

Transforming Social Work Practice

Social Work with Looked After Children

Second Edition

CHRISTINE COCKER
LUCILLE ALLAIN

Updated with
the Professional
Capabilities
Framework for
Social Work



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Los Angeles | London | New Delhi
Singapore | Washington DC



Learning Matters
An imprint of SAGE Publications Ltd
1 Oliver's Yard
55 City Road
London EC1Y 1SP

SAGE Publications Inc.
2455 Teller Road
Thousand Oaks, California 91320

SAGE Publications India Pvt Ltd
B 1/I 1 Mohan Cooperative Industrial Area
Mathura Road
New Delhi 110 044

SAGE Publications Asia-Pacific Pte Ltd
3 Chuch Street
#10-04 Samsung Hub
Singapore 049483

Editor: Luke Block
Production Controller: Chris Marke
Project Management: Deer Park Productions
Marketing Manager: Tamara Navaratnam
Cover Design: Code 5 Design Associates

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First published in 2008 by Learning Matters Ltd
Reprinted in 2008
Reprinted in 2010
Second edition published in 2013

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British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library.

ISBN: 978 0 85725 919 6 (pbk)
ISBN: 978 1 44625 708 1

Social Work with Looked After Children

Acknowledgements

Thanks to the people who have helped us in so many ways, particularly Fiona Alderman, Jane Anderson, Nikki Bradley, Helen Cosis Brown, Adi Cooper, Frania Cooper, Elaine Creith, Paul Dugmore, Sarah Gosling, Lucia Grun, Helen Hingley-Jones, Marion Ingram, Ravi Kohli, Rebecca Scott and Nicky Torrance. Thanks also to the Staff in the Social Work Curriculum Group at Middlesex University and to all the students we have taught on the Middlesex programmes for their enthusiasm and energy. Finally, thanks to Kate Lodge, Di Page and Jonathan Parker for their patience and support over the time it has taken us to write this book.

Second edition

Thanks to those who have helped with this second edition: Fiona Alderman, Jane Anderson, Adi Cooper, Helen Hingley-Jones, colleagues from Middlesex University and the University of East London. Thanks also to Luke Block and Helen Fairlie from the Learning Matters team.

Introduction

This book is written primarily for social work students and newly qualified social workers who are beginning to develop their skills and knowledge about looked after children. It is also likely to be of interest to more experienced social workers who are supervising students on work placements, for professionals in health and education who are involved in work with looked after children, for foster carers and for those who are interested in developing a career in social work. The focus of the book is twofold in that it details the organisational systems and structures that are part of the assessment and planning processes for looked after children. This is then closely interwoven with what the emotional development, educational, health and cultural needs of looked after children are and how they can be met through social work and a range of other services.

The book aims to highlight the views of looked after children through the use of case studies and from research findings involving young people. The aim is to help you understand what skills and knowledge you need in order to accompany looked after children through the key events they may experience, including change, loss and the development of new relationships. Being a looked after child usually means that a child does not live with their birth family but in foster care, residential care or with a new family who are going to adopt them. Sometimes looked after children live with family members, and this is called kinship care or family and friends placements. All looked after children have a social worker who is responsible for a number of functions in relation to their care and support needs.

The book critically reviews the emotional development, educational, health and cultural needs of children and young people living away from home and identifies strategies for supporting and addressing them. The participation of children and young people is examined both as a group process and through individual life story work. A range of key skills that are required for direct work with young people are presented with a focus on communicating with children and young people of different ages, with different cultural and linguistic needs, including the needs of disabled children who may have specific communication requirements.

Social work education and links to practice

Since the first edition of this book in 2008 there have been significant changes within the social work profession, including social work education. The professional body is now The College of Social Work (TCSW) and the regulatory body is the Health and Care Professions

Council (HCPC). There is a new Professional Capabilities Framework developed by TCSW, which is linked to the Standards of Proficiency developed by the HCPC. In addition to this, all social work education programmes need to be reapproved, taking into account these new frameworks and the curriculum guides published by TCSW.

