



The impact of Covid-19 on education and children's services: Response from The Fostering Network, July 2020

About The Fostering Network

The Fostering Network is the UK's leading fostering charity. We have been leading the fostering agenda for more than 40 years, influencing and shaping policy and practice at every level. We are passionate about the difference foster care makes to children and young people, and transforming children's lives is at the heart of everything we do. As a membership organisation we bring together individuals and services involved in providing foster care across the UK. Our views are informed by our members, as well as through research; in this way we aim to be the voice of foster care.

Introduction

We welcome the opportunity to feedback to the Government what our members and the children they care for have experienced during the Covid-19 pandemic. We also want to take this opportunity to emphasise the critical work foster carers and all those working around them have continued to do throughout the pandemic to keep the country's most vulnerable children safe. With the sudden lockdown, foster carers assumed many additional responsibilities overnight. Many foster carers have been home educating the children in their care, supervising virtual contact arrangements with birth families in their own home and facilitating virtual social work visits in addition to their daily fostering duties.

Since the beginning of lockdown our members' helpline in England has received a high volume of coronavirus related calls. The evidence provided in this consultation response is based on these calls as well as the engagement we have had with our foster carer and fostering service members through virtual forums, meetings and surveys over the last three months.

Our response focuses on the following areas:

- Temporary amendments to the adoption and children regulations;
- Financial support for foster carers;
- Educational experience of fostered children during lockdown and the transition back to school;
- Key worker status;
- Contact arrangements with birth families;
- Support for care leavers;
- Capacity of the sector as lockdown restrictions ease; and
- Contingency plans for the future

The Fostering Network's response

1. Temporary changes to The Adoption and Children (Coronavirus) (Amendment) Regulations 2020

The coronavirus pandemic has created and continues to create an unprecedented set of circumstances for all sectors of society, including children's social care. We recognised the need behind the new social care regulations to ease administrative burdens and to ensure that there was sufficient capacity within the fostering sector, but this must never be at the risk to safeguarding or outcomes for children in care. We believe the pandemic must not remove protections for our most vulnerable children, particularly at a time when they can be even more vulnerable.

The changes to statutory instrument 445 published on the 23 April, while relaxing many statutory duties to increase flexibility of current legislation, made extraordinary changes to regulations relating to the care and protection of vulnerable children with minimal consultation and without complying with the standard 21-day rule of being published before coming into force. The Department for Education explanation for not adhering to these processes was that it would put '*extraordinary pressure on local authorities, providers and services to try to meet statutory obligations while continuing to provide care for vulnerable children and young people during the outbreak.*' However, we believe there was not an evidence base that required bringing in these radical changes without public scrutiny.

The amendments, in relation to foster care, that we feel have the potential to impact negatively on the safeguarding and wellbeing of children in foster care and the effective support of foster carers are:

- reaching decisions about suitability of foster carers in a context of 'virtual visits' and non-availability of some key checks and references without the independent scrutiny of a foster panel;
- temporary approval of people without a connection to the child in a context where subsequent visits have only to be done via electronic means 'as soon as is reasonably practicable';
- certain relaxations of duties with regard to visits seem disproportionate especially given that all foster families will have internet and/or telephone access which could facilitate an online 'visit' within usual time scales; and
- placing children with temporarily approved foster carers with whom the child has no prior connection, where opportunities for preparation and support of those carers is limited and the requirement for a placement plan has been relaxed.

All these carry potential risks and services should make every effort to guard against these at all times.

When the amendments were introduced there was a clear steer from Ofsted and the Department for Education that the amendments should only be used when absolutely necessary and with senior oversight. However, whilst local authorities are expected to record all decisions when the amendments are used we believe there should be more robust monitoring arrangements in place to allow a clear national picture and understanding of the impact on children and young people.

We welcome the ministerial announcement on 15 July 2020 which provided clarity that, except for three flexibilities, all other amendments will expire on 25 September 2020. The Fostering Network will be responding in full to the current consultation on the regulatory amendments.

Recommendation:

- The use of any flexibilities written into the regulations that are currently being consulted on to be extended beyond 25 September 2020 should be monitored at a national level to assess the impact on children and young people and any future amendments should adhere to a full and formal consultation process.

