

Scottish Government consultation – The Future of Foster Care

About includem:

Includem are a Scottish charity that work with children, young people and families to help them transform their lives. We support children, young people and families to make positive life choices and progress towards the type of future they want to live.

To do this, we work with social services, schools and criminal justice services to identify which children, young people and families could benefit from our support. We then engage the child or young person and their family or carer to develop a package of support, tailored to their specific needs.

Our support is truly unique to each individual. There is no ‘one size fits all’ when it comes to helping children, young people and families to achieve positive outcomes.

We work with children and young people aged 0 – 26.

Our frontline staff have extensive experience of supporting children and young people in kinship or foster care and our whole family approach means that we work closely with kinship and foster carers to achieve positive outcomes. As an organisation we are committed to playing our part in helping Scotland Keep the Promise and recognise the importance that kinship and foster care have in making this happen.

Across Scotland, many of our services are delivered to families at the edges of care, and families in crisis. Our response reflects the experiences of supporting families that would have benefited from more targeted early intervention support.

Consultation events were conducted with colleagues in order to capture the breadth of experience and knowledge within the organisation. Individual staff members also shared their personal experiences of being kinship and foster carers or growing up alongside children and young people in foster care in their family home.

Due to limited resources, we have focused our response on the questions most relevant to our work and areas of expertise, rather than responding to the consultation in its entirety.

Flexible fostering approach

What are your views on the proposed flexible fostering approach?

In our view the proposed flexible fostering approach is very ambitious when considering the current difficulties of recruitment and retention in foster care.

By all accounts, there are incredible foster carers doing great work to support children and young people, as well as their birth families across the country. Despite this, our discussions revealed the number of challenges inherent in the provision of foster care.

We are concerned that the proposed flexible fostering approach will add pressures and responsibilities to a system that is currently in crisis. While we support many of the elements proposed as part of the flexible fostering approach, we believe strongly that efforts and resources may be allocated elsewhere to alleviate pressure on foster carers, and support families to stay together, in line with The Promise. Under the current system, foster carers require a great deal more support and training than is currently available to them and elements of this consultation - including remuneration and registration - show this. Furthermore, too many families, including kinship and foster families are allowed to reach crisis points due to overburdened and under-resources public sector, the impacts of poverty, and the gradual decline in financial support for the third sector. These challenges must be urgently addressed ahead of reforms to foster care if we are to retain and recruit skilled and valued foster carers. Throughout this consultation response, where we refer to third sector support, we mean interventions by skilled and trained individuals who are employed by the third sector.

During our discussions we heard a lot about foster carers who are ill-equipped to deal with the changing needs of a child or young person they are caring for, particularly in the pre-teen stage and about the number of placement breakdowns that occur on account of mismatch in placement, or a lack of training and experience of foster carers. Every placement that breaks down is a significant event in a child or young person's life and has the potential to further reduce their chance of achieving positive destinations.

We know about foster carers threatening young people with termination of placement, we heard about 28-day notices being handed in for what others may consider 'normal' teenage behaviour, and we heard about the difference in support for foster carers between local authority areas. Consistently, children and young people are placed with foster carers even when they are not suitable as local authorities have no suitable alternatives. Increased investment in supporting kinship and foster carers and better management of placements, access to whole family supports, tackling the housing crisis and child poverty are routes the Scottish Government must prioritise.

What are your views on the seven different elements in the flexible fostering approach?

One area of the proposals that was well received by our service delivery colleagues was building on existing short break provision as we recognise how beneficial short

breaks can be for both carers and the child or young person, as this is facilitated and managed in a child centred way.

On the proposal of using more experienced foster carers to mentor new foster carers and deliver foster carers' training, concerns were raised about the value of experience. Many colleagues highlighted that experience does not equal good foster care and we are concerned that sufficient thought has not been put into considering who would be eligible to take on the role of supporting future foster carers. We are concerned that poor practice in foster care will be overlooked in favour of experience.

On the proposal for foster carers to stay in a family home for a short period of time we considered the circumstances where this may be appropriate. Examples included where a parent is absent from the family home, or not in a position to care for the child or young person as a result of a short-term crisis. However, we are acutely aware of the housing crisis in Scotland and do not envisage that many families will have the space or environment suitable for this to take place. On balance, we foresee more challenges than opportunities with this model unless significantly more time is invested in developing it fit for the Scottish context.

