

Fostering Stocktake

16 June 2017



Submission

1. About the Local Government Association

- 1.1. The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government.
- 1.2. We are a politically led, cross-party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

2. Summary

- 2.1 Foster carers provide a vital service to thousands of vulnerable children across the country, but the narrative around foster care is too often overtly negative. The implications that foster care is a poor relation to adoption, or that children in foster care are inevitably headed towards negative outcomes despite evidence of the benefits of long-term care for children in need, must be challenged. The positive role of foster carers in improving the lives of vulnerable children should be more widely acknowledged.
- 2.2 The number of looked-after children, including those in foster care, has been steadily increasing over the last eight years¹, with recent increases in the number of unaccompanied asylum-seeking children arriving in the UK putting further pressure on the system. Thousands more foster carers are needed to provide appropriate placements for children who need them².
- 2.3 Provision of further training and support is needed to improve the support available to foster carers. Delegating decision-making, and affording foster carers greater levels of recognition and respect for their role in multi-agency settings, could also help to improve outcomes for children and reduce levels of additional intervention.
- 2.4 Independent fostering agencies (IFAs) have a vital role to play in the fostering sector, in particular through the provision of specialist placements. However, there is tension between councils and some IFAs due to concerns around the cost of IFA placements, and practices such as the use of 'golden hellos' by some IFAs to attract local authority foster carers. Many councils report that an IFA placement can often cost twice as

¹ Children looked after in England including adoption: 2015 to 206, Department for Education
<https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2015-to-2016>

² Recruitment targets, Fostering Network

<https://www.thefosteringnetwork.org.uk/advice-information/all-about-fostering/recruitment-targets>

much as an in-house placement. In addition, it has been reported that a small number of IFAs are making profits of £40 million in a year³ from fostering that we believe should instead be invested in support for vulnerable children.

- 2.5 This stocktake is a positive opportunity to review current services and make sure that the system is working as well as possible, and in particular we appreciate the constructive dialogue that the Department for Education (DfE) has already instigated with the sector.

3. Fostering provision

Capacity

- 3.1 At 31 March 2016, there were 70,440 looked-after children in England, a rise of 5 per cent since 2012. Of these, 51,850 (74 per cent) were in foster placements.⁴
- 3.2 A 54 per cent rise in the number of unaccompanied asylum-seeking children (UASC), from 2,740 in 2015 to 4,210 at 31 March 2016,⁵ is placing further pressure on the foster care system. This number has continued to rise following the demolition of the migrant camp in Calais. The LGA has repeatedly called on the Government to provide long-term funding for placements for these children; current additional funding was only guaranteed until 31 March 2017.⁶ In response to questions in the House of Lords pressing for greater funding certainty, Minister Baroness Williams of Trafford said that the Government was keeping these arrangements under review, but did not commit to funding rates beyond 2017.⁷ Research published in November 2016 found that the grant funding provided by the Home Office covers on average only 50 per cent of the costs of caring for a UASC.⁸ Full funding is vital if sufficient foster carers are to be recruited, trained and paid, to look after both UASC and children in need in the UK.
- 3.3 The Fostering Network has highlighted that a child comes into care in need of a foster family every 20 minutes in the UK. Over 7,000 new families will be needed to ensure that appropriate placements are available for all children and young people who need them in the next 12 months alone.⁹ We have called for the Government to commit to a national campaign to encourage more people to come forward to provide this vital service. In particular, there is a need for more carers able and willing to

³ Sir Martin Narey's independent review of children's residential care in England, 2016

<https://www.gov.uk/government/publications/childrens-residential-care-in-england>

⁴ Children looked after in England including adoption: 2015 to 2016, Department for Education <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2015-to-2016>

⁵ Ibid

⁶ Funding to local authorities, financial year 2016/17, Home Office funding: Unaccompanied asylum seeking children

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/561388/UASC_Funding_Instructions_2016-17_version_3.pdf

⁷ House of Lords written question: Asylum: children

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-10-21/HL2537/>

⁸ Safeguarding Pressures Phase 5 Special Thematic Report on Unaccompanied Asylum Seeking and Refugee Children, Association of Directors of Children's Services

<http://adcs.org.uk/safeguarding/article/unaccompanied-asylum-seeking-and-refugee-children>

⁹ Recruitment targets, Fostering Network

<https://www.thefosteringnetwork.org.uk/advice-information/all-about-fostering/recruitment-targets>

work with those children who are most vulnerable or have the most complex needs, including UASC.

