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Minutes

Fostering Advisory Committee

4 March 2025 | 10am - 12.30pm

Present

Jenny Alexander-Brown	Foster carer – LA	JAB
Hanan Al-Najjar	Foster carer – LA	HAN
Beth Biederman	Luton	BB
Linda Briheim-Crookall	Coram Voice	LBC
Florence Chiwetu	Independent consultant	FC
Rachel Cole	Black Foster Carers Alliance	RC
Sam Frith-Jones	AFKA Cymru	SFJ
Cara Jones	Foster carer – IFA	CJ
Julie Macer-Wright	Essex County Council	JMW
Denise Mclean	CB BMEPAC rep	DM
Victoria Odude	Expert by Experience	VO
Ellie Ott	Researcher - CEI	EO
Claire Rogers	Treehouse Care	CR
Steffi Roth	Brighter Futures	SR
Liz Spaven	Newcastle LA	LS
Matt Taylor-Roberts	Proud 2B Parents	MTR
Sarah Thomas	The Fostering Network	ST (chair)
Ruth Willetts	FosterTalk	RW

In attendance

Georgina Coope	CoramBAAF	GC
Sioned Ellis	The Fostering Network	SE
Emma Fincham	CoramBAAF	EF
Augusta Itua	CoramBAAF	AI
Natalie Williams	The Fostering Network	NW

Apologies

Sally Barnett	South Coast Fostering	SB
Corrie Biddle	The Fostering Network	CB
Nazeema Gill	Foster carer – IFA	NG
Angie Gillies	AFKA Scotland	AG
Pal Jandu	Camden	PJ
Nicola Smith	Barnardo's	NS

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1. Welcome and introductions

1.1 ST welcomed members to the meeting as chair.

1.2 New members introduced themselves.

1.3 The minutes of the last meeting were accepted as an accurate reflection of discussions.

1.4 *Matters arising: allegations update* – DfE have started a roundtable in response to voices within the sector, and have referred to themselves as being in 'listening mode.' A meeting took place yesterday (3 March) to share ideas for improving practice in relation to fostering allegations. A follow up meeting is expected.

Action: Further allegations updates to be shared with this committee when available.

1.5 Matter arising: London Violence Reduction Unit

Action: Topic to be returned to once current project is complete

2. Equality, diversity and inclusion

2.1 EF, CJ and HAN fed back from the Black Care Experience Conference, which they attended on 15 February. Members described the event as powerful, moving and positive, reflecting on how strong the care experienced voice was. It was noted how recent some experiences of racism were. HAN encouraged all fostering practitioners to attend in the future, as well as any foster carers caring for children of a different ethnicity to themselves. Organisations can sign up to the Black Care Experience Charter.

2.2 RC recognised the willingness of many fostering organisations to adopt an EDI strategy, but noted a common struggle with implementing these in practice. Ascent Fostering took part in a recent pilot to test the Cultural Compass Mark; a framework for supporting organisations in demonstrating their inclusivity through action. Best practice examples are collected to create a benchmark and provide guidelines for improvement. For example, Ascent took young people on a cultural experience trip to Botswana, which aided them in thinking about their own identities. Additionally, RC acknowledged the need for foster carers to receive proactive training in cultural awareness, rather than waiting until a child is placed.

Action: RC to share Cultural Compass resources/information/findings with the group

2.3 3 – 9 March 2025 is LGBTQ+ Adoption & Fostering Week, hosted by New Family Social. Members were invited to share any events, resources or information that they've come across.

- BFI FLARE: London LGBTQIA+ Film Festival (19 – 20 March on Southbank)
- I was put into foster care after coming out as trans - Big Issue
- Voice 2024 – What makes me different?

2.4 Ellie Ott – Fostering Connections randomised control trial; trauma informed training for supervising social workers and children's social workers together. In response to foster carers who wanted social workers to have more training. Intense 7 days in person, plus 3 reflective sessions. Includes an engaging outlook on EDI. EO recognised the current struggle in recruiting diverse foster carers and retaining younger foster carers.

2.5 LBC emphasised the disparity between numbers of care leavers identifying as disabled and the disability rates reported by local authorities. This is outlined in the 'Disability, disparity and

demand' report by Coram Voice. Related is a blog written by a Coram Voice care experienced volunteer about her experience.

