



## **The Fostering Network's stakeholder briefing on COVID-19 pandemic and children, 28 May 2020**

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### **About The Fostering Network**

The Fostering Network is the UK's leading fostering charity, progressing 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. 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 fostering right across the North and throughout the UK.

In Northern Ireland, The Fostering Network has 100 per cent organisational membership, comprised of all five Health and Social Care Trusts and all independent voluntary fostering providers, (Barnardo's, KinderCare, Foster Care Associates and Action for Children). Consequently, all 2,500 foster and kinship foster care households here are our members which informs our positions alongside research; in this way we aim to be the voice of foster care.

### **Our work in Northern Ireland**

We deliver a number of services including the Health and Social Care Board commissioned Fostering Attainment and Achievement Service (FAA). This service aims to improve the educational and learning outcomes of looked after children in foster care through working with foster and kinship foster carers as "primary educators". We also provide direct resources to aid learning and build resilience tailored to each child's needs. In the last seven weeks, for example, we have provided IT resources to more than 200 children enabling them to access online learning.

We have a lottery funded pilot programme in partnership with the South Eastern Trust which involves foster carers to support fragile families on the edge of care. Step Up Step Down won the prestigious

Children and Young People Now award and was commended by The Third Sector Awards. We have a Children in Need funded service to support the specific needs of kinship fostering families.

We provide an advice and information service partially funded from an annual core grant from the Department of Health. Membership fees enable us to provide a legal advice line service, telephone stress counselling access and policy and information guidance on foster care.

## **Introduction and evidence base**

We have been liaising with foster carer members, trusts, independent fostering providers, sectoral bodies, including the Northern Ireland Human's Rights Commission, as well as elected representatives during this pandemic to ensure the concerns of foster carers are heard.

We have been in frequent contact with Departmental officials who have listened to our concerns, consulted with us regularly and been open to proposals and suggestions in relation to the crisis response.

We note receipt of documentation from the Health Committee on 22 May which included:

- A copy of the statutory rule, which has now been laid in the Assembly;
- A copy of the Explanatory Memorandum;
- A copy of guidance that accompanies the statutory rule; and
- A letter from the Department of Health to the Committee regarding amendments it made to the statutory rule following the briefing session with the Committee on the proposed statutory rules.

As such, we acknowledge that many of the concerns we have outlined in this paper to the Committee have been addressed and we welcome, in particular, the detailed clarification provided in relation to safeguarding, risk assessment and record keeping at this time.

We welcome the opportunity to provide information to the Assembly Health committee on the issues fostering families have shared with us about the impact of COVID-19. We appreciate the opportunity to also demonstrate the vital role of foster carers who care for almost 80 per cent of our looked after children, who are among our society's most vulnerable.

This submission addresses four areas:

1. The Fostering Network's views in relation to the Department of Health's temporary modifications of the children's social care regulations and guidance, particularly the modifications around foster carer approvals. (As above, we note receipt of Departmental revisions received 22 May 2020).
2. The need to introduce draft regulations which have been consulted upon but not yet passed due to the need for executive approval. Such regulations will introduce statutory minimum standards for non-relative foster care which, had they been in place, may have provided a framework for addressing a range of issues during this pandemic.
3. Results of a survey by The Fostering Network in Northern Ireland highlighting issues within fostering families.
4. Some concerns about the challenges that may arise as lockdown restrictions begin to be lifted.

In preparing this response, we have drawn on a range of evidence, including:

- A recent survey of foster carers undertaken by The Fostering Network of foster carers and kinship foster carers in Northern Ireland.
- Discussions with independent fostering providers who care for approximately 18 per cent of all children looked after in non-kinship foster care across all five trust areas.
- The Fostering Network's services and professional staff, including advice and information.
- The Fostering Network's policy analysis.

## **1. Temporary modification of children's social care regulations and guidance**

The coronavirus pandemic has created and continues to create an unprecedented set of circumstances for all sectors of society, including children's social care. Given this, it is important that all those responsible for the care, safety and wellbeing of looked after children work collaboratively, taking a flexible approach wherever possible. However, this must not be at the risk of undermining the safeguarding of children and should maintain children's rights.

