



Department
for Education

Fostering Better Outcomes

**The Government response to the
Education Select Committee report into
fostering and Foster Care in England**

July 2018



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The Government response to the Education Select Committee into fostering and Foster Care in England

**Presented to Parliament
by the Secretary of State for Education
by Command of Her Majesty**

July 2018

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Ministerial Foreword



I am determined that children and young people who are unable to live with their own families have the best possible experience and opportunities – those that we want for all our children. Our system should not be just about keeping children safe but about being the best corporate parents we can, and offering access to the support and opportunities needed for success and happiness in later life.

I want children who live in foster care for a week, or for ten years, to experience high quality care and to reap the benefits of being in a supportive and nourishing family environment. I want to ensure that foster parents have the skills, training and support they need to help the children in their care to overcome previous trauma and to thrive. Without these dedicated people, we would not have a foster care system and to them we need to offer our greatest respect and gratitude. Foster parents play an invaluable role – supporting the vast majority of children looked after by the state.


I am hugely grateful to the many foster parents, children and young people who contributed their personal experiences and views to the *Foster Care in England* report, the Education Select Committee's inquiry and this response. I am also grateful to all the social workers, leaders of local authorities and independent fostering agencies, and other sector and academic organisations who have shared invaluable insight, research and evidence.

Without the diligent efforts of the members of the Education Select Committee, we would not have had the opportunity to bring the challenges in fostering to the attention of Parliament. Moreover, without the dedicated and thorough investigation of Sir Martin Narey and Mark Owers we would not have had such productive and engaging debates both in the media and within the sector. Both reviews have provided us with a thorough evidence base on which to improve foster care and did not shy away from delivering difficult messages.

These two excellent reports set out in total 52 recommendations for the government and the sector more widely. I am delighted that both reviews concluded that foster care is working. For many, foster care is the protective factor that provides children with a stable, safe home environment they need to develop and prepare for the future. Both reports, however, also identified areas for improvements and I am determined now to act to bring about change where it is necessary to benefit children and young people.

Foster parents are essential in making the system work. They must be valued and treated with respect. More than that, we must ensure that they can be the parents that these children need. Any parent whose child is struggling will take every action possible to help their child, which includes becoming experts and being their child's fiercest advocate. We know that this is a lot to ask of foster parents. We have huge expectations of them and we cannot expect them to do this without support – from social workers, schools, health professionals, businesses, local and central government and from their own families and friends. It will take everyone in the system to work together to bring about real improvements for foster parents and the children for whom they care.

As Minister for Children and Families, I have high ambitions for children and young people in foster care. Every child in this country should have access to the best opportunities, regardless of their start in life or the circumstances in which they find themselves. It is incumbent upon us all to contribute to making this a reality.

A handwritten signature in black ink, appearing to read 'N. Zahawi', with a long, horizontal flourish extending to the right.

Nadhim Zahawi

Minister for Children and Families

Foreword from the Chief Social Worker



Throughout my career, I have worked with many people whose lives are dedicated to looking after children in foster care. Sometimes children stay in foster homes for one night, sometimes for a childhood and sometimes for a lifetime. However fleeting or enduring, that connection matters. It matters because those children, and their families, will likely be facing huge difficulties, and certainly facing disruption and uncertainty.

Whatever the circumstances, children need reassurance and support, kindness and love. Those that foster are the people who provide this; indeed, they are the people that society relies on to help a child get through the worst, get back on their feet and, for those that stay for longer, to help them thrive and shine throughout their childhood.

The *Foster Care in England* report brilliantly exposes the fact that foster care across the country is doing a tremendous job, often in challenging circumstances. It is no coincidence that the Education Select Committee were keen to highlight the same key message. Both reports demonstrate why foster parents need ongoing, and at times highly skilled, support which reflects their diverse needs and those of the children for whom they care.

The review also makes substantial proposals for how we can go further to make sure fostering in England is always first class. I warmly welcome the government's response, which I think is strategic, straightforward and has the potential to transform practice for children and families. We all have a role to play in recognising the personal contribution we can make to improving the lives of children in foster care.

As always, different messages chime with different people. For me, the messages about the role of social work are fundamentally important. Respectful and responsive relationships between children, foster parents, families and social workers are the cornerstone of really successful care arrangements.

Trust is a key ingredient. Social workers have the role and responsibility to build those partnerships and facilitate strong and meaningful relationships between everyone involved. In the future, I hope to see much more shared care of children, where foster parents and families build relationships of mutual support and understanding, underpinned by the professional guidance of social workers, so that children experience not just stability but harmony between the adults in their lives.

I am also really pleased that we shall see Fostering Trailblazers emerge across the country, tasked with trying different ways of supporting children and their carers, cutting

through barriers that get in the way of good care, trying out innovative ways of meeting children's needs and, critically, making sure their voice is centre stage. Great ideas so often come from service users themselves. We need to create the opportunities for foster parents, children and their families to really influence the services they need.

This could be a step change in how children's services involve children and families in their work. I hope we rise to that challenge going forward and hold high ambition for social work leading the way in this practice revolution.

A handwritten signature in black ink, consisting of a large, stylized initial 'I' followed by a long, sweeping horizontal line that ends in a small hook.

Isabelle Trowler
Chief Social Worker for Children and Families

Introduction

This paper sets out the government's response to two reports into foster care: The Education Select Committee Inquiry into Fostering¹ and the *Foster Care in England* report², an independent review commissioned by the Department for Education. The response describes the government's vision for foster care and improvements for the system, based on the recommendations of the two reports.

Both reports state clearly that, for many children and young people, foster care provides the protective - and loving - environment that they need to develop and thrive. Sir Martin Narey and Mark Owers write:

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.

In turn, the Education Select Committee (ESC) reported:

Phrases such as 'languishing in care' devalue and stigmatise children in care and those that work with them, while the overtly negative narrative implies that children in foster care are inevitably headed towards negative outcomes. It is widely held that a more positive narrative of the care system and the role of carers needs to be articulated by all agencies, including the Government. As Dave Hill stated³, "we are not doing enough to talk about how foster caring is a great thing".

The two reviews show, however, that not every child in foster care experiences or benefits from that environment and that there is more to be done to ensure every child in foster care benefits from stable, high quality care. This response states the government's position on the issues highlighted by the two reviews, including where existing work is already in train, where we will take forward new action, and where we encourage other partners to act.

Our Vision for Foster Care

Our vision is for all children in foster care to have stable lives, establish trusted relationships, to feel cared for and to benefit from high quality foster care for as long as they need it. We want a care system in which children and young people can experience a 'normal life' and to have the opportunities that other children have access to. Children's needs – and views – should be the driving force for all decisions made about their care.

¹ [The Education Select Committee's inquiry into Fostering](#) (December 2017)

² [The independent review into fostering, Foster Care in England](#) (February 2018)

³ Dave Hill, DCS at Essex County Council and former President of ADCS, quoted from evidence to the ESC hearings 2016-17

To achieve this vision, we have identified five overarching ambitions. The table below sets out these ambitions and the key elements of a well-functioning foster care system that would contribute to achieving this, based on the two reviews and the evidence underpinning them.

Children are listened to and involved in decisions about their lives	Foster parents receive the support and respect they need and deserve to care for children	There are enough high quality fostering placements, in the right place, at the right time	LAs commission placements according to the needs of the child	Children experience stability regardless of permanence plan
<ul style="list-style-type: none"> • Children know their rights and entitlements and feel empowered to actively contribute to decisions. • Children's views drive improvements in their own care experience and the wider system. • Every member of the 'team around the child' adds value and enhances the child's experience. • Children are well-prepared for transitions into care, between placements and out of care. 	<ul style="list-style-type: none"> • Foster parents are supported, valued and respected as experts on the child in their care and are actively involved in decision-making. • Foster parents are able to access a range of formal and informal support to meet the needs of children. • Foster parents are empowered to parent and make day-to-day decisions so that children experience as 'normal' a life as possible. 	<ul style="list-style-type: none"> • Fostering agencies recruit the right foster parents to respond to the needs of their local population. • Fostering agencies ensure that their foster parents have the skills, support and resilience to meet the needs of children in their care. • LAs use their knowledge of sufficiency and local demand to work with other LAs and IFAs to ensure resources are used in the most effective ways to meet the needs of their children. 	<ul style="list-style-type: none"> • Placements are driven by the needs of the child, not availability of a bed, location, provider type or cost. • LAs spend their budgets on the highest quality and most suitable placements to meet the child's needs. • LAs have a strategic approach to sufficiency planning which drives commissioning and procurement decisions, based on needs. 	<ul style="list-style-type: none"> • Children experience stable care placements and consistency of relationships, even in short-term placements. • Children are able to keep in touch with people who are important to them. • All eligible young people who wish to Stay Put can do so, and this forms part of their care plan as early as possible.

Making This Vision a Reality

In 2016, we set out our reforms for children's social care. *Putting Children First* and the Children and Social Work Act 2017 together determined how we would improve the system to protect vulnerable children by making sure that the children's social care workforce is equipped with the skills, knowledge, training and experience to deliver that protection. We committed to enable local leaders to deliver excellent practice by providing them with the tools and insight they need to embed this practice across the country. We also committed to ensuring there are high performing services everywhere by providing differentiated support, challenge and intervention in local authorities (LAs).

The reforms we have set in train across children's social care will benefit children and young people in foster care. However, we know there are particular issues and challenges facing children in foster care, the professionals who work with them, and the foster parents who care for them. That is why we commissioned an independent review to inform the government's knowledge and understanding of foster care in England. Through the process of the review and the ESC's inquiry, it has been possible to compile a breadth and depth of information, insight, research and data that has not previously been available.

The recommendations set out in the two reports have defined the scope of this response. Our conclusions take into account the verbal and written submissions to both reviews, the evidence review commissioned by the Department, data analysis and emerging research from academics in this area, combined with discussions with a wide range of people since the publication of both reports, not least with children and young people themselves.

Many of the reports' recommendations were not directed at central government. We have focused specific actions on areas where central government can have the greatest impact but our response makes clear where we agree with recommendations aimed at local government or other professionals. To make tangible improvements in fostering, all professionals and leaders, whether in local government or in private providers, need to work together in pursuit of children's interests.

We have been, and remain, mindful of the challenging environment in which LAs are delivering fostering services. We have focussed on issues where local practice can change to be more effective and to better meet the requirements on fostering services set out in existing legislation. Delivering our long term vision starts with greater consistency and adherence to the statutory framework and supporting guidance. We have used the response to highlight good practice across the country, illustrating that the areas where we encourage LAs and fostering agencies to take specific actions can be achieved through innovation, creativity and within existing budgets.

We will look to sector leaders such as ADCS, LAs, fostering agencies and the voluntary and community sector to drive practice change and to support sustainable and sensible improvements to a system that, for many young people, is already working but we know can be improved.

