

FOSTERING in Scotland

Issue 75
January 2023

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Celebrating Karen and Davie's excellence

Hello everyone

I hope you've had a wonderful festive season and are looking forward to the year ahead.

My first year with The Fostering Network ended on a high! I met Karen and Davie Fordyce, featured on our cover, to present them with their award for Outstanding Contribution by a Foster Carer. I'm so proud of all our winners, it was incredibly inspiring to meet them in person at our Fostering Excellence Awards and celebrate the huge difference that foster carers and social workers make to those they look after. Our winners also included some fantastic children and young people who are thriving in foster care – see page 10 for more information.

Speaking of inspiring young people, our Young Person's Advisory Board was established in August last year and is rapidly becoming the guiding light for all our work. The board is now meeting regularly and currently consists of seven young people with different experiences of care, all eager to facilitate meaningful change. There's more information on page four, with details of how to include a young person who would like to be involved.

It has been a delight to have a future GP shadowing our work, enabling him to bring his experience of working with children and young

people and fostering into his future work. Shahid has shared his thoughts on page seven. I would encourage anyone who may be interested in developing their skills to get in touch to hear more about opportunities in Scotland by emailing scotland@fostering.net or visiting our website.

It continues to be a challenging time for families, and I've spent time with foster carers listening to their experiences and difficulties that the cost-of-living crisis is presenting. We know how difficult it is for many families and children: our most recent report on foster carer allowances continues to make the case for minimum allowances in Scotland based on evidence around the true cost of raising a child in foster care. We are using this report, and our wider cost-of-living campaign to influence decision makers in Scotland and COSLA, with the aim of finally making progress on the minimum allowance – after many years of campaigning. You can read more about this on page 11, including ways to support the campaign.

You will have found an insert on Continuing Care included with this edition (see below for information), which I hope you find it useful. We are also offering support and opportunities to families through our



successful Moving On project (page eight) as well as continuing to progress our work to **#KeepThePromise**. We've included an extract from Nicola's Sturgeon's message to young people on page three as well.

Please do not hesitate to get in touch if you would like more information on anything from this newsletter, or our work in general. I look forward to working with you to develop our work here in Scotland to improve the lives of all children and young people in foster care.

Until next time,

Jacqueline Cassidy

Director of Scotland and Practice

Your insert on Continuing Care

We are pleased to share postcards with readers, produced by CELCIS, Clan Childlaw and the Care Inspectorate, which bring young people's rights to Continuing Care to life through the stories of eight young people. The stories and images have been created with and by care experienced young people to raise awareness of their rights within Continuing Care – staying with your carers in foster care, kinship care or residential care up to the age of 21, if it's right for you.

This information helps explain young people's rights and what they are entitled to so they know what the local authority – who shares

responsibility for looking after them – needs to provide and consider for their care until they are 21.





Scottish Government
 Riaghaltas na h-Alba
 gov.scot

Rt Hon Nicola Sturgeon MSP
 First Minister of Scotland

St Andrew's House, Regent Road, Edinburgh EH1 3DG
 T: 0300 244 4000

22 October 2022

To the care community,

I am honoured and privileged to have been able to meet with and speak to many of you over the past few years, and I look forward to meeting more of you in the months and years to come.

Keeping The Promise is more than just a job to me. I am personally committed to making sure each and every one of you grows up feeling loved, safe and protected and that the right support continues to be available for you throughout your life. I have met and heard many stories of children who grow up in care who go on to flourish and do fantastic things, however I know that doesn't happen for everyone. Your stories really help all of us within the Scottish Government make the changes that are necessary to improve lives.

I am absolutely committed to keeping The Promise by 2030 but I also recognise that continued action is needed by the Scottish Government, by councils, by local services, by health boards - by all of Scotland - to ensure our promise is kept.

Two and a half years on from the conclusion of the Independent Care Review, I am encouraged by the changes to services, structures and ways of working that have started to happen at both local and national level. We must keep up that good work, and the Scottish Government will continue to put our full efforts behind bringing forward actions as quickly as possible.

You are helping by highlighting the reality of your experience and, once again, I thank you for this - you are making a huge difference which will continue to lead to transformational change across Scotland.

With love,

NICOLA STURGEON





Introducing our new advisory board!

In August, we launched a recruitment campaign for our brand new advisory board in Scotland. We are delighted to report that we now have seven incredible young people on the board, who have been very busy in the last few months. The group consists of young people with experience of care and those who are children of foster carers. Their passion and drive for change and improving the lives of children who experience care is inspiring.