- 3.4 Each local authority is legally required to publish a sufficiency statement outlining how it is meeting the accommodation needs of its looked-after children. Collating these statements and analysing them nationally would highlight those areas under the most pressure, allowing for more targeted recruitment where required. It would also show where neighbouring authorities could work together most effectively where this is not already happening.
- 3.5 It is also worth noting that different children and young people need very different types of care, yet all foster carers are required to undertake the same assessments and work within the same regulations and guidance. We would urge consideration around whether this is appropriate, or whether different approaches and flexibility would help to address recruitment issues and gaps in provision. For example, connected persons need to go through the same training as all foster carers, despite having a pre-existing relationship with the child, while the DfE has identified UASC carers as a group in need of specific support, and has commissioned specialist training to help them develop the right skills.

Independent Fostering Agencies

- 3.6 Independent fostering agencies (IFAs), 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 to effectively or efficiently develop at a local level.¹⁰
- 3.7 Many local authorities are already at the limit of their in-house fostering provision, so will be relying more and more on independent agencies to look after children and young people. It is essential that steps are taken to make sure the whole system is working well together so that councils can make full use of the range of placements available and have a choice about where to place children to meet their best interests.
- 3.8 IFAs are often considered to be disproportionately expensive, with a National Audit Office report finding that a council foster care placement was in the range of £23,000 to £27,000, compared with a range of £41,000 to £42,000 for a placement with other providers.¹¹ Many local authorities are responding to ongoing capacity issues and budgetary constraints by building up their in-house fostering provision and limiting the use of IFAs if a suitable placement is already available in-house. Consultancy firm Impower suggested that councils could save over £150 million by making greater use of in-house fostering provision, with potential reasons for the increased costs including fewer economies of scale, and for some agencies, the requirement for a profit margin.¹² Some of our members have also reported that they are sometimes less certain of the

¹⁰ Fostering Futures, Impower, 2014

<http://www.impower.co.uk/insights/fostering-futures-launched-today>

¹¹ Children in Care, National Audit Office, 2014

<https://www.nao.org.uk/wp-content/uploads/2014/11/Children-in-care1.pdf>

¹² Fostering Futures, Impower, 2014

<http://www.impower.co.uk/insights/fostering-futures-launched-today>

quality of independent placements than they would be with regard to trusted in-house carers.

- 3.9 A small number of IFAs are making what we consider to be unacceptably large profits, with Sir Martin Narey's Review of Children's Residential Care reporting that just eight commercial agencies made more than £40 million profits in one year.¹³ This cannot be justified at a time when the public sector is facing enormous financial strain and is having to reduce services to make ends meet. That sum could pay for the care of more than 1,200 of society's most vulnerable children, be invested in improved support for foster carers, or fund an extensive recruitment campaign to help find some of the 7,180 new carers needed to meet current demand.
- 3.10 The debate around the cost of different types of placements has been causing concern within the sector for some time. Councils report that IFA placements can cost more than twice as much as an in-house placement – a claim strongly disputed by the Nationwide Association of Fostering Providers (NAFP) and many within the independent sector. We hope that the fostering stock take will address this issue in a constructive way that results in a system providing the best quality care for all children who need it.
- 3.11 While voluntary and independent foster care providers play an important role within the fostering system, there are examples of some agencies working far more cooperatively with local authorities than others. There is evidence of some IFAs offering 'golden hellos' of up to £3,000 to entice foster carers away from councils, presumably because this is cheaper than recruiting and training new carers. This does nothing to increase the number of carers available in our increasingly over-stretched system, and nothing to improve the lives of the children and young people who need our help the most. This practice can force councils to pay higher fees for fostering services, often for exactly the same placement, which only serves to reduce the amount of money available to help all children. We welcomed the National Fostering Agency's announcement, in response to our concerns, that they would stop this practice, but others in the sector continue. In our view this practice should be banned.
- 3.12 We believe that clearer joint working protocols between IFAs and councils, that addressed issues around cost and quality in a constructive way, would benefit all parties and, most importantly, children. A positive working relationship between the independent and statutory sector is vital to ensure that children are able to access the right placement at the right time, and the LGA is committed to developing this dialogue. There is also scope for improved co-operation between councils to achieve improved value in their commissioning of IFA placements.