1. Experiences of Children and Young People in Foster Care

Children and young people have described stable placements in care as a chance to “stand still” and “be normal”. In her survey for the fostering review, the Children’s Commissioner found that:

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.⁴

Both reports highlighted that young people do not always feel listened to or involved in care planning decisions. The child is not always at the centre of practice, particularly when it comes to transitions into, out of and between placements, referrals, information sharing and matching. The reports found that consultation with children was variable and often tokenistic, both for informing decisions about the child’s care, and driving improvements for all children in care.

All decisions should be driven by the well-being of the child. This is one of the core principles of the children’s social care system in England, the UN Convention on the Rights of the Child, and underpins fostering regulations⁵ and statutory guidance.⁶ Actively seeking children’s views, and acting on them in a meaningful way is a key part of this, alongside safeguarding and promotion of children’s welfare. Children’s thoughts and feelings should be central to decisions made about their care, if placements are to be successful and remain stable. As the ESC found:

We were told that listening to and giving appropriate consideration to the views and opinions of young people is “at the heart of good quality social work”, and “can often be the lynchpin that will hold a placement steady and make a child feel that they have a home”.

⁴ The Children’s Commissioner’s survey was included as an annex to *Foster Care in England*

⁵ [The Fostering Services \(England\) Regulations \(2011\)](#)

⁶ The Regulations underpin the [National Minimum Standards for fostering services](#)

Children's Voices and Advocacy

We want to see a more determined effort to ensure that children's voices are used to identify and drive improvements – they are the most important users of fostering services. In the Children and Social Work Act 2017, we introduced the Corporate Parenting Principles, which have a strong emphasis on seeking and acting on the views of child. These should form guiding principles for local policy and practice and came into force as a statutory duty in April 2018. The new Ofsted Social Care Common Inspection Framework will also drive improvements in this area by focussing more on the experiences of children in care.

Foster Care in England was clear that the voice of children and young people can have an invaluable impact on service delivery and praised the Bright Spots survey, run by Coram Voice and the Hadley Centre for Adoption and Foster Care Studies at the University of Bristol. This identifies what is working well for children in care, where things can improve, and offers a benchmarking tool for LAs to drive improvement across their services. The evidence from participating LAs indicates that the survey has brought shifts in culture so that practice is more routinely and consistently driven by children's outcomes and experiences. We agree that **LAs should explore routes to make better use of data on the experiences of children and young people, and use this to drive improvements.**

Both reports highlighted the value of advocacy to young people in care. The ESC said:

The young people we heard from were very positive about the impact of advocates. One young person told us that their advocate has been “absolutely phenomenal”, while another said that in their experience “advocacy makes social workers get up and do the job quicker”.

Advocates provide invaluable support to children and young people, helping them to be meaningfully involved in decisions and supporting them to understand their rights and entitlements. Advocacy services should be accessible and easy to use, but this is not always the case. Both reports highlight that young people often do not know how to make their voices heard, potentially compounding feelings of helplessness and vulnerability. *Foster Care in England* draws on evidence from the Children's Commissioner's national survey of children in care, *State of the Nation*⁷, which found that more than half of fostered children did not know, or were unsure, how to get an advocate.

We want to ensure that every looked after child knows about the advocacy support they are entitled to and is able to access this. Similarly, we want all foster parents to know who the advocacy provider is and to establish strong relationships with them. As part of our strategy for supporting unaccompanied asylum-seeking children, we are producing information for unaccompanied children on their rights and entitlements, including how to

⁷ [The Office of Children's Commissioner's report State of the Nation: Children in Care](#)

access advocates. This will be helpful for all children in care, not only unaccompanied children and **we will make the information widely available to LAs, foster parents and children and young people.**

Feedback gathered via the DfE-funded national advocacy helpline, operated by Coram Voice, supports concerns raised about delivery of local advocacy services. It is essential and, indeed, a legal requirement that LAs ensure young people have information on, and access to, advocacy services. This will relieve pressures on other parts of the system and ensure that young people get the service they deserve. **We will work with Coram Voice and other experts to identify ways to address gaps in the provision of local advocacy support.**

Quality of Information

In evidence submitted to Sir Martin Narey, Mark Owers and the ESC, foster parents, fostering services and young people raised concerns that referral information too often reflects the risks posed by the child's experiences and circumstance rather than who they are and their needs. Children believe this can be unhelpful and can create a negative atmosphere in the placement from the outset. In *Foster Care in England*, this is clear:

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.

Young people also raised concerns about not getting the information they need or want about foster parents prior to placement or in a way that helps them feel prepared for their new home. In evidence to the ESC, Ofsted stated that "sufficient information to children and carers at the point of placement is not always provided," adding that one in three children told them that they did not receive useful information before commencing a placement. We agree that better preparation and information on entry into care or into a new placement could lead to greater stability and improved experiences for children and foster parents.

We would encourage fostering agencies to consider what they can do to improve information provided to foster parents and children, and to ensure they do not inadvertently demonise children by over-emphasising the negative aspects of a child's background.

Some LAs and independent fostering agencies (IFAs), for example, produce 'home videos' by foster families to give children insight into where they will be living and who will be there, what it looks like and what to expect. They have reported this having a positive impact on the well-being of children. The 'Valuing Care' programme⁸, which four LAs have embarked upon, sets a different standard for referral information and shows how LAs can drive practice change.

The programme ensures referrals are developed via an in-depth analysis of child's needs. It is testing tools and processes that enable children and young people to engage in and even contribute to their referral information and for fostering providers and carers to get a more holistic view of the child, in preparation for placement.

Contact and Trusted Relationships

Keeping in touch is consistently one of the most important issues raised by children and young people. We have seen through the two reviews that children feel that they are not always able to have the kind of contact that they want with family and friends, and in particular with their siblings (if they are not placed together). At the same time, *Foster Care in England* found that family contact was high on the list of concerns of foster parents and is too often considered as a default position rather than based on individual circumstance. The reviewers highlighted research that shows where contact is not in the best interests of the child or not properly managed, this can cause prolonged trauma for children.

We recognise the importance of children being able to see and keep in touch with their birth families. Historically, there were concerns that some contact arrangements were driven by the perception that contact should always take place, rather than based on the individual needs of the individual child. That is why the Children and Families Act 2014 emphasised that contact should not directly undermine the welfare and safeguarding of children in care. Ultimately, all decisions regarding contact need to be made on a case-by-case basis and in the best interests of the child. Foster parents - and crucially, children themselves - should feel able to raise concerns about arrangements, including when circumstances change.

Both reports highlighted examples of poor management of contact arrangements, such as children being taken out of school to attend contact meetings, contact sessions being cancelled at short notice, and contact being conducted in sterile environments with unknown supervisors. Some agencies have made particular efforts to offer warm and welcoming contact facilities. **All service providers should consider how contact or keeping in touch can be best managed.** It must be tailored and adaptable to the changing circumstances, needs and wants of each child.

⁸ Programme developed by consultancy, iMPower, who are working with 4 LAs as of June 2018 ([iMPower Valuing Care](#))

Foster Care in England found that children are rarely encouraged to keep in touch with former foster parents or other important people in their lives, despite the importance of strong, stable relationships:

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.

Children and young people told us this directly, for example one young person urged us to “remember school friends are important, it's not always about birth family. I might not want to see birth family – listen to what I want.”⁹ Research demonstrates the importance of the continuity of relationships for child well-being, particularly relationships with trusted adults. We need to enable children to have more say about who those people are, how they keep in touch and to support relationships with former foster parents, for example, if that is what they would like. **We urge social workers to talk to children about who is important to them, particularly former foster parents and foster siblings and, unless it is not in their interests, to encourage and facilitate that contact.**

Summary

- We want children's views about their own care and wider services to be taken seriously and used to drive improvements. We encourage LAs to embed data on the experiences of children and young people into their day-to-day practice and to use this insight to drive improvements.
- We want children and young people to know their rights and entitlements, to feel empowered, and to have a role in shaping their own care experience. We will share child-friendly information about rights and entitlements, including access to advocates, with LAs and make it available to young people and their carers.
- We want children and foster parents to be better prepared for transitions into care and between placements through improved information sharing and quality of referral information. We would encourage fostering services to consider what they can do to improve information provided to foster parents and children and to ensure they do not inadvertently demonise children by over-emphasising the negative aspects of a child's background.
- All service providers should consider how contact or keeping in touch can be best managed, including where, when and how that takes place and with whom.

⁹ Quote from young person in DfE-led workshop to develop the Government's response

- We urge social workers to talk to children about who is important to them, particularly former foster parents and foster siblings and, unless it is not in their interests, to encourage and facilitate that contact.

2. Stability and Permanence

The Importance of Stability

Repeated placement change can affect children’s wellbeing, outcomes and, of course, their ability to build meaningful attachments with others and constrain their experience of a loving home environment. The 2018 Children’s Commissioner’s Stability Index shows that placement instability tends to drive school instability, with two thirds of mid-year school moves occurring after a placement move and most commonly (52%) less than two months after a placement change.¹⁰ The ESC talked about the importance of securing the right placement in securing stability for children:

Placement instability can harm a child’s chances of developing secure and longstanding attachments and affect their emotional wellbeing and mental health, and can cause delayed access to support services and difficulties in maintaining contact with family and friends.

We agree with *Foster Care in England* that some placement moves are necessary, particularly when part of a plan to find a longer term or permanent home for a child. However, we know that a stable home life is key to making sure children growing up in care can achieve their full potential. Chapter 5 sets out how we can support placement stability for children by ensuring a good supply of high quality foster parents. High quality, and early, care planning and decision-making are also crucial. We – collectively – must do all we can to ensure that placements are stable, limiting the number of placement moves, breakdowns, and striving to offer children psychological stability by knowing, and shaping, their care plan and future. This can be transformative to children:

“I feel like I have been given a chance to have a normal happy life doing nice things and going on holidays and being loved and looked after by all of my family who care for me.”¹¹

¹⁰ [Office of the Children's Commissioner's Stability Index 2018](#)

¹¹ Quote from Young Person submitted to Call for Evidence for the *Foster Care in England* report

Decision-Making and Care Planning

Improving decision-making on placement options is a key priority. That is why we set out, in the Children and Social Work Act 2017, the importance of taking into account the long-term impact and outcomes when considering permanence options. Social workers are the professionals charged with analysing, making decisions about and pursuing the right placement and permanence option for children. Whilst there is excellent practice in the sector, it is not universal. That is why we published The Knowledge and Skills Statement for Achieving Permanence¹², part of a wider development programme to refocus social work and decision-making towards stability and long-term outcomes for children in care.

In order to improve decision-making for children in care, **we will introduce a training package to support the continuous professional development of social workers in LAs that want to improve their decision-making on permanence.** We will identify the most appropriate approach to trial the programme. We believe the delivery of the programme would be best suited to a regional approach and, therefore, the new Regional Improvement Alliances are well-placed to determine how this CPD offer could fit with regional improvement priorities. We will work with the Alliances to understand the best way to achieve this.

