴ Foster Talk: Foster Care Finances, April 2017

⁷⁵ Malcolm has two siblings under 11 years with him for the whole tax year 2016-17. One sibling is a standard placement for whom he receives £275 per week; the other is a non-standard placement for which he receives £475 per week. He also has non-fostering income of £4,500. His total income including his non-fostering earnings is £39,000. His income from fostering totals £30,800 which exceeds his total tax-free fostering allowance of £30,800. The £8,200 excess fostering income and his £4,500 non fostering earnings are set against his (non-fostering) personal tax allowance £11,000. On a total income of £39,000 he will pay only £498 in tax and national insurance.

⁷⁶ The Guardian, 17 January 2017

joined the GMB union. And there have been a number of cases at court in both Scotland and England concerning the employee status of carers.

Some carers are critically aware that employment rights would fundamentally change fostering. As Martin Barrow said in the Guardian recently⁷⁷:

I suggest it would have a profound impact on the relationship between foster carers and their employers, the community and, most important of all, the children and young people in their care.

David Williams, Chief Officer of Glasgow City Health and Social Care Partnership, and in the wake of a challenge in a Scottish Court, was even more emphatic:

Any tribunal which decided foster carers should be employees, without any requirement to consider the interests of children, could have devastating consequences. There isn't an organisation or employer in any business across the UK who could employ someone to work 24/7, for 365 days a year, for very obvious reasons. It would mean - literally overnight - the end of foster care.

We acknowledge that employment rights would, indisputably, bring some benefits to foster carers, not least in basic things such as sickness benefits and protection against dismissal, neither of which is provided for under current arrangements. But they would also bring significant obligations, more oversight and impinge drastically on the independence of foster carers, turning their homes into places of work. And the current helpful tax and benefit arrangements would be most unlikely to be extended to employed carers.

It may be for the courts to determine the employment status of carers. But we believe that were it to be obtained, employment would radically and negatively affect the heart of fostering and would not be in the interests of children in care. We encourage the Government and local authorities to resist such a fundamental change.

Recommendations

11. We warmly endorse tiered approaches to paying fees, linked to the skills and experience of the carers. Implemented widely, such models could drive greater consistency in fostering, aid better matching between child and carer and would provide improved knowledge about the skills of the foster carer population.

⁷⁷ The Guardian, November 6 2017

12. We do not believe current payments to carers - when considered in the context of HMRC's helpful tax and benefit arrangements - are inadequate. Nor are they an obstacle to recruiting high quality carers, particularly if the tax and benefit treatment of fostering income is better publicised.

13. It may be for the courts to determine the employment status of carers. But we believe that were it to be obtained, employment would radically and negatively affect the heart of fostering and would not be in the interests of children in care. We encourage the Government and local authorities to resist such a fundamental change.

Chapter 4: Recruitment

The Fostering Network has said that we need an additional 5,900 new foster families in England. This often leads people to assume that we have thousands of children sleeping in children's homes because there are no foster carers available. That is not so. The overwhelming majority of children who need to be fostered are quickly found placements, and at any one time, significant numbers of approved carers do not have a child to look after.

We do, however, have geographical shortages and a shortage of the right sort of placement for children who have a range of special needs that will require particular skills and knowledge from a foster carer. Typically, these children are older, part of a sibling group, or have a disability. This results in some children being placed with the foster carers on a temporary basis and subsequently needing to be moved to another, more suitable foster home, sometimes more than once.

The scale of this mismatch, which is different around the country, is not known. We do not routinely or systematically collect data about foster carer availability or their capabilities. Ofsted collect and publish limited data. This includes the numbers and profiles of local authority and IFA foster carers; foster places and placements; the number of carers that have ceased to foster; and the number of new registrations. Their latest published collection⁷⁸ reported that there was a drop of one-third in the number of applications to be a foster carer in 2015-16 compared to the same period in the previous year - offset in part by an increase in the proportion of applications that led to an approval.⁷⁹ That drop in applications would be troubling were it to continued, but our expectation is that there was a modest recovery in the number of applications in 2016-17.

Despite the Ofsted data, our understanding of the availability and skills of foster carers is not good enough. We can't expect to recruit the right number and type of foster carers and in the right parts of the country, when we know so little about the capabilities and location of current carers. As the Fostering Network told us:

Fostering services are able to recruit foster carers without regard to whether the skills they bring and homes they offer are actually needed for children, or to whether other carers already exist who could provide the necessary placements.

⁷⁸ Ofsted (2017) *Fostering in England 2015 to 2016: Key Findings* London: Ofsted

⁷⁹ The drop was from 16,920 to 11,460. But almost a quarter of agencies failed to provide information to Ofsted and the fall may not have been as severe as the figures suggest.

More needs to be done to understand the number and needs of children in care (the demand) and the number of carers and their ability to care for different sorts of children (the supply) and the interplay between the two. Statutory guidance already requires local authorities to:

*predict demand for both the quantity and quality of services, drawing on a wide range of available national, regional and local data including individual care plans and individual assessments.*⁸⁰

But councils generally find this difficult. A number of organisations, including the Fostering Network, FosterTalk and some local authorities as well as some carers⁸¹ called for a national register of carers. They suggest that such a database could hold details of their fostering agency; the date of their approval as carers; where they live; the number of beds and bedrooms in their home; the number of vacancies for children; personal characteristics (age, gender, ethnicity, religion and language); and their level of training and expertise. Such a register would provide vital information, which could improve recruitment. And, as we explain in chapter 6, such a register could also provide a vacancy management system and radically improve matching. We see great merit in the proposal and urge the Department for Education to evaluate the costs and advantages.

Recruitment Practice

Much recruitment practice looks a little old fashioned with many local authorities continuing to use traditional recruitment techniques sometimes confined to print, billboard and bus advertising. But we found some good examples of more modern, more imaginative and more effective recruitment practice. A number of local authorities are targeting their marketing campaigns in ways that appeal to potential carers' intrinsic motivations, which are now well understood and evidenced recently by Samantha McDermid⁸² and Judy Sebba⁸³. Leeds have increased their foster carer numbers through the use of promotional materials that explicitly recognise fostering as altruistic, often expressed as 'loving children', and stressing the potential to making a difference to the lives of children.

⁸⁰ Department for Education. (2010) Sufficiency: Statutory guidance on [securing sufficient accommodation for looked-after children](#), London: Department for Education.

⁸¹ Submissions to the Call for Evidence

⁸² McDermid, S., Holmes, L., Kirton, D. and Signoretta, P. (2012) *The Demographic Characteristics of Foster Carers in the UK: Motivations, Barriers and Messages for Recruitment and Retention*. Loughborough: The Childhood Wellbeing Centre, University of Loughborough.

⁸³ Sebba, J. (2012) *Why Do People Become Foster Carers? An International Literature Review on the Motivation to Foster*. Oxford: The Rees Centre, University of Oxford.

Hertfordshire have driven up carer recruitment using a behavioural insight approach⁸⁴ from which other local authorities have benefited. The approach seeks better to understand the values and behaviours of potential carers, when making the decision to foster. They believe that marketing materials should use a personal tone; that word-of-mouth methods of communication are likely to be more successful; and that prospective foster carers will respond more positively when hearing from carers themselves. The Hertfordshire fostering manager stressed:

Overwhelmingly, foster carers want to help children and they are such good champions, they live and breathe it, it's what they do, [so] who better to hear it from.

The use of foster carers as an effective means of recruiting carers is well founded in the literature.⁸⁵ It has long been established that people frequently come to fostering through meeting or knowing other foster carers as a child or adult or, less often, through contact with a fostered child.⁸⁶ Hertfordshire believe that their approach has seen a greater than 60% increase in the conversion rate of enquiries (to being approved as carers) and has delivered a net increase of 94 carers, sufficient to look after approximately 120 foster children.

Social Media

Social media is increasingly being used to improve recruitment, particularly by independent fostering agencies. The Fostering Network suggests that as many as 38% of all enquiries now come through the internet. Andy Elvin, Chief Executive of TACT, told the Education Select Committee that:

If you want anything these days, you go online and use a search engine to find it. Too much money is spent on putting things on the side of buses, on newspaper adverts and radio adverts. It does not bring you foster carers. You do it all on Facebook and use Google Analytics. [When we did it] our foster care statistics for recruitment went up by several hundred per cent instantly.

IFAs told us that social media was cheaper and more effective than conventional marketing activities and it enabled them to target recruitment on those most likely to respond. By

⁸⁴ iMPower consultancy project in Hertfordshire County Council is profiled as a case study on their website: <https://www.impower.co.uk/case-studies/hertfordshire-county-council>

⁸⁵ Sebba, J. (2012) *Why Do People Become Foster Carers? An International Literature Review on the Motivation to Foster*. Oxford: The Rees Centre, University of Oxford.

⁸⁶ Rodger et al., 2006

contrast, some local authorities spoke of their frustrations in seeking to adapt to the new digital world. One manager told us:

“We know how important social media is in today’s world. I use it constantly in my personal life. But getting the council’s IT department on board has been a nightmare; there are just too many protocols. The fostering team have a social media recruitment strategy but the council doesn’t. We can’t even update our website very easily.”

Although IFAs spend more money, as a proportion of their total spend, on recruitment, some local authorities told us that their marketing budgets had been significantly reduced, despite the fact that they were spending more on external placements than was desirable. At the same time, it appears that fostering-specific marketing expertise appears to be more limited in local authorities than in some IFAs, with some fostering departments having to rely on the local authority’s corporate services for their marketing support.

A Fragmented Market

Strategic recruitment, targeted at those most likely to have the skills needed to care for some troubled and challenging children is not helped by the fact that we have 152 local authorities and 295 registered independent fostering agencies all competing against one another. And in an entirely unplanned way, they vie for the attention of prospective carers, increasing the costs of marketing and eventually, the costs of fostering. There is much wasted time and effort, which exposes potential carers to multiple recruitment campaigns which can be confusing. One fostering couple told us:

“We talked about doing fostering years before our daughter left home and we were really keen. When the time was right for us, it was all so complicated trying to work out which agency to choose. Once at the summer fete, we were overrun by fostering agencies trying to sign us up. It felt a bit unnerving.”

This lack of clarity and consistency, and inefficient use of resources, has led to calls for a national campaign to raise the awareness of fostering and the rewards of being a foster carer. In fact, some elements of a national campaign already exist. Foster Care Fortnight, which is the UK's biggest foster carer recruitment campaign, is run annually by the Fostering Network to encourage people to foster. It enjoys significant media coverage. Fosterline, funded by the Government at a cost of almost £300,000 annually, provides impartial advice, information and support to foster carers and prospective carers in England. Since June 2013, it has had contact with 225,000 individuals or couples either through its website, by email or by phone.

At a sub-national level, we are starting to see coordinated regional advertising campaigns. The north west has taken some of the best practice more often seen in independent fostering agencies and established a regional approach to recruit more carers, known as 'You Can Foster'. We have yet to see the results of this but it appears to be a step in the right direction.

However, we believe that much greater regional cooperation could concentrate marketing expertise, and make better use of recruitment budgets and we urge local authorities to consider combining their recruitment efforts.

Still more can be done nationally. It was put to us, not least by ADCS, that what was needed in addition to the recruitment efforts of local authorities and IFAs, and in addition to Foster Care Fortnight, was a large-scale national advertising campaign funded by central government. We are not persuaded of that. We believe it would be a better use of investment if the current *front door* for adopter recruitment, First4Adoption (F4A) with its successful track record including a Public Service Award in 2015, and high levels of user satisfaction, became a first point of enquiry for both adoption and fostering.

First4Adoption has had more than 1,000,000 unique users via telephone, email, social media and website since its launch in 2013. Visitors using the F4A agency finder are given initial information about adoption, are able to view learning materials and ask frank questions in the confidence that the F4A organisation has no part in recruitment. Those interested in applying to be a carer are advised of all adoption agencies in their postcode area, and significant numbers have gone on to apply to adopt. We recommend that the Department for Education consider re-branding and re-launching F4A to improve foster carer recruitment. The DfE would have to provide a substantial amount of the funding but local authorities and IFAs might be expected to contribute to a service which should help them to reduce their own marketing spend.

Improving Responses to Enquiries about Fostering

As well as better coordination and cooperation in recruitment, and a national enquiry and website service along the lines of First4Adoption, evidence suggests more can be done to encourage those who make an often tentative first enquiry to apply to become foster carers.

Historically, there has been lots of evidence that there was much to improve here. Judy Sebba⁸⁷ found that responses to initial enquiries were often insufficiently prompt, leading to

⁸⁷ Judy Sebba: Why Do People Become Foster Carers. An International Literature Review. The Rees Centre and the University of Oxford 2012

an unnecessary gulf between initial expressions of interest and progress to registration. In other studies, potential carers report such delays as demotivating.⁸⁸ In his evidence to the Education Select Committee, Andy Elvin, CEO of TACT, stressed:

You need to make sure that you phone them instantly, that when you are on the phone, you arrange the initial visit, that immediately after the initial visit, you get them on a Skills to Foster [course]. It is a momentum thing. When someone has decided to become a foster carer, it is a huge decision and them contacting you is the end of their process of decision, not the start of it. They want to get going.

Our own impression was that not all agencies are as enthusiastic as TACT in following up enquiries. It was repeatedly suggested to us that IFAs were better at doing so and that was why they were able to recruit carers in areas and for carers, which local authorities could not attract. In fact, our own brief survey suggested that some IFAs and some local authorities are poorer than they might believe at converting enquiries into applications.

We asked a care leaver who has worked professionally in children's social care for many years to conduct a blind shopping exercise with thirty fostering organisations: 15 local authorities and 15 IFAs. Each of the thirty organisations were phoned and told that she was about to move to their area and was interested in becoming a foster carer. The initial response from most of the organisations, far from being welcoming, was initially to probe the reasons why she might not be suitable. So, she was asked whether or not she had a driving licence (and how clean it was); whether she was a homeowner; how many bedrooms she had; did she smoke; had she ever been bankrupt or in debt; and had she ever been convicted or cautioned.

All but one of the 15 IFAs answered her initial call, whereas only 11 of the local authorities did so. The remaining local authorities had answering machines but two of them did not allow callers to leave a message, so the initial enquiry was immediately lost.

Eight of the 25 organisations that answered her initial call promised to email further information but failed to do so. Thirteen others did keep their promise and emailed. Six local authorities sent high quality information packs, as did five of the IFAs. Two other IFAs sent inadequate information and one simply an assessment form for completion. Our mystery shopper's overall assessment was that if she were to pursue her initial enquiry she would be keen to do so with just six agencies (three local authorities and three IFAs). Just one in five of those she approached. She told us:

⁸⁸ Keogh and Svensson, 1999

“There is a clear need for much more encouragement and positivity from the agencies. It would have been better if agencies said things like “It’s so great you’re interested”, “fostering is a really rewarding role”, “young people need caring families”, “thanks for calling”. And Agencies need to do much better about getting back to people who enquire. Agencies need to do more to ‘sell’ their organisation, especially in explaining what is unique and special about their organisation and what kinds of support they offer to Foster Carers.”

We urge all local authorities and IFAs to review and where necessary improve the way they handle initial enquiries. Established evidence and our own survey suggest there is the scope to convert many more enquirers into foster carers. And we recommend the greater use of mystery shopper techniques to monitor the quality of response to enquirers.

Poaching of Carers through *Golden Hellos*

Many who gave evidence, both formally and orally, suggested that effective recruitment was sometimes undermined by the poaching of carers, recruited and trained by other agencies. We were told that large financial inducements, informally known as *Golden Hellos*, were used to lure foster carers from one agency to another, generally from local authorities to IFAs. The Association of Directors of Children’s Services (ADCS) have been most critical of the practice. Dave Hill, the immediate past president of the organisation told the BBC in 2016 that:

Local authorities are very committed to recruiting, training and supporting foster carers and that costs a lot of money. Then these agencies come along with a golden hello, they take our foster carers and we’re massively out of pocket. We think that’s immoral and wrong and we think it should be stopped with immediate effect.⁸⁹

Whether this once was a substantial problem is difficult to gauge. At least one large IFA – Foster Care Associates – has recently publicly committed not to do this and a ‘transfer protocol’ produced by The Fostering Network and supported by the key players, including ADCS and The National Association of Fostering Providers, seems to be working. We discovered only one IFA (Barnardo’s) which used their website actively to encourage switching.

Our perception is that, at the moment, there is rather more poaching from IFAs to local authorities, but relatively little of either. But sometimes, local authorities will be acting prudently in seeking to transfer IFA Carers to them when a placement is considered likely to

⁸⁹ BBC News website, August 2016: <http://www.bbc.co.uk/news/education-36975478>

become long term (because the marginal cost of an additional in house carer is much smaller than a fee paid to an IFA). When that happens, we believe local authorities should compensate the IFA for the recruitment costs of replacing that carer. We suggest the transfer protocol be amended to reflect that.