2. Financial support for foster carers

During the lockdown period The Fostering Network has received, and continues to receive, queries from foster carers concerned about their fostering finances during the Covid-19 crisis. The queries fall into three groups:

- those foster carers with coronavirus who temporarily can no longer care for their fostered child(ren);
- those who have to self-isolate for 12 weeks because they are in the very vulnerable category; and
- respite foster carers who are unable to offer respite placements as a result of the social distancing requirements.

Foster carers fell through the cracks of support from the beginning of the crisis when the original furloughing offers for the employed and the self-employed were announced. Foster carers are only classified as self-employed for tax and national insurances purposes, many use Qualifying Care Relief and the majority of foster carers have no taxable profit from their self-employment.

In addition, due to the 'Stay at Home' guidance that was issued, many foster carers told us that they have taken on extra roles such as educating and entertaining children at home which involves paying for activities and equipment.

Therefore, The Fostering Network believe that foster carers who are temporarily unable to work due to the impact of coronavirus (see categories above) should have been paid a retainer at this time by their fostering service to ensure consistency of financial support. We believe fostering services should have been able to draw down from a central government fund to pay for these retainers. We believe this additional support should be covered by central Government funding and, along with other sector organisations, raised the issue with the Minister for Children and Families, Vicky Ford, in [an open letter in April](#).

In England, the Minister confirmed that funding for foster carers will come from the £3.2 billion allocated to local authorities. This money has been given directly to local authorities to assist those most affected by Covid-19, and it is the fostering service's responsibility to ensure no foster families are disadvantaged during this time. In correspondence with the LGA and ADCS, they expressed concern that this fund will only cover a fraction of the costs incurred by local authorities in their effort to keep communities safe and that difficult decisions will have to be made in terms of prioritising how this funding is used.

Currently, work to model the demand and capacity of services to meet increased demand is happening at a local and national level. The fostering sector recognises the need to build capacity in the foster care system over the coming months and fostering services are working hard to recruit and approve new foster carers. However, a vital part of building capacity is retaining the existing workforce. We are concerned that the lack of financial support given to the foster carers is going to have an impact on the retention of foster carers.

Recommendations:

- Foster carers who cannot temporarily foster due to Covid-19 should be paid a retainer for the whole period of time that they are without a placement. This will help protect the capacity of the sector and ensure that no family is left without an income due to coronavirus.
- Foster carers should receive an increase in their allowance to reflect the extra costs of having children at home during lockdown.

- Fostering should be appropriately resourced to ensure all foster carers receive a payment which recognises their time, skills and expertise. This is an essential step in retaining and recruiting to the foster care workforce.

3. Educational experience of fostered children during lockdown and the transition back to school

In England, the guidance, during the height of the pandemic, was that all those children with a social worker should be encouraged to attend educational settings unless they have underlying health conditions. However, throughout lockdown we believe the majority of children in foster care were at home with their foster carers because they were able to learn safely at home. As lockdown has eased many children, including children in foster care, started to return to school settings before the summer holidays and some had adopted a blended learning approach.

To understand more about fostered children's experience of education during the pandemic The Fostering Network launched a rapid response survey for foster carers and fostering services across the UK. The survey results have helped provide an understanding about both the educational experience of fostered children during lockdown and their needs as they transition back to school. We have summarised the key findings and recommendations from the report below. The full version is available on [The Fostering Network's website](#).

Key findings from the report

- 487 foster carers, representing 870 fostered children and young people, and 48 fostering service members of staff from across the UK responded to the survey;
- Foster carers reported that 78 per cent of their children were not attending school when schools were open to key worker and vulnerable children only;
- The frequency of contact from educational providers about individual children's news varied. While carers told us that 32 per cent of children's educational providers contacted them once a week, 14 per cent had not contacted carers at all;
- 62 per cent of foster carers in England said they had not received any support from their local virtual school during the Covid-19 pandemic;
- 74 per cent of foster carers said they were unaware of any special arrangements in place to support looked after children when they return to school; and
- We asked foster carers what they thought were the top three most important forms of support needed for all children when they return to school. They chose:
 - Extra tuition including one to one tuition (selected by 58 per cent of respondents).
 - Flexible and individualised transition arrangements (selected by 39 per cent of respondents).
 - Mental health support (selected by 38 per cent of respondents).