In 2015, we introduced a legal definition of long-term foster care to ensure greater stability of placements and more certainty for children and foster families in that placement. We are already funding Coram-i through the Innovation Programme to improve matching and permanence planning for long term foster-care, including trialling Fostering Activity Days, as recommended in *Foster Care in England*. We do not yet fully understand the impact of the introduction of long-term foster care as a legal definition and national data is patchy, due in part to the nature of the way that LAs record long-term planning decisions. **We will monitor emerging research to understand how this is working in practice, particularly the way in which long-term foster care is defined in care planning and recording.**

¹² [Knowledge and skills statement for achieving permanence](#), published by DfE in November 2016.

Transitions In and Out of Foster Care

The ESC raised important points about supporting families to stay together. The new What Works Centre for Children's Social Care has commenced work to identify evidence-based interventions that help more children to stay safely at home with their parents. Their work will improve the evidence base of models and services aimed at reducing the need for children to enter care, to help those leading, commissioning or inspecting services, as well as, crucially, supporting children and families stay together where this is possible and in the child's best interests. Through our Partners in Practice programme (PiPs), we are building on the knowledge, confidence and expertise of practitioners and managers in order that they are more effective in creating changes for families and mobilising the strengths within families. We want to learn from other LAs who are trialling new approaches,

We agree with *Foster Care in England's* recommendations that fostering could be used in a different way to help families stay together. They cite a number of projects and examples (notably Stockport Families First and the Fostering Network's 2014 support care project) where foster care is used to support children on the edge of care or as part of a model of 'shared care' for families in crisis. **Within their approaches to evidence-based interventions, we would encourage LAs to consider the potential benefits of fostering on the edge of care or 'shared care'.**

When a child enters care, enabling them to return home will be the right plan for many children. However, 47% of those who return home re-enter care, whilst 64% of those returning home experienced at least one failed return home and a third 'bounced' between care twice or more times¹³. This implies that children are returning home too early, without the support they need, or without the circumstance from which they were removed having changed. We are clear that there should be a robust assessment of parents' capacity to care safely for a child returning home and that there should be a plan setting out any support and services required to facilitate successful reunification. The Children in Need Review, currently under way, will provide us with further data and analysis on support for families on the edge of care or in crisis.

Foster Care in England suggested that more children could be moved out of care and into adoption or special guardianship:

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

¹³ [Looked after children: improving permanence - data pack](#), published by DfE (2013).

Achieving permanence is important, and for some children a Special Guardianship or Adoption Order will be the right decision. However, the right permanence option for a child will always depend on their individual needs and circumstances. All options should be considered for a child if they cannot return home to live with their birth parent but ultimately, their best interests will determine what is the right placement.

Stability for children is our overarching aim. For children staying in care for a longer time, the number of moves of placement, social worker or school must be kept to an absolute minimum unless there are compelling circumstances for a move. Appropriate support to maintain the placement should be explored before a move is made. For other children, stability may come from adoption or special guardianship, or from long-term foster care. For others, it may be living with a family member. As one young person told us “we need commitment, even if it’s not official like adoption”¹⁴. Wherever the child is placed, fostering services should ensure that the necessary support is in place and should challenge themselves to ensure that a ‘stable’ placement is also the ‘best’ placement for a child, i.e. that it can meet their needs.

We agree that too often legal orders determine the support young people – or their carers – get, and that care planning can sometimes be done in a silo-ed way. In 2015, we introduced Fostering for Adoption to help facilitate concurrent planning to move (mainly young) children into their long-term placement immediately. Fostering for Adoption places a child with approved adopters who are also approved as foster parents, known as ‘dually approved’ carers. **We will continue to urge LAs to think how Fostering for Adoption could be more widely used when adoption appears to be the right choice for the child.**

We have funded the TACT Peterborough partnership through DfE’s Children’s Social Care Innovation Programme. Peterborough is the first LA to introduce a single permanence service, having contracted TACT to deliver their adoption, special guardianship and fostering services as a standalone service for the LA. This approach, whilst still in its infancy, does not restrict or define the child’s journey by legal status, but instead allocates one expert to the child to identify and deliver the best possible option for them. They are building a support offer that will be equal across different placement types to ensure that the child and family have the best possible chance of a stable and loving home. Other LAs have expressed an interest in the approach and will be watching closely. **The new National Stability Forum for Children’s Social Care (Chapter 6) will offer us a platform to monitor different approaches to permanence and care planning and to highlight where and how these could be more widely introduced.**

¹⁴ Quote from young person in DfE-led workshop to develop the Government’s response

Staying Put

Both reports praised Staying Put as a positive policy:

The Local Government Association called it “an excellent initiative”, while the Association of Directors of Children’s Services said that “it is absolutely the right thing to do for our most vulnerable young people”. Kevin Williams told us that “The policy has the ability to be transformational for long-term outcomes for children in care”.¹⁵

Staying Put was introduced as a duty on LAs in the Children and Families Act 2014. In the last two years, over half of 18 year olds who are eligible to Stay Put have done so. The policy has given many young people the stability they need and, where it is working, it is effective and a much-needed part of transition to independence. It acts to mirror the ‘normal’ experience of many other young adults. **We urge LAs and IFAs to discuss Staying Put with young people and foster parents at an earlier stage, so that this forms part of care plans as early as possible, offering stability and psychological permanence for young people.**

We know, however, that there are barriers that hamper successful Staying Put implementation – both on an individual and systemic level. Examples we have heard from LAs include difficulties securing DBS checks for young people when they turn 18 and confusion over whether and how to maintain foster carer approval status whilst caring for an over-18. The ESC identified variable knowledge of, and responsibility for, Staying Put and found many carers are confused as to what it means. **We will use the emerging evidence from national rollout of Staying Put to refine the policy and to address some of the most significant practical barriers, identifying areas that have addressed these and sharing best practice.**

Summary

- We want a system that prioritises stability in the lives of children in care. This means thinking about long-term options for the child from the start of care planning and communicating this as early as possible.
- We will monitor research to understand how the new legal definition of long-term foster care is working in practice and how to improve national data on this.
- We will introduce a training package to support the continuous professional development of social workers where LAs want to improve their decision-making on permanence.
- Within their approaches to evidence-based intervention, we would encourage LAs to consider the potential benefits of fostering as part of a ‘shared care’ approach.

¹⁵ [The Education Select Committee's Inquiry into Fostering](#), report published in December 2017

- Where children return home, the right support must be in place and reunification should be planned for at the right time, with appropriate transitions in place.
- We would welcome more children moving out of foster care under Special Guardianship or Adoption Orders, but only where this is in the best interests of the child and where the right support is in place to maintain the placement. All placement options should be considered, and children, birth parents and foster parents fully involved in discussions.
- We will continue to urge LAs to think how Fostering for Adoption could be more widely used when adoption appears to be the right choice for the child.
- The new National Stability Forum for Children's Social Care (Chapter 6) will offer us a platform to monitor different approaches to permanence and care planning and to highlight where and how these could be more widely introduced.
- We urge LAs and IFAs to discuss Staying Put with young people and foster parents at an earlier stage, so that this forms part of care plans as early as possible, offering stability and psychological permanence for young people.
- We will use the emerging evidence from national rollout of Staying Put to refine the policy and to address some of the most significant practical barriers, identifying areas that have addressed these and sharing best practice.

3. Supporting Foster Families

Foster parents are the only people in the system able to provide a family environment that children in care may need and want, whether for a night or for several years. They are uniquely placed to understand the children and young people in their care. They are able to build relationships even in a short period of time that can be loving, long-standing and incredibly valued by the children for whom they care. They can provide the stability and comfort children need to be able to concentrate on doing the things that they should be doing and not the complexities of adult life or the nuances of social care.

Foster parents must be respected for the invaluable and unique role they have and they must get the support they need to help them fulfil this role effectively. Both reports are clear that this does not always happen. Some foster parents report feeling taken for granted and not having any control or input into what happens in their own home. They can feel powerless to complain for concern over what will happen to the children in their home or their future placements. As the ESC stated:

...if foster carers are to be treated with the measure of equality that they deserve, they must have their voice heard, their needs met, and their development supported.

As well as providing care, love and support for the child directly, foster parents often develop in-depth knowledge and expertise of children's social care, completing training courses and undergoing reviews, attending meetings and completing administrative functions to ensure the needs of every child they care for are met. The *Foster Care in England* report said:

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.

Support and Empowerment

Despite changes in statutory guidance, in practice there is still reluctance to delegate day-to-day decisions to foster parents. This directly undermines the ability of the carer to parent and foster parents regularly report being excluded or side-lined in decision-making. The reviewers noted that foster parent involvement was not explicit in guidance and **we will revise guidance to make clear that foster parents must be involved in all decisions and reviews, unless there is a legitimate reason not to**. The Children's Commissioner, Anne Longfield summarised this in her introduction to *Foster Care in England*:

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.

We are committed to enabling and empowering foster parents to parent the children and young people living in their homes. **We will work with LAs (see Chapter 4) to test a default approach to the delegation of authority, where day-to-day decisions are always delegated, unless for explicit reasons, and there is a more proportionate and open approach to all decisions, particularly in long-term and settled placements.**

Foster Care in England stated that peer support for foster parents is “often rated as more important than professional support, particularly at times of uncertainty and when wanting immediate advice”. Through the Innovation Programme, we have funded the Mockingbird project¹⁶, which received praise in both reports. There is early evidence that having a community of foster families can be mutually beneficial, offering a network for children in foster care, foster parents and their birth children to share experiences with those who understand and can empathise. Various peer support models are in place across the country and we want to see evidence-based support being implemented more consistently to help maintain placement stability. **We would encourage fostering services to consider how they facilitate structured and effective peer support, including access to respite for children with familiar foster families.**

We know that training and preparation is essential for placement stability. Foster parents should receive the right training to meet the needs of the children in their care, which should have been determined prior to placement. They should have access to different or new training to develop their skills as need arises before and during placement. The ESC found:

Carers told us that they only received a few days' worth of training, which did not cover many of the issues they would face in their time fostering: “What you are trained for is a very nice world, and it is not the same”.

¹⁶ For more information, see [The Fostering Network's The Mockingbird Programme](#)

It is right that training, skills and development needs are identified and met locally. Fostering providers are best placed to know what skills their foster parents have and what more they need. We recognise that the needs of foster parents are diverse and a 'one size fits all' approach will not work. We remain unconvinced that a national accreditation or foster carer qualification would be meaningful or helpful in ensuring each foster parent is able to meet the needs of their children. In 2012, we published a revised version of the Training, Support and Development Standards for Foster Care¹⁷, accompanied by a workbook for foster parents to complete as part of their continuous development. **We will work with the sector to consider whether the Training and Development Standards for foster parents are still fit for purpose.**

In 2011, the DfE worked with the sector to introduce a Foster Carer Charter¹⁸. Subsequently, the Fostering Network developed advice on how fostering services could make best use of the charter and offered a sample Charter, which has been regularly revised.¹⁹ These documents set out clear expectations of rights and entitlements for foster parents and their fostering service and aim to establish foster parents as full members of the team around the child. Ultimately, the charters should help foster parents hold their service to account. Over 60 LAs have signed up to the terms of the charter, some using the framework to set up their own local charter. **We will work with The Fostering Network and other organisations to promote a revised and strengthened Foster Carer Charter, which we would encourage all fostering agencies to adopt.**

Foster families should have the same opportunities as other families. This includes foster parents combining fostering with other work, where it is right for them and their children. From September 2018, foster parents who work alongside their fostering responsibilities will be able to access 30 hours free childcare as long as it is consistent with the child's care plan. This has been widely welcomed and offers foster families access to the same support as other working families.