Retention of Foster Carers

It was often put to us that the retention of carers was a grave problem in fostering. We have not seen evidence to justify that. The total number of fostering households that de-registered between 1 April 2015 and 31 March 2016 was 4,610: about 10% of households. But this includes those leaving fostering for explicable reasons, including retirement. Fostering Network's research⁹⁰ confirms that the main reasons why foster carers leave fostering is for retirement, although substantial proportions also leave due to a change in personal circumstances; because they become adopters or special guardians; or because their child has reached 18 and is now living with them under a Staying Put arrangement.

Inevitably, there are those who leave well before retirement but, according to the Fostering Network, a foster carer stays for an average of almost 8 years. As Baginsky pointed out in her evidence review, this suggests retention might have improved over time. For example, in the early eighties, it was estimated that a quarter of carers dropped out of fostering every year.⁹¹

We believe that if some of the frustrations identified in chapter 2 of this report were addressed, particularly around delegated authority and the dependability of peer support, then retention might improve. But too few carers who leave are given exit interviews - as few as 5% according to the Fostering Network. We recommend that local authorities and independent agencies should invite a much larger proportion of resigning and retiring carers to such interviews.

Recommendations

14. A number of organisations called for a national register of carers. They suggest that such a database could hold details of their fostering agency; the date of their approval as carers; where they live; the number of beds and bedrooms in their home; the number of vacancies for children; personal characteristics (age, gender, ethnicity, religion and language) and their level of training and expertise. Such a register would provide vital information which could improve recruitment. And, as we explain in Chapter 6, such a

⁹⁰ The Fostering Network's Benchmark Survey (2016),

⁹¹ Soothill and Derbyshire (1982)

register could also provide a vacancy management system and radically improve matching. We see great merit in the proposal and urge the Department for Education to evaluate the costs and advantages.

15. We believe that greater regional cooperation could concentrate marketing expertise, and make better use of marketing budgets and we urge local authorities to consider combining their recruitment efforts.

16. We recommend that the Department for Education consider re-branding and re-launching First4Adoption (F4A) to improve foster carer recruitment. The Department for Education would have to provide a substantial amount of the funding but local authorities and IFAs might be expected to contribute to a service which should help them to reduce their own marketing spend.

17. We urge all local authorities and IFAs to review and where necessary improve the way they handle initial enquiries. Established evidence and our own survey suggest there is the scope to convert many more enquirers into foster carers. And we recommend the greater use of mystery shopper techniques to monitor the quality of response to enquirers.

18. Too few carers who leave are given exit interviews, as few as 5% according to the Fostering Network. We recommend that local authorities and independent agencies should invite a much larger proportion of resigning and retiring carers to such interviews.

19. Our perception is that there is rather more poaching from IFAs to local authorities, but relatively little of either. But sometimes, local authorities will be acting prudently in seeking to transfer IFA carers to them when a placement is considered to become long term (because the marginal costs of an additional in house carer is much smaller than a fee paid to an IFA). When that happens, we believe local authorities should compensate the IFA for the recruitment costs of replacing that carer. We suggest the transfer protocol be amended to reflect that.

Chapter 5: Commissioning

There were 53,420 children in foster care in England at the end of March 2017, 67% placed with local authority carers and 33% with IFA carers. Local authorities spent a total of £1.70 billion (one thousand, seven hundred million pounds) on fostering, more than a third of that in buying placements from independent fostering agencies. That virtually every child needing foster care is found a placement is a considerable achievement. But sometimes compromises need to be made about the type of placement either in terms of geography or because we don't have the type of carer best skilled - and willing - to give a home, for example, to adolescents or sibling groups. More needs to be done to attract the right supply of the right sort of carers. And more needs to be done to commission placements with those carers and at reduced cost. We believe that strategic commissioning of IFAs would lower the cost of fostering and improve its quality. But at the moment there is too much buying of placements - in what amounts to large scale spot purchasing - and too little commissioning.

In House First Policies

Local authorities tend to seek to place children with their own carers first, sometimes referred to as an "in house first policy". This practice is roundly criticised by some IFAs who believe that it compromises the interests of the child (because an IFA may be able to provide a more appropriate carer than the local authority). The issue has been recently determined at court as being legal.⁹² But, in any event, we consider such an approach to be entirely sensible. As we explain in this chapter, the overall cost of a placement from a local authority and from an IFA is much closer than is often suggested. But, the marginal additional cost for a local authority in using an in house carer, rather than contracting with an IFA and paying the IFA's full cost fee, is very significant indeed, amounting, typically, to around £500 a week. Local authorities cannot ignore that.

That said, it is clear to us that when local authorities conclude that they don't have an in house carer available or when those available are not best suited to a particular child, they approach an IFA. They do this for about a third of their placements and in 2016-17, spent £727m buying placements from 295 Fostering Agencies - 235 privately run and 60 from the voluntary sector.⁹³

The split between in house and external provision varies significantly between local authorities. Some directly provide almost all their foster care. Two authorities use the independent sector for fewer than 5% of placements (Lincolnshire and North Yorkshire) and

⁹² National Association of Fostering Providers v Bristol City Council and others [2015] EWHC 3615

⁹³ LA and school expenditure: 2016 to 2017 financial year

a further six for fewer than 10%. Conversely, three authorities contract more than 95% of all their fostering from the independent sector (Doncaster, Slough and the City of London).

The extent to which local authorities buy-in placements is influenced by a number of factors, but is most frequently a simple response to being unable to directly recruit a sufficient number of carers. But most local authorities also recognise that IFAs can fulfil needs that local authorities might struggle to meet. In their evidence to the Review⁹⁴, the Local Government Association told us:

“Independent fostering agencies, including commercial, not-for-profit and charity organisations, are a valuable part of the fostering system, helping to make sure that suitable families are available to support children with a diverse range of needs. IFAs often operate across local authority boundaries, which means that some are able to offer specialist provision that would be difficult effectively or efficiently to develop at a local level.”

One director of children’s services told us:

“A mixed market in fostering is helpful. We have our own carers who we know well, can access quickly and we can support and oversee them. And we have IFAs who give us specialist placements, emergency placements and headroom.”

IFAs Caring for More Challenging Children

IFAs themselves generally know their place in the market and seek to provide places for children with more complex needs. We are clear - and based on DfE analysis of national level data - that IFAs are caring for more demanding children. 53% of children in local authority foster care provision were aged 10 and over, compared to 72% of children of the same age placed with IFAs.⁹⁵ Children in IFA provision had, on average, higher scores on the strengths and difficulties questionnaire (SDQ)⁹⁶ scores. And IFAs were found to have a higher proportion of children with drug misuse problems and a higher proportion of children that had SEN status at Key Stage 2 and Key Stage 4.⁹⁷ Simplistic price comparisons between council and IFA provision are therefore misleading.

⁹⁴<https://www.local.gov.uk/sites/default/files/documents/Fostering%20Stocktake%20Submission%20-%20LGA.pdf>

⁹⁵ DfE Data Annex.

⁹⁶ The Strengths and Difficulties Questionnaire (SDQ) is a brief behavioural screening questionnaire about 3-16 year olds. All versions of the SDQ ask about 25 attributes, some positive and others negative. These 25 items are divided between 5 scales: emotional symptoms; conduct problems; hyperactivity; peer relationship problems; and prosocial behaviour.

⁹⁷ DfE Data Annex.

The Quality of Care from Independent Fostering Agencies

Despite the occasional suggestion that IFA care might be poorer, we found no discernible difference in the quality of care offered by local authority and IFA carers. Ofsted rated inspection outcomes for independent fostering agencies are very positive indeed. As 31 August 2017, 91% of IFAs were judged good or outstanding, a proportion which has been rising. And there is no significant difference between the inspection outcomes of profit and non-profit making agencies.

Research, and everything we heard, suggests that foster carers are more satisfied with supervising social worker support from independent fostering agencies. And our own analysis of costs suggests that supervising social workers from IFAs have smaller caseloads and that IFAs invest more money in supporting and training carers.⁹⁸ So, we do not believe there is any question about the quality of care provided by independent agencies. The issue is about inadequate commissioning of that care and, as a result of that, unnecessary and avoidable costs falling on hard pressed local authorities.

The Comparative Cost of IFA and Local Authority Placements

There is a very public and often acrimonious debate about the differences in local authority and independent fostering agency costs. In their evidence to the Review, the Association of Directors of Children's Services (ADCS) insisted that IFA placements cost significantly more than local authority placements; alleged that IFAs increased prices in response to increased demand for their carers; and argued that large profits – which they described as immoral – were being made by some IFAs. The ADCS condemnation of profits has been echoed elsewhere. Alison Michalska, the President of ADCS, and in an interview about this review told *Children and Young People Now*.⁹⁹

We hope the stocktake will consider if it is appropriate for huge surpluses to be generated from the care of vulnerable children and young people and then passed onto shareholders.

Data submitted to the Department for Education by local authorities might suggest that in house provision is much cheaper. Using that data, and in their 2014 Report,¹⁰⁰ the National Audit Office calculated that the average amount spent annually on a local authority placement was between £23,000 and £27,000, compared with a range of £41,000 to

⁹⁸ For example: Three quarters of long-term households (415 households) providing multi-dimensional treatment placements as a primary in 2015-16 were in the IFA sector.

⁹⁹ CYPN 14 March 2017

¹⁰⁰ National Audit Office, November 2014: Children In Care

£42,000 for a placement with independent providers. But the reliability of these costs depends on the extent to which they are directly comparable, not least because of a tendency for some local authorities not fully to take account of their overhead costs. In our own study of costs, we discovered that local authorities' estimates of overhead costs varied from an absurdly small 1% to a more realistic 16%.

The Audit Commission, in a study which gave greater recognition to overhead costs, estimated that local authority costs ranged from £15,000 to £57,000 for councils' own foster care provision; and from £18,000 to £73,000 for independent foster care,¹⁰¹ suggesting that IFA provision tended to be more expensive, but not necessarily in any individual case.

In order to gain a more thorough understanding, we commissioned a detailed investigation of the costs of fostering and cost drivers in nine local authorities and eight IFAs. The sample of agencies was agreed with the Association of Directors of Children's Services, the Local Government Association, the National Association of Fostering Providers and the Department for Education. We considered it to be reasonably representative.

We discovered that local authority costs for the totality of their fostering provision – for both directly recruited and independent carers - varied greatly. One local authority spent an annual average of only £16,692 per placement, whereas three others each spent more than £39,000 per placement. The total amount spent on IFA placements varied across the authorities according to their use of IFAs, but the average fee paid was £798.

The two main cost drivers for local authorities were the size of the allowances they paid their own carers, and the extent to which they used IFAs. On the first, we found that allowances paid to their own carers varied significantly and sometimes inexplicably. For example, one local authority paid their own carers, on average, less than £200 per week compared with another who paid more than £450 per week.

For independent fostering agencies, the main cost driver, amounting typically to 55% of their total costs, and 18 percentage points greater than for local authorities, was the fees and allowances they paid to carers. In our sample, IFA payments to carers ranged from £385 to £585 per week.

Using the collected data on allowances and the analysis of functions within fostering, the cost of in house and IFA costs in our sample could be compared. This helped us to be

¹⁰¹ Audit Commission, Councils' expenditure on looked after children, August 2014

confident in concluding that that the average weekly cost of a local authority placement was £475 compared with £798 for IFA placements.¹⁰²

	LA	IFA	Difference
Allowance and Fees	317	442	125
Recruitment	24	46	22
Assessment	32	43	11
Panels	14	21	7
Place finding	22	33	11
Placement management	65	175	110
Contracting (IFA only)	0	37	37
	475	798	323

On the face of it, one can see why ADCS are so certain that IFA costs are much greater than in house costs. But such a conclusion fails to take account of some substantial differences. Crucially, and reflecting the greater challenge of children cared for in the IFA sector, the IFAs in our sample spent significantly more than local authorities on carer allowances and fees: on average about £125 more per placement week. IFAs spent £110 more per placement week on placement management,¹⁰³ which includes training and supervising social workers who have fewer foster carers to manage. IFAs also spent about £22 more per placement week on recruitment activities.

Taking account of these differences, the cost differential between local authorities and IFA costs narrow considerably to the point where, in some instances, there is very little between them. But, after taking account of all the differences between the two sectors, and based on our sample, we believe that IFAs are more expensive, albeit by a relatively small amount. The cost difference is smaller than the variance in costs between and across local authorities and between and across IFAs.

¹⁰² This corresponds reasonably well with national data collected by DfE which suggests that in 2015-16, local authorities spent on average £533 a week on LA placements and £823 weekly on IFA placements.

¹⁰³ All staff time and expenses involved in supervising carers and placements.

Independent Fostering Agency Fees

We asked local authorities and framework holders to provide their current and historical pricing schedules (the scale of placement fees agreed with IFAs) to enable us to consider how fees paid to IFAs varied across the country and over time. Unfortunately, many local authorities were reluctant to share such information, meaning the response rate and detail provided was disappointing.

Nevertheless, we gained access to information from nine framework contracts covering 53 local authorities and found that fees paid to IFAs varied considerably. So, for example, the mean price agreed in one framework contract for a placement for a child aged under four years was £668 and in another was £776. For a child aged between 11 and 15 years, the mean fee in one framework was £822 and in another £988. The highest and lowest rates were not consistently charged by the same provider, but some IFAs consistently priced higher than others.

The Nationwide Association of Fostering Providers (NAFP) told us that, on average, IFA prices for standard placements have fallen in real terms by 20% over the last five to seven years. They provided data to support this assertion and we accept the veracity of that data. And although the DfE expenditure data shows that total spending on IFA placements has continued to increase

incrementally, the number of placements purchased has increased and net IFA placement costs appear to have fallen in cash terms. However, we believe there is much more that can be achieved by more intelligent commissioning. Quite a lot could be achieved immediately were local authorities to share their framework contracts with one another. The secrecy and the variation in prices negotiated by different local authorities benefits providers, but not councils.

Profits, and the Legacy of Private Equity Investment

To complement the costing analysis, and to probe allegations that the profits being made by some IFAs were excessive, we commissioned a forensic analysis of the financial performance of a number of the larger independent fostering agencies.

During the last five years, the larger independent fostering agencies have grown on average by 7.7% per year. This has come from a combination of organic growth and through acquisitions of smaller independent fostering agencies. As a result, the growth rate is significantly higher than the overall growth in the numbers of children being fostered, which over an equivalent period has grown annually by only 1%.

Large IFAs have attracted private equity ownership during this period. Our analysis suggests that profit levels, as measured by earnings before interest, tax, depreciation and amortisation, and across the independent fostering agencies in the sample, have ranged between 1% and 20% with an average of 10.5% (between 2011 and 2016).

Investors appear to have bought into the sector using various forms of debt. To date those debt levels, although high, appear to be largely manageable. However, that is only likely to continue if the underlying trade of the fostering business continues to be profitable so that debt holders remain confident in the ability of the business to service and ultimately repay debt. But with such high debt levels, some independent fostering agencies are potentially vulnerable to increases in interest rates, even when interest hedging is used in the short term.

Historically, as IFAs have been bought - and sometimes after a relatively short period - sold again, investor returns realised upon the sale of the business have been very high and, in our sample, ranged between 23 and 38%. This is significantly ahead of returns from both mainstream stock markets and private equity fund returns during the same period. In short, although day to day operating profits, which currently average around 10% may not be excessive, previous investors have obtained very high returns from selling IFAs and the debt burden of those IFAs is now, consequently, high. Servicing that debt must, we assume, contribute to the prices charged by the operating businesses. To put it another way, prices in some of these larger providers appear to be inflated by the burden of very large profits taken by investors when businesses have been bought and sold. Disappointingly, competition from other IFAs, both private and charitable has not, as one would expect, always undercut the prices of the debt-burdened operators. Again, better commissioning should achieve that.

IFAs from the Voluntary Sector

The contribution made by the voluntary sector in providing fostering is disappointingly small, providing only about 4% of fostering placements.¹⁰⁴ In part this is explained by the fact that, often, fees charged by charitable providers are as high and sometimes higher than private sector operators. But, this is not true of all. On every pricing schedule we saw, TACT prices were substantially lower than the average, suggesting that any surplus they make is genuinely - and commendably - modest. That explains their recent growth. Other smaller voluntary sector providers, including organisations like The Together Trust, The Foster Care

¹⁰⁴ The majority (66%) of children in foster care were placed with foster carers from their own local authority, 29% were placed with foster carers from private Independent Fostering Agencies (IFAs), 4% with foster carers from voluntary/non-for profit IFAs and 1% with foster carers from other local authorities at 31 March 2017.

Cooperative and Team Fostering charge similarly low fees. But two larger charities were the highest charging organisations in a number of pricing schedules, charging as much, or more, than many large private sector IFAs. One must conclude that they make not insignificant surpluses from fostering. The potential for the voluntary sector to provide a greater proportion and number of fostering placements is very real and local authorities would welcome a greater contribution from them. The larger charities in particular could play a very big role in partnering with local authorities and delivering a large part, or all, of their fostering service. But they will have to reduce prices if they are to do so.