As such, we are reassured that the published amendments to the regulations and associated guidance are to be used only when absolutely necessary. We welcome the comment in the Department's letter to the committee on 6 May which emphasises that "the modifications are intended to apply only where absolutely necessary and that, where possible, existing timescales should be adhered to".

The child's best interests should continue to be at the heart of decisions, these should be risk-based, family focussed, proportionate and justified, collaborative and transparent. If amendments are used, there should be a clear record of decision making and the views of foster/kinship foster carers should be taken into consideration.

In detailing the level of scrutiny to be applied to monitor the use of the relaxations of the regulations, we would welcome clarity on where the responsibility for this lies within the guidance.

### **1.1 Foster carer approval**

It is our understanding that the Department of Health's temporary changes to the regulations mean that a prospective foster carer can be approved without the trust/agency having to be in receipt of an Enhanced Disclosure Certificate (EDC). The associated guidance to the amendments states that a foster carer can be approved without an EDC if the fostering service or trust has applied for an enhanced criminal record certificate and have received confirmation that the individual and any other adult household members are not included on the children's barred list.

Full enhanced disclosure checks provide a crucial level of safeguarding to help inform a judgement on a foster carer's suitability and we welcome steps taken by Access NI to permit organisations who provide foster care to request an urgent check of the barred list in advance of completing a full Access NI check. However, using the children's barred list is not a comprehensive enough check to grant full foster carer approval and we note that independent fostering agencies intend to continue with their approval process including receipt of the EDC. At the point of submission this relaxation does not feature in the guidance applicable in England, Scotland or Wales. However, we note comments in the Department's letter to the committee in relation to the safeguards in place and are cognisant of the possibility that in the event of a subsequent surge of the pandemic, this provision

may become necessary. We are reassured that it will be only in exceptional circumstances that approval will be made without the EDC being in place

One area where delays to assessment could be avoided however is to consider relaxing arrangements in relation to accessing medical information for approvals. To speed up foster carer approvals, changes could be made to the regulations to permit approval without obtaining a medical report to support the health information, but that a full medical report is completed as soon as possible. Service providers should still gather as much medical information as possible for the assessment, including a self-declaration form.

### **1.2. Extending timescales for emergency foster care placements and looking to potential adopters and experienced childminders as potential foster carers.**

We note the proposals on extending timescales for foster care placements and looking to potential adopters and childminders as potential foster carers. We consider these proposals reasonable in the current crisis, bearing in mind the previous commentary.

We assume that potential adopters will be reassured that where they are approached to consider fostering a child in such circumstances, that a refusal to do so will not in any way hinder their adoption process.

Where childminders are approached to undertake fostering, it should be made clear to them the financial implications of fostering as well as childminding. The employment status of foster carers is ambiguous. Foster carers are only classified as self-employed for tax and national insurances purposes and therefore fall through the gaps in all the Government's financial support packages announced to date. Most foster carers use Qualifying Care Relief and have no taxable profit from their self-employment. This may change if a childminder takes up fostering and they should have this information made available in order to make a fully informed decision.

### **1.3 Timescales for temporary modification of children's social care regulations and guidance**

While we appreciate the intention is for the arrangements to lapse in six months, we would welcome specific clarity on when these amendments expire. Should we experience another surge later in the year, would this require new regulations to be laid or is there provision for an extension?

#### **Recommendations:**

- A level of scrutiny should be applied to monitor the use of the relaxations of the regulations and clarity on where the responsibility lies should be clear within the guidance.
- The changes to the regulations that allow foster carers to be approved without an enhanced disclosure certificate, must only be in exceptional circumstances.
- To speed up foster carer approvals, we propose the Department could consider making changes to the regulations to permit approval without obtaining a medical report to support health information. However, a medical report should be completed as soon as is reasonably practicable and service providers should still gather as much medical information as possible for the assessment.
- If potential adopters and childminders are approached to foster, they should be fully informed about their rights and how this might impact their financial position.
- The Department should provide specific clarity on when these amendments expire.
- Clarification of whether foster carers are considered key workers under current guidance would be welcomed.

