



The All-Party Parliamentary Group
for Looked After Children
and Care Leavers

The Entitlements Inquiry

Report with recommendations

November 2013

Produced by The Who Cares? Trust

Secretariat to the APPG for Looked After Children and Care Leavers

Acknowledgements

We would like to thank everyone who contributed to the inquiry in some way. Every response and submission was read and taken into consideration during the writing of this report.

We would especially like to thank all children in care and care leavers who took the time to answer our survey, those who gave up their time to take part in the group work and those in local authorities and voluntary agencies who ran the sessions.

CONTENTS

Contents.....	3
Foreword.....	5
Introduction	7
Methodology of surveys and group work.....	7
Terminology	8
Specific Entitlements	9
Key Findings	11
What Do Young People Know About Their Entitlements?	12
Overall knowledge	12
Specific Entitlements	13
Why looked-after children and care leavers don't know about their entitlements – they are not being told in the right way	30
How You Are Told Matters: information from one expert source	30
Being able to understand matters: information needs to be accessible	34
When you are told matters: information should be relevant and regularly repeated	38
Who tells you matters: the importance of relationships	41
Why some looked after children and care leavers don't know about their entitlements – they are simply not being told	43
Not knowing so not telling.....	43
Knowing but not telling.....	47
Why some looked-after children and care leavers know about their entitlements but aren't getting them.....	52
Conclusion.....	56
Recommendations	57
Further information	58

FOREWORD

The Entitlements Inquiry came from young people who attended the All Party Parliamentary Group for Looked After Children and Care Leavers telling us that they were not getting the support to which they were entitled. We wanted to find out more about the extent of this problem, so in April 2013 we launched an inquiry into the rights and entitlements of children in care and care leavers – the Entitlements Inquiry.

It has been a great pleasure to observe the progress of this inquiry, from listening to young people in the APPG meetings to carrying out workshops over the summer to this, the final report with recommendations, which have come from and been tested with young people.

As with all inquiries and reports, there is a great deal of work that goes on in the background and this report would not have been possible without the dedication of all our colleagues at The Who Cares? Trust and specifically we thank Chloë Cockett and Jack Smith for their untiring support and dedication to the inquiry.

The entire report is a credit to all the young people in care and our tremendous care leavers who participated and contributed to this inquiry via workshops, online surveys and also through the APPG. Without their sterling contributions, this report could not have happened and the evidence shows exactly what young people have been talking about at our APPG for several years. They are getting a raw deal.

We know that the system for these young people is changing, albeit slowly, since the Munro review but we also acknowledge this is a long haul. What young people need now more than ever is to be listened to. This report highlights this need and we hope that the recommendations will act as an agent for change – making young people aware exactly what their rights and entitlements are going forward.

Thank you again to all those young people who have made this possible and we look forward to seeing the report's recommendations implemented.



Craig Whittaker MP

Chair of the APPG
for Looked After Children
and Care Leavers



Lord Listowel

Vice-chair of the APPG
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INTRODUCTION

There were 91,000 looked-after children in the UK in 2012.¹ There are 68,110 looked after children in England.² During 2013, 9,990 children aged 16 years of age and over ceased to be looked after in England alone.³ All of these children in care and care leavers rely on their corporate parents to provide them with all that a good parent should provide, including a safe place to live and support with their education. This support includes money to attend positive activities like sports teams and drama groups, buy clothes and go on school trips. This support is enshrined in legislation and guidance as rights and entitlements for those in the local authority's care. However, looked-after children and care leavers do not always get what they are entitled to. The All Party Parliamentary Group for Looked-After Children and Care Leavers launched an inquiry to find out more about the extent of this problem.

The inquiry took evidence from 17th April to 17th August 2013. Over this time we heard from over 965 individuals and groups, including:

- Children and young people who are currently in care and care leavers under 25 by taking part in surveys, group work sessions and an online questionnaire;
- Care leavers who are older than 25 through an online questionnaire and written submissions;
- Carers and professionals who work with looked-after children and care leavers through an online survey; and
- A number of professional organisations which submitted written responses.

We had a large number of responses from each of these groups.

- 324 young people took part in the survey;
- More than 120 young people took part in group work sessions in at least 31 local authorities across the country;
- 31 older care leavers took part in the survey;
- 474 people responded to the professionals' survey;
- We had over 15 written submissions from organisations.