Limited Competition

Despite the large number of providers there is little sign of healthy competition between them. Rather, the shortage of carers in particular places and for particular types of children has helped create a marketplace, which IFAs have dominated and where they have, sometimes, been able to dictate pricing. In too many local authorities the extent to which they recruit carers directly and the extent to which they commission is unplanned. Or, if it's planned, the plans are unfulfilled and they have to turn to IFAs for more placements than for which they had intended or budgeted.¹⁰⁵ As a consequence, they fail to build and exploit the benefits of long term commissioning arrangements with IFAs from whom they will constantly be buying placements. Generally, IFAs have been more sophisticated in responding to a market weakened, from a purchasing point of view, by the presence of 152 local authorities largely purchasing independently and at short notice. In such a market, the sellers, not the buyers, have the upper hand.

Local authorities have attempted to use framework agreements to manage the market and to make savings using their collective buying power. And such contracts are invariably cited as evidence of competent commissioning. In reality however, although local authorities come together in agreeing such contracts, they tend to act in a more fragmented fashion, particularly when buying individual and short notice placements when framework contracts are all too frequently set aside. As one commissioner told us:

“I was left fuming last week. One of our regular IFAs came in with a package well over the usual price because they knew we would have to pay-up. We had no alternative... they had us over a barrel and we paid. I'd like to be able to say we won't use them again but I will have to.”

¹⁰⁵ A recent study of local authority expenditure conducted by Revolution Consulting and for DfE showed evidence of Councils budgeting to increase the numbers of in house carers but generally failing to achieve that.

Local authorities are not utilising their full aggregated potential purchasing power, have ineffective strategies for market management and have been poor at stimulating competition. Sometimes they drive pricing up by, transparently, competing with one another for the same carers. One director of Children's Services, and with commendable candour, told us that the day before we spoke to him he had significantly outbid a neighbouring local authority to secure carers for a challenging child.

This is not the case everywhere. Some local authorities manage IFAs well, plan the extent to which they will use them, and recruit the remainder of their carers - usually the majority - directly. But too many commission in an unplanned way, only when they have failed to recruit enough of their own their own carers, by which time they are desperate to buy in placements. They are the weaker party in the fostering market, not the controllers of it. One local authority was refreshingly frank about this, telling us:

"[We don't] currently have formal contracting arrangements in place (such as a dynamic purchasing solution (DPS) or a framework)... making our current commissioning arrangements resource intensive with no assurance that our borough is getting value for money and the best outcomes for our children and young people. This has led to a provider landscape which is costly and complex to manage, poor leverage of spend and negotiations (often under pressure to find a placement) in which the provider is able to dictate the terms."

Improved Commissioning Arrangements

Bluntly, the quality of local authority commissioning is not good enough. Most councils are too small easily to influence the market to provide a sufficiency of the right type of carers or to commission effectively. They need to come together to create about ten large commissioning consortia with critical mass, better able to understand commissioning requirements, concentrate expertise, discourage local authority versus local authority competition and negotiate new agreements with IFAs to provide placements at significantly reduced cost, almost certainly through guaranteeing particular IFAs a certain level of business. The routine absence of such arrangements is extraordinary (a number of IFAs told us they'd be happy to negotiate volume discounts but had never been asked). The new consortia we envisage will be able to plan explicitly for the proportion and number of placements they intend to purchase annually, and from whom. And, where necessary they should encourage new providers to join the market and smaller high quality providers to grow. They should realise the potential of collective bargaining power, volume discounts, economies of scale, block purchasing, and risk sharing. In short, they should shape and manage the market.

Such consortia will need the active commitment of senior local authority staff and councillors. One assistant director for commissioning advised us:

“I am all for coming together into commissioning hubs. But I am not up for regional talking shops characterised by inertia, inaction and increasing conflict. We need to involve senior people who understand procurement and have the authority to make decisions.”

As a director of children’s services told us:

“We know we need to be more strategic with the market and providers and we need to get away from constantly just being in the thick of it. We need to make time to do it properly.”

Relationships with providers will be critical. They will need to be more trusting. Providers themselves will need to have an integral role in sufficiency planning and be given greater opportunities to become involved in market development. As one assistant director for commissioning told us:

“We can’t continue to resent IFAs just because we don’t like being so reliant on them. Mistrust prevents local authorities from being open and sharing information. This in turn feeds the mistrust. You have got to get yourself into a place of acceptance and then start to work with them properly, in true partnership, so together we can deliver the placements we need.”

National Account Management

As well as coming together into commissioning consortia, and working much more in partnership with IFAs, local authorities need simultaneously to be confident that they are obtaining commercial terms from fostering providers that cannot be bettered elsewhere. As we have observed, one of the ironies of local authorities protecting the details of their contractual arrangements with providers is that some of them have pricing agreements which are much poorer than those obtained by other councils. It’s an almost inevitable consequence of 152 local authorities commissioning separately.

We therefore recommend that the consortia we recommend should also appoint national account managers for the larger IFAs. This would reduce the likelihood of consortia competing against one another as local authorities do now. There are a number of ways of doing this but probably, the simplest and most effective would be for one of the consortia to be the national lead for managing the relationship with individual IFAs.

Local Authorities Becoming Self-Sufficient or Contracting out their Fostering Service

Many more than five local authorities could become self-sufficient in providing their own carers. It would be entirely legitimate for more of them to do so and they would better exploit their back office costs. But, conversely, many more than one local authority - Peterborough - should have explored the very real possibility of partnering with an IFA to provide their fostering service. Our sense is that there is a reluctance to do so with IFAs because in terms of volume, they are overwhelmingly within the private sector. But since the quality of their provision is not in doubt, and if average placement costs can be cut through the guarantee of a partnership along the Peterborough lines (and the Peterborough experiment suggests they can), local authorities will save money while maintaining and potentially improving the quality of their foster care.

Recommendations

20. Quite a lot could be achieved in terms of price reduction were local authorities to share their framework contracts with one another. The secrecy and the variation in prices negotiated by different local authorities benefit providers, not councils.

21. Many of the 152 separate local authorities are too small to effectively plan and commission fostering. It could be better planned and commissioned if they were to come together into about 10 consortia with critical mass. They would be better able to understand commissioning requirements; concentrate expertise; discourage local authority versus local authority competition; and negotiate with IFAs to provide placements at a significantly reduced cost, almost certainly through guaranteeing particular IFAs a certain level of business. The routine absence of such arrangements is extraordinary. There is the potential to significantly reduce spend on fostering.

22. We recommend that the consortia should also appoint national account managers for the larger IFAs. This would reduce the likelihood of consortia competing against one another as local authorities do now. There are a number of ways of doing this but probably, the simplest and most effective would be for one of the consortia to provide the national lead for managing the relationship with individual IFAs.

23. We recommend that larger local authorities or the consortia should consider making a determined attempt to become self-sufficient in carer recruitment or, alternatively, consider partnering with one or more IFAs to provide their complete fostering service. Either of these options is likely to be cheaper and provide greater assurance of quality than the prevailing and generally unplanned practice of part recruiting and part purchasing foster care.

Chapter 6: Matching

The primary purpose of foster care is to provide an alternative family life in the short or over the longer term that enables children and young people to thrive in the same way that most children do in their own families. We heard from many children and young people throughout our review. They told us about the positive aspects of fostering such as feeling safe, belonging, being loved, feeling part of the family, and having a 'normal life'. Placing them - matching them - with a family who are able and willing to offer that is vital.

One response from a child, submitted on their behalf by a children's rights charity, said:

"I feel like I have a proper family that cares about me and values my opinions. They remember my birthday and they remember the things that I do and don't like. I'm never fed the things that I don't like and my foster mum goes out of her way to make me my favourite dishes. I feel loved and cared for. I love them like my real parents and siblings."

One young person shared her experience of a good placement – but also demonstrated the occasional - and very sad - low expectations of children in care, by stating:

"It felt like home. I could go in the fridge when I wanted, go downstairs when I wanted, and I was consulted [about] everything in the household".

She emphasised the simple reality - heard from so many children and young people - about feeling a sense of belonging in their foster home and of not feeling different to other children:

"The plain fact about a good foster placement compared to a bad foster placement is that you don't feel different. You're part of the family, no matter what. You're not singled out and you're allowed to do what the foster parents' biological children are allowed to do."

Some young people highlighted the importance of the quality of care they had received from their foster family and how invaluable their support was. For example, a care leaver recounted her experience of overcoming a drug addiction, something she considered impossible were it not for the support of her foster carers:

"I had no more weight on my shoulders and it was unbelievable and I was shocked by the outcome I had myself, because I always saw myself as a weak and feeble little girl who would never get anywhere in life."

Children and young people invariably stress the importance of positive relationships with foster carers, particularly as a means to placement stability. One young care leaver sitting with her long-term foster carer touchingly explained:

“We have always got on well together haven’t we, right from the start we just clicked. You know when I need you and when to back off. Even now living across the road we are like best friends... even though I keep popping back over more than you’d like!”

The Care Inquiry¹⁰⁶ stressed the centrality of relationships between children in care or on the edge of care. It reported that:

Relationships with people who care for and about children are the golden thread in children’s lives, and that the quality of a child’s relationship is the lens through which we should view what we do and plan to do.

We don’t however know enough about the quality of those relationships, or children’s more general experience of care. Useful as they may be, local authorities need to look beyond things like Children in Care Councils, and engage with a wider sample of their fostered children. They need to compare their views with those from children fostered by other local authorities. We have been impressed with *Bright Spots*¹⁰⁷: run by Coram Voice and the Hadley Centre for Adoption and Foster Care Studies at the University of Bristol. The overall aim of *Bright Spots* is to improve the care experience and wellbeing of children in care and care leavers by identifying and promoting Bright Spots – that is, the practices that have a positive influence on children and young people’s well-being. We recommend that all local authorities use *Bright Spots*, or similar survey approaches regularly and systematically to measure children’s experience of fostering relative to other local authorities.

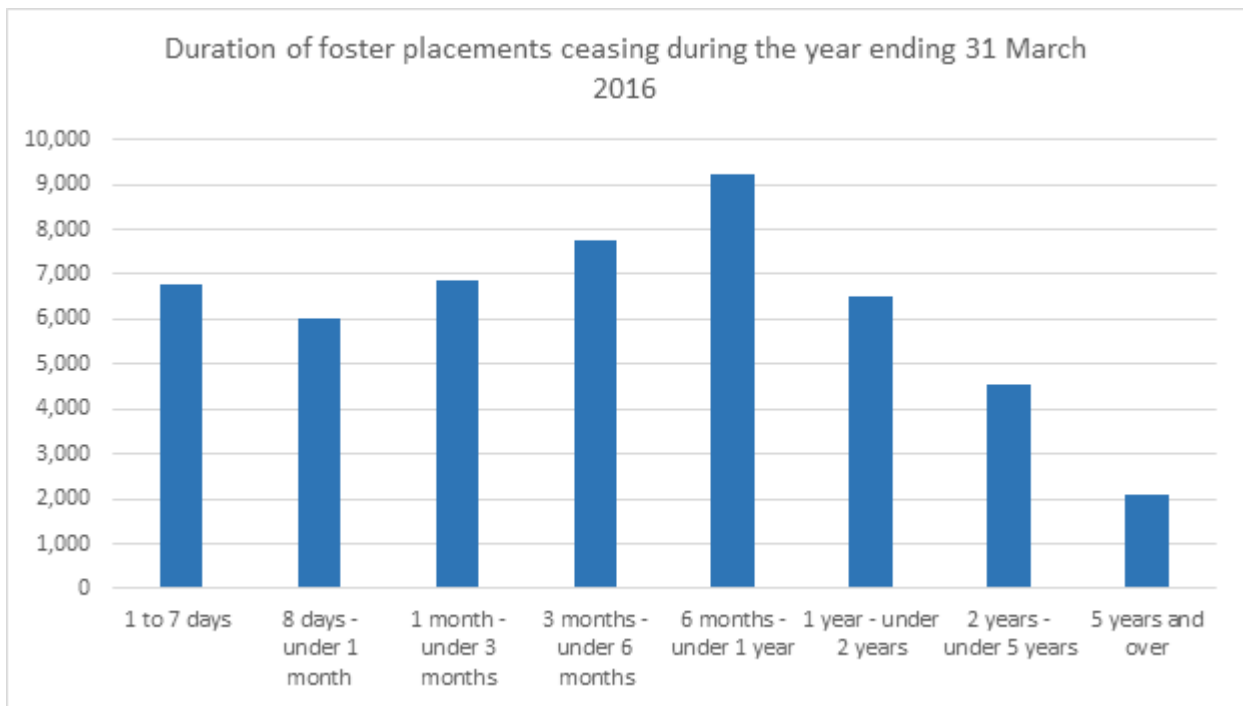
Placement Stability

Placement stability is hugely important but stability over many years, stability which might reasonably compare with what we might term normal childhood, is troublingly rare, with too few placements lasting for longer than five years.¹⁰⁸

¹⁰⁶ The Care Inquiry (2013), Findings and Recommendations

¹⁰⁷ For more information, email brightspots@coram.voice.org.uk

¹⁰⁸ Source: Coram BAAF



We know from research, including that from Dozier and Lindheim (2006) that a significant determinant of placement stability is the quality of relationships between foster carers and children. Placement stability promotes positive outcomes for children and young people in care. Stein (2005, quoted in Baginsky 2017) found that looked after children who experience stable placements are more likely to be resilient; securely attached; succeed educationally; be in work; settle in and manage their accommodation after leaving care; feel better about themselves; and achieve satisfactory social integration in adulthood.

Conversely, placement instability contributes to a range of poor outcomes, including increased risk of offending behaviour (Schofield et al, 2014 and Rock et al, 2013) and poorer educational outcomes (Sebba et al, 2015). And this occurs far too often. A number of children and young people told the Children’s Commissioner and told us that the worst thing about being in foster care was the uncertainty of knowing how long a placement would last. One young person said:

“Being in care, we naturally lack a sense of belonging, and this was compounded by this uncertainty over the stability of the placement... I always believed I could be forced to move at short notice”.

Children and young people told us that they thought it took too long to get them to the right placement where positive relationships could flourish and where stability would follow. Too many children experienced numerous moves and, as they told us, often they were not informed about why their current placement was ending and why they were moving to new placement. There was also little detail of the timing of such a move and, as a

consequence, too little time to prepare. Some children reported moving straight after school or on their way back from visiting their birth family.

We cannot expect local authorities always to get a match right first time, or even a second or third time in some cases. Some placements are always intended to be short term and moves between placements are frequently necessary, and many - quite properly - are planned. We believe that the ADCS President, Alison Michalska, when speaking before the Education Select Committee on fostering, was right to say that:

“Not all placement moves are negative. Some are very positive and planned as part of a continuum of making the right choice requirements, longer term, for the particular children.”

But, even when a placement move is necessary, particularly when it is an emergency placement after entering care, and when a measure of getting to know the child and their needs is necessary, the number of placement moves remains too high and too many moves are unplanned. Wood and Selwyn (2015)¹⁰⁹ found that 38% of children aged 11 or over reported moving at least once in the previous 12 months, 25% moved twice and 16% moved three or more times. According to Ofsted and in 2015-16, 2,910 children experienced 3,490 unplanned moves. The most commonly stated reason, according to Ofsted data, was that they were made at the foster carers' request (55% of moves).¹¹⁰ Not all those decisions by carers to bring the placement to an end could have been anticipated. But better planning and matching might have avoided many of them.

Children Returning Home and then Re-entering Care

When a child enters care, everything possible should be done to allow that child safely to return home. But when a child is returned home - sometimes leaving a stable placement - only to re-enter care when they have to be removed, once again from their parents, the harm that can cause is self-evident. Regrettably, this happens frequently. A 2013 study¹¹¹ found that half of those children returned home re-enter care within two years. That proportion rises to two thirds when measured over five years.¹¹² Department for Education figures are rather less discouraging, but still suggest that a third of children re-enter care

¹⁰⁹ Wood, M. and Selwyn, J. (2015) *Children and Young People's Views of Being in Care*. Bristol: University of Bristol

¹¹⁰ Ofsted (2017) *Fostering in England 2015 to 2016: Key Findings* London: Ofsted

¹¹¹ Farmer and Wijedasa

¹¹² Farmer and Lutman, (2012)

within five years.¹¹³ By contrast, breakdowns of special guardianship arrangements are estimated to be as low as 6%¹¹⁴ and adoptions only 3%.¹¹⁵

The evidence starkly suggests that we try too hard to return children home and with some children, we try repeatedly. One recent study¹¹⁶ found that over 40% of young people who re-entered care aged between ten and fifteen years had already had three or more previous periods in the care system. We have failed such children and prevented them from having the opportunity of a stable and loving life in care.

Involving Children, Young People and Carers in Matching

There are many fine examples of involving children in key decisions about their foster care. But - like the Care Enquiry before us - we heard that too often, children and young people did not feel that they were involved in decisions about their lives, including about matching. The Children's Commissioner was told by a 15-year-old girl:

"If I were being placed again, could I have a say? A choice in where I get placed?"