3. State of the Nation - findings

3.1 Natalie Williams and Sioned Ellis (The Fostering Network) presented the findings from the State of the Nations' Foster Care Report 2024. Findings covered:

- Motivations to foster
- Barriers to fostering
- Demographics of foster carers
- Experiences of matching
- Vacancies
- Learning and development
- Family time
- Day-to-day decisions
- Status of foster carers (including rights and protections)
- Support for foster carers
- Support for children in foster care
- Allegations
- Finances
- Endings
- Post-foster care
- Keeping in touch
- Sufficiency planning
- Retention
- Improving foster care

3.2 NW shared their recommendations for governments and for services.

3.3 Members reflected on these findings how they relate to current/best practice. HAN emphasised the importance of Staying Put arrangements for foster carer retention, and the need to consider young people who go to university but still need a home to come back to at weekends and holidays.

Action: Members can email Natalie with any further reflections or queries: natalie.williams@fostering.net

4. Court case: Employee rights for foster carers

4.1 Augusta Itua (CoramBAAF Legal Consultant) took members through the recent court case decision, regarding foster carers seeking employee rights. AI noted three key issues explored within the judgement:

1. Whether the legal rights of foster carers can be viewed differently in light of a recent Supreme Court decision regarding Uber workers (*Uber BV* v *Aslam* [2018] EWCA Civ 2748).
2. Whether a contractual relationship was required in order for foster carers to exercise their EU rights.
3. Whether excluding foster carers from exercising certain EU rights amounts to a breach of their convention rights.

This amounts to the question of whether foster carers can be classified as workers and therefore bring a case to the employment tribunal, as well as whether they can bring a discrimination/whistleblowing case.

~~4.2~~ It was concluded that foster carers are not workers, therefore cannot exercise certain statutory rights, due to them not having a contract with local authorities. In contrary to Uber drivers, the relationship between foster carers and local authorities is written in statute (The Children Act and The Fostering Regulations). Therefore, *W v Essex County Council* [1999] Fam90 remains the binding authority for the proposition that the Claimants do not work under a contract, disposing any claims of unfair dismissal. It is uncertain whether this decision will be challenged.

~~4.4~~4.3 In terms of discrimination/whistleblowing, the tribunal concluded that foster carers can bring these cases. To deprive them of doing so would be in breach of articles 8 (family life) and 10 (freedom of expression) of the European Convention of Human Rights. The judge was not satisfied the State had shown sufficient justification for excluding foster carers from such rights.

~~4.5~~4.4 This case raises further questions around foster carers not having a recognised voice in meetings or when advocating for children. Another consideration going forward should be foster carer access to Legal Aid, as well as local whistleblowing policies and procedures.

~~4.6~~4.5 AI answered members' questions. It was suggested that other ways could be found to protect the rights of foster carers (without making them contracted employees) if solutions were more creative.

Action: DfE to be invited to a future meeting to discuss foster carer rights and status. What actions are they considering?

5. Information exchange, updates and policy areas for discussion

5.1 Members shared current topics of conversation within their agencies, as well as upcoming events or key policy and practice issues:

- Welsh guidance on raising special guardianship with foster carers, including e-learning resources for schools on the differences between fostering and special guardianship.
- The movement to eliminate profit in Wales has come to a head, with the practical impact being felt across fostering, in particular residential placements. Anxiety exists around teenagers whose care plans are changing from residential to foster care.
- SFJ shared the Welsh Placement Stability guide, which can be applied across the UK.

5.2 JAB requested a future agenda item on respite care and its impact on retention of foster carers, particularly those caring for children with additional needs.

Action: Respite care to be added to a future meeting agenda

5.3 CJ queried the impact of the foster carer shortage on information sharing and social worker fears of 'scaring away' foster carers. It was suggested that a wider look at all issues caused by the foster carer shortage was needed (which also relates to the State of the Nation findings.) Action: A solutions-focused session to held on the foster carer shortage and its wider impact on the system, as well as the wellbeing of children.

Action: The quality and effectiveness of learning and development for foster carers could also be considered.

5.4 EO shared a report on Foster carer retention and recruitment in England

6. Any other business

6.1 Members discussed the next meeting, taking place in person in July.

Action: Members to consider the membership of this committee and whether there are any gaps.

Date of next meeting: 8 July 2025 (Coram Campus, London)