During a weekend residential at the end of September, the board decided on priority areas for their work over the next year including mental health, language and stigma, and transitions during and out of care – with a particular focus on out of authority

placements. In between working to tackle their priority areas, the board are extremely keen to get out and about meeting children, young people and foster carers to ensure that they are representing the voice of those who experience foster care across Scotland.

In November, we spent a day in Perth planning our first event that we can invite fostering families to, and after all the hard work we enjoyed a combat archery session. Lots of fresh air, fun and a hint of competitiveness!

If you know a young person who would be interested in joining our advisory board, or for more information, please email Laura at scotland@fostering.net.



Dalnaglar Castle where our young people stayed during their residential in September.

Associates wanted

The Fostering Network is the UK's leading organisation supporting the fostering community. We work with our members in fostering services, and our foster carer members, to ensure that children and young people have the best possible opportunities to thrive.

We are currently seeking associates who could work with us, as required, on consultancy, training, and independent support.

If you are an experienced social worker, or have extensive experience in this field of work and would be interested in working with us, please send a CV and a short covering note to Sara Smith, scotland@fostering.net.

We look forward to hearing from you.

Managing allegations

Law firm, Levy and McRae, have proudly represented members of The Fostering Network since 2017. They explain what to do in the event of an allegation against a foster carer and how they can help

We fully appreciate that foster carers and their families make huge personal sacrifices to give children the love, support, and stability they so desperately need and can transform the life of a child. However, being a foster carer carries with it an element of risk.

Although criminal allegations being made against foster carers are only made in a relatively small number of circumstances, we are here to provide you with full legal support if one is made.

If an allegation is made by a child in a foster placement, Police Scotland and the social work service will ensure that the allegation is robustly considered and that the health and wellbeing of the child is safeguarded. At this point limited information will be provided to the foster carer accused, and their interests will be secondary to this process.

Our legal team are here 24 hours a day, seven days a week, to respond urgently to protect members from the earliest possible stage of the process. We strive to resolve cases quickly and discreetly, through early analysis and engagement with the relevant authorities.

What to do - next steps

Should you become aware of an allegation made against you, you should carry out the following steps immediately:

1. Phone Fosterline Scotland on **0141 204 1400** (if unavailable please follow step 2).
2. Contact the Levy and McRae legal advice line on **01384 885 734**.

As a member of The Fostering Network, advice is free and available 24 hours a day, seven days a week.

3. Where possible, obtain the names of the investigating police officers. This will allow the team to contact the officers and obtain further information regarding the allegation.
4. Do not discuss any details of the allegation until you have taken advice from your legal team or The Fostering Network.

As part of the investigation process, you may be required to attend a police station for a police interview to be asked questions about the allegation. You have legal rights through this process:

- To have a solicitor present during your interview.
- To have a consultation before, during and after interview.
- To say nothing at all during your interview.

Ensure you are represented

In most cases, Levy and McRae can arrange your attendance at a police station on a voluntary basis.

On rare occasions, foster carers may be arrested and taken to a police station.

Foster carers should ask police officers to contact us irrespective of the time. Some may feel that by requesting a solicitor they appear to be guilty of the allegations, but this is not the case and the police officers will expect, and sometimes encourage you, to seek the assistance of a solicitor.

'Our team is also on hand to provide general legal advice on the children's referral process, your rights as a relevant person, and any other matter you may encounter during your time as a foster carer.'

You should not be persuaded or made to think that requesting the attendance of a solicitor will materially extend the time you are in the police station – whilst it may do slightly, we will do all we can to get to you as soon as possible or provide advice over the phone where appropriate.

What is imperative is that you receive expert independent legal advice before speaking with the police about the allegations, either in a recorded interview or even in conversation with police officers and/or social workers.

This can be a distressing process and you need to ensure you have a member of our team with you for interview. This will allow us to assess the allegation so that we can immediately respond, if appropriate and allow us to begin a criminal defence at this early stage should a prosecution be raised.

Separately to the criminal process, the allegation may be submitted within a report to a fostering panel to consider your approval to continue to be a foster carer. If you have contacted us immediately, we can have a control on the process to date, in order to present clear and comprehensive representations on your behalf.

Our team is also on hand to provide general legal advice on the children's referral process, your rights as a relevant person, and any other matter you may encounter during your time as a foster carer.