Another child described their experience as being '*shoved into the placement*' and commented that:

"The worst thing about being in foster care is not being with suitable carers that are best suited to the child's needs."

We have to be realistic about the extent to which a care system can always provide what a child wants, either in matching or more generally. Children do not always know what's best for them, and it is the responsibility of adults who know them, to make decisions which are likely to make their lives happier and prepare them better for a successful adulthood. So, we reject misconceived, if well meant, suggestions that, for example, children should be able to choose their fostering placement. But the significance of these decisions to the child cannot be underestimated, and they must be a part of that process wherever practicable, and reflecting their age, level of understanding and circumstances. There could not be a more significant, life changing responsibility for the adults and professionals involved.

¹¹³ Department for Education, (2013)

¹¹⁴ Selwyn, Wijedasa, & Meakings, (2014)

¹¹⁵ Selwyn et al.,(2014)

¹¹⁶ Boddy et al (2008)

Children's Social Workers

One of the main determinants of whether a child feels effectively and consistently involved in decision-making is the quality of relationship with their social worker. The quality of such relationships appears - at best - mixed. Some children regard their social workers positively, describing a strong sense of feeling supported and having a 'friend' they could rely on. Others, used words such as 'unreliable', 'invisible' or 'patronising'. Too often we heard from children and young people, but also from their carers about their social workers changing frequently, making impossible the development of a trusting relationship and, inevitably, encouraging a child or young person to feel ignored by the system.

One care leaver told us what it felt like when they got a new social worker:

"As a kid growing up in care (from a few weeks old to being dumped in a high rise council flat age 17yrs with no support, no carpets, no curtains, no fridge or cooker and no money or support), I experienced both foster and residential care on multiple occasions. Looking back though, one of the best things I experienced was [when I had] a regular social worker... I was gutted every time I called social services to find out I now had a new social worker - it meant I had to begin to get to know them all over again. Sometimes I took to them immediately but sometimes I was suspicious - and often these were the ones who moved on quickly, leaving me feeling empty, un-represented and bereft."

ADCS President, Alison Michalska, in the same discussion with the Education Select Committee, stressed the centrality of good social work:

"[Good] quality social work is putting the child and their views absolutely at the centre of what they do. There is a difference between being able to meet every want that the child might have, as we would with our children, but where we cannot meet a child's particular want, then we ought to be explaining to them why not."

As we have argued in chapter 2, there are good reasons for removing the duplication in social worker involvement in stable fostering placements. The much slower turnover of fostering (supervising) social workers and the positive view of them held by carers, suggests that they will be able to build a better relationship with the fostered child and do more to ensure they are involved and they feel involved in decisions about their placement.

But, in addition to social worker support, all children in care are supposed to have access to an independent advocate, who can present their views when decisions about them are being made. We believe that too few children are aware of, or take advantage of this right and the potential for advocates to help foster carers is almost unknown. Coram told us:

“Currently the right to advocacy in primary legislation focuses on children’s right to an advocate when making a complaint. However, when used proactively, advocacy can be a tool to resolve problems in placements at an early stage, without resorting to formal complaints processes. Access to independent advocacy can support safeguarding of children by instances of poor care, but advocates can also be an ally for foster carers who feel that the needs of the child they look after is not being met by their local authority.”

According to the Children’s Commissioner’s national survey of children in care, *State of the Nation*¹¹⁷, more than half of fostered children did not know, or were unsure, how to get an advocate. Good local authorities will have senior staff, usually assistant directors, who will ensure that children in care know that they can provide an avenue of support, appeal or advice. But, too often, that support, from the local authority is not visible. We therefore believe that it is time to reinforce the statutory guidance¹¹⁸ that children should know their rights to advocacy and how to access an advocate and urge the DfE to work with the Children’s Commissioner and voluntary sector providers of advocacy, including Coram Voice, to ensure this is done.

Information Relayed to Carers about Children

There is much greater scope for involving carers in decisions about matching. Too frequently they get very short notice about a child who might come to live with them, and are then expected to make a quick decision, frequently with limited information. Sometimes that information is unhelpful. We heard that children’s referral information is often incomplete and not always up to date, particularly when multiple placements are made in quick succession and where there have been previous breakdowns. Referrals do not always present a thorough description and analysis of children’s needs and we were told repeatedly of a tendency to describe children using deficit-based accounts, apparently drawing on the rationale for the child’s original admission into care. It is important to identify critical issues and risks that will need to be managed by a foster carer, but overly negative referrals can lead carers unnecessarily to refuse a placement. One carer told us:

“We couldn’t believe he was the same person we’d read about, the two were just irreconcilable. He wasn’t anything like the problem child in the paperwork and we

¹¹⁷ Children’s Commissioner for England, 2016.

¹¹⁸ National Minimum Standard 1.5

very nearly didn't take him. If we could have met in person first, it would have been better for us and him."

One young person told their fostering agency:

"The information given to my foster carers about me was like the greatest hits of the worst things that have ever happened to me. It wasn't who I am and made the first few weeks of the placement really awkward."

Local authorities need to monitor the quality of referral information and ensure that, they do not inadvertently demonise a child by over emphasising the negative aspects of a child's background.

Giving Carers a Greater Role in Matching

It is rare for foster carers to be able, to proactively seek a match with a child as has become widespread in adoption. There is considerable scope to allow carers to be proactive in requesting, seeing and responding to children's profiles. More significantly, they could also have opportunities to meet children in advance of matching decisions, particularly when the intention is for the child to be in a placement for years rather than weeks or months. The use of adoption activity days, where potential adopters and children waiting for adoption meet together and engage in fun activities, and which allow adopters to initiate a potential match, have been very successful, not least in finding adoptive parents for some hard to place children. Such events explicitly acknowledge and build on the reality that there is chemistry in human relationships, and the success of relationships between adults and children, cannot always be predicted by remote matching processes. As First4Adoption explain on their website:

"[Adopters] often find that their preconceptions about the kind of child they initially feel they might want to adopt changed once they had the opportunity to meet the children in person. This means that children who may not have been considered 'on paper' have a greater chance of being adopted".

Last year more than 300 children, many of whom had waited longer due to their complex needs, were adopted after attending Adoption Activity Days. Carers should, wherever possible, be able to play a proactive role in matching. There have been positive examples of the use of adopter-led family finding techniques, such as activity days, to help find suitable long-term fostering placements and these should continue to be explored and piloted.¹¹⁹

¹¹⁹ Activity Days for Fostering: Learning from three pilot events. CoramBAAF, September 2017

Preparing Children, Young People and Carers for Placement

Preparing children and carers for a new placement can be as important as the placement decision itself. In our exchanges with children and carers, the lack of information from social workers about new placements was a striking theme, with many young people recounting negative experiences of not knowing what was happening and why. A response to us from one care leaver made clear that:

“It is not uncommon for children to be moved suddenly and not explained why. Social services have the impression that young children do not understand what is happening around them and it would cause too much disruption if told. I disagree. Even though we are young, we have been through more than you can imagine - the last thing we need is more dishonesty and lack of information.”

One young person told us graphically of how it felt as a thirteen-year-old coming into care:

“When I was first taken into care at 13 I was not given much information about what was happening and what the process would be. I had never experienced this before. I was not given information about where I was being taken. The police picked me up at my house and took me to social services and from there, was sent to a foster home. I was not given information about this placement: who was there, where it was etc. The social worker left me there with my brother (2 years old) and did not leave us additional information about when we would see our other siblings, arrangements for travelling to school, how long we could be there, when we next would see a social worker.”

And then, later:

“I moved placements three times within 3 weeks. Every time I was due to be moved I would go to school and be pulled out of class and informed by a teacher that I was moving to a new home. I spent the rest of the day not knowing where I was going and if I was to be split with my brother. No social worker came to explain anything.”

Goodyer (2016) found that, in the absence of any explanation and information or preparation, children were often confused and disillusioned about why they needed to leave their family and fearful and anxious about moving in with carers. Children and young people told the Children’s Commissioner - very clearly - what they need to help ease the pain and uncertainty:

“When I go to a new home, school, hospital or place, I like to see it first; can you show me pictures before I stay somewhere so I can look forward to it?”

“I think all children should get to talk to the new carers and to visit them at least twice and see the new house and to talk about what worries and scares them. They should also be able to take something from their old house like a toy, teddy or pet.”

“I would have liked to know what my carers and their family were like, what my room would be like.”

Often, the anxieties about moving placement, and however necessary the move might be, must overwhelm children. Foster children in Bexley touchingly summarised for us just some of the worries:

“Am I going to fit in? I won’t like the food. Will they like me? [Will they make me] feel like a child? Carers might just have foster children for the money. That we will never go back to my parents. Being treated differently to birth children or being blamed for things they do.”

Children must routinely be better prepared for a placement (as already required in Regulation 11) by being told much more about the carers, their family and the carers’ home, day-to-day care and routines before the first meeting (including seeing video messages and scenes of their bedroom and learning about some basic house rules).

This is also true of foster carers, particularly as one of the factors that leads to placement breakdown is that they have too little or otherwise inadequate information about the child coming into their care.¹²⁰ This can lead carers to decide how to care for and manage children before getting to know them, often before they have arrived in their new home, setting the wrong tone from the outset. Carers will also benefit from being given relevant information from research that indicates placement instability factors related to the characteristics of a child being matched - for example, we know that placement breakdowns are common amongst older children, children who have been physically or sexually abused, and children returned to care after a failed reunification. But even with this information, it is absolutely essential that every child is treated as the individual they are and not as a member of a category for which there are sometimes standard organisational approaches.

Improving Choice in Matching

Where a child is unable to remain with their birth family and is taken into care, the local authority should place the child in *‘the most appropriate placement available’* to best

¹²⁰ Sinclair (2005)

promote and safeguard the child's welfare. Statutory guidance and regulations¹²¹ require that local authorities consider a range of factors when trying to find a suitable placement. These include contact arrangements with birth relatives; placement with or without siblings; school attendance; ethnicity; disability; and the foster carer's own family; as well as the space available in their home.

Local authorities can place children with their own in-house carers or with carers from independent fostering agencies and as we have explained in chapter 5, seeking to find an in-house placement first is entirely reasonable. When either the local authority has run out of carers or when a suitable carer for a particular child is not on their books, they will canvass a large number of IFAs to find a reasonable match. But this process is very frequently unproductive for the local authority and frustrating for IFAs. The principal cause is that matching is overwhelmingly supply-led. Particularly when local authorities are seeking placements for more challenging, typically older children, the power in the purchaser supplier relationship lies very much with the supplier. One placements officer told us:

“After a cursory look in-house, we send out referrals to the 13 IFAs on our framework and to 43 IFAs off-contract. We are lucky if we get a handful of responses and we are likely to take whatever comes back first. Most days the best match is the only match.”

This is well founded in the research. Sinclair et al (2005) observed that in 50% of cases social workers reported having no choice over placements. Self-evidently, this is unsatisfactory and, not surprisingly, the research shows that placements that are made where there is a shortage are more likely to break down.¹²² Conversely, increased availability and having a choice of placements helps to improve placement stability.¹²³

The current referral process is also frustrating and time wasting for IFAs. Local authorities frequently send the same referral to all IFAs, whether or not contracted to them. This requires the fostering agencies to consider hundreds of referrals to which they are unlikely to be able to respond positively. At best, it is a haphazard way of making a vital decision for a vulnerable child.

¹²¹ National Minimum Standard 15, The Care Planning, Placement and Case Review (England) Regulations (2010) and Fostering Regulations 9, 11, 17.

¹²² Wilson (2006)

¹²³ Held (2005)

Vacancy Management

Matching a child to the right sort of carer is further inhibited by the almost total absence of any sort of vacancy management system. Save for their own carers, local authorities have very little idea of where vacancies might be. Despite the frequently heard assertions that there is a radical shortage of carers, there are, at any one time, a large number of foster carers who do not have a child living with them. Ofsted data suggests that in 2015, at any one time, just 64% of fostering households had a child placed with them, falling to 61% in 2016. Some of these carers were not in a position to take a child, perhaps because they were caring for a young person under Staying Put arrangements, but even allowing for that, there are a significant number of carers - typically in the region of more than 15,000 households - waiting to be offered a child. But local authorities have little idea of where these vacancies are. One local authority placements officer told us:

“IFAs sometimes send us their vacancy lists. They are all different and whether we have them or not is ad hoc. Our in-house vacancy list is relatively up to date. But it’s all a bit of a patchwork of different lists and missing information and it changes constantly.”

As we have recommended in chapter 4, we believe that the Department for Education should examine the case for a national register of carers. We believe the idea has great merit. We have suggested that such a database could hold details of their fostering agency; the date of their approval as carers; where they live; the number of beds and bedrooms in their home; personal characteristics (age, gender, ethnicity, religion and language); their level of training and expertise; and whether or not they have a vacancy for a child. The Association of Directors of Children’s Services were much more cautious, arguing that a national register was of limited utility when foster placements were invariably sought locally. We believe the answer is a single national register of carers that shows where vacancies lie, and that has basic information about the skills and experience of the carers and the agency they belong to. Local authorities would then be able to define their search criteria and view vacancies in a locally defined geographical area. Similar systems - such as *Adoption Match and LinkMaker* - already operate very successfully in adoption and residential care. If the register were not to be introduced we must have, at the very least, a vacancy management system to remove the randomness and - sometimes the lottery - of finding the right carers for children.

Recommendations

24. We recommend all local authorities use *Bright Spots*, or similar, to survey approaches regularly and systematically to measure children's experience of fostering relative to other local authorities.

25. We therefore believe that it is time to reinforce the statutory guidance¹²⁴ that children should know their rights to advocacy and how to access an advocate and urge the Department for Education to work with the Children's Commissioner and voluntary sector providers of advocacy, including Coram Voice, to ensure this is done.

26. Local authorities need to monitor the quality of referral information and ensure that, inadvertently; they do not demonise a child by over emphasising the negative aspects of a child's background.

27. Carers should, wherever possible, be able to play a proactive role in matching. Adapting adopter-led family finding techniques, such as activity days, to help find suitable long-term fostering placements should be piloted in a number of local authorities.

28. Children must routinely be better prepared for a placement (as already required in Regulation 11) by being told much more about the carers, their family and the carers' home, day-to-day care and routines before the first meeting (including seeing video messages and scenes of their bedroom and learning about some basic house rules).

29. If the register of adopters recommended in Chapter 4 were not to be introduced we must have, at the very least, a vacancy management system to remove the randomness and - sometimes the lottery - of finding the right carers for children.

¹²⁴ National Minimum Standard 1.5

Chapter 7: Contact and Siblings

In 2013, the Government was persuaded that sometimes decisions on contact - however well intended - were not always in the best interests of the child. They decided that the long established assumption that contact between a child or infant in care, and their birth family, was not in the child's best interests, and should be removed from legislation. This followed significant concern about the distress caused to infants and younger children by contact, particularly contact which took place frequently, sometimes daily.

In a foreword to a government consultation document¹²⁵ one of the authors of this review¹²⁶ said:

“Many of the practitioners I have spoken to during the past year, and in numerous visits to local authorities and voluntary adoption agencies, have convinced me that too often we allow contact when it is not in the best interests of the child.

Sometimes, even when contact is appropriate, we allow too much of it. It is not uncommon for infants in care to be shuttled, sometimes long distances, and every day, for meetings with their birth mother of two or more hours. The distress that causes to infants gravely troubles both their foster carers and their social workers.

“I have not suggested to ministers that contact between birth families and children in care should not continue to be the norm. But I have urged them to consider whether the current legislative presumption in favour of contact is appropriate and whether, instead, policy should make clear that contact must always be in the interests of the child.”

Research Evidence

This questioning of the assumption that contact was invariably positive was influenced initially by concern expressed by foster carers and professionals, but also by compelling research evidence. Catherine Macaskill¹²⁷ studied 106 children in contact. It was found that the proportion of children suffering very negative consequences from contact was twice the proportion for which contact had a positive effect.¹²⁸ Similarly, Julie Selwyn found that

¹²⁵ Call for views: birth-parent contact, Department for Education, July 2012

¹²⁶ Martin Narey: foreword to Government consultation document

¹²⁷ Safe Contact: Children in Permanent Placement and Their Birth Relatives

¹²⁸ Contact was thought to have had a positive impact in 12% of cases; a positive and negative effect in 57% of cases; and a very negative impact in 25% of cases.

contact was not always positive. 21% of children in her study were physically or sexually abused during unsupervised contact:

There were reports of parents disappointing children and failing to turn up, of children arriving at their birth parent's home knocking on the door only to be refused entry, of birth parents arriving too drunk/high to hold any kind of conversation. Twelve per cent of the children were physically abused during unsupervised contact, returning with unexplained bite marks or burns on their bodies. A further 6% continued to be sexually abused by their mother's partner. It was also suspected that a further 11% of children experienced physical or sexual abuse during unsupervised contact but there was a lack of evidence to support social worker's/foster carer's suspicions.¹²⁹

In another study, over half of young people aged between and 11 and 17 experienced contact that was judged to be poor sometimes because contact was with relatives who were rejecting, neglectful or unreliable.¹³⁰ The presumption in favour of contact was therefore removed in the Children and Family Act of 2014.

