

Every Child Leaving Care Matters campaign: Submission to the Children's Home Review. (November 2015)

'Every Child Leaving Care Matters' (ECLCM) is a campaign group formed in December 2013 in response to the then Children and Families Bill which was proposing to introduce the right for young people placed in foster placements to remain with their carers until they are 21 years of age. This provision excluded the 12% or so of young people placed in residential care and other settings. The campaign has one single aim - to gain these full 'Staying Put' rights for all care leavers, irrespective of their placement so that they may remain in their final placement until they attain at least the age of 21. ECLCM want the Children and Families Act 2014 to be amended to enable this to happen, and for all such placements to be fully funded by central government and not added to the financial burden of individual local authorities. The campaign is not sponsored or affiliated to any political or other group, is not funded and is managed entirely by volunteers.

ECLCM believe that the provision, commissioning and management of residential care (and indeed the 'care system') needs in many respects to go "back to basics". We identify 24 vital areas for attention that must be addressed if the care of other people's children by the state is to improve significantly.

1. Equality and individuality of ALL children

ECLCM believe that all care settings and the decision making processes related to children in the care system need to start from a recognition that all children are equal, and all children need to have their needs and aspirations addressed as individuals. Policies such as 'Staying Put', and the different sets of regulations that govern the management and regulation of foster care and residential care treat children in care settings differently and as part of groups based on their placement not on their individual and unique need. This discriminates against children and young people and is unacceptable. Irrespective of placement, all children and young people are people of equal worth and equally frightened and vulnerable. The best interests of each child are paramount. All need to be treated and regarded as individuals, and their needs addressed and met individually. ECLCM see little evidence of this happening for every looked after child as local authorities are cash strapped and poorly supported by government.

2. Consultation with young people about their care and future

ECLCM are frequently told by the care leavers who support and participate in the campaign that children and young people in the care system are still not being appropriately consulted with or listened to about the decisions that are being made about them in the lives. There is overwhelming evidence nationally of placing authorities and providers failing to attach sufficient weight to young people's opinions or overriding their views in spite of the requirements enshrined in legislation that they should do so.

3. Multiple moves of children in care

In spite of years of promises to reduce/eliminate unnecessary moves within care, which often critically disrupt relationships and fracture local links and any sense of belonging for young people in the care system, looked after children still experience multiple moves, some almost as a routine part of the "care experience". A massive majority of children and young people have two and more changes of placement during their care careers. This suggests either that the assessment of the children's needs and the capacity of a particular selected placement are seriously flawed, or that placement selection

is influenced by factors other than meeting their needs. This is potentially so damaging and needs to be urgently addressed.

4. Failure by planners and regulators to consider and factor in the impact on young people and placements of a young person's cumulative care experience

Children in the care system are people, and their lives cannot be reduced to or addressed as placement 'chunks'. It is repeatedly recognised by research and practice that children in the care system are affected by the cumulative experience of all their placements, and the cumulative effects of all previous placements impact on their current one. The inability to reflect this is a weakness of the current Ofsted regulatory system and of social workers and placing authorities in planning and resourcing support for placements and young people. This can lead to even more stress on placements, placement breakdowns and moves for young people. The impact that multiple previous placements can have on the success of placements in residential care is real for the children and needs to be an active consideration in care planning and provision of support to the children and to their carers. ECLCM would like to see the number of placements children and young people placed by individual local authorities have form part of Ofsted judgements, such that a local authority could have their quality judgement downgraded if they are found to have a high number of moves per annum of young people in their care.

5. Separating siblings in care.

Siblings in the care system are still being split to facilitate placement rather than because of sibling rivalry/safeguarding issues. Larger families are still being split and some siblings being fostered as others are placed in residential placements. This is resource and convenience- led, and not always based on the needs or wishes of the children and young people or their families. This can cause irreparable damage to future family relationships and needs to be given far greater priority in planning and provision of care placements.

6. Lack of therapeutic input to children across the care system.

In spite of care plans that recognise the need for therapy, a large percentage of young people in the care system still do not receive any qualified one-to-one work/therapy. Time alone cannot heal emotional wounds. The provision of therapy to young people placed within the care system needs to be better monitored and given a higher priority.

7. Lack of clinical supervision and recognised basic standard for individual and group therapy for children and young people in care.