What implications does a flexible fostering approach have for how fostering is funded and how foster carers are remunerated?

In our view, remuneration needs to be further explored regardless to ensure Scotland is able to continue recruiting and retaining foster carers who are well equipped to deal with the challenges and experiences of children and young people in their care, irrespective of the proposed flexible fostering approach.

We are expecting foster carers to learn more, support each other and to develop their skills, while providing a home for children and young people who in many circumstances have experienced significant trauma in their life. If we are to ensure that support is of the quality and consistency children and young people deserve, remuneration must make it possible for this to be manageable for kinship and foster carers.

How can the Scottish Government, working with you, support the delivery of the flexible fostering approach?

The third sector has a wealth of knowledge and experience in supporting children, young people and families and employs workers who are highly trained and incredibly skilled in providing whole family support. We see a continued role for organisations like our own to provide support to families in managing their relationships, providing access to short-breaks and activities and making use of restorative practices. In our experience, however, support from the third sector is often employed when a family is already in crisis after harm has already been done and the chances of positive outcomes are reduced. We believe that we must ensure

support is available throughout the journey of a child or young person's life and certainly in the spirit of prevention and early intervention.

Many of the families and children and young people we work with have had adversarial experiences of statutory services leading to a lack of trust and resentment. Further, statutory services are often associated with scrutiny, preventing foster carers, or children and young people in foster care from speaking openly about their experiences, their worries, as they fear further intervention by the state. The third sector is well placed to support families and individuals in these circumstances.

Training and skills development in the third sector is extensive and workers can provide invaluable support, at different levels of intensity, depending on the needs of the family.

One colleague said:

“The service we’re providing is what the family needs, what they really need. But they needed it a year ago. They didn’t get it and they’re desperate now.”

Recruitment

What more can the Scottish Government and local authorities do to recruit foster carers? Please explain your answer. You may wish to share successes and challenges of recruitment of foster carers in your response.

As with our previous answer, it is our view that foster care needs to be better supported and remunerated to improve recruitment and retention.

Learning, development and practical support

Should there be a new national learning framework for foster carers which could also be a pathway for continuous development?

In our view, there are benefits to a new national learning framework and believe this should be developed in partnership with children and young people who have care experience as well as kinship and foster carers.

Crucially, we want to highlight that predominantly foster carers commit to their role out of a desire to support children and young people, with continuous development being a secondary thought. Great care and attention must be taken to ensure that the training offered, provided, mandated, meets the needs of children and young people while not creating an unnecessary burden for foster carers who are already giving so much of their time, resources and energy to providing care.

While we support a national learning framework, we feel strongly that training must be flexible enough to meet the needs of children and young people and there must be individualised elements to this.

In our experience, training does not always meet the changing needs of families as children and young people grow older and the experiences of families change with this development.

The Scottish Government may also consider remuneration for training undertaken to avoid this being an additional burden for foster carers, many of whom are in paid employment alongside their role as foster carers.

We also wish to highlight the discrepancy in support and training offered to kinship carers. These individuals and families are expected to take care for children and young people in similar situations to foster carers, but their support and training is marginal in comparison. We urge the Scottish Government to consider streamlining their approach to training to include kinship cares, developing a framework that:

- Can be adapted, following a robust assessment, to meet the needs of the family and the children or young people in care
- Sets us national minimum requirements
- Is easily accessible avoiding placing unnecessary burden on carers
- Is remunerated in recognition of the time and effort it takes to undertake this
- Is complemented by peer support or support provided through third sector organisations in recognition that learning is also about personal experiences
- Incorporates training on restorative practices

What more can the Scottish Government do to nationally support the learning and development of foster carers?

Providing opportunities and spaces for foster carers to connect and support each other is one element of support we believe needs to be expanded. It should be supported and encouraged for kinship and foster carers. Being a foster carer is a demanding and often intensive role. We heard that foster carers often feel they have no one to talk to about their concerns as they feel scrutinised by services and fear repercussions for expressing what are often legitimate worries or concerns. Peer support is invaluable and has been shown to be a useful tool across a range of settings and for different groups of communities.