However, it would appear that, despite the legislative change, practice has been slow to change and concern about family contact was high on the list of concerns put to us by foster carers and was confirmed in discussions with senior managers in local authority fostering.¹³¹ Meanwhile, recent research from Kiraly and Humphreys has confirmed the continuing reality that a large proportion of parental contact is not in the child's interests and is sometimes unsafe.¹³²

One foster carer responding to our call for evidence said:

"Social workers insist on contact being maintained - even when carers and schools can demonstrate that it is not in the child's best interests and is damaging to their mental well-being and education. It seems as if the family's wishes count for more than the child's and this is wrong."

Family Futures, a very highly regarded adoption agency, told us:

¹²⁹ Selwyn et al (2006) Costs and Outcomes of non-infant adoptions, London BAAF

¹³⁰ Contact with Family Members and its Impact on Adolescents and Their Foster Placements. *The British Journal of Social Work*, Volume 36, Issue 4, 1 June 2006, Pages 541–559

¹³¹ Including the North Yorkshire Innovation Forum, May 2017

¹³² Kiraly, M. and Humphreys, C. (2016) 'It's about the whole family': Family contact for children in kinship care. *Child and Family Social Work* 21, 2, 228–239

“The quality of contact with birth parents whilst the child is in foster care is, in our view, a much-neglected area. Contact should always be in the child’s best interest, even before a finding of fact has been achieved.”

Martin Barrow, an experienced foster carer and co-author of *Welcome to Fostering*,¹³³ reinforced the reality that the child’s interests are not always to the fore when decisions about contact are made:

“Our experience is that there has been no actual change in the approach of social workers or the family court to contact since 2014. On a number of occasions, we have been in conflict with placement teams over arrangements for contact, with little success. This is particularly true when the court has set a regime for contact, which is enforced rigidly by placement teams, despite evidence of harm. There appears still to be a presumption that family contact must be maintained, regardless of the impact on a child or young person. In our view, placement teams put a parent’s demands ahead of the child’s wishes, and will adhere to the family court’s proposed contact schedule even if it is having a materially negative impact on the child and on the placement

As foster carers, we know that family contact can be a positive experience, when it is well managed and takes place under the right circumstances. Unfortunately, for too many children, contact is traumatic and highly disruptive, causing deep anxiety in the days before contact and in its aftermath. During our current placement, we have dealt with instances of self-harm by a 4-year-old, which we attribute directly to the trauma of contact with a parent.”

Infants

The assumption that contact is in a child’s interests is particularly dangerous when dealing with infants. As Reconstruct Research Service has helpfully summarised:

The first year of life is a critical time in infant development and without a parental figure who can create a safe, predictable and secure psychological and physical space, the infant’s capacity to grow and explore the world is limited. Babies who are exposed to violence, abuse and trauma show attachment disruption and poor

¹³³ *Welcome to Fostering*, Andy Elvin and Martin Barrow, Jessica Kingsley Publishers May 2017

neurological development. Disorganised attachment results when infants live with a caregiver who is unpredictable and/or frightening, or where an infant experiences multiple caregivers and no consistent figure with whom to create attachment security and safety. The impact on the infant's brain development is profound, resulting in a lack of ability to regulate emotions, a lack of cognitive development and an inability to empathise with others. At its most extreme, the absence of a consistent attachment figure and unresponsiveness to the child's emotional needs can lead to infants and children with limited neurological development, particularly of the cortical area, where thinking and emotional regulation occurs.¹³⁴

Professionals sometimes acknowledge these concerns about contact but argue that courts are wedded to it and unlikely to listen to argument about limiting contact. They will sometimes point to a notorious judgement made in 2003 by the now president of the Family Division, Sir James Munby. The frequently quoted extract is:

If this is what the parents want, one will be looking to contact most days of the week and for lengthy periods... Contact two or three times a week for a couple of hours a time is simply not enough if parents reasonably want more.

But that judgement has long been qualified and explained by Sir James. Speaking in a debate on family justice in 2010, he said:

I did not say that contact two or three times a week for a couple of hours a time is simply not enough if parents want more. I carefully and deliberately qualified that with the word 'reasonably' which both reflects the statutory requirement and also reflects the fact that of course parents cannot simply demand it if it is contrary to the interests of the child.

He went on to say:

The point, if I can make it, is this: I cannot recall a single occasion when one of these contact issues came before me in the context of care proceedings, where there was any attempt by anybody to explain or justify by professional opinion, let alone by reference to any research or expert evidence, why it was being said that two or three times a week, one and a half, two hours at a time was sufficient. The most one ever got was 'well that was my professional opinion' from the social workers. When one sought to scratch below the surface there came nothing at all. I have to remind you

¹³⁴ The impact of high frequency contact on separated infants, Reconstruct Research Service

that judges have to work on the basis of evidence, and if the evidence is not there we are in difficulties.

The Courts

This critique is important because we believe that professionals may not seek to limit contact, in the belief that the courts have a rigid view about meeting the wishes of the birth parents. In reality, courts are likely to be entirely willing to listen to evidence about any potential damage caused by contact. In our view, the opinion of the foster carers about the effect of contact on the infant or child in their care will be an important factor in helping the courts to come to an informed decision.

One carer wrote to us and said:

“My two youngest have contact 6 times as year with their birth parents (now separated) and to give you an idea of what I am trying and struggle with, the girls want contact reduced, I have had to bring in NYAS (National Youth Advocate Service) so that their voices can be heard as the girls are told that they cannot reduce contact as it is a Court Order... They also have contact with their siblings 6 times a year, which the girls would also like reduced but again they are advised they cannot, as it is a Court Order.”

Social work professionals need to have confidence that the courts will not ignore evidence like that.

More generally, both social workers and the courts need to heed the conclusion of a recent systematic review of birth family contact,¹³⁵ which after an extensive review of available evidence concluded:

The evidence suggests that although contact can help some children resolve attachment difficulties and ambivalent feelings around loss, for others, it has the opposite effect. At the heart of this lies the paramountcy principle, which stipulates that contact arrangements should be made on a case-by-case basis, in the best interests of the individual child... The salient variable in the latter appears to be children’s pre-existing relationship with birth families and there is plenty of evidence in this review of children reliving experiences of rejection and insecure attachment

¹³⁵ What is the impact of birth family contact on children in adoption and long-term foster care? A systematic review: Caroline Boyle, London South Bank University, April 2015

behaviours during contact. Feelings of vulnerability and fear were countered by withdrawing or becoming clingy or controlling for example. Contact often prompted ambivalent feelings of affection and aggression towards adoptive parents or foster carers and in cases of harmful contact, undermined the child's view of their protective role.

And crucially:

Contact between children and family members who had abused them (usually birth parents) was invariably problematic, even when considered 'safe' by social workers.

Contact with Friends and Previous Carers

By contrast we heard from many foster carers about their difficulties in maintaining contact with past foster children when, for example, they have moved on to other placements, reporting that such contact is often discouraged by social work professionals.

When children are in care, and when they have to move between carers, it's vital that they are able to maintain the ties and friendships that are important to them. Leaving a home where they have become settled, often after some years, must be traumatic enough for a child. Simultaneously losing contact with everyone in that home and with friends living nearby must sometimes be devastating. Quite simply, children need to be asked who's important to them and with whom they'd like to remain in contact. Sometimes children will confirm that blood relationships are their priority. But sometimes relationships with carers who might have loved them, or friends who lived nearby will be the priority for them. Sometimes children will have developed close relationships with unrelated children with whom they shared a foster home, either other foster children or the birth children of their foster carers, and with whom sibling-like relationships have developed. Continuing those relationships might be more important to them, and form an important part of their sense of well-being, than contact with children with whom they are related, but whom they barely know.

One recent survey suggests that while many children in care - particularly those aged 11 or over - would like to see more of their siblings, a majority think they either see them enough or see them too often.¹³⁶ When children move placement they should routinely be consulted

¹³⁶ Our Lives, Our Care: Looked After Children's views on their well-being. University of Bristol and Coram Voice 2017: Of those aged 8-10, 46% of children said they had the right amount of contact with their siblings and 19% too much. And of those aged 11-18, 50% said they had the right amount of contact and 6% too much

about the people - adults and children - who are important to them and, unless it is not in their interests, contact with those adults and children should be encouraged and facilitated.

The Settings for Contact

We stress that birth family contact will, very frequently, be in the child's interests. When that is the case contact needs to take place in a setting which helps it to be a pleasant and successful experience for all parties. But too often we heard that is not the case. As Martin Barrow told us:

“Family contact is further complicated by the poor management of contact sessions. Contact is often outsourced, and there is a lack of co-ordination between contact managers and the in-house fostering team. There are frequent changes in contact supervisors, so a vulnerable child may be left in the care of an unknown and inexperienced contact supervisor for a difficult meeting with a parent or relative. During the session, the contact supervisor is often unsure about when to intervene, even though it must be clear that the child is in distress.”

Family Futures told us:

“We believe that contact for children who are fostered should always have the foster carer or a trusted adult present with them. Otherwise it is potentially a re-traumatising experience and can set a template in the child's mind that the foster carer is abandoning them at a time when they become very anxious.”

As Julie Selwyn told us:

“If we take an attachment theory view - we ask children to leave their “secure base” (their foster carers) and go off with a stranger in a strange car - it's no wonder they are stressed and get upset”.¹³⁷

These are not new concerns. A 2006 study of supervised contact¹³⁸ found a range of inadequacies in places where supervised contact took place. This prompted Coram, in 2010, to re-publish a guide to best practice in contact and which describes the conditions which are most likely to make contact successful.¹³⁹

¹³⁷ E mail exchange, October 2017

¹³⁸ Harrison (2006) quoted in Managing the risks and benefits of contact. Research in Practice 2014

¹³⁹ Coram: A Guide to Best Practice in Supervised Child Contact, Alan Slade (2002 and re-published 2010)

But carers told us that sometimes they have to try and intervene to mitigate the negative aspects of the contact experience. As Martin Barrow went on to say:

“We have learned through experience that the most effective way to mitigate this damage is to try to modify the arrangements through subtle negotiation with social workers and the children’s own families. So we change the time, or shorten the period of contact, or find a better location, and so on.”

The management of most birth family contact is often contracted out to the voluntary sector. But whether managed directly or contracted out it needs to be better managed and designed around the needs of individual children and their circumstances.

Sibling Separation

The Care Planning, Placement and Case Review Regulations (2010) and Fostering Regulations prescribe the information which must be considered before a fostering placement is made. One of the most important considerations is the ‘placement of siblings together whenever possible and in the best interests of the children concerned’. We do not doubt that for many children, being placed together will contribute to the success of the placement and it is probably the case that - as Ofsted have argued - some siblings are unnecessarily separated.¹⁴⁰ Nevertheless it is dangerous to assume that it is always in the interests of family groups to be fostered together.

In an evidence review commissioned for the Department for Education,¹⁴¹ Mary Baginsky observed that:

A review by Heger (2005) that was conducted in the US but covered Canada, the UK and other European countries found that most studies suggested that ‘joint sibling placements’ are as stable as, or more stable than, placements of single children or separated siblings and that children do as well or better when placed with siblings.

Sweeney and Hazell¹⁴² have argued that positive sibling relationships are protective of mental health. They noted that girls separated from their siblings had significantly poorer mental health than girls living with at least one sibling. But the same was not true of boys

¹⁴⁰ Ofsted estimate (2012)

¹⁴¹ The Fostering System in England and Wales: Evidence Review Mary Baginsky, Sarah Gorin, Claire Sands, Kings College London, July 2017

¹⁴² Sweeney M and Hazell P (2005) The mental health and socialisation of siblings in care: Children and Youth Services Review Vol 27

and, as Research in Practice asserted in a recent literature review of international evidence, causality cannot be determined because it's not known whether:

*...poorer mental health leads to separation or separation leads to poorer mental health, or indeed whether other factors, for example the nature and experiences leading to care are associated with both mental health and separation...*¹⁴³

Baginsky¹⁴⁴ summarised that siblings are less likely to thrive together when the sibling group is large, the children are not close in age, did not enter care at the same time or when there are concerns over sibling on sibling abuse. But despite those exceptions - which apply to a not insignificant number of siblings in care - there has emerged a largely unchallenged consensus that siblings must not be separated. This was recently reflected by Cathy Ashley and David Roth, asserting that there should be a presumption that siblings should be placed together.¹⁴⁵

That view is frequently reinforced by press coverage, which criticises sibling separation in care and generally without qualification.¹⁴⁶ A number of fostering agencies in both the voluntary and private sector have exploited public naivety about sibling separation to aid recruitment drives. Invariably they paint a rosy picture of fostering siblings which - at the very least - critically underestimates the challenge of caring for a sibling group. One independent fostering agency suggests on its website that fostering siblings is always appropriate and possibly easier than fostering individual children:

*You'll find siblings who are placed into foster homes together often settle quicker, as with the support of their brothers or sisters they tend to adjust to the situation easier than those who are separated. Studies have also shown siblings kept together go on to achieve much better grades at school. This is likely linked to the factor above. A child struggling to adjust to their new situation is going to be a lot less likely to succeed academically. The biggest benefit of keeping siblings together is that it significantly boosts their emotional wellbeing. Our job is to ensure the children who enter our care are happy, healthy and well looked after. When brothers and sisters are placed together, it causes much less trauma and emotional upset, making them happier overall.*¹⁴⁷

¹⁴³ Research In Practice: Research and Policy Update, June 2017

¹⁴⁴ Baginsky Ibid

¹⁴⁵ What happens to siblings in the care system? Cathy Ashley and David Roth, Family Rights Group, 2015

¹⁴⁶ The Independent 12 May 2013: How Foster Care Separates Siblings; Daily Telegraph, 8 September 2014: Foster care sibling separation row: 'I'd hear him cry out for his brother in the night'; BBC News, 26 January 2015: A third of siblings in care forced to live apart'

¹⁴⁷ Pathway Care Fostering

This, one must conclude, is a fostering agency with a very poor grasp of the evidence and one that is likely to be unduly optimistic about the benefits of keeping sibling groups together. The reality is considerably more challenging. As Family Futures told us, there is a double challenge of more complex and challenging children coming into care, with significant developmental issues, and alongside their brothers and sisters:

The population of children currently requiring permanent placements has changed since the Children Act of 1989. Since that Act was passed the threshold criteria for children coming into care were raised, a consequence of which has been that children are taken into public care at a later age and often in sibling groups rather than as individual children.

This challenge to the traditional view of the invariable benefit of siblings being placed together was supported by Lord and Borthwick (2001 and updated in 2009).¹⁴⁸ They highlighted conditions which might suggest that siblings should be placed separately. The list included:

- *Intense rivalry and jealousy, with each child totally pre-occupied with, and unable to tolerate the attention their sibling(s) may be getting.*
- *Exploitation, often based on gender, e.g. boys may have been seen and see themselves as inherently superior to their sisters, with a right to dominate and exploit them.*
- *Chronic scapegoating of one child.*
- *Maintaining unhelpful alliances in a sibling group and family of origin.*
- *Maintaining unhelpful hierarchical positions e.g. the child may be stuck in the role of victim or bully.*
- *Highly sexualised behaviour with each other.*

Family Futures also suggest that even in circumstances where there may be advantage in keeping a sibling group together, local authorities need to be realistic about the capacity of foster carers to compensate for the harm each child has suffered:

The degree of developmental trauma experienced by children in the looked after system means they often require very intensive developmental re-parenting. Deficits and damage caused by early poor parenting means that, in order to heal and catch up, children require to be parented as much younger children...

¹⁴⁸ BAAF Good Practice Guide: Together or apart? Assessing siblings for permanent placement. Jenifer Lord and Sarah Borthwick

When assessing a sibling relationship, the assessor should take into account the intensity of parenting required if the siblings were to be placed together. This needs to include not only an assessment of the individual needs of each child but also the sibling dynamic. Parenting siblings who have been harmed by early parenting experiences and whose sibling relationships have been pathologised can be extremely demanding. In making family placements it is important that the primary objective of developing a secure attachment between child and parent is not jeopardised by the demands of managing sibling relationships.

What is necessary is an objective, evidence informed, and exploratory assessment, as soon as a child enters care, of what is best for that individual child.

Recommendations

30. We urge the Department for Education to remind local authorities of the change in the law and the need for professionals to ensure that birth family contact takes place only when in the interests of the child. Professionals should not shirk offering evidence to the courts about the potentially damaging consequences of contact.

31. When children move placement they should routinely be consulted about the adults and children who are important to them and, unless it is not in their interests, contact with those adults and children should be encouraged and facilitated.