4 Improving outcomes for children and young people

- 4.1 Foster carers and families provide the stable, loving and supportive needs of children and young people, but do need to be able to access professionals including those supporting mental health. We have concerns about the availability of mental health services for all children, in particular those in care who are 4 times more likely than their peers to have a mental health difficulty.¹⁴ Early intervention is key, and it is not right for any child

¹³ Sir Martin Narey's independent review of children's residential care in England, 2016
<https://www.gov.uk/government/publications/childrens-residential-care-in-england>

¹⁴ Children in care: emotional wellbeing and mental health, NSPCC

to have to wait a long time for treatment, however funding for children's mental health services currently accounts for just 6 per cent of the NHS mental health budget.¹⁵ Children in care are some of the most vulnerable in our society, and access to the services that they need to recover from earlier trauma or emotional distress is vital. The Social Care Institute for Excellence has established an expert working group to develop care pathways, models of care and quality principles to help improve access to high quality services to address the mental health and wellbeing needs of children in care. Some authorities have also worked with Child and Adolescent Mental Health Services to prioritise access for looked after children.

- 4.2 There are not enough foster carers who are experienced and skilled to support the most vulnerable children, and this situation is likely to be exacerbated by the growing numbers of UASC entering the UK and requiring care. There is currently a mismatch between the number of hard-to-place young people who require foster care and the number of foster carers willing and able to work with young people with complex needs.
- 4.3 It is vital that the voice of the child or young person is heard before and throughout their placement. Understanding the needs of the young person as they perceive them, and identifying those things that are of most importance to them, increases the chance of the child settling in a placement and achieving positive outcomes. Councils use a variety of ways to make sure that children's voices are kept at the forefront of plans, with all involving children in their care planning, using advocates where needed. Children in care councils are useful forums to discuss elements of children's social care and to make sure this is being constantly reviewed and adapted to meet children's needs. Some authorities provide children with phone apps to facilitate direct contact with their social worker in case they have questions or worries, and the use of young "ambassadors" to act as a link between children and the council can make sure that children feel comfortable and able to give feedback.

5 Role and Status of Foster Carers

- 5.1 The narrative around foster care is too often overtly negative, with senior figures in central government seeming to suggest it is a second class form of care compared to adoption, and talking about children in foster care as if they are inevitably headed towards negative outcomes. This needs to change, and the significant positive role of foster carers in improving the lives of some of our most vulnerable children and young people must be acknowledged. Evidence has clearly shown that being in care, particularly for longer periods of time, leads to better educational outcomes than for those children in need who remain outside the care system, largely thanks to the stability and support provided by excellent foster families.¹⁶ We need to cultivate a more positive narrative and celebrate success to help attract

<https://www.nspcc.org.uk/preventing-abuse/child-protection-system/children-in-care/emotional-wellbeing-of-children-in-care/>

¹⁵ NHS England evidence to the Health Committee inquiry on children's and adolescents' mental health and CAMHS <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/health-committee/childrens-and-adolescent-mental-health-and-camhs/written/7703.pdf>

¹⁶ The Educational Progress of Looked After Children in England, University of Oxford and University of Bristol, http://reescentre.education.ox.ac.uk/wordpress/wp-content/uploads/2015/11/EducationalProgressLookedAfterChildrenOverviewReport_Nov2015.pdf

more foster carers, particularly those who are willing to support harder to place young people with complex needs.

- 5.2 We welcome moves to delegate greater authority for day to day decision making to foster carers. It is important that carers are empowered to advocate for the children and young people they care for, to have meaningful input into care plans and reviews, and to manage risk more effectively. The stocktake should consider whether there is scope to do more to empower foster carers.
- 5.3 We accept that support to foster carers is not always good enough, and this could be more structured. Increased training and support could also help to improve the stability of placements, though we would urge caution around over-professionalising foster care. Foster carers are not, nor do they need to be, social work professionals. Regardless of formal qualifications, they form an integral, respected part of the team caring for the child, whose opinions and input deserve to be given strong weight.
- 5.4 We would also support further promotion of peer support for foster carers which would provide additional support and promote the stability of placements. One example already being successfully implemented in some areas is the Mockingbird Family Model, which links up to ten foster families with a 'Hub Home' of specially trained foster carers who offer peer support, social activities and respite care.