What, if any, specific support might be needed to ensure that foster care in Scotland is attuned to the unique and specific needs of infants and very young children?

In our experience, challenges often arise when children grow older and enter their teenage years. While we do not dispute that foster carers must receive support to be attended to the specific needs of infants and very young children, we feel equal attention should be paid to ensure foster care is attuned to the unique and specific

needs of pre-teen and teenaged children. We feel that support and training must continue to be adapted in line with the age and stage of the child or young person in foster care to reflect the evolving challenges and experiences as children grow and develop.

We also wish to highlight that what support or training is required should be regularly and independently reviewed to take into account the specific needs of individual families and their circumstances. Training and support needs should be viewed through the lens of the needs of the child or young people, rather than framed as continuous development for a foster carer. This is important, but the needs of the individual child or young person must be paramount in all decisions made in effort to ensure children grow up loved, safe, respected, and have their voices heard in all decisions made about them.

What other practical support would help foster carers?

We feel it is important to highlight again the discrepancy in support that kinship carers receive. In some local authorities, kinship carers are only able to access support from kinship social workers if the family is considered to be 'settled'.

Foster carers must have access to independent advocacy or support to ensure they are able to speak openly about the challenges they are experiencing and any need they have for further training and support. More must be done to avoid the breakdown of foster care placements, and we believe that providing this access to kinship and foster carers can be an important support for them in their role.

Support for kinship and foster carers must also be available to them at a time and place where they require it and not limited by the services providing them. This is where we see a further role for the third sector, as organisations like ours provide services and supports 24/7 over 365 days a year, in recognition of the fact that often, support is most required outwith traditional working hours.

The Scottish Government may also want to consider, as part of its ongoing work in education, how schools, third sector organisations and statutory services can better work together to provide support to kinship and foster carers as challenges may arise across different settings and require genuine multi-agency support.

During our discussions about support, access to short breaks was frequently mentioned and must be considered an integral part of the support on offer for kinship and foster carers. This should include, where possible, the child or young person to ensure families have access to positive experiences.

Financial Support

How effective is the current financial model for foster carers? Is there an alternative? Please explain your answer.

In our view, the current financial model for foster carers must be reviewed to ensure recruitment and retention of skilled foster carers.

We believe that the financial model needs to be tailored to ensure foster carers, if they provide specialist support can do their role without the burden of full-time paid employment. We are not advocating for foster care to universally be considered employment in its own right, but rather a more flexible approach to ensure foster carers can meet the needs of children and young people in their care.

We particularly feel that the financial model for kinship carers must be reviewed. We know from our experience that kinship carers are experiencing high levels of poverty and often receive far less support than foster carers.

Do you think there should be national approach to fees for foster carers? Please explain your answer.

On balance, we feel that there are certain elements of fees for foster carers that should be part of a national approach. At a minimum we feel that a national baseline should be set across the range of payments foster carers may receive as part of their role.

During our discussions we recognised that the experiences of families in rural areas may differ from those in urban areas, and that children and young people have different needs depending on their circumstances including their age and individual needs. For these reasons we believe there should be flexibility in the rate at which fees are payment, if there is transparency about this. In some cases, foster carers may be required to work less to care for a child or young and fees should be able to reflect this.

Do you think there should be a national approach to additional payments? Please explain your answer.

Any national model should still have in-built flexibility to recognise the various experiences and challenges young people face and the variation in payments that may be required for each individual child depending on their needs.

Do you think there should be a national approach for Continuing Care allowances and fees? Please explain your answer.

Over the past couple of years, the Scottish Government has consulted on a range of issues regarding young people who are leaving care, in recognition of the fact that care experienced young people can find it harder to access further education and employment, are more likely to be homeless, and more likely to have poor health. In recognition of these facts, we feel that Continuing Care Payments should be brought in line with Foster Care Allowance to ensure that where possible, and if it is what the young person wants, they can remain with their foster carer beyond their 18th Birthday. The current system forces separation of families as it makes it less possible for young people to remain in the home.

Would an enhanced framework of transparency with a legal requirement, for example, on local authorities and independent fostering agencies to publish foster care allowances assist foster carers and wider recruitment and retention?