We look forward to continuing our work with The Fostering Network and supporting foster carers. Get in touch seven days a week, 24 hours a day by calling **01384 885 734**.



LEVY & MCRAE

Fosterline Scotland update



Foster carer reviews

Hello everyone,

Happy new year to you all!

In this issue we, Mirren and Julie from the Fosterline Scotland team, answer questions relating to foster carer reviews, which have been asked regularly by callers.

Some have been phoning for advice about what their agency are recommending in the review – this could be a change of approval or deregistration, which the carer may or may not agree with. Foster carers may want to discuss the circumstances, which has led to the agency recommendation and how they can prepare for their review.

Important legislation

The main provisions for reviews are contained in Regulations 25 and 26 of the Looked After Children (Scotland) Regulations 2009. It's useful for foster carers to read the guidance on these

regulations, in particular, Chapter 12 Foster Carer Reviews and Termination of Approval.

The need to know

Not all foster carer reviews are considered by the fostering panel. However, panel involvement will be required, for example, where deregistration is being considered, where there is a request to change the carers approval or where there has been an allegation.

Similarly, an early foster carer review may be required if there is a significant change. This may be an allegation, a significant practice concern, a placement disruption or a significant change in personal circumstances such as a new partner or change in family structure.

Regulation 25 indicates the roles of individuals who should be consulted and asked to provide views in advance

of the foster carer review. Importantly, foster carers, should be asked to provide their comments in writing in advance of the review, and both theirs and the child's social workers should be required to provide a report for the review.

Reports and support

If the review is considering termination of approval, the foster carers should understand this in advance. Foster carers should also get a copy of the review report at least two weeks before their review so that they have time to prepare and submit a response. Foster carers can also bring someone with them for support. We should add, however, this would be as a support person and not as a representative.

Why do reviews take place?

Reviews are required and referred to the fostering panel for a recommendation in considering whether the foster carer continues to be a suitable person with whom to place a child or children.

In making its recommendation, the panel may vary the terms of the approval – to continue this decision or to terminate approval.

What to expect next

After the review has taken place, the agency decision maker will write to the foster carer with the agency decision. If there is a change or termination of approval and the foster carer does not agree with this, they have the right to appeal against this decision.

Appealing a review

Regulation 26 states that the foster carer may request a review of a decision not to approve them as a foster carer, to terminate their approval or to vary the terms of their approval within 28 days of the date of notification of the decision.

Where the agency receives a request

'In making its recommendation, the panel may vary the terms of the approval – to continue this decision or to terminate approval.'

for a review of the decision, they must refer the case to a differently constituted fostering panel for a recommendation. It is good practice for an agency to use a different agency decision maker. There is no timescale within which the panel must be arranged, however, it is recommended that the review panel should be held within a period of one to three months after receipt of the request.

Regulation 26 also details the information that must be provided to the review panel. This includes the original decision and the reasons for it, the information provided to the panel which made the assessment and any further representations from the carer to put forward their case. Further representations could include references and statements from others supporting the foster carer, not forgetting they can also bring someone with them for support.

When the agency decision-maker receives a 'fresh' recommendation from the fostering panel, they must decide within 14 days from the date it was made. The agency decision maker must notify the foster carer in writing of the 'reviewed' decision within seven days of making that decision.

The above is not exhaustive, however, is a concise explanation of the process. Fosterline Scotland is there to discuss reviews in greater detail and offer further advice and support based on your circumstances, as well as all other queries.

We are open from Monday to Friday 10am until 4pm, and evening hours by appointment. To book a phone call, virtual appointment, or face to face meeting, please contact us by phone or email.

We also have a legal helpline and a stress support service to help you. If you need legal advice, please contact our 24-hour legal helpline on **01384 885 734**. You can also access our stress support service and speak with a trained counsellor, 24 hours a day, seven days a week on **01384 889 549**.



Influencing healthcare provision for children with care experience



Shahid Hameed – medical student at University of St Andrews

I am very excited to be volunteering with The Fostering Network in Scotland this quarter as part of my Medicine degree. One of the main objectives of my volunteering is to gain an insight into the experiences children and young people have with healthcare and how the NHS can better fulfil their needs.

Previous work with children inspired me to make the career change from an engineer to a doctor in the first place – I believe working with The Fostering Network will be invaluable to informing my medical learning and practice, especially in relation to understanding and addressing the challenges children and young people with care experience face.