The following recommendations will be necessary to support the transition back to school and beyond as the impact of Covid-19 on children's education will be much more long-term.

Recommendations:

- The Fostering Network welcomes the additional education funding announced by the Westminster Government to address the impact of Covid-19 on education but, as children transition back to school, their new and emerging needs will have to be assessed and additional funding and support allocated if necessary. It is vital that this funding covers any new or emerging needs of

looked after children or those previously looked after. Existing funding should not be used to meet these new needs.

- Guide and fund schools to make tailored transition arrangements for fostered children on their return to school. There may also need to be a change in approach to prioritise meeting children's emotional and social needs as well as their educational needs during the transition period and beyond.
- Offer clear direction to schools on approach to behaviour policies in the public health context. While public health needs to be a priority at this time to ensure children, staff and families are kept as safe as possible, schools need to be encouraged to adopt a restorative rather than punitive approach to behaviour.
- Schools should consider a change in approach to prioritise meeting children's emotional and social needs as well as their educational needs to engage all children in the transition back to school.
- Schools must recognise the importance of the foster carer role in the team around child and consult with foster carers fully in the transition planning and beyond for their child as they are well placed to assess their needs.
- Ensure there is no delay in accessing specialist support that has been delayed, or put on hold, due to Covid-19.
- Create tailored transition plans for fostered children where appropriate.
- The primary focus of re-engagement should be on children's mental health and wellbeing. This will support their academic re-engagement.
- Virtual schools need to fully engage with all the children they are responsible for. Their role will be vital in the transition back to school.
- Every looked after child needs to have a consistent and transparent offer from their virtual school or body with similar responsibility. This is essential to try and overcome the postcode lottery of support for looked after children experienced during the pandemic.

4. Key worker status

In recognition of the fact that foster carers are caring for some of our most vulnerable children during this time of crisis - maintaining relationships, providing stable family homes and keeping children safe - we think the essential work that they do on the frontline of social care should be recognised. The Government's definition of social care workers states that it 'includes but is not limited to... social workers, care workers, and other frontline social care staff including volunteers; and, the support and specialist staff required to maintain the UK's social care sector.' As such, we believe foster carers fall within this Government definition and should be classed as social care workers and therefore key workers during a pandemic.

The Department for Education position throughout the pandemic remained that foster carers were not key workers but concessions had been made for carers. While we welcome the concessions made for foster carers that make them eligible for personal protective equipment (PPE) and testing, we believe it is essential to recognise foster carers as key workers.

Recommendation:

- Foster carers should be considered as key workers during a pandemic as they are frontline social care workers.

5. Contact with birth families

One of the first issues to come to the fore when lockdown was put in place was facilitating contact for children in foster care with their birth families. Following the lockdown announcement, some foster carers felt that they were being expected to maintain face-to-face contact for too long, putting themselves, their family and the child at risk. Others who did not normally facilitate contact were asked to step into this role.

Since then, virtual contact – which has usually been taking the form of shorter and more frequent phone/video calls – has been widely adopted, as have other methods of keeping in touch such as writing letters. Some foster families tell us that they have enjoyed contact being remote, more inventive and frequent, whilst others, particularly those caring for younger children, felt virtual contact may not be very meaningful. Research by Neil¹ reiterates the experiences of virtual contact being mixed, for both the children and the foster carers, and depended on past experiences, pre-existing relationships and previous face-to-face contact between the child and birth family. The full effect of virtual contact on children, how it has impacted relationships with birth family (both positively and negatively), needs to be fully assessed following the crisis.

Current Department for Education guidance is that contact arrangements should be assessed on a case by case basis and where it is not possible for it to be face-to-face, virtual contact needs to happen in the spirit of the court ordered contact. We would advise a similar approach is taken to the easing of lockdown restrictions and that the case by case judgements should be made with full consultation and consideration of the foster carer's views. Local decision making frameworks and national bodies could draw on the learning developed in Scotland².