METHODOLOGY OF SURVEYS AND GROUP WORK

We produced three separate questionnaires; one for children and young people with experience of the care system, one for older care leavers and one for professionals. Each survey included a mixture of closed and open questions. These produced quantitative data which allows direct comparison between the answers given by young people and those

¹ Statistics on Looked after children, NSPCC, March 2013, accessed 29th October 2013,

http://www.nspcc.org.uk/Inform/resourcesforprofessionals/lookedafterchildren/statistics_wda88009.html

² Statistical First Release, Children looked after in England (including adoption and care leavers) year ending 31 March 2013, Department for Education, September 2013.

³ Statistical First Release, Children looked after in England (including adoption and care leavers) year ending 31 March 2013, Department for Education, September 2013.

given by professionals as well as qualitative responses which provided a more detailed understanding of respondents' views.

The Who Cares? Trust produced a session pack for participation workers across England to use. This pack included a series of exercises designed to gather information about children and young people's views in group sessions. Participation officers then completed a standard submission form and submitted the results. The group work was held across England. Professionals and children and young people were invited to respond from across the UK. Only ten professionals told us that they were responding from Scotland and Wales and we have included them in the overall results. We didn't ask children or young people where they are from.

When we use statistics, these refer to the online survey, unless otherwise stated. We have not combined the results from the group work and survey responses because of the different ways that the data was collected. All percentages have been rounded to the nearest whole number.

The children and young people who took part in the group work were more likely to be members of Children in Care Councils and as such are more likely to be well informed. We have used quotes from our evidence throughout this report. We have only made changes to grammar or to make quotes more readable where it doesn't detract from the voice of the children and young people. All stories and opinions are their own.

TERMINOLOGY

We refer to children and young people throughout this report.

- Unless otherwise stated, when we talk about children, we mean children who are in care, aged between 0 and 18.
- When we refer to care leavers, we mean care leavers aged between 16 and 25. It is not possible to be both a child in care and a care leaver.
- Where we refer to children and young people together, it is because we are talking about something that affects both groups.
- Where possible we attribute quotes to looked after children or care leavers. Where this was not possible we have used care experienced young person.

In our evidence gathering, we have come across different ways that local authorities and other organisations provide children and young people with information about their entitlements or the support that local authorities offer to help them ensure they receive what they are entitled to. We have included some examples of this throughout the report. We have called this 'innovative practice' rather than good or best practice because we have been unable to verify the effectiveness of these methods with children and young people.

During our evidence collection we heard from some children in care and care leavers that they didn't like using the word entitlements. They were uncomfortable with the connotations associated with the word, and we refer to this later in the report. They did not always want to receive special support just because they were from care. The entitlements considered in this report are things that looked-after children and young people have the right to under law. However, they are also elements of support that any good parent would provide to their children and which, by extension, a corporate parent should provide to those in their care.

SPECIFIC ENTITLEMENTS

We asked looked-after children and care leavers about ten specific entitlements. These entitlements were chosen during the April 2013 meeting of the All Party Parliamentary Group for Looked-After Children and Care Leavers.

We asked looked-after children about five entitlements that are specific to being in care, and we asked care leavers about five entitlements that are specific to leaving care. We wrote each entitlement as a statement and asked them if they knew that each statement was something they were entitled to and whether they were receiving it.

LOOKED AFTER CHILDREN

1. You must have a care plan that says what your needs are now, what will be done to meet those needs and what your plans are for the future.
2. The care plan must include your views, and when deciding what to do people must take those views into consideration.
3. No important decisions about you, for example a placement move, should be taken without a review meeting being held unless it is an emergency.
4. Looked after young people aged 16 to 19 should get a £1,200 bursary if they stay in full-time education.
5. When a social worker visits you they must speak to you alone unless you refuse, it is not appropriate at that time, or the social worker is unable to.