Related to point 6 above, the availability of therapeutic support and intervention either via CAMHS services or independently commissioned therapists is essential to meet the emotional needs of children and young people placed in residential settings. This should include the provision of individual and/or group therapy. ECLCM believe that children's homes should provide a therapeutic environment which is supported and potentially clinically supervised by a suitably qualified and accredited professional. The Review should consider establishing a basic national standard of therapeutic support for children in care.

8. Criminalising children in care.

There is overwhelming evidence that children and young people are still being criminalised and receive an accelerated entry into the juvenile justice system whilst in foster and residential care. This is often as a consequence of 'normal' adolescent behaviour rather than criminal behaviour and reflective of

the inadequate responses to behavioural challenge on the part of the carers and care system rather than the children. There need to be clear arrangements in place in care settings to ensure this does not happen, including appropriately trained and experienced carers in sufficient number and with sufficient support provided throughout at any time of the day or night including weekends and bank holidays.

9. Poor preparation for Independence for all children in care.

Care leavers tell ECLCM, Ofsted reports echo, and research with care leavers reflects that young people are still poorly prepared for living and coping in semi-independent living when they leave care. They remain emotionally and practically unprepared for living in the community. The "Pathway Plans" that are supposed to address this are very frequently inadequate. This remains an urgent area for attention if young people leaving care are to have any chance to succeed.

10. Inconsistent behaviour management and use of restraint across the care system.

There is no single accredited and effective school of behaviour management or restrictive physical intervention across residential and foster placements in England which are mandatory for care providers to follow, fully backed by law, include clear stipulated methods, minimum staffing requirements and clear quality control/monitoring/safeguards to ensure children are not mistreated in care. Young people are often blamed and sometimes moved as a consequence of incidents that could have been managed successfully if carers were sufficiently trained, monitored and supported. ECLCM believe that this is a serious area which the Review should address.

11. Poor recognition of critical importance of positive professional relationships.

The most powerful tool those working with children and young people have at their disposal to influence positive change and accelerate the healing process is positive professional relationships. ECLCM believe that positive professional relationships between carers and children and young people are still paid scant regard in routine practice. Children and young people are moved around, requiring them to cease contact with significant people from their past. The 'system' does not recognise, promote or safeguard such relationships throughout the young person's care career. This can affect young people profoundly and requires attention.

12. Contact with siblings and significant others.

Linked to point 5 in this submission, contacts with siblings and families are not afforded sufficient importance in the lives of young people in the care system. Kinship care also appears, in too many cases, to be seen by social workers as a 'poor relation' of foster/residential care. ECLCM look to the Review to address this failing in the system.

13. Failure to recognise importance of home community of looked after children.

Young people are still being moved to placements long distances from their home base for reasons other than risk posed by family and others if they remain in their own community. This may suit the needs of placing authorities but again is potentially damaging for children and young people and should not happen without very clear reason following assessment.

14. Poor access to independent advocacy and transparent complaints systems for looked after children across the care system.

ECLCM believe that it remains rare to find access to independent advocacy and transparent complaints systems for children and young people which do not depend on carers/staff in placement and/or local

authority social workers to access. Truly transparent and independent advocacy and complaints procedures are still not routine for all children and young people in the care system. This places children and young people in care settings in a very vulnerable position and needs early attention.

15. Multiple changes in social workers for looked after children.

Young people still face constantly changing social workers during their care career, adding to their difficulties in trusting those with authority and officialdom. For children and young people for whom trust and relationships are key issues, this remains unacceptable.

16. Cost over quality in commissioning services

ECLCM recognise that there are real pressures on resources available to local authorities as central government introduce policies such as 'Staying Put' or the 'Care leavers' Charter' but don't fund them adequately. However, we remain concerned that in recent years commissioning of residential and fostering provision appears to be increasingly based on cost to the placing authority and not on quality of care provided to children and young people. Young people's assessed needs do not appear to be matched in many cases with providers able to meet those needs. ECLCM contend that this is failing to treat each child and young person as an individual of worth and needs to be addressed.

17. Inadequate regulation, inspection and quality monitoring systems for foster care and children's homes.

Young people in care settings and care leavers tell ECLCM that they are still not appropriately consulted or their views properly considered and taken into account by the regulatory systems in force in care settings. Ofsted inspections still do not actively involve young people from care and are NOT child centred. In spite of their claims, they often measure short term outputs not outcomes for young people in the care system. Not all young people in placements are consulted during inspections or during monthly monitoring visits, and young people are rarely "tracked", visited or spoken with individually across their care career and following leaving care. "Quality of care" is measured in 'chunks' based solely on current placement. Inspection and regulation remain irrelevant for many looked after children. Similarly, "Regulation 44" visits still do not involve or consult young people effectively. ECLCM believe that the Review should address regulation/quality assurance in care settings.