We will continue to work across government to ensure that foster families are considered as part of new policy development. For example, we have been liaising with Department for Business, Enterprise, Innovation and Skills (BEIS) to ensure that foster parents are considered as part of the Parental Bereavement Leave Bill. We have also been contributing to the government's Internet Safety Strategy and its implementation, in recognition of the need for foster parents to make sure the young people in their care are safe online. This is a challenge for all parents, but foster parents look after some of our most vulnerable young people who can be even more at risk in the virtual world.

¹⁷ For more information, see [Training support and development standards for foster parents](#)

¹⁸ For more information, see [The Foster Carers' Charter](#)

¹⁹ [Foster Carers' Charter: putting it into practice](#) and [The Fostering Network Foster Carers' Charter](#)

Allegations

The National Minimum Standards (NMS) are clear that allegations should be handled fairly, quickly, and consistently in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation. The way allegations are handled must form an intrinsic part of how services support foster parents and the NMS provides a benchmark. We cannot prioritise the needs of foster parents over the safety of children – they must be our primary concern – but poor handling of allegations can result in disruptions to the whole foster family and, in many cases, further disruption to children and the stability of their care.

The *Foster Care in England* report set out some evidence of the scale and impact of allegations:

Biehal's research²⁰ 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.

Fostering services must have clear and open communication channels, ensure they allocate a dedicated worker to foster parents and, and have explained the process of the investigation to them. All investigations must be completed in a reasonable timeframe and every effort made to ensure that foster parents are supported and treated with absolute fairness throughout. **Fostering services must ensure that they have the right processes in place to manage allegations properly. They should consider the training and policies available for foster parents on allegations and ensure that their foster parents are properly prepared should an allegation arise.**

Allowances, Tax and Benefits

The reviewers cite an example from FosterTalk - who provide Fosterline, a DfE-funded support mechanism for foster parents - of the national insurance and tax liability for a foster carer. They use this to illustrate their conclusion that, whilst the 'package' of financial support was in no way 'extravagant', they did not believe that current payments - when considered in the context of tax and benefit arrangements - are inadequate. This is where the two reports diverge. The ESC drew upon evidence from the Fostering Network's State of the Nation survey:

²⁰ The reviewers cite *Keeping children safe: allegations concerning the abuse or neglect of children in care Final report* by Nina Biehal, Linda Cusworth, Jim Wade with Susan Clarke. University of York, 2014

For many carers, current levels of financial reimbursement are insufficient... only 42% of carers felt that their allowances covered the costs of providing foster care, down from 80% in 2014. 56% of respondents said that their household income is reliant on the money they receive from fostering, with two-thirds of carers having no other paid work.

Payments to foster parents are diverse and range widely across the country. Unequivocally, all foster parents must be compensated for the cost of caring for a child. This is why we set the National Minimum Allowance (NMA) as a benchmark and ensure that it is uplifted each year in line with the Gross Domestic Product. **We expect all fostering services to pay foster parents at the NMA rate.** It is concerning that this is not currently the case. Whilst we recognise that this continues to be a contentious area, we believe that the current tax and benefits arrangements offer the best support for foster parents: foster parents have different statuses for tax and benefits purposes – this has consciously been done to ensure that they get the best support these systems can offer for their unique circumstances.

The current system is designed to recognise that foster parents' capacity to seek full-time employment away from fostering can be limited. However, the allowance that foster parents receive has always been, and continues to be, intended to cover the cost of caring for a child and not as a wage. It is incumbent upon fostering services to be clear with prospective foster parents what is expected, what will be provided as support and what they can expect to receive in terms of compensation for opening their homes and families to vulnerable children, including how to access the right support within the tax and benefits systems.

Employment Status and Professionalisation

Sir Martin Narey and Mark Owers concluded:

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.

The ESC was also clear that they did “not believe that foster carers should be officially classified as ‘professionals’”. When set in the context of how some foster parents reported feeling - a lack of control, poor support, and little respect - it is perhaps not surprising that some foster parents have felt the need to seek formal employment status. We also recognise there are ongoing frustrations for some carers, such as the lack of portability between fostering services. However, we do not believe that a change to employment status will address these problems.

It is imperative that foster parents are treated properly to reflect their importance in the system. Foster parents need to be respected and valued. We commit to prioritising that. Equally, we have a responsibility to ensure that foster parents can continue to fulfil their specific role: trained and experienced substitute parents for children and young people whose own parents cannot look after them.

Children and young people tell us that they do not need another professional in their lives – they need someone who offers them love, safety and who cares what happens to them, who can advocate for them and provide them with a ‘normal’ family environment. Often they also need someone who is highly skilled at managing and providing for their particular needs and we do not underestimate the incredible range of expertise that some foster parents build up over time. However, the two profiles are not, nor should they be, mutually exclusive. Describing what would constitute employment status for foster parents to young people and their carers is met with confusion and, in many cases, dismay. As one young man wrote to the reviewers:

Vulnerable children are not commodities. Coming from a troubled background, they already have a sense of rejection and a lack of belonging due to not being with their own family. My long-term foster carers constantly reminded my brother and I that we were "just a job" to them. This made us feel worthless and was no better than being with our own family, which foster care should never be like. Vulnerable children being promoted as a means to make money is wrong. It is unethical, it does not benefit their wellbeing, and it sends the wrong message about the benefits of being a foster carer.

Any change to the employment status of foster parents would have a fundamental impact on the family-centred nature of fostering. Furthermore, it would bring about a significant adjustment to the way the care system is structured, increasing the potential for greater use of residential care. This change would not be motivated by the best interests or wellbeing of children. It would weaken the concept of a ‘substitute family’. No child or young person wants to be told that they are moving out of their home for a fortnight whilst their foster parent takes their annual leave entitlement. As discussed at the start of this chapter, there are better ways to offer well-deserved rest, respite and support to foster parents. To consider foster parents as staff members of an agency ultimately places the interests of the carer as the highest priority, not the child. We do not accept that this should be the future of fostering.

Harnessing Technology to Support Foster Parents

The two reports make a number of recommendations about where and how technology could be used to enhance the national infrastructure that supports foster care. The recommendations include: improving the availability and consistency of training and support for foster parents via a national college; a 'front door' to aid recruitment and to help prospective foster parents navigate the system; a national database to monitor capacity and to inform recruitment activity; a vacancy management system to identify availability of placements; as a way to register approval or accreditation for foster parents, or as a matching tool. *Foster Care in England* said:

A number of organisations, including the Fostering Network, FosterTalk and some local authorities as well as some carers 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... such a register could also provide a vacancy management system and radically improve matching.

Reactions and the scale of appetite for "a national infrastructure" have been mixed. Legitimate concerns have been raised on a number of points but most vociferously around the risks of a digital 'matching' service and the reliability of national vacancy data. Concerns have also been raised about the extent to which new systems are needed and how these would fit with existing, widely available privately-developed systems such as LinkMaker or CHARMS, which some providers are already using, albeit not consistently in any region or across the country. On the other hand, some pointed to the potential benefits for foster parents of having a single, national database from a status point of view and potentially to ease moves between agencies, whilst others recognised the merits of technology in improving data to allow more targeted recruitment, and potentially to make initial sifting of potential matches easier, by location or skill-set.

We think there could be real merits in harnessing technology to address some of the problems identified in the reports. We also recognise the need for any technological solution to work at a local level and to add real value rather than becoming an additional burden. We need to be clear about what any solution would do, how, and for what purpose. **We will therefore undertake a digital 'discovery phase' to identify - in partnership with the sector - how technology can be used to meet the challenges and issues identified by the reports.**

Summary

- We want foster parents to feel empowered to parent the children in their care. We will work with LA partners to develop a 'default' delegation policy for foster parents, and will revise guidance to make clear that foster parents must be involved in all decisions and reviews, unless there is a legitimate reason not to.

- We want foster parents have to access a range of formal and informal support to meet the needs of different types of placement before and after approval. We want all fostering providers to consider how they can best introduce effective peer support for all their foster parents and would encourage them to consider how they facilitate structured and effective peer support, including access to respite for children with familiar foster families. We will ensure the learning from the DfE-funded Mockingbird model is made available.
- We will work with the sector to consider whether the Training and Development Standards for foster parents are still fit for purpose.
- We will work with The Fostering Network and other organisations to promote a revised and strengthened Foster Carer Charter, which we would encourage all fostering agencies to adopt.
- We recognise that allegations, whilst infrequent, can have a significant impact on the life of a foster family and dissuade them from continuing. We urge LAs to ensure their allegations processes are fit for purpose and ensure the well-being of foster parents throughout.
- We will undertake a digital 'discovery phase' to identify - in partnership with the sector - how technology can be best used to meet the challenges and issues identified by the reports.

4. Practice Improvement

Foster Care in England was broadly positive about existing legislation and guidance. Similarly, the ESC observed that much “existing guidance is commendable”. *Foster Care in England* highlighted good practice throughout its report and commended proactive and positive LAs and independent providers, where the reviewers had seen creative or innovative approaches. There are many areas of good practice across the country, in different aspects of fostering.

Both reviews, however, highlighted a number of concerns where guidance was silent or unclear, or where practice was not following guidance or the legislative framework. The ESC identified areas where “consistency of application is often lacking” and the independent reviewers focussed 20 of their 36 recommendations on practice.

Practice Following Guidance

We will revise guidance to address the issues which are not clear, in particular, our expectations on delegated authority, physical affection, the role of foster parents in reviews and meetings, value and respect to foster parents, contact with birth families and siblings, referral information and quality of preparation for transitions. **We will also work with Ofsted to explore whether there would be benefits to introducing Quality Standards for fostering** in order to bring government expectations in line with the standards set out for residential care. We believe there is merit in setting aspirational targets for service providers – a ‘national minimum’ is not ambitious enough for our children.

Where LAs and independent organisations set a child-oriented ethos, we have seen that this can have a radical and reformative impact on service delivery. Through our ongoing interaction with LAs and the new National Stability Forum for Children’s Social Care (Chapter 6), we will seek the support of local government and leaders of children’s services to drive forward these priorities and to bring about cultural shifts in practice.

Our Partners in Practice (PiP) LAs have demonstrated that there is an appetite for taking a more creative approach to practice delivery in children’s services. We know that these LAs are amongst a wider group of authorities, and other organisations including IFAs, who are considering how they can deliver their services in a more innovative way. Some are keen to test the recommendations made in *Foster Care in England*, including (but not limited to) the potential for a more flexible and nuanced approach to the way fostering panels work or having a single social worker supporting a stable placement.