CARE LEAVERS

6. You can ask your authority for £2,000 for the setting up home allowance. This was the amount that young people agreed, at the regional meetings for Chairs of Children in Care Councils, to ask their local authorities for.⁴

⁴ In addition to the four specific care leaver entitlements, we asked about the setting up home allowance – a crucial component of a successful transition to adulthood and one raised regularly by young people at the APPG. We used the government's best practice recommendation of £2,000 as a benchmark for our questioning: the Minister for Children and Families wrote to local authorities in October 2012 asking local authorities to consider increasing the leaving care grant to £2,000 <http://media.education.gov.uk/assets/files/pdf/l/letter%20to%20dcs.pdf>

7. Your local authority must provide you with help with the costs of being in education or training up until you are 21 (or 25 if you're still in education).
8. Your local authority must provide you with help with the costs of getting and keeping a job (up until the age of 21 if you are in education, employment or training).
9. You must be given a copy, and full explanation, of your assessment and pathway plan.
10. If you're in higher education, your local authority must provide you with vacation accommodation (or money towards it).

KEY FINDINGS

- Looked after children and care leavers don't always know about their rights and entitlements. Only 29% of children in care and 17% of care leavers feel that they have all the information that they need.
- Children and young people are not being told in the right way. They want to be told by their social workers or personal advisors, in person, and they want to have something written down so that they can check what they have been told. They don't want the responsibility of finding information out for themselves.
- There are particularly vulnerable groups among the looked after children population who struggle to understand information about rights and entitlements because it is not accessible to them.
- Where and when children and young people are told about their rights and entitlements are important. The length of time that someone has been in care and the age at which they entered care, as well as placement stability and instability, all impact on finding out and retaining information. 25% of children aged 5 to 9 know that they must have a care plan, compared to 68% of 10 to 15 year olds and 76% of 16 year olds and over.
- Those who care for and work with children and young people do not have enough information about the rights and entitlements of looked after children and care leavers. Only 18% of professionals who work specifically with children in care said that they had all the information they need.
- Some children and young people aren't getting their entitlements. Only 50% of care leavers said that they had a pathway plan. Some know about their entitlements but aren't getting them. 12% of young people knew that they should have a pathway plan, but said that they didn't.

WHAT DO YOUNG PEOPLE KNOW ABOUT THEIR ENTITLEMENTS?

OVERALL KNOWLEDGE

We found that only a minority of looked-after children and care leavers felt that they had all the information they needed about their entitlements (see Figure 1).

Children in care and care leavers were asked whether they felt they had all the information they needed about their entitlements. Children in care, as a group, are more likely to be at either end of the spectrum of knowledge than care leavers. For instance, they are more likely than care leavers to feel that they have “all the information” they need (29%) but they are also more likely to feel that there are “lots of things they don’t know” (36%). Care leavers are more likely to feel that they have some information about what they are entitled to (whether it is “all the information” or “most of the information” they think they need).