This book has been carefully mapped to the new Professional Capabilities Framework for Social Workers in England, as well as the Quality Assurance Agency (QAA) social work subject benchmark statements, and will help you to develop the appropriate standards at the right level. These standards are:

- **Professionalism**

Identify and behave as a professional social worker committed to professional development.

- **Values and ethics**

Apply social work ethical principles and values to guide professional practice.

- **Diversity**

Recognise diversity and apply anti-discriminatory and anti-oppressive principles in practice.

- **Justice**

Advance human rights and promote social justice and economic wellbeing.

- **Knowledge**

Apply knowledge of social sciences, law and social work practice theory.

- **Judgement**

Use judgement and authority to intervene with individuals, families and communities to promote independence, provide support and prevent harm, neglect and abuse.

- **Critical reflection and analysis**

Apply critical reflection and analysis to inform and provide a rationale for professional decision-making.

- **Contexts and organisations**

Engage with, inform, and adapt to changing contexts that shape practice. Operate effectively within your own organisational frameworks and contribute to the development of services and organisations. Operate effectively within multi-agency and inter-professional settings.

- **Professional leadership**

Take responsibility for the professional learning and development of others through supervision, mentoring, assessing, research, teaching, leadership and management.

References to these standards will be made throughout the text and you will find a diagram of the Professional Capabilities Framework in Appendix 1 (see page 209). Each chapter also relates to specific parts of the social work subject benchmark statements – you will find extracts from the statement in Appendix 2.

Each chapter of this book identifies the relevant Professional Capabilities Framework and links them to case studies and practice examples.

The case studies can be used to highlight key areas of practice enabling you to think through options, critique decision-making and evaluate ethical dilemmas. You can undertake the case studies alone or in small groups; hopefully they will help you to review your own assumptions about what children need and how best these needs can be met.

Book structure

All chapters have been revised and updated, reflecting the plethora of new guidance and practice initiatives that have been a feature of social work over the past four years. A number of volumes of The Children Act 1989 Guidance have been reissued and the coalition government look set to introduce new legislation on adoption in the next year via the Children and Families Bill 2013, announced in the Queen's speech in May 2012. The chapter content is as follows:

Chapter 1 introduces previous and current key policy developments that are central to understanding the position of looked after children and how practice has been shaped by significant events, including the development of the children's rights agenda. There is an examination of the role of the 'corporate parent' and the state in relation to looked after children, which is followed by the presentation of statistical data identifying demographic trends, helping to show who looked after children are.

Chapter 2 presents the legislative framework that governs social work practice with looked after children throughout the UK. The chapter explores the relevant sections of the Children Act 1989 and makes links to specific duties and powers that social workers have when working with looked after children. The chapter discusses five key pieces of legislation, which are:

- Children Act 1989;
- Children (Leaving Care) Act 2000;
- Adoption and Children Act 2002;
- Children Act 2004;
- Children and Young Persons Act 2008.

Chapter 3 outlines pathways into becoming a looked after child and discusses different routes in and out of care and the various placements children might be in while being looked after, including fostering, residential care, kinship care and leaving care services. We provide a national overview of data collected on looked after children, and discuss the

structures and processes integral to the requirements of caring for looked after children. Information is presented about why different types of care are used for looked after children, accompanied by explanations relating to placement choice.

Chapter 4 discusses the centrality of assessment in relation to working with looked after children and introduces different approaches to assessment, which will help you in undertaking this work. The chapter also explores care planning and contact and the importance of good record keeping, with links made to the legal processes around care proceedings.

Chapter 5 discusses communication skills, participation, children's rights and life story work. This chapter introduces good practice in relation to communicating with children at different ages and at different stages of development. This is linked to participatory approaches and the development of children's rights. Life story work is explored as an essential tool to help children understand their past and plans for their future.

Chapter 6 explores key issues for practice when working with children from diverse communities. We discuss the position of black and minority ethnic children and unaccompanied asylum-seeking children who are looked after and the contemporary debates and tensions about asylum and refugee status. Models of good practice for direct work are discussed with an exploration of cultural competence models.