We will work with LAs and fostering providers to identify what works and to tackle fostering practice issues in innovative and flexible ways – creating a network of Fostering Trailblazers to work with other partners across the country. As well as addressing the practice issues identified in both reports, and identifying the best models of ‘the team around the child’, we will work with a number of LAs to introduce a default for delegated authority i.e. an opt-out rather than opt-in approach (as set out in chapter 3).

The Team Around the Child

One of the predominant complaints of children and young people, foster parents and fostering services is the perceived ‘churn’ of children’s social workers, in particular. The *ESC* report highlighted:

... this makes forming a connection difficult, and that this problem is exacerbated when they lose one [social worker] with whom they had a good relationship. We were told of the frustrations caused by a social worker not responding to calls or drifting out of contact, or failing to take action on a request for long periods of time, if at all. While good social workers were roundly praised—they “made my life 100 times better”—one young person told us that they did not even know their social worker’s name.

The report goes on to indicate that the previous Committee’s²¹ review of social work picked up many of the issues raised around social work “turnover, caseloads and quality”. The Department’s reforms to social work are addressing these issues. We are bolstering the social work profession by investing in fast-track schemes such as Frontline and Step Up to Social Work, to bring in high-calibre graduates and training them for the realities of the job. We are also leading the way in practice improvement – raising the quality of training and standards of practice through the creation of Social Work England and our wider programme of social work reform. **We will look to these reforms to help us address the issues that undermine stability for children and young people in foster care.**

Children report that there are many people involved in their care and they are not always clear about who these people are or what they do. For example, young people spoke about being ‘passed between’ different professionals, stating, “you don’t know half of the professionals in your life”. Each individual in the team around the child has an important function to play and the potential to improve the life chances and happiness of local children and young people. There are dedicated functions protecting the rights of and safeguarding children and young people that must be protected. However, the system has developed in a piecemeal way over time. There are potential duplications (and gaps) in checks and balances, and roles have more or less impact depending on the individual or the circumstances.

²¹ [The Education Select Committee's Social Work Reform Inquiry](#) (July 2016)

The picture, nationally, is variable and inconsistent. Oversight and scrutiny in local systems needs to be proportionate and effective. Challenges to decisions and practice, whether internal or external, should be welcomed as an opportunity to improve stability and outcomes of children. In some cases, it is important to maintain strict, routine checks and balances. In others, a lighter touch approach may be appropriate. We want each role in the professional team around the child to add maximum value, within the current legislative framework. We want to work with the sector and Ofsted to identify where practice has the balance right between scrutiny, support and intervention for foster families, including those in long-term placements. As set out above, we will work with PiPs, Practice Leaders, and others, to see where LAs can innovate and work flexibly, within the current legislative framework.

We will work with organisations representing Independent Reviewing Officers (IROs) and LAs to consider how the role of IROs can be put to best effect in the current system and under existing legislation. The variability of practice nationally is well known. There is potential for IROs to bring about significant practice improvements, alongside their role in ensuring that young people experience the best care from their fostering service. Where IROs are valued and listened to, they provide a legitimate and respected challenge function for individual children’s care plans and the wider service delivery. We want to iron out the inconsistencies, where these serve only to undermine the function of the IRO and to ensure that where practice differs, it is for good reason.

Summary

- We want a system in which all decisions and practice are driven by meeting the needs and improving stability and outcomes of our most vulnerable children. We want practice to adhere to guidance, but in a way that reflects local leadership, innovation and takes a proportionate approach to the intervention of ‘the system’ in the lives of children and foster families.
- We will revise fostering guidance to ensure that it reflects our priorities for practice, recommendations including value and respect for foster parents, physical affection, contact with former foster parents, and allegations.
- We will work with Ofsted to consider whether Quality Standards could bring a new and ambitious framework for fostering services.
- We will work with LAs and fostering providers to identify what works and to tackle fostering practice issues in innovative and flexible ways – creating a network of ‘Fostering Trailblazers’ to work with other partners across the country.
- We want every member of the ‘team around the child’ to add value and enhance the child’s experience. Fostering Trailblazers will test different ways of doing this, within the current legislative structure.
- We will work with organisations representing Independent Reviewing Officers (IROs) and LAs to consider how the role of IROs can be put to best effect in the current system and under existing legislation.

5. Sufficiency and Markets

Ofsted data shows that whilst the number of approved friends and families carers increased (between 31 March 2016 and 31 March 2017)²², there continues to be a steady decrease in the number of approved fostering households and there are fewer actual places available for children. The number of children in care increased at a faster rate than the number of fostering places, which may suggest the fostering sector is struggling to keep up with the increasing demand.

The *Foster Care in England* report described the challenges that the system faces:

Local authorities spent a total of £1.70 billion 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.

There are two clear challenges in this area: the supply and capacity of foster parents and the way in which foster placements are identified and matched with children. This means finding the right placements, at the right time and in the right place, to meet the needs of children and young people. It is also vital that the system is making the best use of the funding available, which means a renewed focus on quality and value for money, rather than price. To do this, we need a better understanding of capacity in the system, a consistent and strategic approach to sufficiency planning, recruitment informed by this, and more effective commissioning, driven by the needs of the child. The reports have taken us some way towards understanding potential solutions, however, we recognise that the majority of this will need to be driven locally.

Capacity and Sufficiency Planning

Foster Care in England found that LAs rarely have the luxury of choice in placements, particularly in emergencies, meaning that children are placed out of necessity rather than matched with a family and according to their needs. One of the factors driving this, we are told, is a lack of understanding of where there are gaps and where recruitment therefore needs to be targeted, as well as variable consistency and quality of vacancy management information. *Foster Care in England* report stated:

²² Ofsted (2018) [Fostering in England 1 April 2016 to 31 March 2017](#)

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... 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.

The ESC and *Foster Care in England* called for a national system to improve local and national understanding of capacity. As part of our Digital Discovery phase (Chapter 3), **we will explore whether, and how, digital solutions could help give us, locally and nationally, a more accurate picture of capacity to drive targeted recruitment and potentially to streamline vacancy management.**

Sir Martin Narey and Mark Owers found that the requirement on LAs to plan for sufficiency, as set out in 2010 statutory guidance, is not routinely completed or done well enough to enable LAs to identify their needs and to undertake strategic or targeted recruitment. Ofsted have backed this conclusion, based on evidence from their inspections. Without proper sufficiency planning, it is difficult for LAs and IFAs to make strategic decisions about who they will need to recruit, over what period of time, and where any external commissioning of placements will be reactive rather than proactive.

LAs have a duty to undertake sufficiency planning and the action and process of doing this planning will be beneficial for all service providers, helping them to understand capacity and plan for future demand in a way that rarely happens at present. **We will work with Ofsted to identify whether existing national data collection and insight from inspection reports can inform or drive improved sufficiency planning.**

Recruitment

Agencies recruit from the same pool of prospective carers. This can lead to a sense of protectionism, which can undermine collaborative working between LAs, and between LAs and IFAs, as well as duplication of effort and funding. Publicity and media campaigns can be expensive and LAs in particular can find it hard to tap into a range of different approaches due to limitations on spending and communications. As the ESC report states:

As every foster care provider advertises and recruits separately, the market can become crowded and confusing for prospective carers... Often, prospective carers will end up just contacting the provider which advertised most effectively or expensively, rather than the one who would be the best fit or offer the best support.

We fully support the *Foster Care in England* recommendation that "...much greater regional cooperation could concentrate marketing expertise, and make better use of recruitment budgets and we urge LAs to consider combining their recruitment efforts." **We would encourage LAs – and IFAs – to consider joint recruitment efforts.**

Between 2013-2015, we invested £900,000 to support Fostering Network and three consortia of LAs and IFAs to develop innovative recruitment practice. Good practice from this is freely available on the Fostering Network's website. *Foster Care in England* highlighted the 'You Can Foster' campaign in the North West, which aims to bring the recruitment activities of a group of LAs together.

A wide pool of carers, with different skills, backgrounds, cultures, and experiences can best meet the diverse needs of children. There are innovative campaigns targeting under-represented groups and communities, for example, Mercy Mission and the Fostering Network's Muslim Foster Project, and Home for Good's faith-based approach to fostering and adoption. These are breaking down myths and introducing fostering to new communities and **we would encourage all agencies to think about whether they intentionally, or unintentionally, narrow the demographics to which they appeal during recruitment.**

We would also encourage fostering agencies to consider where circumstantial or environmental barriers to capacity or recruitment could be overcome by local or collaborative innovation. The Greater London Authority, for example, have launched a scheme to help London boroughs to support their foster parents to adapt or extend their homes to increase their capacity. Islington recently announced that they will waive council tax for their foster parents, one of an increasing number of authorities to do this.

The way recruitment currently works can be confusing for prospective foster parents and both reports raised concerns about the information received by prospective foster parents, and the quality of handling of initial enquiries – by both LAs and IFAs. Sir Martin and Mark suggested the benefits of introducing 'mystery shopping' to test inquiry services. **We agree that this could offer a good temperature check of how initial inquiries are handled and would urge providers to consider this.** Fosterline have developed a new tracking system to remain in contact with and support prospective foster parents as they move through the application process. Within our Digital Discovery phase (Chapter 3), we will also consider the relative merits of a national enquiries service to help prospective foster parents to navigate the market.

Diversity of Fostering Provision

Both reports highlighted the value of having LA and IFA provision in order to meet the diverse needs of children. We agree that a mixed market is right and necessary – it drives quality and widens options for LAs. LAs tend to look to the independent sector when they cannot identify an appropriate placement from their own pool of carers. The ESC highlighted that the 'market' for IFA placements has changed over time – moving from specialist to more mainstream provision. The *Foster Care in England* report uncovered data which demonstrates that nationally, a larger proportion of 'harder to place' young people were still being placed IFA rather than LA placements.

Ofsted judgements for IFAs show that the vast majority (89%) are rated as ‘good’ or ‘outstanding’.²³ The reviewers pointed to commissioning processes rather than quality as the problem:

...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.

Cost Analysis

There has been an historic presumption on the part of LAs that the cost of IFA placements is largely determined by the need of those private companies to generate excessive profits. There have been calls from MPs in Parliament, the LGA and ADCS, since the introduction of IFAs in the 1990s, for profit making in foster care to be banned. This creates tension in the system. The reviewers, in *Foster Care in England*, sought to investigate this further and undertook two additional ‘deep dive’ studies – one into the financial performance of some of the larger fostering providers and a cost analysis exercise, in an attempt to compare the cost basis and drivers for the services of different types of provider. They found that:

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.

This variation goes beyond environmental factors and has a significant impact on the cost of services. They also found that being a private, profit-making provider did not necessarily determine prices that IFAs charge back to LAs:

...often, fees charged by charitable providers are as high and sometimes higher than private sector operators. ...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.

These findings are in line with DfE-commissioned research into secure residential homes; the unit cost of provision does not necessarily determine price. What the reviewers also found was that making a ‘like-for-like’ comparison in service provision and cost analysis was extremely difficult. They concluded that the shortage of particular placement types have enabled IFAs to dominate the marketplace, where they have been able to “dictate pricing” and “there is little sign of healthy competition”. They also highlighted a lack of understanding about what fostering services, and placements cost, in LAs, in particular.