Recommendations:

- Investigate fully the effect of virtual contact with birth families on children in care and consider if there are opportunities to incorporate this virtual contact into the contact offer for more children.
- Foster carers to be properly consulted with and feed into decision making about when face-to-face contact resumes and in what form this might be.
- When contact resumes, all parties should have the appropriate PPE should they need it.

6. Support for care leavers

Throughout the lockdown period our view was that young people in foster care who are turning 18 should have the opportunity to remain in foster care for the time being, with foster carers receiving the same practical and financial support as previously – in the same way as many fostering services allow young people turning 18 to remain with their foster carers in a fostering arrangement until the end of the academic year. Young people who are due to be leaving a Staying Put arrangement should also have the opportunity to stay in in this arrangement until the coronavirus crisis comes to an end if they wish. This can help ensure that the right support is put in place for young people whose plans for the future may have been paused, and for their foster carers (or former foster carers).

We understand the emotional and practical impact of this on young people and foster carers, and on the capacity of foster placements, but the priority at this time is ensuring the safety and wellbeing of all members of the fostering community. We do not believe that now is the time to be moving young

¹ Neil E, Copson R, Sorensen P *Contact during lockdown: How are children and their birth families keeping in touch?* (Nuffield Family Justice Observatory/University of East Anglia, 2020).

² Social Work Scotland [Connections for wellbeing and contact framework](#), 16 June 2020

people into independent living if the usual support networks are not available and if this would not be in the best interest of the young person.

After the crisis every effort to address digital poverty among this group of young people should be made. Having internet access and a laptop/tablet opens doorways to a wealth of information, knowledge and educational resources, increasing opportunities for learning in and beyond the classroom as well as facilitating social interaction and maintaining relationships.

Recommendations:

- Young people should have the opportunity to review their transition decisions in light of the pandemic and services need to support them by providing flexibility.
- More funding is needed to address digital poverty among young care leavers.

7. Capacity of the sector

The Local Government Association in April reported that councils were seeing up to a 50 per cent decline in social care referrals of children who are at risk³. The majority of referrals to children's social services come from the police, followed by schools and then the health services⁴. Therefore, it is predicted that when lockdown rules are relaxed, children return to school and routine health appointments resume, referrals will go up and there will be an increased demand for all different types of looked after children's provisions. Given that 72 per cent of all children looked after in England live with foster families we can expect the demand for foster placements specifically to be particularly high. In addition, families that rely on short-break foster carers will need this support urgently when movement between homes is advised again.

Recruitment activity will need to ensure the right kinds of foster families are recruited to match the needs of the local looked after children population. It is also equally important to focus on the retention of foster carers to maintain the foster carer population.

8. Contingency plans for the future

Pandemics, such as the one we are currently experiencing, may happen again and it is important that the Government and the children's sector are properly prepared should this occur. It is important that all decision makers learn robustly from the impact of the current crisis and ensure that safeguarding standards and people's wellbeing and health needs are maintained as paramount should another pandemic occur.

Fostering services should consult with their staff, including foster carers, and fostered children to find out what they think worked well, what they would like to continue and areas that needed improvement in respect to the crisis and post-crisis.

Recommendations:

- All fostering services should pay a retainer to any foster carer who cannot work temporarily due to a pandemic to keep foster placements open and aid retention.

³ Local Government Association [Coronavirus: LGA responds to Children's Commissioner report on vulnerable children](#), 25 April 2020.

⁴ Department for Education [Characteristics of children in need: 2018 to 2019 England](#), 31 October 2019.

- All fostering services should have a policy to dictate how contact, fostering panels and any other face-to-face meetings should move online in the case of a pandemic and ensure that foster carers are enabled and trained to participate in these virtual meetings.

Conclusion

There is still a long way to go to recover from the full impacts of the coronavirus, and some of the impact may be unrecoverable. We must do our best to support all children and families to return to 'normality' safely and continue to support them through the transition period and beyond. We must ensure that we use this crisis period as a crucial learning opportunity to discover new and better ways to support foster families and the children they look after.

Contact details:

Kate Lawson, policy manager, The Fostering Network

Daisy Elliott, policy and research officer, The Fostering Network

policy@fostering.net