32. Local authorities should review the environments in which family contact takes place and the way it is supervised to ensure that it can be as positive an experience for the child as possible.

33. As part of the assessment process when siblings enter care, individually or simultaneously, local authorities should not presume that keeping groups together is in the interests of all children in that group. Instead they should consider the individual needs of each child and whether they are likely to thrive when placed together and whether it is possible for one set of carers to meet the developmental demands of the full sibling group.

A Final Word on Permanence

We are confident that we have made recommendations here which, taken together, can radically improve fostering which is already and by any measure, a success. Crucially, our recommendations are affordable and we believe they could save local authorities - realistically - as much as £65 million a year through better commissioning of the IFA sector. A further sum of between £50 and £70 million could be re-invested in front line fostering support by abolishing the role of the Independent Reviewing Officer. We hope therefore that we have fulfilled our brief. But we'd like to go further.

Fostering is better for children the more stable it is and the longer it lasts. The permanence and the stability it can bring to children's lives trumps everything else in its importance. The pursuit of permanence should be moved to the centre ground of policy at the Department for Education.

Support Foster Care

We think that greater permanence could be achieved in a number of ways. First of all, a different sort of fostering could be used to prevent the need for children unnecessarily to come into care or return to care. This is not to suggest that care is bad for children. As we have demonstrated, it is more frequently a positive rather than a negative experience for neglected children and we should not shy away from using it when it is in the child's interest. But it would be foolish to deny that there are some children who come into care when appropriate support to the birth family might have prevented that.

Foster care is already used for short breaks for children not in care but where their birth parents need some respite. Usually, this is confined to parents of disabled children. Crucially, the disabled child is not necessarily taken into care, with all the accompanying regulatory oversight that entails. Non-disabled children in need may also receive respite support outside the care system, but they rarely do so, unlike in countries such as Denmark, France or Germany.¹⁴⁹

There are exceptions. We visited Stockport who pioneered and remain one of the few local authorities that use foster carers to provide short breaks for 0-17 year olds with and without a disability. The authority provides families with a break from each other at difficult times, together with a range of support services, to prevent family breakdown and the need for

¹⁴⁹ Boddy et al, 2009

children to become looked after. Between 2011 and March 2014, 189 such interventions had been made and 80% of the children concerned were diverted from care.

The Fostering Network has tested a support foster care approach. The organisation was awarded a government grant in 2014 to promote fostering as an edge of care intervention. They described it as

Support care [which] sits at the interface of fostering services and family support services, offering a preventative intervention that avoids families becoming separated.

The evaluation found that 85% of completed support care placements surveyed were judged to have met the aims of the placement in full or in part. Interestingly, the evaluators found that the model provided an option for carers to foster part-time which has the potential to attract both a new population of carers and carers who wish to step down from a full time fostering commitment.

ADCS told us that they were keen:

“...to support young people and families with part-time, flexible care without the label and administrative requirements of Looked After Child status.”

Dave Hill, previous President of ADCS, was adamant that children and young people would benefit:

“We know that foster care is a wonderful intervention for children. So why do we wait until children can no longer be placed at home before we give them the opportunity to experience foster care. We should be using fostering to provide children in need and their families with early help.”

We believe that children on the edge of care and their families should routinely gain earlier access to foster care. The Department for Education, together with select local authorities and independent fostering agencies, should further explore the potential for support foster care as a means of:

- avoiding unnecessary entry into care;
- ensuring that those who do come into care are thoroughly assessed and placed in a more managed and timely way; and
- attracting a new population of carers and carers who no longer want to foster full-time.

Converting Fostering to More Permanent Arrangements

For all its success, and the fact that children in care indisputably fare better than similar children in need, not least educationally, many of the benefits of fostering are lost when a child becomes an adult and leaves care. When that happens, a young person, still immature despite having reached the age of majority, struggles to forge a life for themselves independently. Or, ironically, returns to the birth family from whose neglect he or she has been protected for much of their childhood.

Staying Put

Staying Put has eased this crisis and many young adults have been able to stay with their foster carers beyond their eighteenth birthday. Such arrangements have not been without their challenges but the Staying Put parents and the young adults whom we met spoke warmly and movingly about the importance of being able to stay together. Data for the past two years show that around half (54% in 2015/16 and 51% in 2016/17) of young people who are eligible to Stay Put have chosen to do so. Perhaps even more encouragingly, 30% of 19 year olds and 20% of 20 year olds whose Staying Put arrangements started one or two years ago are still living with their former foster carers.¹⁵⁰

We know that the Department for Education are encouraging as large a take up of Staying Put as possible and we welcome that. But it's not enough. Certainly, ending the protection and care that fostering offers at 19 or 20 is better than at 18. But as those of us with adult children know, parenting doesn't stop at 20 or 21. Nor at 24 or 25. Parenting and the emotional, social and financial support that comes with it lasts forever and is widened to the benefit of grandchildren. As one contributor to the review challenged us: a child might benefit from Staying Put until they were 21, a great success in the context of a care system which generally disengages at 18. But after that, on their own in the world, where does that young and still vulnerable adult go for Christmas?

The priority therefore must be to convert more fostering placements to arrangements which are more likely to last forever, either by encouraging foster carers to adopt or to become special guardians. 12% of all fostering placements, about 8,800, are with family or friends. It is inconceivable that - if a guarantee of financial support were forthcoming - a significant number of those fostering arrangements could not be converted to adoptions or special guardianships. In either case, the child would leave the care system.

150 Children looked after in England (including adoption), year ending 31 March 2017

Adoption

In the USA, in an increasing number of states, fostering and adoption are seen as a continuum. Frequently, those who wish to adopt must first qualify as foster carers and many adoptive relationships begin as fostering relationships.

As a result, of the 135,000 or so adoptions which take place each year in the USA, almost 40% start as fostering placements. Transition to adoption isn't just facilitated, its positively encouraged. That's not always the case in England where very few fostering placements convert to adoption and where such transitions are often discouraged. We heard from one set of carers who had been fostering a young child placed with them after three previous placements, fell in love with her, and asked the local authority whether they might adopt. Although the plan for the little girl was adoption, and despite having a strong bond with the child, the carers were rejected as adopters. They were foster carers, and rather than consider the advantages of continued stability for the little girl, the authority turned instead to their silo of approved adopters. Despite the continued opposition of both the local authority and CAFCASS, only privately funded legal action by the carers secured the adoption. Some years later, the adoption has been a great success.

More recently a foster carer wrote to us to describe her own - unsuccessful - attempt to adopt two sisters who she's been fostering for some years, children whom the local authority has concluded can never return to their birth parents. The plan is for the girls to stay in foster care, with this same carer for the long term. But, despite this, the carer's desire to take on a more permanent role, and the children's wish to call her mum, have been rejected as inappropriate. She has been told she has 'overstepped the mark' and must attend a training course dealing with 'understanding identity.'

Special Guardianship

Adoptions last forever. Special Guardianship Orders (SGOs)¹⁵¹ last - in legal terms - only until the 18th birthday but many of those living under an SGO will continue to live with their

¹⁵¹ A Special Guardianship Order is a legal order where the court appoints a carer – usually, but not necessarily a relative – as the 'Special Guardian' of a child until they reach 18. The Special Guardian shares parental responsibility for the child with the parents, but can make nearly all the major decisions about the child without having to consult them.

guardians after the legal order has expired. We heard frequently about foster carers who would welcome the greater certainty and permanence that an SGO would bring, but cannot afford to care for the child without the financial support fostering provides. Frequently, when an SGO is agreed, the carers will be guaranteed financial support for two years. But the uncertainty about support beyond this 24-month period will discourage many carers from pursuing the SGO route. Even where carers agree to the transition, the courts will not always agree. We heard of one family court, which on a number of occasions, and where foster carers had agreed to become SGOs, had retained the child in fostering, so as to guarantee longer term financial support for the would be guardians.

And although a successful placement of a child in an SGO removes the child from the care system, there is no shortage of stories of local authority resistance. In one very recent case, this time involving a grandmother wishing to care for her grandchild, the judge – unusually – identified the resistant local authority and published a statement from the grandmother as part of the court judgement. Describing the resistance she'd experienced and the failure of the local authority to offer any assurance about financial support, the grandmother said:

“A financial assessment is an integral part of this process. I have been given numerous accounts of how this works, how no finance would be offered, that I was ineligible even for assessment. I had to use voluntary agencies and research on line for the facts. The first social worker simply failed to turn up for an appointment to assess me. The baby's social worker took a few notes and didn't tell me the outcome though indirectly I was informed I was ineligible as I have some savings, which is completely incorrect. Ultimately, after explaining the process to the uncommunicative unit responsible, I have been offered some support... Is this an acceptable way for this to be conducted?”

Financial Security

We believe there are a number of children in care and being fostered who could safely leave the care system if they were given a longer-term commitment to financial support. This would not involve additional expenditure: these weekly payments would continue while the fostering arrangements persist. Guaranteeing those payments after transition to adoption or to a Special Guardianship Order would save money because the local authority would no longer carry the not inconsiderable costs of supporting and supervising a number of foster placements. But, more importantly, it would bring much greater permanence and certainty to a child's life.

The numbers of children in care in England have been rising steadily for some years. Some local authorities have defied that trend. Some have done this by increasing the number and

proportion of children being reunited with birth parents. The evidence would suggest that is not without risk. In others, falls in the number of children in care appear to have been engineered through increased use of special guardianships.

Much more work needs to be done to assess the potential for more children to leave the care system and enter into more permanent arrangements. Fostering placements will continue to be needed for the vast majority of children currently in care. But the potential to achieve greater permanence and certainty for a significant minority should not be ignored. We therefore recommend that the work of the Adoption Leadership Board, and the Residential Care Board should continue. And similar arrangements should be made to implement the recommendations from this report. But Ministers should direct the setting up of a Permanence Board under the chairmanship of the director general for children's social care, the most senior official in the Department responsible for the care system. As well as overseeing and directing the work of the activity-specific boards, its purpose should be very simple: to monitor the whole of the children's care system and seek to deliver, for more looked after children, a permanence in their care and their sense of belonging, which lasts well beyond the age of majority.

Recommendations

34. We believe that children on the edge of care and their families should routinely gain earlier access to foster care. The Department for Education, together with select local authorities and independent fostering agencies, should further explore the potential for support foster care as a means of:

- avoiding unnecessary entry into care into care;
- ensuring that those who do come into care are thoroughly assessed and placed in a more managed and timely way; and
- attracting a new population of carers and carers who no longer want to foster full-time.

35. The priority therefore must be to convert more fostering placements to arrangements which are more likely to last forever, either encouraging foster carers to adopt or to become special guardians, not least through longer term guarantees of financial support. In either case, the child will leave the care system.

36. We, therefore, recommend that the work of the Adoption Leadership Board, and the Residential Care Board should continue. And similar arrangements should be made to implement the recommendations from this report. But overseeing those boards, Ministers should direct the setting up of a permanence board under the chairmanship of the Director General for Children's Social Care, the most senior official in the Department responsible for

the care system. And the purpose of that board should be very simple: to deliver to more looked after children permanence in their care, and a sense of belonging which lasts well beyond the age of majority.

Full List of Recommendations

Chapter 2: Helping Carers to Make Fostering More Effective

1. We are clear that it is unrealistic to believe that foster carers, however competent they are, indeed, even if they happen to hold professional qualifications, can play an equal part alongside necessarily dispassionate social work professionals, in determining what is best for a child in care. Frankly, often the last thing we need is for foster carers to be dispassionate. We need them to get emotionally involved, we want them to be subjective, we want them to fiercely advocate for the child or children in their care. Because that is what parents do. Foster carers are not professionals. But - and this is crucial - they must be treated professionally.

2. Statutory guidance includes lots of commendable references to involving carers. But the key document that deals with reviews of children who are in foster care is inconsistent in promoting the importance of the role of carers and fails to list them as people who must be involved in reviews. Instead, they are listed along with general practitioners and teachers, as people whose views might be relevant. And in another part of this voluminous document, although the involvement of carers is encouraged, this is subject to veto by the child in their care. The statutory guidance should be changed to ensure the involvement of carers in review meetings is the default position, and that they are only excluded in exceptional circumstances. And, although the child's views need to be listened to - and the reason for their wishing to exclude their carers must certainly be probed - foster carers should always be involved.

3. We think that the categorisation of types of decision which might be delegated to carers is sensibly defined in the statutory guidance. But unless carers are explicitly clear about being able, independently, to take decisions, they will continue to feel exasperated. More importantly, children will, unnecessarily, be frustrated, unhappy, and feel different from other children. The Department for Education should urgently remind all local authorities that the delegation of total authority for all category one decisions should apply automatically to foster placements unless, for exceptional reasons, such delegation is inappropriate. In those cases, the reasons for the exception must be set out in the child's placement plan.

4. We do not believe it is reasonably practicable for carers to be asked to parent a child, while simultaneously preventing them from making minor decisions. We would urge the Department for Education and local authorities to recognise that automatic delegated authority to carers must apply for voluntarily accommodated children too, and that birth

parents should be helped to understand that is in their child's interests. Birth parents cannot be allowed to veto the ability of foster carers to provide day to day parenting.

5. Department for Education guidance and regulations are silent on physical affection and such silence - which is disappointing - must encourage the view that physical affection is considered inappropriate. Carers should be in no doubt that, unless it is unwelcome to the child, they should not curb the natural instinct to demonstrate personal and physical warmth. We urge the Department for Education to make that clear in future guidance.

6. We suggest that local authorities should decide which individual social worker is best placed to offer the support to the foster family in long-term placements. As well as resulting in a welcome reduction in family intrusion, and sometimes confusion, this change would deliver cost savings to hard-pressed local authorities. But it is important to stress that we recommend this, not simply to save money, but because we think it will be in the interests of fostered children.

7. Our conclusion is that, despite the commendable commitment of some individuals, there is little to recommend the IRO role and believe local authorities should be allowed to dispense with the role; re-investing savings in front line staffing.

8. We believe there needs to be a thorough assessment and consultation with the sector and with carers about the effectiveness, cost, and value for money of fostering panels and we urge the Department for Education to commission such an assessment.

9. We do not believe that Department for Education guidance on allegations needs to be changed. But local authorities need to be sure that it is followed in all cases. And carers need to be reassured that, however unlikely the prospect of an allegation being made, they can be confident that they'll be supported through the process.

10. All Fostering Services should consider introducing structured peer support for carers. Not all will be able to provide something as sophisticated as the Mockingbird model (and the costs are not insignificant, estimated to be more than £30,000 a year) but arrangements of this nature are likely to promote carer retention and placement stability.

Chapter 3: The Financial Compensation and Reward of Foster Carers

11. We warmly endorse tiered approaches to paying fees, linked to the skills and experience of the carers. Implemented widely, such models could drive greater consistency in fostering, aid better matching between child and carer and would provide improved knowledge about the skills of the foster carer population.

12. We do not believe current payments to carers - when considered in the context of HMRC's helpful tax and benefit arrangements - are inadequate. Nor are they an obstacle to recruiting high quality carers, particularly if the tax and benefit treatment of fostering income is better publicised.

13. It may be for the courts to determine the employment status of carers. But we believe that were it to be obtained, employment would radically and negatively affect the heart of fostering and would not be in the interests of children in care. We encourage the Government and local authorities to resist such a fundamental change.

Chapter 4: Recruitment

14. A number of organisations called for a national register of carers. They suggest that such a database could hold details of their fostering agency; the date of their approval as carers; where they live; the number of beds and bedrooms in their home; the number of vacancies for children; personal characteristics (age, gender, ethnicity, religion and language) and their level of training and expertise. Such a register would provide vital information which could improve recruitment. And, as we explain in Chapter 5, such a register could also provide a vacancy management system and radically improve matching. We see great merit in the proposal and urge the Department for Education to evaluate the costs and advantages.

15. We believe that greater regional cooperation could concentrate marketing expertise and make better use of marketing budgets and we urge local authorities to consider combining their recruitment efforts.

16. We recommend that the Department for Education consider re-branding and re-launching First4 Adoption (F4A) to improve foster carer recruitment. The Department for Education would have to provide a substantial amount of the funding but local authorities and IFAs might be expected to contribute to a service which should help them to reduce their own marketing spend.

17. We urge all local authorities and IFAs to review and, where necessary, improve the way they handle initial enquiries. Established evidence and our own survey suggest there is the scope to convert many more enquirers into foster carers. And we recommend the greater use of mystery shopper techniques to monitor the quality of response to enquirers.

18. Too few carers who leave are given exit interviews, as few as 5% according to the Fostering Network. We recommend that local authorities and independent agencies should invite a much larger proportion of resigning and retiring carers to such interviews.

19. Our perception is that there is rather more poaching from IFAs to local authorities, but relatively little of either. But sometimes, local authorities will be acting prudently in seeking to transfer IFA carers to them when a placement is considered to become long term (because the marginal costs of an additional in house carer is much smaller than a fee paid to an IFA). When that happens, we believe local authorities should compensate the IFA for the recruitment costs of replacing that carer. We suggest the transfer protocol be amended to reflect that.