²³ Ofsted’s latest statistical release on [Children’s Social Care in England \(2017-18\)](#), published 19th July.

The ESC report recommended that the government introduce standardised cost analyses for all fostering providers. *Foster Care in England* pointed to a lack of understanding driving up costs and recommended increased sharing of price information and transparency:

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.

We recognise that there for many LAs strategic commissioning is hampered by a lack of understanding of costs and what their money buys them. **We will develop tools, resources and approaches to help LAs better understand the cost of their fostering services and placements.** This will draw together and build on existing good practice and will help introduce greater consistency to cost analysis activities within foster care, help providers to benchmark against others, and should enable better commissioning conversations. As described on page 12, the ‘Valuing Care’ project has been working with four LAs to identify how they quantify and value their expenditure on care placements, linked to outcomes for children. At the heart of this project is a structured needs analysis based on an outcomes framework, which drives referrals based on the child’s needs and identifies what a placement should offer in terms of improving the child’s outcomes.

Strategic Commissioning

In fostering, there appear to be tensions between some LAs, and between LAs and IFAs: protectionist attitudes to foster parents, unwillingness to discuss or share capacity, suspicion of ‘poaching’ of carers and unhelpful ideological positions. None of this helps to secure the best placements for children. Both reports raised concerns that the current commissioning processes are not driven by the needs of children. As *Foster Care in England* stated:

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. The ‘in-house first’ policy that many LAs adhere to is, as *Foster Care in England* states, inevitable but does not mean that the right placement will be found with an LA carer. IFAs argue that this policy is counter-productive and serves to contribute to numbers of children who experience multiple placements because ‘first available’ is not always ‘best fit’. **We agree that LAs need to make strategic decisions about whether they commission from the independent sector for some, none or all their placements.**

More effective partnerships are crucial to improving commissioning. Most LAs are, or have been, part of framework agreements but still embark on individual negotiations for individual placements off framework. Some commissioners consider frameworks to be too 'catch-all' and large scale to work properly for each individual party. A small number of LAs have chosen to come out of frameworks to give them greater flexibility, but it is unclear whether this gives them the buying power they might otherwise benefit from. The reviewers conducted research into the use of framework agreements, as has the National Association of Fostering Providers, who published a report into commissioning practice in December 2017.²⁴ LAs and IFAs have suggested that frameworks inhibit LAs and IFAs from building close working relationships and removes the 'human' element of finding placements. The ESC described this picture:

There is concern over the "growing trend" of price-led commissioning by local authorities. We were told of several examples of procurement exercises "where the emphasis is on price over quality or outcomes", with contracts regularly weighting up to 70% on price and 30% on quality.

There are a number of projects underway to test collective commissioning and service delivery and more models are emerging as the Regional Adoption Agency programme matures. Projects in the South East (the South East Improvement Partnership) and Greater Manchester, for example, are evaluating ways to bring about efficiencies and collaborative approaches to delivering children's services, at scale. DfE is also supporting innovative models and approaches in LAs or in a cluster of LAs, e.g. TACT Peterborough, No Wrong Door North Yorkshire, and through the Regional Adoption Agencies programme. The ESC highlighted the tri-borough partnership in West London as an example of collaboration and partnership:

Steve Miley²⁵ told us that this set-up brings many benefits to its constituent councils. By pooling carers, it provides greater opportunity for successful matching, and avoids duplication by having joint marketing and recruitment campaigns. This arrangement also enables the councils to identify best practice, by comparing and contrasting previous processes and ways of working. Mr Miley said that the tri-borough has already reduced its use of independent agencies by 25%, and has increased recruitment of carers.

²⁴ A qualitative survey of NAFPP members, gathering views about local authority commissioning practice. Published in December 2017: [How well are fostering services commissioned?](#)

²⁵ The Director of Children's Services responsible for the tri-borough fostering and adoption service

The residential care market has faced similar challenges – decisions driven by price and/or availability rather than child’s needs. We have invested in two Innovation Programme projects (Northeast and South London) to test consortia approaches in residential care and one (in Essex) to test an alternative delivery model of care, at a total of almost £5m over 2-3 years. Following the evaluation of these, we will consider whether the projects are scalable, and how we can use this learning to improve both residential and foster care. In addition, we are currently providing £300k seed funding to consortia of LAs to test the feasibility of setting up secure provision to increase sufficiency. **We will work closely with the Chair of the Residential Care Leadership Board to understand commonalities between the two sectors and to weigh up the benefits of the new approaches that are being tested.**

The West London Alliance (formed between 7 LAs) has developed a bespoke IT solution, a dynamic purchasing vehicle, which replaces their framework and enables them to commission placements from independent providers for fostering, residential and special educational needs and disabilities (SEND) through one central system²⁶. The Alliance identified many of the problems highlighted by the two fostering reports: high cost spot purchasing, inflexible framework agreements, lack of transparency and market forces, poor relationships with providers, and paucity of good quality data to inform purchasing decisions. Their investment in a tool to create a market place for children’s social care is tackling these problems and has the potential for wide-reaching benefits for the sector.

We believe the most effective partnerships will be those driven at a local and regional level. We will monitor the way in which existing and new partnerships develop. The most important criteria for success will be seeing evidence that these approaches bring better decision making and placement stability for children and young people. **We will use the evidence from these existing projects to introduce seed funding for fostering partnerships to introduce new or expanded collaborative approaches across commissioning, sufficiency planning and integrated models of care.** Our aim will be to increase the use of outcomes-based commissioning whilst improving foster parent sufficiency and capability, and pioneering new models such as joint IFA/LA recruitment.

Summary

- LAs need to be sure that they are spending their money on the best possible placement for each child, to meet their needs and offer the best chance at a stable home – for the short or longer term.
- We will explore whether, and how, digital solutions could help give us, locally and nationally, a more accurate picture of capacity to drive targeted recruitment and potentially to streamline vacancy management.

²⁶ More information about the WLA DPS/DPV for Independent Children’s Placements can be found here: [West London Alliance Managing the Market and Commercialisation](#).

- We want matching and placement decisions to be driven by the needs of and outcomes for the child, not availability or cost. To do this, LAs must improve their sufficiency planning and anticipate need for places. We think this is easiest done at scale but it is for LAs to determine how they do this.
- We will work with Ofsted to identify whether existing national data collections and insight from inspection reports can inform or drive improved sufficiency planning. More broadly, we want to assess whether we collect the right data nationally and whether we are using that existing data to best effect.
- We want the foster parent population to be diverse and enough trained carers to meet the needs of all children. This means fostering providers taking new or creative ways to promote fostering through foster parents, improving how initial inquiries are handled, undertaking exit interviews and working with other LAs or IFAs to join up recruitment efforts.
- We will examine the evaluation of Innovation Programme projects testing consortia approaches in residential care and will work with the chair of the Residential Care Leadership Board to identify commonalities between the two sectors.
- We want LAs to be spending their budgets on the highest quality and most suitable placements possible when finding a home for a child, to be able to demonstrate a strategic approach to commissioning and to have some control over pricing and demand. We will help develop cost analysis approaches to help them understand what their money buys them.
- We will provide seed funding to commissioning and sufficiency planning consortia to introduce or expand partnership approaches across commissioning and integrated models of care.

6. Implementation and Measuring Progress

We are committed to improving the experiences and outcomes of children in foster care. Our vision and the scale of change needed to achieve this vision are both ambitious. We would like to see change happen immediately, so that no more children experience an unsatisfactory service from state care but, in reality, this will take time. We will want to ensure that changes to practice are effective and have no unintended consequences. We will need to monitor our progress towards our vision and will do this through a number of measures, including Ofsted's and DfE's annual data collections on numbers in care, outcomes, performance and quality, and numbers of foster parents and capacity.

We have produced a young people's version of this response. As we have stated throughout this document, our aim is to ensure that we have a system that is focussed on the needs, well-being and outcomes of children and young people. We are determined that they should be aware of and have opportunities to shape the future of the fostering system. We have worked with children and young people to ensure that what we do responds to their concerns about the sector and will continue to do this via Children in Care councils to find out whether their members have seen changes. We will monitor changes in the sector using a range of measures that are already in place, including but not limited to the OCC's Stability Index and the national-level report from the Bright Spots survey.

The Minister and officials will continue to meet groups of experts including foster parents to help support and challenge our work and commitments, who are best-placed to offer us invaluable, personal insight. Much of the evidence that has been brought out in the two reports is based on individual experiences and this is what is so important about foster care – individual children and families in unique circumstances.

The reports highlighted specific challenges, many of which have been persistent for a number of years. Progress will be seeing a shift away from these issues and towards the vision set out on page 9. We will want to use the evidence from the two reviews as a benchmark to see 'old' problems being resolved and foster parents, in particular, seeing an improvement. We can use existing surveys and resources to monitor this progress, including the Fostering Network's State of the Nation survey, ongoing feedback and insight from the DfE-funded Fosterline.

Crucially, it will need us all to work together to bring about culture and practice changes. We will encourage sector-led partnerships and innovation, and the Department will seek every opportunity to promote and share good practice.

National Stability Forum for Children's Social Care

Both reports were clear in their desire for clearer and more determined sector leadership across children's social care. *Foster Care in England* called for:

... 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.

The ESC called for a "national review of children in care", again with the aim of bringing a more holistic approach to the care system:

The Government must ensure that its review of the foster care system is considered in the context of the wider children's social care landscape. The value of the work the Government has undertaken so far on different forms of care will be undermined if they are not viewed and considered as part of a whole, interlinked system.

We agree with the intentions behind both of these recommendations and the need to view the care system as a whole, at national level. Considering the component parts in isolation creates an unhelpful divide in the way we approach a child's experience in the system and his or her routes to permanence. The Adoption Leadership Board, whose remit we have recently expanded to cover Special Guardianship Orders, provides a model for sector leadership to drive change in the system. We have recently established the Residential Care Leadership Board to do the same in relation to children's homes.

Each of these boards has a current and important role to play in driving improvements. To bring together the cross-system reform programme, and to ensure alignment and consistency of approach, we will establish the National Stability Forum for Children's Social Care. The Forum will provide leadership across the sector, bringing together leaders to galvanise opinion and action by commissioners, providers and experts to drive forward the government's vision for children's social care, to join up and promote effective practice and delivery, and to take a national policy approach to improving looked-after children's outcomes.

This National Stability Forum will be chaired, as recommended, by the Director General at the Department for Education who is the most senior civil servant with responsibility for children's social care. Over time, we hope that the Forum will provide the Department and government with crucial advice and leadership at national and local level to promote stability, better life chances and outcomes for children in the care of the state.