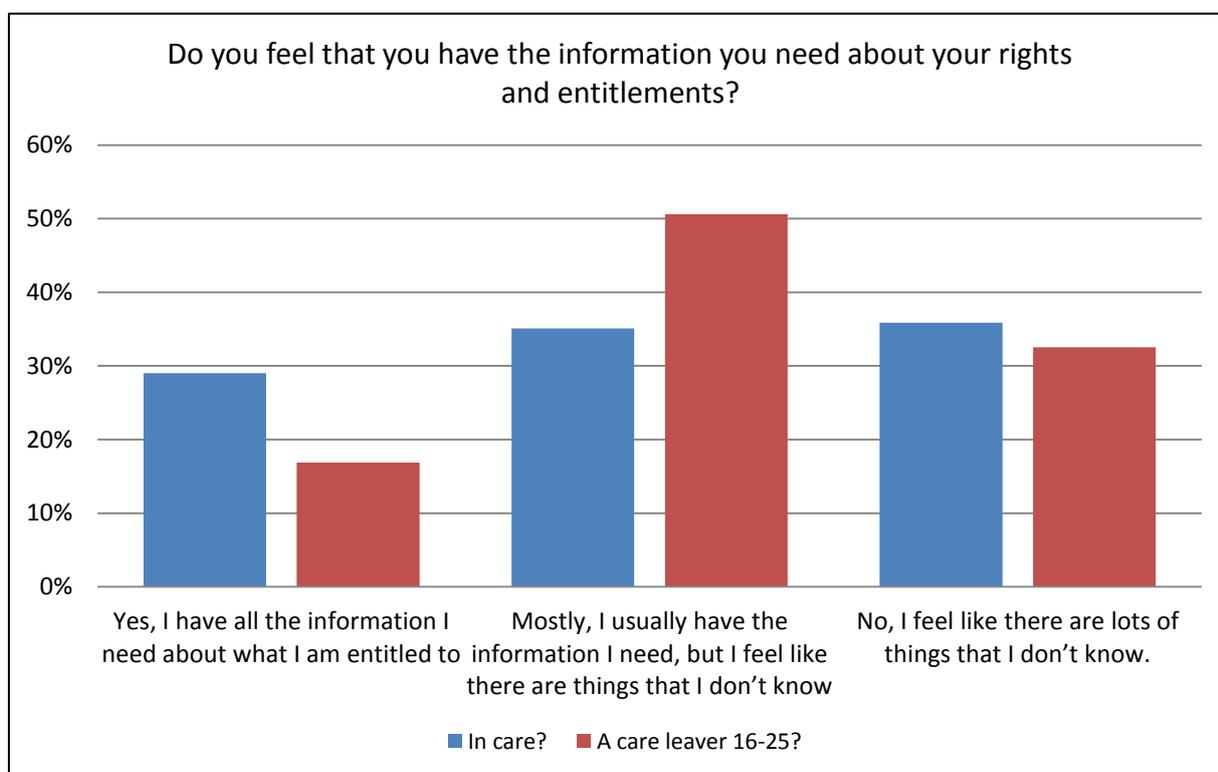


FIGURE 1

We found that young people’s overall knowledge was affected by the age that they first entered care (see Figure 2). The age groups who felt they were best informed about their rights and entitlements were those who entered care aged 1 to 4 or over 16.

No one who entered care when they were under one year old felt that they had all the information they needed, however not many people who first entered care at this age took part in the survey. Only 16% of those who entered care when they were aged between 10 and 15 years old felt that they had all the information that they needed, compared to 33%

of those who entered care between 1 and 4 years of age; 24% of those who entered care between 5 and 9 year olds and 40% of those who entered care when they were 16 or older.

This isn't a true reflection of the extent of children and young people's actual knowledge. It only reflects their feelings of confidence in their knowledge. However, it shows that there is a significant group of children and young people who do not feel confident in their knowledge, and therefore are highly likely to not have all the information that they need.