I am currently working with the advisory board as part of The Promise work, led by Laura Graham. From my engagement with the board so far, it is clear there are significant areas of improvement required regarding healthcare, including: destigmatising mental health issues, better record keeping of family medical histories and simplifying the medical



registration process following relocations that some children in care face from time to time.

I have also been very fortunate to listen to foster carers' experiences by working with Bethany Shelton on the Moving On project. Key learning points from this have been the importance of creating a community amongst foster carers to facilitate knowledge and share experiences, and calming techniques that can be practiced by foster families collectively for better mental health and wellbeing.

I am sure that volunteering with The Fostering Network will further educate me on the challenges faced by fostering communities and I look forward to sharing my learning with my peers and experienced medical practitioners.

Independent support now available in Scotland

Having independent support can be vital for foster carers in times of allegations or other disputes. That's why we're pleased to be launching our independent support service in Scotland. We can provide tailored, high-quality support to foster carers registered with an individual local authority or independent fostering provider.

If you are a foster carer who would like independent support, you **must contact your fostering service** to organise this on your behalf. Fostering services that are members of The Fostering Network receive a generous discount on the price of support packages.

Moving On update



Throughout the winter, the Moving On project continued to offer free training workshops to support foster carers' own mental wellbeing and compassion fatigue. We covered topics such as calming techniques for carers and their children, and vicarious trauma and self-care. These sessions were well attended and received brilliant feedback! We are continuing to explore how we can take this forward and offer similar, helpful opportunities.

Our project worker, Bethany, has been meeting services, children and young people to introduce herself and the project as well as creatively

exploring themes surrounding transitions such as change, and journeys.

We are so excited to be out in person delivering workshops again! If you or your service would like us to come and deliver some creative activities with your young people, please do get in touch.

We're going to Parliament!

In February, we are delighted to be hosting an event at Scottish Parliament. Some of the creations and stories gathered through the Moving On project will be shared

with guests and members of the Scottish Government in an exhibition called 'Journey with Care' - we would love for you to be a part of it. You and your young people are welcome to create anything you like to represent or express or explore what it means to 'journey with care'.

Some of the ways we're exploring this is by creating treasure chests and chatting about what our treasure is.

During the event we will also be launching resources and training around the Principles of Good Transitions, developed with the Scottish Transitions Forum.

If you would like to hear more about the event, exhibition or anything else mentioned, get in touch with Bethany at scotland@fostering.net.



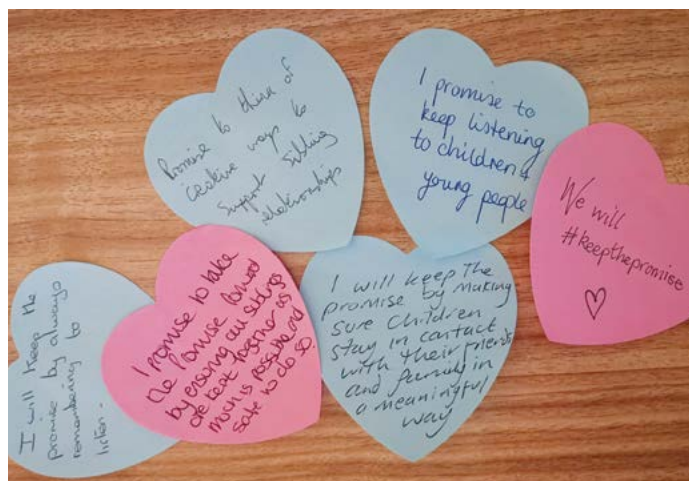
Our ongoing work to #KeepThePromise...

In November, our implementation manager, Laura, enjoyed a trip to visit Dumfries and Galloway Council's Fostering and Adoption team. They spent a day exploring The Promise, what it is, where it came from and how to engage meaningfully with it.

Laura would like to extend a huge thank you to the team in Dumfries and Galloway for their warm welcome and for engaging so fully in the workshop.

'It was such a pleasure to spend my day with a room full of people passionate about doing the very best to keep the promise for foster carers, children and their families.'

Laura will be spending time with the team at Fostering Relations soon too. If you are interested in learning more about The Promise, please don't hesitate to get in touch: scotland@fostering.net.



Update from The Promise



Senior leadership at The Promise Scotland have recently heard about progress to **#KeepThePromise** in local authorities. Recently appointed chief executive, Fraser McKinlay, presented at events being held in South Lanarkshire and North Ayrshire.