Chapter 7 discusses the key issues in relation to disabled children who are looked after. The special features of respite care and longer-term care are explored and how the needs of children with complex needs can be met. The importance of inter-professional collaboration in this area of practice is presented.

Chapter 8 focuses on what life is like for a looked after child and starts by introducing the concepts of attachment, adversity and resilience. We discuss why it is important that you understand these concepts and the theories that underpin them.

Chapter 9 discusses in more detail the emotional and psychological support that looked after children may require, the importance of understanding the role of child and adolescent mental health services and how professionals can work together to support the mental health needs of children who are looked after.

Chapter 10 outlines current debates and presents good practice models in relation to the educational needs and attainment levels of looked after children. This is linked to 'corporate parenting', leaving care and debates about social inclusion. The chapter also presents information about the health needs of looked after children, what research tells us about this and presents good practice models.

Chapter 11 discusses what adoption and permanence mean, and the ways in which these occur within the looked after system. The essential legal and procedural issues related to this area of practice are presented along with current statistical data about the numbers of children adopted from care.

Chapter 12 focuses on leaving care, describing what this means and identifying key policies, processes and services that are available. We also discuss research findings about the position and needs of young people who use these services.

Dedications

CC: for Adi, Frania, Rivka and Shane

LA: for Howard, Hannah and Phoebe

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Chapter 1

Policy and statistics

ACHIEVING A SOCIAL WORK DEGREE

This chapter will help you to develop the following capabilities from the **Professional Capabilities Framework**:

- **Knowledge**

Apply knowledge of social sciences, law and social work practice theory.

- **Contexts and organisations**

Engage with, inform, and adapt to changing contexts that shape practice. Operate effectively within your own organisational frameworks and contribute to the development of services and organisations. Operate effectively within multi-agency and inter-professional settings.

It will also introduce you to the following standards as set out in the 2008 social work subject benchmark statement

5.1.1 Social work services, service users and carers

5.1.2 The service delivery context

5.5.3 Analysis and synthesis

Introduction

This chapter focuses on the development of government policy in relation to looked after children and will help you to understand how policy and legislation in this area of practice has been informed by the children's rights agenda plus findings from research about the experiences and circumstances of looked after children. Invariably, children's experiences of the care system have been shaped by and have shaped the policy and legislative landscape. The chapter will advance your knowledge of how social policy in this area of practice has evolved; how this is influenced by society's views about childhood, adolescence and the family; about the protection and vulnerability of children; and views about parents' and children's rights. Berridge (2012) discusses the relationship between research, policy development and the use of pilot projects to introduce new initiatives. He argues that although governments have stated their commitment to policy-making based on research evidence, *that promise has been largely unfulfilled* (p28). He refers to Weiss (1999, in Berridge, 2012) who *argues that social scientists are naive if they believe that policy making is mainly influenced by research rather than a broader range of competing interests, ideologies, other information and institutional constraints* (p29). Policy-making is therefore most likely to be influenced by an amalgam of priorities and findings, one of which is research and lessons from front-line practice. Public policy-making with regard to looked after children often arouses strong feelings, and differing political views influence policy directions and social

work practice. For example, the coalition government's focus on changes to adoption (see Chapter 11) and their commitment to cutting bureaucracy and streamlining processes so that front-line social workers are more supported to make professional judgements which are based on a sound knowledge base and informed by research evidence. This also links with the Munro Review of Child Protection (Munro, 2011).