## **2. Current fostering regulations, standards and guidance in Northern Ireland**

While in Northern Ireland we have standards in place in respect of kinship foster care, there remains no standards for non-kinship foster care in Northern Ireland. A set of draft regulations were consulted upon in 2015/16 which, among other provisions, would introduce standards for foster care. However, when these went before the final Health Committee in 2015/6, they were not agreed and remain draft.

The Fostering Network's position has long been that the introduction of such regulations and standards would provide a clear framework for all aspects of foster care. It may have been helpful in this crisis to have had these in place to guide decision making and we would like to see progress towards this being prioritised.

### **Recommendations:**

- The Department should introduce regulations and standards to provide a clear framework for all aspects of foster care as soon as reasonably practicable as we move out of the current crisis.

## **3. Foster carers' views**

Towards the end of March 2020, when it became clear there would likely be significant restrictions put in place across all sectors to address public health concerns related to COVID-19, The Fostering Network in Northern Ireland undertook a short survey of all foster carer members and kinship foster carer members. The aim of this survey was to gauge the initial impact, if any, on foster carers and to inform plans for a reconfiguration of services. The survey was one of several ways in which the organisation chose to reach out to provide support.

The main findings are outlined below. Since then, government guidance has been issued which has outlined how foster carers and kinship foster carers are to be supported during this crisis. This guidance included information on a one-off payment of £100 to be made to families with a child in foster care, which we greatly welcomed and noted Northern Ireland to be the only part of the UK in which such provision was made. Initially, this was made available only to foster carers and kinship foster carers within the Health and Social Care Trusts, however, this has since been made to carers within the independent sector also.

The survey results below reflect a range of concerns from foster carers. It is important to note that while many are reporting they are coping well and seeing the positives, there are some signals which alerted us to possible areas of concern during the lockdown and potentially in its aftermath. We hope the committee finds these useful in future discussions.

### **3.1 Survey findings**

The survey was circulated to all members for whom we had email addresses and we are grateful to Queen's University Belfast academic, Dr Lisa Bunting, who analysed the results.

#### **3.1.1 Demographics**

Of the 172 foster carers who responded to the survey, 65.1 per cent were non-relative foster carers and 34.9 per cent were kinship foster carers. The vast majority were foster carers with Health and Social Care Trust (94.2 per cent) with only 5.8 per cent fostering for independent fostering providers.

### 3.1.2 How is the current situation affecting your fostering household?

45 per cent of foster carers indicated that the current situation was not affecting their household in any particularly negative way, beyond the expected worry and changes to normal routines. Indeed, a number noted positive aspects such as spending quality time as a family, enjoying good weather, not having school pressures, being closer together, and engaging in family activities like baking, cooking, board games, singing, and outdoor activities.

Challenges	No.	Per cent
<i>anxiety/stress/mental health</i>	38	40.9
<i>hard to keep children entertained/maintain routine</i>	29	31.2
<i>home schooling challenging</i>	22	23.7
<i>expenses/resources</i>	19	20.4
<i>children missing family/friends/schools</i>	13	14.0
<i>placement/contact issues</i>	6	6.5
<i>services/support</i>	5	5.4
<i>other</i>	11	11.8

Note – figures add up to more than 100 per cent as some responses highlighted multiple issues

Of the 55 per cent of foster carers who highlighted particular challenges, concerns about stress, increased anxiety and pressure were the most prominent, followed by the challenges of keeping children entertained, managing home schooling and concerns about financial pressures and access to resources.