In South Lanarkshire, he heard about how language is used, and in North Ayrshire, examples of innovative practice were highlighted including 'Keeping Sisters and Brothers Together.' Along this theme, the chair of The Promise Scotland Fiona Duncan delivered the opening remarks at a Community Social Work Conference in Fife, at which she heard about efforts to critically explore community social work across the UK, and develop an innovative approach in Fife rooted in these ideas.

In October, Care Experienced Week offered an opportunity to publish the emerging themes report from the Hearing Systems Working Group (HSWG). The HSWG is a partnership between Children Hearings Scotland, the Scottish Children's Reporter Administration, The Promise Scotland and is independently chaired by sheriff David Mackie. It has been created to oversee the redesign process for The Children's Hearings System following the publication of the independent care review and is facilitating a process that has the rights of children and families with lived experience at its heart.

It is seeking to establish a new vision for the system, the barriers to stop this being realised, and an understanding of the legislative

changes, as well as changes to policy and practice to make this vision a reality. The report outlines progress so far and emerging themes to be addressed in the final report. Finally, Fiona Duncan, chair of The Promise Scotland published an open letter during the week which stated: 'It is important to recognise and value all the changes being made and appreciate the many people working on Scotland's collective endeavour... but I do want you to know that whilst we are celebrating how far Scotland has come, we must also reflect on how far there is still to go. And acknowledge that still, every day, in Scotland, the promise is not being kept to far too many care experienced children and adults, and their families.'

Have you cared for or supported a child or young person as part of a voluntary care arrangement ('Section 25' arrangement)?



We need your help supporting children and young people to make their voices heard

At CELCIS, the Centre for Excellence for Children's Care and Protection, we'd like to speak with children and young people, aged eight to 25, who have experience of voluntary care arrangements.

What is this?

In Scotland, voluntary care arrangements are when parents agree with social workers that their child should live with somebody else who will take care of them. This could be a close family member, a family friend or a foster carer.

Research

A study that CELCIS published in 2020 found the use of voluntary care arrangements varies across Scotland. Over the next two years, the Nuffield Foundation is supporting CELCIS to undertake further research to learn more about how these arrangements are experienced by children and young people in practice.

Getting involved

We know that some children and young people may not be aware that they are, or have been, cared for as part of a voluntary care arrangement. By speaking with them and letting them know about our research, you would help us ensure that we include the voices of children and young people who have experienced voluntary care arrangements first hand.

By doing this, CELCIS and children's services can learn how to make things even better for children, young people and families. It can ensure that they have a greater understanding of voluntary care arrangements and their rights.

As a thank you for sharing their time and knowledge with us, eight to 15 year olds will receive a £10 voucher, and 16 to 25 year olds will receive a £20 voucher.

Interested? Get in touch!

If you have any questions, or would like information leaflets for children, young people, and parents, visit: celcis.org/vca, or you can contact the researchers directly by emailing celcis.vca@strath.ac.uk.

Fostering Excellence Awards – celebrating our Scottish winners!



Our Fostering Excellence Awards, which shine a spotlight on some of the inspiring contributions of young people, foster carers, social workers and others, was held on 10 November 2022. For the first time in three years, we were able to hold it in person.

This year, we extend our warmest congratulations to a number of Scottish winners: Karen and Davie Fordyce (featured on our cover) who won our Outstanding Contribution by a Foster Carer Award. Karen and Davie, in addition to having two children of their own, are permanent foster carers to three children, including one with highly complex needs. Jamie-Lee and Aliasha (pictured below) won Outstanding Contribution by Sons and Daughters for their dedication to help transform other young people's lives.

Kieran won Outstanding Achievement by a Young Person. Kieran (pictured alongside other award winner Victoria and our director, Jacqueline) has achieved a huge

amount at just 16 years old, gaining one of only five places on the 'Ernst and Young - Beyond Your Limits' programme. It's no wonder his support worker described him as a 'true rising star'.

Victoria, who travelled to the ceremony from Shetland, won Outstanding Contribution by a Social Worker. She is known for always going the extra mile to support foster carers and the children they look after, including creating amazing life story books that have helped many children come to terms with their past and look ahead with confidence and self-worth. One of her foster carers spoke for many when she said, 'Victoria made a tremendous difference to us and children we have cared for.'

We are so grateful for the contribution you all make to improving the lives of children and young people in foster care and look forward to celebrating more contributions in the year ahead.

Follow us on Twitter



You can follow us on Twitter to keep up to date with our events, training, campaigns and project work. Search **@tfn_scot** and hit follow. We look forward to seeing you there!