The previous Labour government showed their commitment to improving the lives of looked after children through a number of reforms including the 'Care Matters' agenda. These reforms have been acknowledged as a *major landmark in social policy as it relates to children and young people in care* (Frost and Parton, 2009, p95) and shows a sustained commitment to improving the experiences of and outcomes for looked after children and care leavers (Berridge, 2012). The Coalition government has also pledged their commitment to improving services for looked after children. As part of the Education Select Committee process (House of Commons, 2011) the improvements made by the previous government were noted but it was stated that more needed to be done. This has included changes and revisions to the care planning and care leavers guidance Department for Children, Schools and Families (DCSF), 2010b; Department for Education (DfE), 2010 and revised systems to reduce the delays in the length of time of care proceedings, thus facilitating faster decision-making about the future plans for looked after children, which links to the Family Justice Review (Ministry of Justice, DfE and Welsh Government, 2011). Links are made to Chapter 2 and the underpinning legislative framework as well as contemporary policy and legislative developments, including the Children Act 2004; *Care matters* (DfES, 2006f) and *Care matters* (DfES, 2007) which resulted in the Children and Young Persons Act 2008. Since April 2011 there has been a revised legislative framework for looked after children which includes Care Planning, Placement and Case Review Regulations (2010), Children Leaving Care Regulations (2010), Fostering Services Regulations (2011) and Children's Homes Regulations (2011). Detailed information about these changes and how the child should remain at the centre of all process can be accessed at www.education.gov.uk. The chapter starts by outlining statistical data about who looked after children are, and then goes on to chart the main policy milestones in relation to looked after children, showing how they have influenced practice and the development of 'corporate parenting'.

Who is a looked after child?

A looked after child can be voluntarily accommodated by the local authority through parental request, or can be looked after and subject to a care order. Local authority duties towards looked after children are detailed in specialist law text books including Brayne and Carr (2010) and Johns (2011). When children are voluntarily looked after, those with parental responsibility can remove the child/ren from the accommodation at any time, without prior notice being required. Although no notice of removal is required, if there are concerns about the child's welfare, applying for an emergency protection order should be considered (Brayne and Carr, 2010, p275). Local authorities will, whenever possible, work in partnership with parents and it is important that you as the social work build respectful and professional relationships with key family members remembering to keep the child at the centre of your work.

Definitions and terminology

'Looked after children' or children 'in care'? As stated by Johns (2011, p50), using the term 'in care' is not legally correct, although many looked after children use this term and it is used by the government in the White Paper, *Care matters: Time for change* (DfES, 2007). However, in this book we primarily use the term 'looked after children'. Various terminology is used interchangeably in the literature, including 'children in care' and 'looked after children'. The term 'looked after child' was introduced with the Children Act 1989 and is defined in section 22(1) of the Act, making it clear that the term 'looking after' applies to children who are the subject of care orders and those children who are accommodated.

Terminology and meanings in relation to looked after children in Scotland are different. The legislation governing practice with looked after children in Scotland is the Children (S) Act 1995, and although there are similarities between the Children Act 1989 which underpins practice in England and Wales and the Children (S) Act 1995, there are also some significant differences. These are especially in relation to a distinctive system used only in Scotland, which is called the children's hearing system (Hothersall, 2008). Thus in Scotland, a child who is referred to the children's hearing system may become the subject of a formal supervision requirement and will be referred to *as looked after by the local authority even though they may continue to live at home with their own family* (Hothersall, 2008, p90). Details of the terms used within the Scottish legal system pertaining to looked after children are detailed in Hothersall (2008).

Who are looked after children? Statistical data

In the Green Paper, *Care matters: Transforming the lives of children and young people in care* (DfES, 2006f), the fluidity and diversity of the looked after population is highlighted. There is a discussion about how there has been an increase in the numbers of looked after children, due to children spending, on average, longer periods being looked after, despite fewer numbers of children starting to be looked after.

*... there are around 60,000 children in care at any one time, ... 0.5% of all children.
...85,000 children will spend some time in care over the course of a year with many
entering and leaving care rapidly.*

(DfES, 2006f, p14)

Statistical data about the profile of looked after children is collected and produced annually by the DfE and is available from www.education.gov.uk/rsgateway/DB/SFR/s001026/index.shtml. The following statistical data relates to the period ending 31 March 2011. It shows that:

- in 2011 there were 90,920 children who were looked after at any time during the year ending March 2011;
- a total of 65,520 children were looked after at 31 March 2011, an increase of 2% from 2010 and an increase of 9% since 2007;
- 27,310 children started to be looked after during the year ending 31 March 2011. This is a decrease of 3% from the previous year, but an increase of 14% from 2007;