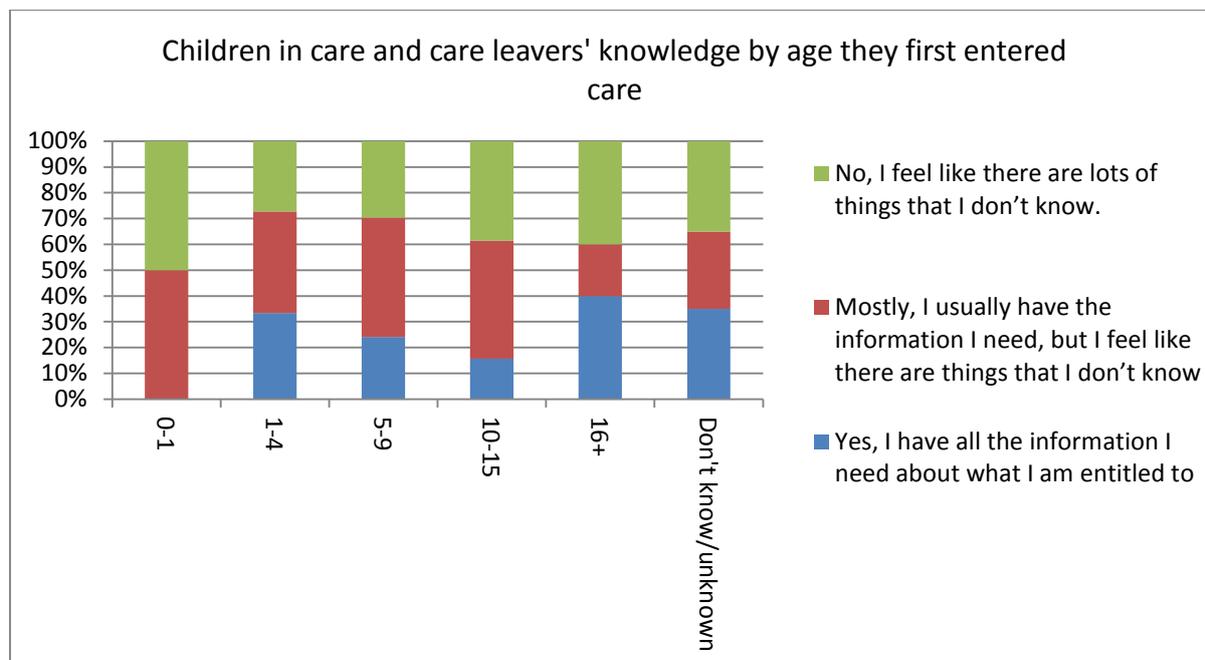


FIGURE 2

SPECIFIC ENTITLEMENTS

We asked children and young people if they were aware of each entitlement and then we asked them if they were receiving it. For all entitlements that we asked about, we found that more young people knew about each entitlement than were actually receiving it, except in the case of the 16 to 19 bursary. For care leavers, the gap between their awareness of entitlements and those that they actually received is quite large in some cases. This may be because for many of the care leaver entitlements, there are eligibility criteria, such as looking for or being in employment or attending university. We look in more detail at the gap between awareness and receipt of entitlements later in this report.

Below we have explored the results for each entitlement individually and in more depth. We then go on to explore the overall themes of our findings.

1. YOU MUST HAVE A CARE PLAN THAT SAYS WHAT YOUR NEEDS ARE NOW, WHAT WILL BE DONE TO MEET THOSE NEEDS AND WHAT YOUR PLANS ARE FOR THE FUTURE.

67% of children who took part in the survey said that they knew that they should have a care plan. However, only 61% of children said that they think that they have a care plan. This

is fewer than reported by the Children's Rights Director for England in the 2011 Care Monitor report, which found that 67% of children had a care plan.⁵

10 to 15 year olds are most likely to say that they do not have a care plan. 13% of survey respondents who were part of that age group said that they do not have a care plan. However, we do not know if those children who told us that they do not have a care plan said so because they weren't aware that they had one or because they actually did not have one.

Children aged 5 to 9 were most likely to say that they didn't know that they should have one; 38% of respondents of this age said that they didn't know that they should have one and 38% were not sure. In contrast, they were the only age group to have no one report that they did not have a care plan. However, respondents aged 5 to 9 were the smallest group and the sample size for this group is particularly small.

86% of all the children and young people who took part in the group work across the country knew that they must have a care plan. However, responses to being asked if they themselves had one were mixed. Many said that they did have one, although there were a significant minority of young people who didn't know what a care plan was, or who didn't have one. Many said that while they knew they had one, they had not seen it or contributed to it.

WHAT DID LOOKED-AFTER CHILDREN TELL US?

"Might have one, but they don't talk to you about it." (Looked after child)

"I know I've got a care plan but I don't know what is in it." (Looked after child aged 13)

Some children told us that they aren't consulted about what goes into their care plan. Other children told us that they knew that they had a care plan but didn't like engaging in the process because they felt like they had lots of review meetings. One looked after child said that they didn't like looking at their care plan, but did know that they had one.

"Nobody tells me anything about it." (Looked after child aged 12)

"You don't know it's called a "care plan" but you have all the bits in place." (Care experienced young person)

Some children told us that they don't know that their care plan is called a care plan, however know that they have something that acts as a care plan.

"Many things promised to me in my care plan don't happen." (Looked after child aged 12)

⁵ Children's care monitor 2011, Children on the state of social care in England, Reported by the Children's Rights Director for England, Ofsted, 2012, available at: <http://www.ofsted.gov.uk/resources/childrens-care-monitor-2011>

We heard evidence that some children have care plans and know what is in them, but do not get the things that are in the care plan. We also heard that for some, care plans can be vague and contain errors and mistakes.

WHAT ARE THE IMPLICATIONS OF NOT HAVING A CARE PLAN?

There are specific regulations⁶ that say that a child must have a care plan, how the care plan must be prepared and what must go in it. Statutory guidance⁷ says that it's important that the care plan records information that will help the child understand why decisions have been made, or are being made. It also must set out information about the long term plan for the child, how the child's needs will be met, and how contact with their birth family will be maintained.