- **Stress, anxiety, pressure** – A number of foster carers highlighted the negative impact the current situation had had on their child(ren)'s emotional well-being. They also talked about the additional pressures on themselves in terms of meeting daily needs and demands, dealing with challenging behaviours and children with complex needs, being in self-solation because of their own or their children's underlying conditions and/or trying manage working from home while caring for one or more children.
- **Keeping children entertained and maintaining some kind of routine** - many foster carers highlighted the challenges of keeping children entertained and occupied following school closures and with limited access to external activities. Many highlighted the importance of establishing new routines and structure to daily life, although this could be challenging, particularly with younger children as well as those with limited attention spans or difficulties concentrating
- **Dealing with additional expenses and/or limited access to resources** – foster carers highlighted increased costs for food, heating and electricity, additional costs incurred accessing activities to keep children entertained, financial difficulties from loss of employment or being self-employed and lack of access to resources such as computers, broadband, groceries, crafts and outdoor spaces.
- **Children missing friends, family and schools** – Some foster carers highlighted concerns about their child(ren) missing friends and family, the routine of going to schools and engaging in activities outside the home.

- **Placement and/or contact issues** – *One foster parent indicated that the placement had broken down as a result of the current situation while others highlighted how contact with birth families had been affected. This was not always reported negatively however, with foster carers reporting children were settled without the pressures of school and contact. Many reported a real sense of “being in this together and this had helped attachment and bonding”*

### 3.2 Our response

In response to the survey, The Fostering Network reconfigured some of our service provisions, moving training online, extending our Helpline provision into the evening, developing a closed Facebook page for foster carer support, providing a coronavirus webpage highlighting guidance and practice support, developing and distributing resources to support education and making emergency provision of IT equipment a priority for those children who required it.

Alongside this, The Fostering Network, with other fostering agencies across the UK, has been liaising with governments in each of the four countries to highlight a range of concerns, some of which were the subject of an open letter to ministers in each jurisdiction on 9 April 2020. This highlighted the needs of three groups of foster carers who we felt may require further government support. These are:

- 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;
- Foster carers who are unable to offer respite as a result of the social distancing requirements.

The Fostering Network has called for confirmation that fostering agencies will put in place a mechanism to ensure consistency of financial support to facilitate continued capacity within the foster care workforce and enable continuity of care for children, particularly as we emerge from lockdown.

### Recommendations:

- Foster carers who cannot temporarily foster due to illness, shielding or because they are a respite carer and therefore do not have a placement whilst lockdown restrictions are in place 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.

## 4. Emerging from lock down

### 4.1 Contact with birth families

With social distancing rules starting to be relaxed, we anticipate it is likely that foster carers will be expected to resume face-to-face contact with birth families. It is our view that contact must only happen when it is safe to do so and with the full consideration of the views and health impacts for foster carers and the wider fostering household.

Virtual contact, which usually takes the form of shorter and more frequent phone or 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. The full effect of online contact for children, how it has impacted relationships with birth family (both positively

and negatively), needs to be fully assessed following the crisis and we will only know the true impact over time.

When lockdown begins to ease it is important that foster carers and the children they look after only begin face-to-face contact when it is safe to do so. If required and appropriate, they should be given access to the appropriate personal protective equipment and testing if it is agreed that contact is to re-start.

Foster carers should have the delegated authority to say no if they believe it is unsafe for contact to happen as it is a decision that effects the whole household. Once social distancing rules begin to be eased a discussion should be had with the social workers, foster carers and birth family and a plan agreed upon about how face-to-face contact is going to be re-started.

## **4.2 Capacity of the sector**

As we emerge from lockdown restrictions, the following will need to be taken into consideration:

- We may require more foster carers to meet the need of the looked after children population.
- The impact of lockdown on all children, but particularly looked after children, will need to be assessed, including any impacts on their learning and education.
- New and emerging needs will need to be addressed.
- Contingency plans will need to be put in place for children's services providers, in the instance of any future pandemics. Such plans should be collaborative across the fostering sector including all key stakeholders, i.e. trust fostering services, independent fostering service providers, foster carers, children and young people, and third sector partners such as The Fostering Network.

It is predicted as lockdown lifts, referrals to children's services will go up resulting. Given that 79 per cent of all children looked after in Northern Ireland live with foster families, we can reasonably assume demand for foster families will rise. As such, there will be a clear need to recruit more foster carers to ensure foster carers are recruited who can meet needs. New foster carers will need a higher level of support from their supervising social workers. Some of the methods that are being utilised now and proving effective, such as virtual meetings, could be carried forward to ensure that a foster carer has support whenever they may need it.

