



Vicky Ford MP
Parliamentary Under-Secretary of State
for Children and Families
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

4 May 2020

Dear Minister,

Statutory instrument (SI 445)

The Alliance for Children in Care and Care Leavers is the pre-eminent sector-wide coalition that works to support children in care and care leavers. With over 40 organisations in membership, we all share a commitment to improving the care system and outcomes of children and young people who spend time in care.

The Alliance is deeply concerned about SI 445, published last week which makes unprecedented changes to regulations relating to the care and protection of vulnerable children and young people. These changes follow very minimal consultation and we are disappointed that despite DfE officials attending our Alliance meeting just two days earlier, they had not used the opportunity to inform us of the scale of the changes that were due to come into force. Going forward, we would ask that you consult on the forthcoming guidance and offer the Alliance as a means of feedback if time is limited.

The coronavirus pandemic is creating an unprecedented set of circumstances for all sectors of society, including children's social care. Given this, it is important that all those involved in ensuring the safety, wellbeing and nurturing of looked after children take a flexible approach wherever possible, but this must never be at the risk to the safeguarding or outcomes of children in care.

Many of the changes in SI 445 could seriously undermine local authorities' ability to safeguard properly. We are particularly concerned with:

- The requirement that social workers must visit children living in care, or who are privately fostered, in accordance with strict statutory timescales – within once week when they have gone into care, and every six weeks for the year after that – have been relaxed. Now if they are unable to visit within the timescales they must do so as 'reasonably practicable' thereafter. This applies even if the visits are done by phone or video call.
- Independent six-month reviews of each child in care during COVID-19 are no longer mandatory.
- Placement plans are no longer mandatory where a child is placed with a family member or relative and any assessment of kinship care's suitability does now have to take place 'as soon as is reasonably practicable' rather than within 10 working days.

- The independent panels which approve foster carers and adoption placements have become optional, removing a layer of scrutiny for these highly important decisions.
- No longer must a nominated officer approve a fostering to adopt placement, instead responsibility exclusively lies with already overstretched local authorities.
- Twice-yearly Ofsted inspections of children's homes are no longer required.

These changes cannot be in the best interests of children and must be reversed as a matter of priority.

Lastly, although a number of our members have been informed by DfE that new guidance on care leavers will be forthcoming soon, the current guidance which requires local authorities to "do their best to meet statutory duties" has now been in place for a month and many care leavers may have been denied their legal entitlements as a result of this. The guidance should be updated immediately to make it clear that all care leavers must continue to receive the full package of support they are legally entitled to and the same frequency of contact with personal advisers and other professionals they received prior to the crisis.

Yours sincerely

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Ben Twomey

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For more information on the Alliance for Children in Care and Care leavers please visit our website:
<https://www.thefosteringnetwork.org.uk/get-involved/our-campaigns/alliance-children-in-care-and-care-leavers>