The Fostering Network
We will #KeepThePromise
The Fostering Network in Scotland
@tfn_scot

Make foster care fair: Scotland's allowances campaign

As part of our Scotland allowances campaign, we recently completed our annual survey of allowances for 2022-23. Scotland is the only country in the UK that does not have a national minimum allowance. A long-standing campaign led by The Fostering Network and its members resulted in a commitment by the Scottish Government to implement a national minimum allowance. But despite over 10 years of commitments, this is yet to happen.

We surveyed all local authorities in Scotland to monitor the level of allowances and understand the impact the delays in implementing a national minimum allowance is having on children in care and their foster carers.

Our survey found that:

- Foster care allowances significantly vary, with some foster

carers receiving as much as £6,952.72 difference per child.

- A significant number of local authorities are freezing their allowances while they wait for a national minimum allowance to be announced – only 11 local authorities increased their foster care allowances this year.
- Only five out of 32 local authorities have increased allowances to keep pace with inflation over the past 10 years.

To make noise about the continued delays, we created a social media campaign, flagging some of the key findings from the survey. We emailed all MSPs, Ministers, COSLA and other organisations with the report, as well as asking foster carers to email MSPs explaining the direct impact these delays were having on themselves and the children they look after.



The Fostering Network had some news coverage on this important issue, and we will continue to apply pressure to Scottish Government and hold them to account for their commitment. This is so that no child in foster care in Scotland faces a postcode lottery of allowances.

You can find out more and how you can get involved on our website: thefosteringnetwork.org.uk/Scotlandfostercareallowances.

All change: disability benefits in Scotland

Disability benefits are changing for adults and children living in Scotland. If you are wondering how this might affect you or a child you are fostering, then read on.

Last year, disability living allowance, the main disability benefit for children under 16, started to be replaced in Scotland by **child disability payment**. This year, personal independence payment, the principal disability benefit for working age adults, has started to be replaced by adult disability payment.

They are paid by Social Security Scotland, an agency established by the Scottish Government in 2018 to administer the range of new benefits.

If you live in Scotland and you wish to claim a disability benefit for a child you foster, you should claim child disability payment. You can do so online at mygov.scot/child-disability-payment/how-to-apply or by phoning **0800 182 2222**.

Likewise, you can also use these same contact details to claim adult disability payment for yourself if you are aged 16 or over and under pension age.

Many children and adults living in Scotland are currently receiving disability living allowance or personal independence payment. If you or a child you care for is in this situation then you don't need to do anything.

Instead, the Department for Work and Pensions will continue to pay your disability benefit and you will be transferred onto the equivalent Scottish benefit by them. This transfer process is already underway and the move to the appropriate Scottish benefit should happen without any disruption to payment, without the need for a new claim or new assessment and without any loss of benefit.

The rates of payment of the Scottish disability benefits are the same as the benefits they are replacing, and most of the conditions of entitlement are identical.

There are, however, some notable differences. There are more generous rules for certain groups of people – in particular, children or adults who have a terminal illness. The assessment process also relies heavily on information or evidence from people already involved in the person's care or treatment. This contrasts with the personal independence payment claim process, which usually involves a medical assessment by a health care professional not known to the claimant.

If you would like to find out more about these new disability benefits, please see CPAG in Scotland's online resource: bit.ly/3UkWwih.



Sign up for our online training



'The course increased my awareness of legal aspects if a foster carer has an allegation made against them.'

Participant on Managing Allegations Against Foster Carers

Our training programme is regularly updated with online courses, which are available for members to sign up to. Find out more by visiting thefosteringnetwork.org.uk/events.

We also have funding to deliver our free **Fostering Digital Skills** course that has been developed in partnership with Internet Matters and the University of East Anglia. The course approach is anchored in the Digital Resilience Framework and informed by the latest academic research in this area.

It is ideally structured for discussion and exploring opportunities and issues that are specific to online safety, fostering and the lives of young people with care experience. The training has been co-created and refined in consultation with young people with care experience and foster carers across the UK.

Fostering services members are able to book the training as a free 'in-house' course for up to 30 participants at a time. Foster carers can also sign up to the training in this format or take an eLearning course at their own pace.

Get more information and sign up here:

thefosteringnetwork.org.uk/fostering-digital-skills-for-life.

If you have any queries about training programmes, including bringing one of our courses in-house, please contact Joy Crawford on **0141 204 1400** or email scotland@fostering.net.



With thanks to the funders who supported this edition.

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