The Fostering Network works closely with all agencies on recruitment. We have just had a successful Foster Care Fortnight and we welcome the generous support of the Minister for Health, the Department, the Health and Social Care Board, Health and Social Care Trusts, independent agencies and foster carers during this campaign to highlight the great need for more people to consider fostering.

## **4.3 Long-term impact on children**

Emotional health and wellbeing will undoubtedly be a new factor to be addressed as we emerge from lockdown, this is true for society as a whole and therefore will be the case for children in foster care, their foster and kinship foster carers, their social workers, teachers, support staff, friends and birth family. The possibility of a second wave of the pandemic has to be a consideration also

While there are concerns about time away from school and the potential impact on learning and development, this impact is universal across all children and unlike our long summer holidays, there has been some focus on learning in family homes with supports from schools. Educational outcomes for looked after children continue to be much lower than outcomes for the general population, for a

variety of reasons; emotional difficulties, impact of abuse or neglect, frequent changes of school, attachment issues, and trauma.

The emotional wellbeing of children returning to school will have to be the first priority to ensure a positive learning environment. A traumatised child will struggle to learn and a trauma informed approach will be absolutely vital.

We must also take this opportunity to understand why some children in foster care have felt more secure and settled during their time away from school. The learning should inform how children in foster care can best be supported within education settings.

#### **4.4 Fostering Attainment and Achievement**

Within our own organisation, The Fostering Network provides the Fostering Attainment and Achievement service which includes a wide range of supports to children and foster carers. Annually we provide approximately 600 children in foster care with one to one tuition in their own homes.

Due to the pandemic, we have moved this online, with some success, although this does not suit all children or meet all their needs. However, this resource is a significant, government funded initiative which can address educational need at this time and beyond. Alongside this, the Education Authority's "Children looked after Service" has a remit to support the emotional wellbeing of children in foster care. Both services will have an important role to play with schools and social services in addressing needs when children return to formal education. Resourcing needs may need to be explored further as need emerge.

#### **4.5 Contingency plans for the future**

We are still not fully out of the lockdown period of this pandemic and we are all aware of warnings of a second and possibly third surge until we find a vaccine. As such, it is important that all Government agencies, in partnership with statutory agencies and key partners, work together to learn the lessons of this period and ensure plans are in place for future outbreaks. For example, access to one point of contact for health advice for independent fostering agencies to ensure consistency and provide reassurance for foster carers would be welcome and reduce concerns.

It is important that decision makers take lessons from the impact of the current crisis and ensure that safeguarding standards, people's wellbeing and health needs are maintained as paramount. Forums to share learning internally within fostering services and collectively across the fostering sector could identify important learning opportunities.

#### **Recommendations as we emerge from this crisis:**

- Returning to face to face contact should be undertaken in line with government guidance; foster carers should be properly consulted about when contact restarts and enabled to feed into decision making about what form this might take.
- Recruitment and retention of foster carers should be prioritised and appropriately resourced.
- Provision should be put in place to ensure all foster carers/kinship foster carers and especially new foster carers are given the support necessary and this should include online support where appropriate.
- All fostering services should have a policy to govern how contact, panels and any other face-to-face meetings are delivered online in the event of a crisis, such as this pandemic.

- Foster carers, as frontline social care staff, should be known to government agencies to facilitate accessing essential equipment and testing where appropriate and deemed necessary. This will become more important in the event new or subsequent surges.
- Mechanisms for all key stakeholders within statutory agencies, independent agencies and support organisations in the third sector to collaboratively work together to understand the long-term impacts of the pandemic on children should be put in place.
- Resourcing needs for projects like Fostering Attainment and Achievement may need to be explored further as needs emerge.
- Access to one point of contact for health advice for independent fostering agencies to ensure consistency and provide reassurance for foster carers would be welcome and reduce concerns.

## **5. Conclusion**

There is still some way to go before we return to “normal” and the full impacts of the coronavirus are known. Working together has never been more important and listening to and learning from the those impacted is essential because it provides a crucial learning opportunity to discover and implement new and better ways to support foster families and the children they look after.