Chapter 5: Commissioning

20. Quite a lot could be achieved in terms of price reduction were local authorities to share their framework contracts with one another. The secrecy and the variation in prices negotiated by different local authorities benefit providers, not councils.

21. Many of the 152 separate local authorities are too small to effectively plan and commission fostering. It could be better planned and commissioned if they were to come together into about 10 consortia with critical mass. They would be better able to understand commissioning requirements; concentrate expertise; discourage local authority versus local authority competition; and negotiate with IFAs to provide placements at a significantly reduced cost, almost certainly through guaranteeing particular IFAs a certain level of business. The routine absence of such arrangements is extraordinary. There is the potential to significantly reduce spend on fostering.

22. We recommend that the consortia should also appoint national account managers for the larger IFAs. This would reduce the likelihood of consortia competing against one another as local authorities do now. There are a number of ways of doing this but probably, the simplest and most effective would be for one of the consortia to provide the national lead for managing the relationship with individual IFAs.

23. We recommend that larger local authorities or the consortia should consider making a determined attempt to become self-sufficient in carer recruitment or, alternatively, consider partnering with one or more IFAs to provide their complete fostering service. Either of these options is likely to be cheaper and provide greater assurance of quality than the prevailing and generally unplanned practice of part recruiting and part purchasing foster care.

Chapter 6: Matching

24. We recommend all local authorities use *Bright Spots*, or similarly to survey approaches regularly and systematically to measure children's experience of fostering relative to other local authorities.

25. We therefore believe that it is time to reinforce the statutory guidance¹⁵² that children should know their rights to advocacy and how to access an advocate and urge the Department for Education to work with the Children's Commissioner and voluntary sector providers of advocacy, including Coram Voice, to ensure this is done.

26. Local authorities need to monitor the quality of referral information and ensure that, inadvertently; they do not demonise a child by over emphasising the negative aspects of a child's background.

27. Carers should, wherever possible, be able to play a proactive role in matching. Adapting adopter-led family finding techniques, such as activity days, to help find suitable long-term fostering placements should be piloted in a number of local authorities.

28. Children must routinely be better prepared for a placement (as already required in Regulation 11) by being told much more about the carers, their family and the carers' home, day-to-day care and routines before the first meeting (including seeing video messages and scenes of their bedroom and learning about some basic house rules).

29. If the register of adopters recommended in Chapter 4 were not to be introduced we must have, at the very least, a vacancy management system to remove the randomness and - sometimes the lottery - of finding the right carers for children.

Chapter 7: Contact and Siblings

30. We urge the Department for Education to remind local authorities of the change in the law and the need for professionals to ensure that birth family contact takes place only when in the interests of the child. Professionals should not shirk offering evidence to the courts about the potentially damaging consequences of contact.

31. When children move placement they should routinely be consulted about the adults and children who are important to them and, unless it is not in their interests, contact with those adults and children should be encouraged and facilitated.

32. Local authorities should review the environments in which family contact takes place and the way it is supervised to ensure that it can be as positive an experience for the child as possible.

33. As part of the assessment process when siblings enter care, individually or simultaneously, local authorities should not presume that keeping groups together is in the

¹⁵² National Minimum Standard 1.5

interests of all children in that group. Instead they should consider the individual needs of each child and whether they are likely to thrive when placed together and whether it is possible for one set of carers to meet the developmental demands of the full sibling group.

A Final Word on Permanence

34. We believe that children on the edge of care and their families should routinely gain earlier access to foster care. The Department for Education, together with select local authorities and independent fostering agencies, should further explore the potential for support foster care as a means of:

- avoiding unnecessary entry into care into care;
- ensuring that those who do come into care are thoroughly assessed and placed in a more managed and timely way; and
- attracting a new population of carers and carers who no longer want to foster full-time.

35. The priority therefore must be to convert more fostering placements to arrangements which are more likely to last forever, either encouraging foster carers to adopt or to become special guardians, not least through longer term guarantees of financial support. In either case, the child will leave the care system.

36. We therefore recommend that the work of the Adoption Leadership Board, and the Residential Care Board should continue. And similar arrangements should be made to implement the recommendations from this report. But overseeing those boards, Ministers should direct the setting up of a permanence board under the chairmanship of the Director General for Children's Social Care, the most senior official in the Department responsible for the care system. And the purpose of that board should be very simple: to deliver to more looked after children permanence in their care, and a sense of belonging which lasts well beyond the age of majority.

Annex A: Voice of Children in Foster Care. A Survey by the Children’s Commissioner

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Introduction

The Children's Commissioner has gathered the views and experiences of children in foster care to inform the National Fostering Stocktake being conducted by the Department of Education. This work complements contributions already submitted to the National Fostering Stocktake. The Commissioner wished to gather the views from children who are often overlooked or not consulted in call for evidence activities. In addition, the Commissioner wished to learn more about particular issues being raised, such as placement moves, social worker contact and longer term contact with foster carers. This report provides a summary of the key themes arising from discussions with young people. Details on the methodology are provided at the end of the report.

Acknowledgements

The Children's Commissioner would like to thank the children and young people who participated in this study and the organisations who recognised the importance of this work and its contribution to the National Fostering Stocktake. Particular acknowledgement is needed for the prompt support and time given by organisations in facilitating discussions with children and young people on behalf of the OCC.

Findings

Introduction

The findings presented reflect the responses of 100 children living in foster care or who are care leavers. Children were asked to talk about their views and experiences of living in foster care and what improvements they think need to be made to the fostering system. The Commissioner was also keen to understand specific experiences such as placement moves, the relationship they have with their social worker and the role social workers play in making day to day decisions about the young persons' life. Visual tools and stimulus were used to gather the views of young people; these are exemplified throughout the report.

What's the best thing about being in care?

Feeling like part of the family

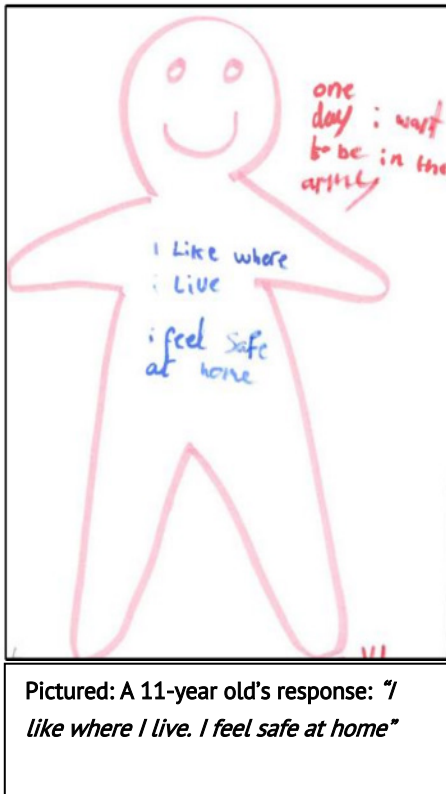
The majority stated that the best thing about care was their foster family, and feeling like 'part of the family'. Some young people indicated that they viewed their foster carers as 'their mum and dad', and the foster carers' children as their brothers and sisters. Many enjoyed doing activities with their foster family, such as going on holiday and family 'days out'.

"[The best thing about being in care is] the family I am now placed with; I see my foster carers as my mum and dad".

"Pictures of my birth parents are centrally displayed in my bedroom for me but I am indifferent; I only think of my foster carers as Mum and Dad". – *10-year old boy with severe physical, learning and medical conditions.*

"I like going on holiday. My foster carers have been able to take me abroad so I felt like part of the family"

"[The best thing about being in foster care is] that we do things as a family. Could be going to the park, a restaurant, parties and stuff or holiday". – *10-year old girl*



Pictured: A 11-year old's response: "I like where I live. I feel safe at home"

A safe home

For a large number of young people, the best thing about being in care was having access to a safe, permanent home. Many expressed that they liked where they lived, and felt that their carer's house was their true 'home'. Young people were happy that they were given their own room and possessions, and this made them feel safe and in control of their surroundings.

"I like where I live. I feel safe at home". – 11-year-old boy in care

"I am in a nice home with people that I like and they look after me"

"I feel comfortable living here, I have my things and my own room the way I want it".

"I like the food, my bedroom, I have a TV, Xbox. I feel wanted" – 13-year-old boy with learning difficulties

Enhanced opportunities

Some young people felt that they had been given better opportunities after being placed in foster care. Many were grateful for the extra support they received with their schooling, whilst others expressed that being placed in foster care had given them more 'preparation for life'.

"[I get] extra support with education".

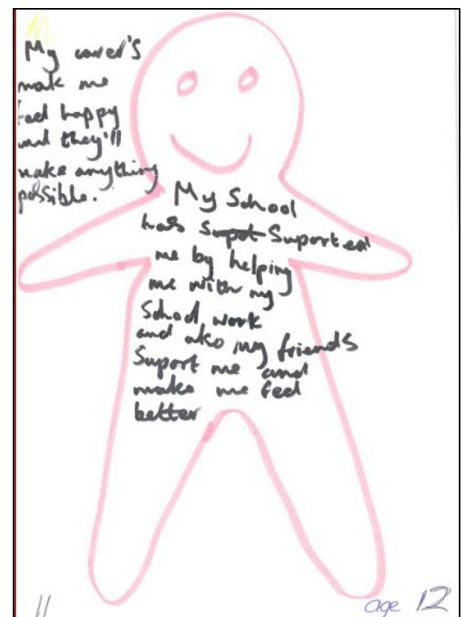
"[F]oster care is good because the foster carers help you get through life and help you do life skills for the future".

"My school has supported me by helping me with my school work" – 12-year-old in care

Young people felt that overall, foster care had given them the chance of a 'better life':

"The best thing is that I have a chance to have a better life. Things would've not gone so well if I had continued to live where I did".

"You feel looked after more cause when you're in foster care- it's because your [birth] family can't look after you" – 11-year-old girl in care



Pictured: A 12-year old's response

"My school has supported me by helping me with my school work and also my friends support me and make me feel better"

What's the worst thing about being in care?

A lack of stability

"I liked my previous foster carer. I do remember being happy there. I don't know why I left".

Many young people commented that the worst thing about care was the general lack of stability. For the majority this was the uncertainty of placement stability, whilst a few expressed concern about how frequently their social workers and/or respite carers changed.

As part of the consultation, we asked young people how many foster families they had lived with in the past 2 years. The majority indicated that they had only lived with 1 or 2 families, and some indicated that they had lived with 3-4 families. One child stated that they had lived with 6 different families in the past 2 years.

"I don't like being moved around and staying at different places; I like home (current foster placement)"

"I wish that my respite was always with the same carers so that I know what to expect and don't worry" – *11-year-old girl in care*

"[I would like to stay] where I am until I'm 18"

Case Study:

"I liked my previous foster carer. I do remember being happy there. I don't know why I left".

'Child A' was moved from her last placement, but does not know why. She expressed being unhappy with her social worker, stating that she is unresponsive and 'doesn't care' about her feelings.

Uncertainty of leaving care

Older children that took part often expressed anxiety about leaving care. Some were disappointed with the social worker's involvement, and felt that they had not been given enough information about what would happen after leaving care. Responses given indicated a lack of clarity about their entitlements and rights, as well as insufficient pathway planning.

“I’m 14 but worry about my future as a care leaver, housing in an appropriate area where I can feel safe, managing my money if I have no job” – *Girl in care, age 14*

“Leaving care is really bad, the social workers won’t tell you anything” – *Care leaver, age unknown*

Case Study:

“I’m 14 now, but I really need to know what will happen to me when I am 18. I want to live on my own” – 14-year-old boy with Autism

Child B is a 14-year-old boy with autism, and some challenging behaviour. Due to the nature of his condition, he has started a ‘countdown’ pathway plan to prepare him for leaving care at age 18. His autism means he exhibits obsessional traits; to the point he constantly worries about what will happen to him when he turns 18 (often several times within the day). According to his worker, he becomes very distressed at there being no firm plans put in place.

Lack of independence

Many felt that they did not have the sense of independence and freedom enjoyed by children not in care. Some thought that their social workers and foster carers were too strict, whilst others suggested that they were treated ‘unfairly’. This sentiment tended to apply to older children who took part in the consultation process.

“I want independence”.

“If I don’t come home on time I get a lecture, like a PowerPoint lecture about why I must be on time. If I am six minutes late I still get a lecture”.

“[I want] equality of age – treat you the age that you are – if you are a teenager treat [you] like a teenager not a child”

“Sometimes everyone can be overbearing”

“I don’t have a phone and everyone does”

Young people’s contact with their social worker

Out of the responses that we received from young people, their views on their social worker were mixed. Some viewed their social worker in a positive light; they felt supported and

viewed them as a 'friend'. For others, their social worker was viewed as "unreliable, invisible and patronising".

Not enough contact

A sizeable majority of children commented that their social worker was unresponsive, and that they did not have contact as often as they would like to. Some young people viewed this unresponsiveness as 'lazy' and felt that their social worker 'didn't care about them'. Interestingly, the majority of young people that expressed disappointment with their social worker tended to be older, usually in their teenage years.

"I hate my social worker because I haven't got on well with her. She doesn't care about me. She doesn't do her job properly... all she cares about is money"

"I don't really like my local authority social worker. It's a one way connect. She comes to see me for a few hours at a time, when she needs to see me" – *15-year-old girl in care*

Many young people expressed that they would like to see more of their social worker outside of their mandatory visits.

"She doesn't email or text, I would like to be able to contact her"

"She doesn't come around or help us"

Some highlighted that they did not have enough contact, because their social worker 'was always changing'.

"[The social worker] keeps changing so [you] don't feel like you have enough contact. I would like one social worker"

One 15-year-old girl expressed that where she did have contact with her social worker, she was not happy, and felt that she often didn't have the opportunity to tell her the things she wanted to tell her.

"I feel like if I really wanted to tell her things, I can't. Say like, if I wanted to say something to her or ask her something, it has to wait to my next meeting, and by then I have usually done something wrong so we talk about that instead".

However, a few stated that that whilst they didn't have a lot of contact, they did not view this negatively.

"I don't [have enough contact] but I am supported"

“I don’t see my social worker very often, but this is ok because she knows I am happy; it’s fine.” – *12-year-old boy, non-verbal with cerebral palsy*

It is worth noting that all the young people who made these comments were contented in their placements, including the frequency of contact with their birth parents and siblings.

Good amount of contact

Some young people felt that they had ‘the right amount’ of contact with their social worker. For these young people, contact with the social worker was frequent, and they felt supported, happy, and enjoyed their visits; several viewed their social worker as their ‘friend’. All the children that participated who had additional needs or disabilities had an extremely positive view of their social worker.

“I like it when he comes to see me, we are friends”.

“She does a good job, she’s good. She makes me happy”. – *16-year old boy in care, nonverbal with cerebral palsy*

However, for others the role of the social worker was seen as ‘overwhelming’, and older looked after children found them to be intrusive in their day to day lives. One of the services explained that several young people who expressed these sentiments were settled in their care placement, and ‘didn’t see the need’ for the social worker.

“Social workers want to know what you’re doing all the time.”

“I would like to see my social worker less – once a year would be good”

Young people’s contact with their birth family

Contact with the birth parents

For the amount of young people for whom the question applied, more than half indicated that they did not have enough contact with their birth family. A sizeable amount felt that they had ‘enough’ contact with their birth parents, or expressed flexibility with contact arrangements. A very small group of young people felt that they had too much contact.

“[I want more] opportunities and more support [I’m] not seeing family when want and [I feel] alienated at times”

“I have too little [contact]. I’d like to see them more than 3 times a year”.

In addition to our main findings, a few commented that they wanted more contact with extended members of the family, such as their aunts, uncles and cousins.

“I don’t get to see everyone I like to. Like my auntie and cousins”.

“I wish that I could see more of my family”

A couple suggested that whilst they did have enough contact with their birth families, they were not happy with the provision of contact they were receiving.

“I am happy in my home as a LAC, but I do find issues with my birth family contact, it’s never on time and sometimes boring because we are limited with what we can do when with a contact worker. I love it when my birth family visit me at my home... its more natural and feels like we are just on a night out” – *Young person in care, age 14*

Contact with siblings

A similar pattern can be seen in relation to contact with siblings. The majority of young people for whom the question applied indicated that they had too little contact with their siblings. Few suggested that they had just ‘the right amount’ of contact, and a minority were co-located with their siblings. Where children were placed with their siblings, they described this as one of the ‘best’ things about being in care.

For the majority of young people who took part, this question was not applicable, as they did not have any siblings; however, many viewed their carers children or co-habiting foster children as their siblings.

“I should see my siblings more but it wasn’t pushed for enough”

When asked why there was so little contact, they said that this was because of distance, money and time.

