

## Children's Social Care Review: Submission of Advice CoramBAAF, March 2021

We are grateful for the opportunity to contribute to the Care Review. This is an important review with the potential to improve the lives of children on the edge of care, in care and leaving care.

### How we have developed this advice

CoramBAAF is the leading professional membership organisation in the UK for local authorities and the voluntary and independent sector involved in family placement such as adoption, fostering or kinship care. Our response is based on initial consultations with our members who comprise the largest community of agencies and individuals involved in securing the best outcomes for children separated from their birth parents.

CoramBAAF is dedicated to improving the outcomes of children and young people in care and provides a range of services that develop, promote and enable best policy and practice in family placement including: publications, learning events and consultancy, advice and information, networking and campaigning. CoramBAAF is part of the Coram group of charities and brings a wide and multi-disciplinary perspective across children's lives.

We are holding discussions across our multi-disciplinary [forums, groups and committees](#) and have invited our members to contact us directly to share their views and aspirations for the Care Review. This encompasses UK and international perspectives of social workers specialising in adoption, fostering and children's welfare; doctors, nurses, paediatricians and medical advisers; lawyers; counsellors, therapists and psychologists; trainers; academics and students; as well as adoptive parents, kinship carers and foster carers.

### Key points of advice

**1. CoramBAAF strongly believes the review must be driven by a rights-based perspective** – as set out in current national and international legislation, conventions and treaties – with the voices, needs and experiences of children and young people taking centre stage, even where there is a consensus of concern for the interests, needs and rights of parents or carers.

The Children Act 1989 sets out a robust framework in the provision of services to children and families and the role of the State in the provision of those services. The central principle in the Act is set out in Section 1.1 as: "the child's welfare shall be the court's paramount consideration". This section has driven policy and practice since its implementation and means that every child and family's fundamental rights are

respected but that the State will act where this is clearly in the best interests of the child – their welfare, development and safety.

## **2. This must be contextualised but not determined by the impact of poverty**

The impact of poverty on parenting has been clearly evidenced (see Bywaters et al., 2018). Poverty and inadequate housing both initiate, and exacerbate, many of the problems that families face. Poverty creates a series of stress factors that make parenting much harder and children experience the consequences of this such as hunger, unsanitary living conditions, the absence of play materials, stimulation, support with learning and education. Children who are in poverty are significantly more likely to be in the care of the State but in each case it is their level of harm/risk of harm which is the critical factor in any decision on the basis of the paramountcy principle.

The safety net that protects people from poverty, homelessness, illness and the impact of disability is frayed. Covid-19 has exposed this. This review must analyse and address the impact of austerity policies and cuts to welfare provision – including the Benefit Cap, reductions in disability benefit, the shrinking stock of social housing and the effects of the policies around No Recourse to Public Funds. It should be noted that the UN special rapporteur found in 2019 that poverty in the UK was ‘systematic and tragic’ and as such, a breach of its duties and obligations but also that a child’s right to safety and to family life must not be compromised in the pursuit of political, social or economic change.

**3. Early help, family support and community resources** provide a vital set of support services for many families. Local authorities and support services have suffered ten years of cuts, and specialist services provided by charities have been reduced as contracts with local authorities have not been renewed. Political support, adequate funding and tangible resources for this vital work must be made to ensure that it is fair and timely.

**4. Supportive practice and promotion of equalities** is essential and this Review should demonstrate it is actively addressing the systemic discrimination that many individuals, families and communities face in society. This includes poor or non-existent services, research gaps and poor data collection as well structural and direct racism. As the movement Black Lives Matter has reminded us, some groups in our communities carry a disproportionate weight of poverty and discrimination.

## **5. A focus on relationships is critical to children’s wellbeing**

Relationships are at the heart of family life and the building of warm and positive relationships has been and is at the heart of good practice. The challenge for all of us is how to create the conditions within children’s social care and family justice that allow sensitive and responsive relationships to flourish everywhere, within and between agencies, within families, and between families and practitioners.

The relational world of service provision cannot be under-estimated in enabling the best of what is needed in families and for children, nor the ways that the system may cause discontinuities in relationships with professionals. There is a significant unacknowledged

resource for many children in and on the edge of care, namely, their wider family. Greater focus on exploring and supporting families in the timescale of the child may safely divert more children needing to come into care and/or could help them thrive in the care system earlier and with greater stability if this becomes necessary.

## **6. Children need permanence**

Social work with children and their families is underpinned by a fundamental recognition of the child's need for belonging, security, stability and continuity – both in the present but also for the rest of their lives. Permanence is *the* key construct in children's social care when framing State intervention and it provides an underpinning framework for all social work with children and their families but is all too often not realised.

We have long cautioned about the promotion of hierarchies of permanence which have elevated adoption above other permanence options (including kinship care, foster care and residential care) and there needs to be greater recognition and support for permanence (love, security and a sense of belonging) for *all* children.

While the focus on adoption is clearly important for those children where no other option is workable, the vast majority of children who are looked after do not, will not and cannot appropriately have a plan for adoption. There must not be a competitive struggle to prioritise one placement type over another. The key decision on how permanence should be achieved should be based on the individual needs and circumstances of each child and principally on the timescale of the child.

## **7. Experts by experience**

People with lived experience of social work services - which includes children and families at all points of the spectrum of intervention and support – need to be routinely included in the delivery, review and development of services. CoramBAAF welcomes the emphasis on lived experience and the inclusion of experts by experience within the Review process.

## **8. Duty of care**

A key question within families and across practice systems is how do we ensure that power of the state and services is used ethically in our unequal society? That question *must always* remain a live one. Rights must be considered alongside a duty of care in relation to permanence. Distressed and vulnerable children should not be further burdened by responsibility for determining their own future, under a pretence that real choice and control does or should apply in every situation. The way in which children are enabled to participate in decision making is the central issue, not whether they should have a right to do so at all. This right is foundational.

## **9. Communities of practice across the life course**

Working with marginalised children and families is a multi-disciplinary, multi-professional task. It needs a community of practice, including families, social workers, teachers and schools, police and health professionals. Social work with children and adults overlaps, i.e. in the transition between childhood and adulthood, or young carers supporting their adults. But families, friends and communities consist of both children

and adult parent/s. Social workers must focus on and understand the specific circumstances and history of a child's life. And the professionals in the team around the child and family must have the resources and support to enable them to work effectively and to the highest standard.

This Review must therefore be expansive in its framework in understanding children's social care as underpinned by the reality of children's experiences – their connection to and significance of their birth family and family network, their neighbourhood and communities and their confidence in engaging with that wider world of opportunity, resource and experience that is fundamental to safety, welfare, security and development.

#### **10. Strong and collaborative leadership**

CoramBAAF is a multi-disciplinary organisation and our collaborative and wide-ranging approach has helped our members deliver good practice during the pandemic. The sector has sought our advice and support in meeting the challenges of the past year. We have concurrently been leading the agenda for change in relation to Special Guardianship alongside other stakeholders. The sector needs skilled and relationship-based policy making that can work effectively *with* the sector *and* across Government departments to address the needs of children and families across all the areas of their lives. The Review should examine how this is further advanced rather than focusing on the issue of training in each individual arena.

For further information or for any questions about our submission, please contact Ellen Broomé, Managing Director, at [ellen.broome@corambaaf.org.uk](mailto:ellen.broome@corambaaf.org.uk).