6 Experiences of young people at transitions

- 6.1 Councils recognise that young adults have a better start in life if they maintain a relationship with their foster carer. However, while the Staying Put programme is an excellent initiative, the implementation of the programme and particularly its resourcing is of concern. There is an urgent case for more funding so councils can facilitate Staying Put arrangements and meet the commitments already made to young people and carers. In February 2015, ADCS surveyed 46 local authorities on the cost of delivering the existing Staying Put requirements, and found an estimated shortfall of £3,896,000 within these councils alone. Extrapolated across the country, this would have equated to a funding gap of well over £13,000,000 - just six months into the policy. We are also aware of concerns raised by the Fostering Network on the financial impact that the policy can have on carers¹⁷; allowances for Staying Put are typically lower than for fostering, while potential for fostering more children is affected as the number of bedrooms available for fostering is reduced.
- 6.2 We would welcome greater evaluation of the programme to ensure intended outcomes were being delivered, help to develop more standard policies across the country and to identify opportunities for further learning.
- 6.3 Of all looked after children at 31 March 2016, 68% (48,200) had one placement during the year, 21% had two placements and 10% had three or more placements.¹⁸ The recent State of the Nation report by The

¹⁷ *Staying Put: What impact has it had?*, Community Care
<http://www.communitycare.co.uk/2015/10/22/staying-put-concerns-funding-implementation-overshadow-popular-policy/>

¹⁸ <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2015-to-2016>

Fostering Network¹⁹ highlighted issues with communication between social workers and foster carers when children first come into their care, while almost half of foster carers had experienced placements that ended, in their opinion, too early and often without preceding reviews.

- 6.4 Stability of placement is important, but more important is making sure a placement is the right one for the child; if a child therefore needs to move to a more appropriate carer, managing the transition is key. Sharing information, holding reviews and putting in place appropriate support for children and both foster and birth families ahead of transitions – into, between and out of placements - wherever possible helps to avoid additional disruption for the child. Difficulties with social worker recruitment have led to high caseloads for social workers in some areas, which can make it more difficult to manage transitions for children as effectively as possible; we would urge the stock take to consider how the national shortage of social workers can be addressed to make sure that caseloads are manageable, for the benefit of children, foster carers and social workers.
- 6.5 Many children who are fostered will also experience other forms of care, for example residential care, kinship care or going on to be adopted. At 31 March 2013, 75 per cent of children in care living in residential care had already had at least one previous care placement.²⁰ Different types of care will be appropriate for different children at different stages, so the key focus for government, local authorities and other partners must be to make sure that the care system as a whole is working well for the benefit of the children who need it, allowing for smooth transitions between different types of care.
- 6.6 The wider system must also be considered. The number of children in care has increase by 17% over the past decade, but the number on child protection plans has almost doubled. It is important to consider the ways in which children are being protected outside of the formal care system, and what that means for children when they come into care, or the support available to them at that point.

7 Other

- 7.1 Every councillor has a responsibility, as a corporate parent, to act for the children and young people in the council's care as a parent would for their own child. Lead members, those on Corporate Parenting Panels and Overview and Scrutiny Committees will have particular responsibilities, but for all councillors, their role as the eyes and ears of the community is vitally important. It is their responsibility to consider how looked after children in their ward are supported, and how any new policies coming forward might impact upon them.
- 7.2 There are many examples of councils acting as excellent corporate parents to children in their care, and we are keen to support councillors to continually improve in this role following its formalisation in the Children and Social Work Act 2017.

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<https://www.thefosteringnetwork.org.uk/sites/www.fostering.net/files/content/stateofthenationsfostercare2016.pdf>

²⁰ Children's Homes Data Pack, Department for Education, 2014

<https://www.gov.uk/government/publications/childrens-homes-data-pack>