In our view, an enhanced framework of transparency for local authorities is a positive step. However, this must be matched by efforts of the Scottish Government to ensure appropriate national standards in fees, training, and support for kinship and foster carers.

National Register of foster Carers

What are your views on a national register for foster carers in Scotland?

On balance we support the creation of a national register for foster carers in Scotland. As set out in the consultation document a national register has the potential to improve safeguarding through national oversight of foster carers and ensure a national approach to registration and de-registration. A national register can provide transparency and can ensure consistency across independent fostering agencies and local authorities. During our discussions we were clear that information held as part of the register must be appropriately managed to ensure confidentiality and data safeguarding.

We are concerned about the resources required to establish, manage and maintain a national register of foster carers and want to be clear that investment in support for families and foster carers in their roles must be a priority.

What are your views on a national approach to foster care placement matching?

It is our view that a national approach to foster care placement matching can usefully match children and young people with families that can best meet their needs. However, as outlined by the consultation document, a national approach also runs the risk of increasing out of area placements, not in the best interest of the child but because of foster care availability. Currently, we know of too many children and young people who have been placed with foster carers that are not suitable, but the lack of alternatives mean local authorities are willing to accept this.

We are concerned that a national approach to foster care placement matching could entrench this approach further.

We are aware that in some instances children and young people should be placed out of their area for their own safety and in this instance a national approach to foster care placement may be helpful.

Fundamentally, if a national approach to foster care placements is to be considered, robust processes and pathways for decision-making must be created to ensure placements are driven by needs of children and young people, and not resources.

Allegations

Should the Scottish Government update its guidance on managing allegations against foster carers? If yes, please explain what you'd like to see updated or added.

While we have no suggestions for changes to the current guidelines, our experience is that the guidance is often not followed in practice. In particular, we heard about poor and delayed information sharing with foster carers during periods of investigation, and even after investigations were concluded. In most of these cases, inadequate stalling in the local authority, or a lack of clear responsibilities for communication with foster carers were identified as the cause of this.

Foster carers explained that the lack of information sometimes caused them more distress than the allegations as uncertainty continued to impact the family.

Discussions did consider that guidance may need to be strengthened through pathways and standards to ensure greater accountability for communication, especially between agencies and with foster carers who are subject to investigations after allegations have been made.

What more can the Scottish Government do to ensure that allegations against foster carers are dealt with quickly and fairly?

We wish to highlight that ensuring allegations are dealt with fairly and in a robust manner must take precedent over them being dealt with quickly. However, where allegations can be dealt with quickly ensuring clear communication channels and pathways is critical. As with our previous answer, we believe that standards and pathways have the potential to strengthen guidance. Responsibility for communicating processes and decisions must also be clearly articulated from the beginning, and agencies must establish better channels for communication between them. This can be supported through adequate resourcing.

Wider Issues

Is there anything not covered in the consultation which impacts on fostering that you would like to tell us about, or take action on? E.g. housing, poverty etc.

We have commented this in previous sections but wish to re-iterate our concern about the experiences of kinship carers and children and young people who live with kinship carers. We recognise that kinship care can be a very positive experience for children and young people, and their families. More needs to be done to improve the support and status of kinship carers.

In our experience, kinship care arrangements are often initiated as a crisis response when children and young people need to be removed from their home, and no alternative care is available. In these circumstances the perceived temporary nature of the placements mean formal processes are not instigated excluding kinship carers from the support received by foster carers. This includes financial support, training, and recourse to other entitlements foster carers may have. In our view, kinship care and the pathways that lead to kinship care need to be urgently reviewed and at a minimum brought in line with foster care standards. We fear that kinship is often pursued as the costs are lower for the local authority. Resource implications can never be the reason for choosing placements for children and young people. If we invest in children and young people and the families that care for them early, we are far more likely to achieve positive outcomes for individuals and reduce costs for the system further down the line.

This extends to assessment of suitability. We heard of too many cases where children and young people have been placed in kinship care despite this being a whole inappropriate placement, often to the detriment of children and young people and the kinship carer. Kinship carers report feeling obliged to take on the caring responsibilities even when they are in no position to do so.

Colleagues reported high levels of poverty amongst kinship carers, reinforcing the need that financial support for kinship carers must be adequately reviewed if Scotland is to keep The Promise.