- 26,830 children ceased to be looked after during the year ending 31 March 2011, an increase of 6% from 2010 and an increase of 7% from 2007;
- 74% of children who were looked after at 31 March 2011 were in a foster placement;
- 3,050 looked after children were adopted during the year ending 31 March 2011, a decrease of 5% from 2010 and a decrease of 8% since 2007 (www.education.gov.uk/rsgateway/DB/SFR/s001026/index.shtml);
- for 62% of looked after children, the main reason social services first became involved was due to abuse and neglect, and this figure has remained largely consistent over the past five years;
- more boys (56%) than girls (44%) are looked after;
- the greatest numbers of looked after children are in the 10–15 year old age group, 37%;
- most looked after children are of white British origin, 74%;
- most children are looked after under a Care Order, 60%.

These statistics will help you to gain an overview of who looked after children are and give you a framework, which will aid your understanding of the range of issues discussed in the following chapters. Some of the statistics directly report on the numbers of looked after children in specific groups, whereas other data directly links to government priorities: for example, placement stability, which research has also identified as central to the emotional and psychological well-being of looked after children (see Chapters 8 and 9).

ACTIVITY 1.1

The highest numbers of looked after children are in the 10–15 year old age group. What implications do you think this might have for social work practice and why do you think there are higher numbers of looked after children in this group?

COMMENT

*This could mean that more intensive parenting and family support are needed at particular points for some families, particularly where there are complex and multiple long-standing problems. This issue is discussed in *Care matters: Time for change* (DfES, 2007, Chapter 2) where it was identified that older young people, on the edge of care, might be supported to stay at home or be successfully reunited with their family if the right sort of home-based, intensive family support intervention was available. To address these issues pilot projects were developed and delivered using the following intervention models: Multi Systemic Therapy (MST), for children on the edge of care or custody, Multi-dimensional Treatment Foster Care (MTFC) and KEEP (parenting skills for foster carers) and Functional Family Therapy (FFT) (DfE, 2011e, p3). The intention is to continue to develop these interventions from April 2011 to March 2015 and evaluate the outcomes. These are very promising developments and it is helpful that the government*

COMMENT *continued*

is committing to funding longer-term interventions linked with evaluative research into outcomes. This also links to the coalition government's agenda to support families living in the community through the Families with Multiple Problems project. However, this project has been more contentious due to questions about inaccurate data identifying that there are 120,000 troubled families in England. This is discussed by Ramesh (2012) who states that the government has let propaganda triumph over fact as the data regarding poverty does not necessarily mean that poor families are committing crimes, are engaged in anti-social behaviour or that their children are truanting from school.

You might have started to think about how difficult early childhood experiences can impact on adolescents' emotional well-being. For example, it can *often be during adolescence that attachment problems become most pronounced* (Daniel, et al., 2010, p208). Alongside the physical and psychological upheaval that all adolescents experience, additional family problems can make adolescence for some young people a frightening and bewildering time. See Chapter 8 for information about attachment theory and resilience.

Policy development: How did we get to where we are today?

Historically, substitute care has been provided for children going back hundreds of years. During the nineteenth and early twentieth centuries children who could not be looked after by their families or were orphaned or abandoned were mainly cared for in large residential institutions (Colton, et al., 2001). These institutions were set up by philanthropists like Dr Barnardo as an alternative to the bleak and inhumane workhouses. During the Second World War, many children were evacuated and sent to live with substitute carers; for some children their experiences were positive but for others they were not. Following the Second World War legislation was passed (the Children Act 1948) with the aim of strengthening the legal and procedural framework surrounding the needs of children placed in substitute care.

Subsequent legislation has sought to further improve the well-being of children and their families: these include the Children and Young Persons Act 1963; the Children and Young Persons Act 1969; the Children Act 1989; the Children Act 2004; and the Children and Young Persons Act 2008. There have been a number of different trends and models in the provision of substitute care for looked after children. These are identified by Colton, et al. (2001, p171) as ranging from a focus on foster families prior to the 1970s, followed by a focus on permanency and adoption in the 1970s, a prioritisation of biological families in the 1980s and then in the 1990s the extended family and kinship networks became more central. These different trends are also linked with a range of different underlying philosophies about family life and what is best for children.