Annex 1: Education Select Committee Recommendations

Recommendation	Response
<p>1. The Government should conduct a fundamental review of the whole care system, recognising the relationships between different types of care, addressing wider underpinning issues, and ensuring that the care system is fulfilling its purpose.</p>	<p>We agree that there should be a holistic approach to care and permanence, and that foster care needs to be considered as part of the wider care system. Rather than further reviews, however, we are keen to take action and, as set out in Chapter 6, we will establish a National Stability Forum for Children’s Social Care to provide leadership and oversight of the care system, hosted by the DfE.</p>
<p>2. We welcome the Government’s recent commitment to extend the entitlement to the additional 15 hours of free childcare to children in foster care, so that all young people are able to benefit from the same opportunities. We urge the Government to look carefully at how children in foster care getting this extra childcare will access the highest quality childcare.</p>	<p>Access to 30 hours free childcare for children in foster care, where consistent with their care plan, will be available from September 2018. We already place quality requirements on the providers of early entitlements, which will apply equally to children in foster care.</p>
<p>3. Staying Put will not be the right option for every young person leaving care. But at the moment, too many are missing out on the opportunity to take advantage of this welcome programme. Funding and promotion of Staying Put must be improved so that all young people who wish to remain with their carers are enabled to do so. Other young people, who may wish to live independently but maintain contact with their former carers, must similarly be empowered to do so.</p>	<p>The cross-Government care leaver strategy ‘Keep on Caring’ - published in July 2016 - confirmed that funding would continue to be paid to LAs for the next three years. We have committed £23.3m to fund Staying Put in 2018-19 and £23.7m for the next year (2019-20), following on from the initial £40m investment committed in 2014. We will continue to keep the funding under review and will use the emerging evidence from the national rollout of Staying Put to refine the policy and to address some of the most significant practical barriers to implementation.</p>

Recommendation	Response
<p>4. We recommend that the Government takes action to ensure consistency of practice and application of guidance with regards to:</p> <ul style="list-style-type: none"> • Preventing placement breakdown, by encouraging foster care providers to resolve issues earlier and offer support to build a family environment; • Giving accurate and relevant information to foster carers and young people prior to the commencement of a placement, and sufficient notice in advance of a placement change; • Placing young people with their siblings whenever it is possible and appropriate to do so, and facilitating regular and meaningful contact when it is not; • Ensuring that policies for listening to and engaging with children and young people are being followed in meaningful ways; • Keeping young people informed about decisions and developments regarding their care; • Providing young people with advocacy services, and explaining their role and availability. 	<p>As set out in Chapters 1 and 4, we agree that there is too often a gap between legislation and practice. We will revise guidance to address the issues identified, working with LAs to support new approaches that drive practice towards stability and outcomes for children. We will consider the merits of developing child-centred Quality Standards for fostering agencies with Ofsted. Chapter 1 sets out how we will improve knowledge of and access to advocacy and meaningful engagement of children in decisions and service delivery.</p>

Recommendation	Response
<p>5. The Government must:</p> <ul style="list-style-type: none"> • Ensure that all foster carers are paid at least the national minimum allowance; • Consult on national minimum allowance levels, to investigate the level of funding needed to match rises in living costs and allow carers to meet the needs of those they are caring for; • Review and update current taxation rules for foster carers. 	<p>The National Minimum Standards for Fostering Services (NMS) are clear that every foster parent should receive an allowance that covers the full cost of caring for a child. No foster parent should be out of pocket for looking after a child. That is why we set the National Minimum Allowance (NMA). We believe that the current tax and benefits arrangements offer the best support to foster parents. Foster parents have different statuses for tax and benefits purposes – this has consciously been done to ensure that they get the best support these systems can offer for their unique circumstances.</p>
<p>6. In light of the recommendations of the Work and Pensions and Business, Energy and Industrial Strategy Committees, the Government must state whether self-employment is the appropriate employment status for foster carers.</p>	<p>Foster parents are treated differently in different circumstances to ensure they receive the most beneficial support from national systems. They are self-employed for tax purposes and are entitled to Qualifying Care Relief. We are content that foster parents are able to access the best possible support from the current tax and benefits systems.</p>
<p>7. We do not believe that foster carers should be officially classified as ‘professionals’. However, it must be universally recognised and understood that they are the experts with regards to the life and care of their child, and they must be afforded the same respect and professional courtesies as would be extended to a birth parent or any other care professional involved in the care of looked-after children.</p>	<p>We agree. As set out in Chapter 3, we strongly believe they should be treated with respect and as the experts in the children they care for. We will amend statutory guidance to emphasise the inclusion of foster parents at reviews and will empower foster parents by improving practice around delegated authority. We will work with the sector to update and endorse the Foster Care Charter, which sets expectations for all parties and enables foster parents to hold their services to account.</p>

Recommendation	Response
<p>8. We appreciate that initial training cannot be comprehensive, and that many things can only be learned on the job. However, there is a great need for more ongoing training and development for foster carers. We recommend that the Government works with experts and organisations in the sector to develop high-quality training resources for foster carers, and make them available nationwide.</p>	<p>It is right that training, skills and development needs are identified and met locally. Fostering providers are best placed to know what skills their foster parents have and what more training they need. We recognise that the needs of foster parents are diverse and a 'one size fits all' approach will not work. In 2012, we revised the Training, Support and Development Standards for Foster Carers. We will work with the sector to consider whether the TSD Standards are still fit for purpose.</p>
<p>9. The Government should bring forward legislative proposals to extend the scope of the Public Interest Disclosure Act (PIDA) to cover foster carers, so that they are protected during proceedings or when raising concerns of their own, and safeguarded from the consequences of malicious or unfounded accusations.</p>	<p>Part IVA of the Employment Rights Act 1996, originally inserted by the Public Interest Disclosure Act, protects workers from dismissal or detrimental treatment from their employer if, in the public interest, they blow the whistle on wrongdoing (subject to some conditions). We agree that foster parents should not be treated unfairly if they raise concerns appropriately; that it is important they feel able to raise concerns without fear of retaliation; and that there should be strong safeguards to protect them. However, Part IVA of the Employment Rights Act is designed for an employment context, and therefore a different framework of safeguards is more appropriate for foster parents. The current system provides these safeguards, including a statutory requirement for fostering services to have a complaints procedure and a whistle-blowing policy. Foster parents whose approval is terminated or terms of approval are amended also have the right to a review by the independent review mechanism.</p>
<p>10. We recommend that the Government develops and consults widely, including with foster carers, on proposals for a national college for foster carers. For a college to be truly national and accessible, it should be a virtual association, which works to represent foster carers, share knowledge and resources, and bring greater prestige to the role of foster carers.</p>	<p>As set out in Chapter 3, we will undertake a digital 'discovery phase' to identify how technology can best be used to meet some of the challenges and issues identified around recruitment, status, and transparency around training, skills, experience and vacancy.</p>

Recommendation	Response
<p>11. Capacity in the foster care system must be increased. There must be a range of placements options for young people requiring foster care so that they can be assured of the best and most appropriate home.</p>	<p>We agree that capacity needs to be increased in the system, but to what extent is unclear, given the lack of data. We will explore with Ofsted whether we collect the right data nationally and whether there is more that could be done to improve data on foster parents, potentially within the scope of the digital discovery described in Chapter 3. Chapter 5 sets out how improved commissioning can increase capacity in the system.</p>
<p>12. The Government’s approach to dealing with capacity issues must not only focus on increasing capacity but also look to support children and families before they reach crisis point and need to enter the care system. The Government must be proactive, and focus more energy and resources on early intervention. More support must be given to children and families when they first need help so that, where possible and appropriate to do so, they are enabled to stay together.</p>	<p>The new What Works Centre for Children’s Social Care has commenced work to identify safe ways to keep children with their families. This will improve the evidence base of models and services aimed at reducing the need for children to enter care, to help those leading, commissioning or inspecting services, as well as, crucially, helping children and families stay together where this is possible and in the child’s best interests.</p>
<p>13. The Government should establish a national recruitment and awareness campaign for foster carers. This should:</p> <ul style="list-style-type: none"> • focus on areas of the country where more carers are particularly needed; • seek to increase the number of carers from ethnic, religious and cultural backgrounds which are currently lacking in representation; and • target those with specific skills—such as in working with young people with disabilities or special educational needs—in which there is currently a need for greater support. 	<p>There needs to be enough foster parents, in the right place, at the right time, to meet the specific needs of children. We have heard mixed views on the extent to which a national campaign could achieve this as local needs should drive recruitment activity. As set out in Chapter 5, we believe there is merit in LAs joining forces to recruit foster parents, making better use of foster parents to recruit other foster parents, improving initial inquiries, and looking at local circumstantial or environmental barriers to recruitment. Within our digital discovery, we will explore how technology could help improve information on sufficiency gaps in the system and aid recruitment (see Chapter 3).</p>

Recommendation	Response
<p>14. The quality of foster care provision must always be paramount. We are concerned by the extent to which commissioning and placement decisions are made on the basis of cost. The Government must provide local authorities with the resources they need to ensure financial concerns do not take precedence over the needs of the child. The Government should also require standardised cost analyses of local authority and IFA placements.</p>	<p>A key part of our vision (set out in the Introduction chapter) is that placements should be driven by the needs of the child, not availability of a bed or cost. To achieve that, chapter 5 sets out our commitments to improving partnership working, commissioning and how the market functions, through seed funding of commissioning consortia and developing cost analysis tools for use by commissioners.</p>
<p>15. Given the well-evidenced improvements made in areas with access to the Innovation Programme, we recommend that the Government extend the time period and at least double the funding given to the Programme, so that more children and young people are able to benefit from early intervention and improved services.</p>	<p>The Children’s Social Care Innovation Programme has already had a positive early impact on practice. We are working to spread the most effective practice to help others to adapt and adopt the best innovations to local situations. We are continuing with our evaluations, which will give us robust evidence of what works. The What Works Centre for Children’s Social Care will continue to promote the most effective practice so that children and families can get the best services and interventions possible.</p>
<p>16. Local authorities’ children’s services need to improve. While funding and resourcing will always be an issue, particularly with an increasing number of children in care, we welcome attempts to innovate and find new, efficient and effective ways of working. However, it is vital that change is not imposed for change’s sake, or before internal improvements can take effect. We recommend that the Government place a greater emphasis on providing support and guidance when considering intervention.</p>	<p>We recognise that LAs are delivering children’s services in a challenging environment and need to make tough choices about priorities to achieve efficiencies. Each LA faces a unique set of circumstances and there are different reasons for intervention. It is for this reason that we appoint expert improvement advisers and children’s services commissioners, who are able to identify the underlying reasons for failure and work with inadequate authorities to address the particular challenges they face. This tailored approach is crucial to ensuring the real issues are tackled in each authority.</p>

Annex 2: Foster Care in England Recommendations

Recommendation	Government Response
1. Foster carers are not professionals. But – and this is crucial – they must be treated professionally.	As set out in Chapter 3, we agree that foster parents should not be employees or professionals but should be treated with respect and trusted as an essential part of the team around the child.
2. 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 listed to – and the reason for their wishing to exclude carers must certainly be probed – foster carers should always be involved.	Chapter 4 sets out how we will amend statutory guidance to emphasise the inclusion of foster parents at reviews. We also describe our intention to consider introducing ambitious Quality Standards for fostering. We will work with the sector to update and endorse the Foster Care Charter, which sets expectations for all parties and enables foster parents to hold their services to account.
3. 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.	Guidance is clear that foster parents should be given the maximum appropriate flexibility to take decisions relating to the children in their care, within the framework of the agreed placement plan and in line with regulations. We agree that foster parents should be given authority for decisions about day-to-day parenting, except where there are particular identified factors that make it inappropriate to do so. We will empower foster parents by improving practice around delegated authority, and exploring a ‘default’ delegation approach with LAs.
4. We urge the Department for Education and local authorities to recognise that automatic delegated authority to carers must apply for voluntary accommodated children too, and that birth parents should be helped to understand that is in their child’s interests.	If a child is placed voluntarily under section 20 of the 1989 Act, the LA does not have parental responsibility and so agreement must be reached about what decision-making the parents will delegate to LA. The LA should work with the parent(s) as far as possible to help them understand the benefits to their child of appropriate delegation to the LA and foster parents.