18. 'Placement bias' – Assumption that family based care is the better option for all young people when initial placements are considered

ECLCM consider that government policy has led child care practice into a generally accepted belief that family placement is invariably the best option for children needing care. ECLCM take the view that this should be based upon and led by the child's assessed needs and wishes. We recognise that the view that 'family placement is best' is not the view of all looked after children, many of whom prefer the different care environment provided by residential care. ECLCM ask that the Review reflect that a child's initial placement in a residential setting may indeed sometimes be a better option than foster care.

19. Different quality standards being used for children placed in different care settings

Different quality standards are being used to monitor the quality of care for children and young people placed in residential and foster care. Given these are the same children with the same needs, aspirations and fears, ECLCM cannot see why they are regarded differently. ECLCM expect the Review

to consider the disparities in these two sets of standards. We suggest that the introduction of a set of single national child care standards to cover all children's care settings be considered.

20. Poor and inconsistent mental health support and provision for looked after children and young care leavers.

CAMHS support and mental health services for children and young people in the care system are recognised by most professionals to be inadequate. Research shows that many children and young people in all care settings have significant mental health issues that profoundly affect their ability to engage in a fulfilling and happy life and places them at significant risk. ECLCM want the Review to address the serious lack of mental health support for these young people.

21. Quality of individual aftercare support workers for young care leavers.

The training, qualification experience, numbers, availability and accessibility of pathway plan/personal advisors is inconsistent and inadequate nationally to meet the demands of their work with young care leavers. The provision is simply unable to address the needs of young care leavers. Those providing aftercare support need to be sufficiently resourced, trained, experienced, supported and employed in sufficient numbers to be able to address this vital area of need. ECLCM ask that the Review urgently address this area.

22. Quality of housing, accommodation and practical support for young people leaving care.

The percentage of young care leavers represented in every disadvantage statistic - custody, homelessness, mental health, teenage pregnancy, suicide, etc. is disproportionately high as support to this vulnerable group nowhere near approaches demand. ECLCM recognise that no matter how good the care provided to children and young people whilst they are in care, the likelihood of young people failing when they leave care is massively increased if there are inadequate arrangements and resources in place to continue to support them through the transition into adulthood. ECLCM contend that any review of residential (and indeed foster) care must include reference to aftercare support and provision by all departments of government and the local authority that impact on care leavers if it is to be meaningful.

23. 'Emergency' or 'crisis' placements

Studies show that a significant percentage of all residential placements continue to be made as 'emergencies'. This practice is unacceptable on the part of both placing local authorities making the referrals and of the care providers, be they the local authorities themselves or independent providers of fostering or residential placements. Care providers may precipitate the 'crisis' by issuing 'notice' that a placement must end 'forthwith'. In some cases, when children are missing, as soon as the child returns the provider insists that the placement be terminated. These practices are potentially very damaging to vulnerable young people. Crisis or 'emergency' placements are rarely successful and by definition tend not to be planned and matched to the child's assessed needs.

24. Discriminatory leaving care policies - "Staying Put" for young care leavers.

ECLCM firmly believe that young people from all care placements are still required to leave their care settings at best when they reach 18 and often earlier. Many are ill prepared emotionally or practically to cope. In spite of 'Staying Put', many local authorities are not offering extended care in foster care to age 21 because of inadequate funding or provision. Young people in residential care and other care settings are excluded from 'Staying Put' rights by discriminatory legislation. ECLCM argue that only centrally government funded Staying Put aftercare support for ALL care leavers to age 21, enshrined

in legislation and including a 'right of return' for young people who may have ill advisedly left care at or before 18, will address the crippling disadvantages faced by care leavers and reflected in national statistics. The ECLCM campaign firmly believe that this change is required if young care leavers are to be given a fair chance of sustaining the positive relationships that enable personal growth safely and support the safe transition into adulthood.

The ECLCM campaign team want to see these issues addressed by Sir Martin Narey in his Children Home Review. However, we take the view that it is neither possible nor sensible to seek to review children's homes without looking at the wider issues that impact on looked after children, their carers and care leavers.