“I can’t just drive down there – it takes four hours there and four hours back and time when I’m there”

Kinship care placement

Only a few young people who participated in the study had been placed in kinship care arrangements. As the questions being asked did not seek to capture young people's experience of kinship care arrangements, an account provided by one young person highlights the significance to them of such placements.

Case Study:

'Child C' is a young woman placed in a Kinship care placement. She believes that the best thing about being in care is that she able to stay within her family. She feels that living with her Aunt has given her some stability, and as a result, she is able to stay connected with her wider family. She will live her aunt for the remainder of her time in care, and feels that this has provided her with security knowing she will not be 'moved around' elsewhere.

What do young people want from their foster carers?

To feel part of the family

An overwhelming majority of young people stated that they wanted to feel safe, loved, and part of the family. Many recognised the importance of identity and belonging in shaping their own happiness and well-being.

"To feel part of a family. I like it in the summer when we play games outside as a family".


"My home to be warm, safe and 'cool'. It's important to me that I have a sense of identity and feel part of the family" – *13-year-old boy with learning difficulties*

"Keep loving me" "I want to be looked after and have a loving family"

Consultation Activity: What do children want from their foster carers?

One of the services that took part in the consultation supported the younger children to answer this question by participating in a house-building activity. The worker encouraged the children to build a Lego house for an imaginary child. She asked them what they would like for that child's life, and how they could best be supported.

Six children took part in this activity, and they were all between the ages of 5 and 7. Their responses highlighted the importance of feeling like part of the family, being loved, supported and well cared for. Children also emphasised the importance of having their own room and a supportive social worker.




"I want the little girl to have a nice social worker who takes care of her"

"I want the little girl to have a foster mummy and daddy and a foster brother or sister"

"I want the little girl to have a brother or sister so they can play together and do things together"

I want to go to university in London to become a police officer

"I want the little girl to have foster carers that take care of everyone in the house"



"The little boy might not feel well so he will need lots of love and care because it happened to me when I came"

"The boy needs a bed and food and he might need his own space"

"A foster carer that cares for him gives him food and water and loves him and keeps him healthy"

"A social worker who can arrange mummy and daddy contact and makes sure the boy likes the family he is in"

"The little boy should have a nice house and they can see nice places to make happy memories"



"I want a pet cat for the little girl"

"I want her to live in a seaside house"

"I want little boy to live with his brother and sister together in a house"

"I want a girl social worker because she will know when it's safe to go home"

"I want the little boy to live in a family and celebrate Eid next year"

"The boy should have toys in the foster care's home"

"They want the boy to go to the same school as he does so he can see his friends and teachers"

This is the boat house the children built because they saw one on their holiday. The children referenced their holiday many times throughout the activity

Increased financial support

Some identified the need for increased financial support, particularly those who were on the brink of leaving care. Many indicated that they would like their foster carer to be able to provide them with additional financial support; however, they also recognised that their carer may not be able to provide this support.

“There is not enough funding – foster carers need more money so that they can help us” – *Care leaver*

“Foster carers should help with money but there is never enough” – *Care leaver under Staying Put arrangements*

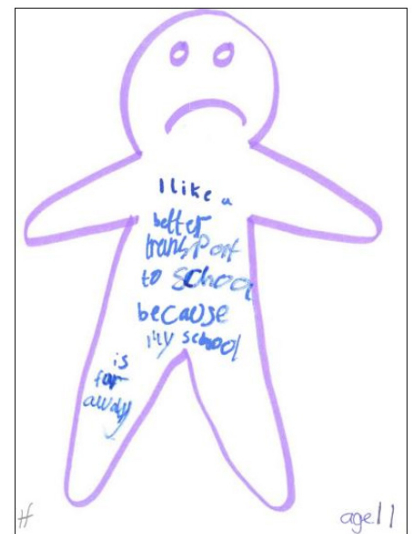
Younger children that took part in the survey stated that they would like more funding for extracurricular activities.

“[I would like] pocket money and more school funding”

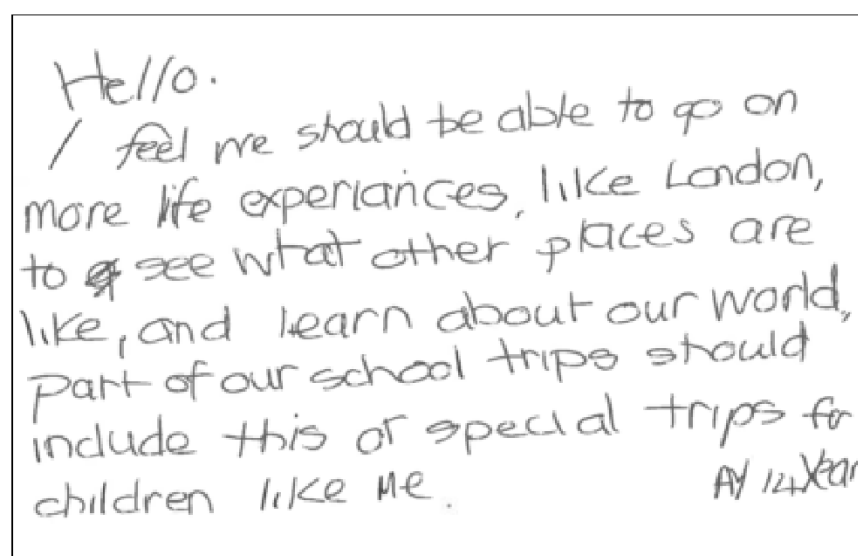
“I would like to do more sports and have a free pass for [the] sports centre” – *(Child in care, age 10)*

Some also complained that their placement was far away from their school, and their siblings, and would like increased funding to provide good transport links.

“I [would] like better transport to school because my school is far away’ – *Boy in care, aged 11*



Pictured: An 11-year old boy's response. "I like a better transport to school because my school is far away"



Pictured Above: This 14-year-old would like better opportunities for children in care, including 'more life experiences'.

To be listened to

Young people over all ages were keen to emphasise the importance of being ‘listened to’ and having a greater role in the decision-making process. Several said that they felt like they “didn’t have a say in anything”, and found that foster carers and social workers dominated decisions regarding their placement.

“I want people to listen to the things that I don’t like... I think it’s most important if I can tell someone if something is wrong” – *Girl with a learning difficulty and a number of medical conditions, age 10*

“If I were being placed again, could I have a say? A choice in where I get placed?” – *15-year-old girl in care*

“[It’s] annoying when people make decisions about you” – *11-year old girl in care*

Young people’s perception of their foster carers

The majority of young people had an extremely positive view of their carers, and were grateful for their love and support.

“[A good carer] listens to how people feel, [and is] understanding, not judgemental” – *Child’s response to what makes a ‘good carer’*

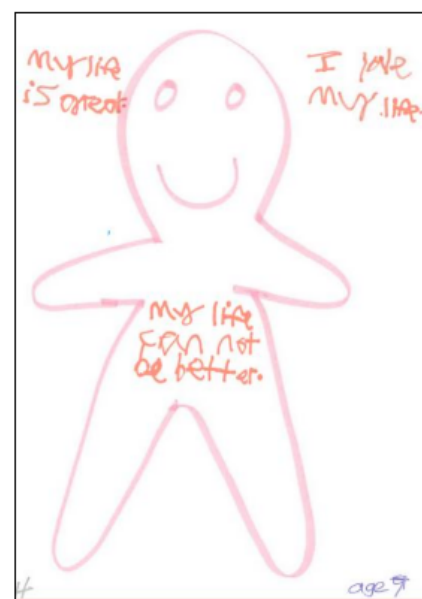
Many expressed gratitude that their carers gave them expanded freedoms and opportunities. When asked what they would want from their foster carers, several answered ‘nothing’ and stated that they were happy in their current placement.

“In my current placement I am able to state my point of view and I am allowed to disagree”

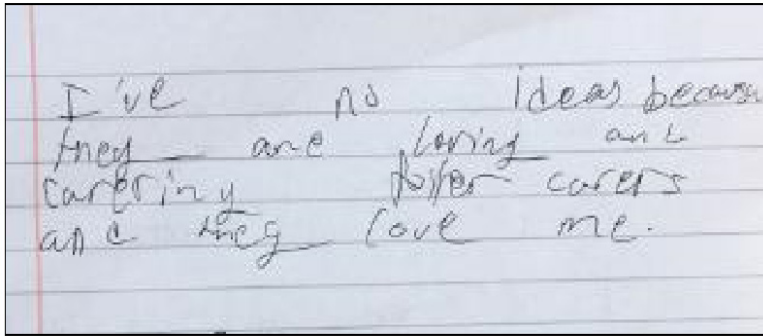
“[They are] Kind. They make sure I’m alright. They work hard and they stand up for me”. – *10-year old girl in care*

“My carers make me feel happy and they’ll make anything possible”

“I feel safe and have people to play with. Since living with my carers I can do more things and can be trusted”



Pictured Above: A 9-year-old child’s response: “My life is great. My life cannot be better. I love my life”



Pictured Left: A child's letter sent to Anne Longfield, the Children's Commissioner.

"I've no ideas because they are loving and caring foster carers and they love me"

A few felt that their foster carers were too strict and 'overprotective', yet many recognised that they cared for them. Those who had these feelings were also older, and as previously mentioned, felt that being in care meant that they did not enjoy the same freedoms as children their own age.

"[They are] Moany... they can be reasonable but sometimes we see differently" – 15-year-old girl in care.

Additional Findings

Some young people raised other important issues which were not initially asked as part of the consultation. In light of these findings, we have decided to include them into the report, as they remain key challenges faced by children in care.

Stigma of being a child in care

As previously mentioned, young people said a negative aspect of being in care was being labelled or judged. Several felt patronised by the provision of care offered to them, and many suggested that they were treated inappropriately because of this.

Case study:

Child D is a 15-year-old girl with no disabilities whatsoever, yet is placed in a specialist placement after the Court Order stipulated the benefits of placing her with her brother, who has physical and learning disabilities. 'Child A' feels that this was unfair and that she has been inappropriately labelled.

"The worst thing about being in care is I feel labelled and people think I need to be 'treated'. They mean well but it doesn't help. At school they have a special group that all looked after children have to go to. I don't want to go; I don't want the whole school to know that I am 'different and in care'. I am the oldest in this group and I have to go for 'special days out' with a load of other children much younger than me, I go with all other children from my school and I hate it. I don't want to go. I am supposed to feel glad I'm being treated as special but it makes me feel patronised and that I can't just be a normal teenager."

Issues around 'Staying Put' policy

Some young people had decided to extend their care placement under 'Staying Put' (an arrangement where young people remain with their carers following their 18th birthday). However, many suggested that there was a lack of information surrounding this policy, as well as their rights and entitlements. In particular, young people were confused about the 'tax' on their income, which contributes to the funding of their placement.

"The worst thing about being in care is that now I've aged 18 and I'm a care leaver I haven't had much support and I've been given wrong information, before I turned 18 the social worker told me that I'm allowed to work up to 16 hours a week and receive

the full amount of income support £57.70 per week but when I've claimed my income support they've took out £35 out of my income because I work and now I only receive £20 per week. This is absolutely disgraceful." - *18-year-old care leaver, under the Staying Put arrangements*

Lack of information prior to placement

As part of the consultation process, one of the services provided additional engagement work regarding whether or not the child had received sufficient information prior to being placed. The majority of young people indicated that whilst many had met their new carers, they had been given no information on what their home would look like, or who else was living in the household.

"When I go to a new home, school, hospital or place, I like to see it first, can you show me pictures before I stay somewhere so I can look forward to it? – (*6-year-old boy with physical vulnerabilities and persistent medical conditions*)

"I think all children should get to talk to the new carers and to visit them at least twice and see the new house and to talk about what worries and scares them"

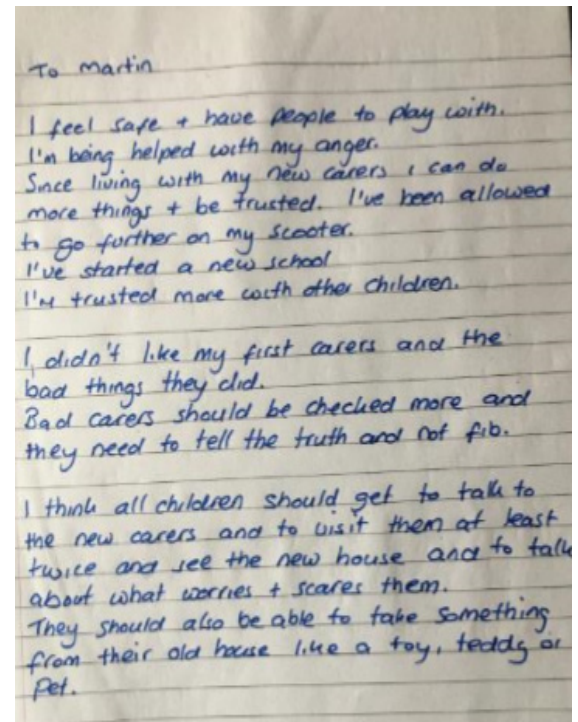
"[I would like] to be given more information about what was happening".

"I would have liked to know what my carers and their family were like, what my room would be like"

Poor matching with carers

In the same vein, some young people felt that this lack of information had often lead to 'poor matching' with foster carers, and several children expressed their disappointment in being placed with carers who did not 'suit their needs'.

Young people expressed that they would like a more stringent recruitment process for foster carers, as well as more training to ensure that they child feels as comfortable as possible in their new placement.



Pictured: A young person's letter to Martin Narey. They describe their previous experience with 'bad carers', and ask for carers to have more checks before a placement with a child.

Case Study:

"The worst thing about being in foster care is not being with suitable carers that are best suited to the child's needs"

This young person was previously put into a placement where they were not happy with their carers; they described them as 'unsupportive' and 'unfair'.

They described their experience as 'being shoved' into the placement. When asked why they had moved their placement, they said they moved 'because I hated the way I was being treated'.

Key Findings

- Overall, the majority of young people that took part in the consultation expressed contentment in their current placements. They were grateful for foster carers who provided them love, care and support; many identified that they felt like part of the family. Older LAC felt that their foster carers were sometimes too strict and sometimes, overbearing. The overwhelming majority also suggested that the best thing about being in care was their foster family, and they enjoyed family activities, such as going on holiday, going out to restaurants, and 'fun' days out.
- The worst thing about being in care was often instability that young people experienced, as well as the uncertainty of their future after leaving the care system. Where young people were in stable placements, they expressed discontentment about their lack of independence, and felt that they did not enjoy the same amount of freedom as children not in care.
- In terms of contact with their social worker, the majority of responses suggested contact with the social worker was 'not enough'. Many viewed this unresponsiveness as 'lazy' and expressed that they would like more contact with their social worker. However, some young people were happy with the frequency of their contact. All children with additional needs or disabilities were happy with their social worker contact.
- A similar pattern can be seen with contact with the family. The majority expressed that they would like more contact with both their birth parents and their siblings. Some were not happy with the provision of contact when it did happen, and stated that they were limited with what they could do when the social worker was present.
- When asked what children most want from their foster family, the overwhelming majority indicated that they wanted to feel like part of the family. Many young people also suggested that they would like increased financial support. For teenagers this tended to be support for day-to-day activities, whereas young children expressed that they would like subsidised access to extracurricular activities. Young people of all ages expressed that they would like a greater role in the decision making process.
- Additional findings included children's thoughts about the stigma of being a looked after child, issues around Staying Put's 'income tax', and a lack of information prior the placement. The latter seemed to be an important issue for children, and some felt that previous placements had broken down because the foster carers were not suited to the child's needs.

Annex A

Methods

The Children's Commissioner's Office (CCO) supported the National Fostering Stocktake by gathering the views of children, helpfully facilitated through a range of organisations, including statutory and independent fostering organisations. CCO also posted details of the work on Twitter. The study heard from a broad range of young people, many of whom tend not to be heard, including care leavers, those under kinship care, and young people with severe disabilities and special needs.

The CCO developed a small number of questions to be asked of young people in foster care. The questions covered key topics, such as the worst/best thing about being in care, placement moves, contact with their social worker and what young people would want most out of their care experience. 100 young people living in foster care or who are a care leaver responded to these questions. Where stipulated, information about the young person is provided, including their age, gender and situation.

In the main, the views of children were gathered through group discussions and group activities, whilst individual interviews were conducted with young people with disabilities, many of whom had non-verbal, or severe communication difficulties. Visual tools were used to gather the views of young people; these are exemplified throughout the report.

Ethics

Information sheets for young people were provided which explained the purpose of the study and how their views would be used to inform the National Fostering Stocktake. This also provided the opportunity to discuss any ethical or safeguarding concerns. Young people were also asked to sign consent forms, confirming their understanding of their participation and use of the information gathered. Reassurance of confidentiality was also given; however young people were also notified that if they said anything that indicated that they or someone else was at risk of harm then this information would need to be shared.

Due to the approach and number of the responses received, this report will not attempt to quantify any findings. We will however, discuss the key themes that were recurrent through the young people's responses.

All young people that took part consented to the public use of their responses.

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