Recommendation	Government Response
<p>5. Department for Education guidance and regulations are silent on physical affection. 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.</p>	<p>We agree that physical affection can be an important part of caring for a child. As set out in Chapter 4, we will amend guidance to make it clear that foster parents should feel able to demonstrate personal and physical affection where this is right for the child. We would also expect this to feature in any Quality Standards for foster care in the future.</p>
<p>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.</p>	<p>Oversight and scrutiny in the system should be appropriate, effective, and proportionate and we will explore creative approaches to practice delivery with a group of fostering service providers, our Fostering Trailblazers.</p>
<p>7. There is little to recommend the IRO role and believe local authorities should be allowed to dispense with the role.</p>	<p>Where IROs are valued and listened to, they provide a legitimate and respected challenge function for individual children’s care plans and the wider service delivery. However, the variability of practice nationally is well known and the potential for IROs to bring about practice improvements is significant, alongside their role in ensuring that young people experience the best service. We will work with organisations representing IROs and LAs to consider how the role of IROs can be put to best effect in the current system.</p>
<p>8. 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.</p>	<p>We will be working with LAs and service providers to tackle fostering practice issues in innovative and flexible ways, such as exploring the flexible use of fostering panels. See Chapter 4.</p>
<p>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. Carers need to be reassured that they will be supported through the process.</p>	<p>The National Minimum Standards are clear that allegations should be handled fairly, quickly and consistently in a way that provides effective protection for the child whilst supporting the person who is the subject of the allegation. The way allegations are handled must form an intrinsic part of how fostering services support foster parents.</p>

Recommendation	Government Response
10. All Fostering Services should consider introducing peer support for carers.	We know that peer support is highly valued by foster parents. Many fostering services offer peer support for carers, and we would encourage them all to do so. DfE has invested £3.8 million in the Mockingbird Family Model through the Innovation Programme to increase peer support for foster parents and their children (birth and foster children). The evaluation will help us to identify what support is most critical to foster parents.
11. We warmly endorse tiered approaches to paying fees, linked to the skills and experience of the carers.	The government sets the NMA to cover the costs of caring for a child. The payment and structure of fees is a matter for fostering service providers to determine. In principle, however, we recognise the value of linking these fees to the skills and experience of carers.
12. We do not believe current payments to carers – when considered in the context of HMRC’s helpful tax and benefit arrangements – are inadequate.	Foster parents have different status for tax and benefits purposes – this has consciously been done to ensure that they get the best support these systems can offer for their unique circumstances.
13. It may be for 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.	We agree. As set out in Chapter 3, we strongly believe that foster parents should be treated with respect and as the experts in the children they care for. However, we also believe that any change in the employment status of foster carers would not be in the best interests of children in care.
14. A national register could also provide a vacancy management system and radically improve matching. We see great merit in the proposal and urge the Department to evaluate the costs and advantages.	Chapter 3 sets out our plans to undertake a digital discovery phase to explore whether technology can help improve the quality and consistency of data on foster parents, to inform recruitment, planning and vacancy management.
15. We believe that greater regional cooperation could concentrate marketing expertise and make better use of marketing budgets and we urge local authorities to combine their recruitment efforts.	We agree, and think there is a merit in combined marketing and recruitment between LAs, as well as between LAs and IFAs. As set out in Chapter 5, we encourage fostering agencies to consider this.

Recommendation	Government Response
16. We recommend that the Department for Education consider re-branding and re-launching First4Adoption to improve foster carer recruitment.	The digital discovery phase (Chapter 3) will explore the merits and feasibility of a ‘front door’ for fostering.
17. We urge all local authorities and IFAs to review and, where necessary, improve the way they handle initial enquiries.	The first point of contact a prospective foster parent has with an agency is crucial and agencies should review how they handle them. Fosterline have developed a new tracking system to support prospective foster parents as they move through the application process. Within the digital discovery phase explained in Chapter 3, we will consider the relative merits of a national enquiry service to help foster parents to navigate the market.
18. Too few carers who leave are given exit interviews. We recommend that local authorities and independent agencies should invite a much larger proportion of resigning and retiring carers to such interviews.	We agree. Exit interviews could provide valuable intelligence about why foster parents leave, and what could be done to improve retention. We encourage fostering providers to take this forward, where appropriate.
19. We suggest the transfer protocol to be amended.	The Transfer Protocol was developed by the Fostering Network in line with the requirements of the Fostering Services Regulations (2011) and published in 2014 (reissued in 2015). The current document accurately represents the legislative framework and we do not intend to recommend that it is revised at the present time.
20. Quite a lot could be achieved in terms of price reduction were local authorities to share their framework with one another. The secrecy and the variation in prices negotiated by different local authorities benefit providers, not councils.	Chapter 5 sets out our plans to commission the development of tools, resources and approaches to help LAs better understand the cost of their fostering services and placements. This will draw together and build on existing good practice and will help introduce greater consistency to cost analysis activities within foster care, help providers to benchmark against others, and should enable better commissioning conversations.

Recommendation	Government Response
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.	We will provide seed funding to commissioning and sufficiency planning consortia to introduce or expand partnership approaches across commissioning and integrated models of care.
22. We recommend that the consortia should also appoint national account managers for the larger IFAs.	As described in Chapter 5, we want to understand how commissioning consortia can be effective and will use the learning from existing projects to seed-fund partnerships or consortia focussed on fostering. What those partnerships look like, their structure and working arrangements are for the partners to determine. We will set out specific criteria in the bidding process for the seed funding round, based on intelligence from similar activities in the residential care sector.
23. 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.	As above, we will use the experiences of Innovation Programme in residential care to provide seed funding for commissioning consortia and partnerships. Sufficiency planning to inform strategic decision-making will be a key component of that.
24. We recommend all local authorities use Bright Spots or similar survey approaches to regularly and systematically measure children's experience of fostering relative to other local authorities.	We recognise the value of data and indicators that measure the views of children and drive improvement on an individual and local level, especially as many young people report that they do not feel listened to. As set out in Chapter 1, we recommend that all LAs use an approach to measure young people's experiences in care routinely and transparently.
25. It is time to reinforce the statutory guidance 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.	We want to ensure that every looked after child knows about the advocacy support they are entitled to and is able to access that support. We will work closely with the sector to understand and address barriers to the provision of local advocacy support. We will make information about children's entitlements and rights, including access to advocacy, available to LAs, children and carers.

Recommendation	Government Response
<p>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.</p>	<p>We agree that the quality and content of referral information shared with foster parents needs to be improved to facilitate better matching and preparation for placement. Chapter 1 encourages local areas to think about how referral information could be used to better effect to capture a more holistic view of the child, including ways to engage young people to contribute to their referral information.</p>
<p>27. Carers should, wherever possible, be able to play a productive 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.</p>	<p>We are currently funding Coram-i through the Innovation Programme to improve matching and permanence planning for long-term foster-care, including trialling fostering activity days. We will continue to evaluate this and to share the findings.</p>
<p>28. Children must routinely be better prepared for placement 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)</p>	<p>We agree that children need to be better prepared for placement by knowing much more about their new foster placements (e.g. through videos). We would encourage fostering agencies to consider innovative approaches to the information that the foster parents and the child receive before a placement starts.</p>
<p>29. If the register is not introduced we must have, at the very least, a vacancy management system to remove the randomness and lottery of finding the right carers for children.</p>	<p>As set out in Chapter 3, we will be undertaking a digital discovery phase to explore this recommendation.</p>
<p>30. We urge the Department for Education to remind local authorities about the change in the law and need for professionals to ensure that birth family contact takes place only when in the interests of the child.</p>	<p>In the Children and Families Act 2014, the underlying principles is the need to safeguard children and protect their well-being. Ultimately, all decisions regarding contact need to be made on a case-by-case basis and in the best interests of the child. Foster parents and crucially, children themselves, should feel able to raise concerns including where circumstances change.</p>

Recommendation	Government Response
<p>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.</p>	<p>Research demonstrates the continuity of relationships is important for child's wellbeing, particularly relationships with trusted adults. Children need to have more say about who those people are, how they have contact with them and support relationships with former carers if that is what they would like.</p>
<p>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.</p>	<p>As set out in Chapter 1, we would encourage all service providers to consider how and where contact takes place. It must be tailored and adaptable to changing circumstances, needs and wants of each child.</p>
<p>33. As part of the assessment process when siblings enter care, local authorities should not presume that keeping groups together is in the interests of all children in that group.</p>	<p>Section 22C of the 1989 Act stipulates that where a sibling of a child in care is also accommodated by the LA, where practicable they should be placed together, provided it is in the interests of each child. Often it will be in the best interest of siblings' well-being to be placed together but there is no presumption in law that this will always be the case. This is why it is essential that LAs make an individual assessment of each child as part of their care plan.</p>
<p>34. The Department for Education, together with select local authorities and independent fostering agencies, should further explore the potential for support foster carer 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.</p>	<p>We believe there is merit in fostering being used to help reunification with families, or in a respite way to support families and prevent entry to care. <i>Foster Care in England</i> sets out models of 'shared care' that we would encourage other LAs and IFAs to consider.</p>

Recommendation	Government Response
<p>35. The priority must be to convert more fostering placements to arrangements which are more likely to last forever, either encouraging foster carers to adopt or become special guardians.</p>	<p>As set out in Chapter 2, for some children in foster care being cared for under a SGO or adoption will be the right decision. This can help them to find a stable family outside of care and without the disruption to 'normal' life that being in care brings. All options should be considered for a child, but ultimately, the right permanence option for a child will always depend on their individual needs and circumstances. Once that placement is identified, the right support should be in place to help that placement succeed.</p>
<p>36. We recommend that the work of the Adoption Leadership Board and the Residential Care Board should continue, and similar arrangements made to implement the recommendations from this report. Overseeing these boards, Ministers should direct the setting up of a permanence board.</p>	<p>Chapter 6 sets out our commitment to establish a National Stability Forum for Children's Social Care to provide leadership and oversight of the care system. We will confirm the scope, remit and membership of the forum, including its relationship to existing DfE Boards.</p>

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