If the child doesn't have a care plan, we can suppose that there are no firm plans for finding the child a permanent home, managing contact with their birth family, or meeting the child's needs. It could mean that they are not having contact with their siblings or parents, or not know how long they are going to stay in their placement. They may not be having their education or health needs met either. It can cause uncertainty for the child and can put their education, health and wellbeing at risk.

2. THE CARE PLAN MUST INCLUDE YOUR VIEWS AND WHEN DECIDING WHAT TO DO PEOPLE MUST TAKE THOSE VIEWS INTO CONSIDERATION.

Only 63% of children knew that their views should be taken into account when decisions are made about their lives. Children aged 5 to 9 were least likely to say that they knew this should happen; 38% knew that this should happen, while 38% were unsure. However, they were the most likely to say that this was happening for them. 10 to 15 years olds were the least likely to report that it was definitely happening for them (only 51% said that their views were taken into account). 16% of 10 to 15 year olds said that this wasn't happening for them and 26% of those aged 16 and over reported that this did not happen for them. This may be because as children get older their views and choices diverge more significantly from the views of their carers, they may then feel when things do not happen as they wish that their views have not been taken into consideration.

88% of children and young people who took part in the group work knew that their views should be taken into consideration. Many felt that their views were taken into consideration, although they felt that they didn't always get what they wanted.

⁶ Regulation 5, Schedule 1, The Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review (England) Regulations 2010 and statutory guidance, HM Government, 2010, available:

<http://media.education.gov.uk/assets/files/pdf/t/the%20children%20act%201989%20guidance%20and%20regulations%20vol%202%20-care%20planning%20placement%20and%20case%20review.pdf>

⁷ The Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review (England) Regulations 2010 and statutory guidance, HM Government, 2010, available:

<http://media.education.gov.uk/assets/files/pdf/t/the%20children%20act%201989%20guidance%20and%20regulations%20vol%202%20-care%20planning%20placement%20and%20case%20review.pdf>

WHAT DID LOOKED-AFTER CHILDREN TELL US?

"They take the views, but don't do anything." (Care experienced young person)

"I give my views and am listened to but I don't get what I want." (Looked after child)

Some children who took part in the research felt that they were listened to and their views taken into account. Some told us that they were listened to, but their views weren't acted upon.

"They'll include your views unless it puts a spanner in the works." (Care experienced young person)

"The social workers say there are rules about how things have to be done, even if I don't like them, like having meetings about me in school where all my friends can see it. I want to be as normal as possible but the social workers won't let me." (Looked after child aged 11)

One group told us that when social workers listen to their views and then don't act upon them it can be a source of frustration for them. Some young people thought that their views were listened to and included, but only when they were easy to act upon or didn't cause too many problems.

WHAT ARE THE IMPLICATIONS OF NOT HAVING YOUR VIEWS INCLUDED IN YOUR CARE PLAN OR BEING TAKEN INTO CONSIDERATION?

"I have told the people at my review that I want to stay with my carers and although they agreed last August, they have gone back on what they said." (Looked after child aged 18)

Letting children put their views across and ensuring they are written into their care plan ensures that the reality of their lives are listened to and recorded. It helps ensure that professionals are able to make decisions that are in the best interests of each individual child and enables relationships and trust to be built between the child and professionals involved in their life.

Children will all have views, but will want to express them differently. They will have views on where they live, where they go to school and how often they see their siblings. They will also have views on whether they want to go to football practice or swimming at the weekend. Some views will be easier to accommodate than others, but this doesn't mean that they are any less valid.

If their views are not included, or not taken into consideration, decisions can be made that are not in the best interests of the child. This puts children at risk of being spectators of their own care rather than active participants who feel that they have control over their lives.

3. NO IMPORTANT DECISIONS, FOR EXAMPLE A PLACEMENT MOVE, SHOULD BE TAKEN ABOUT YOU WITHOUT A REVIEW MEETING BEING HELD UNLESS IT IS AN EMERGENCY.

58% of children knew that no important decision should be made without a review. Younger children were less likely than older children to be aware of this.

Children aged between 5 and 9 were the least likely to know about this right. Only 1 in 4 children in this age group said that they knew that no decision should be made without a review; however 75% said that this was happening for them and 25% said that they weren't sure.

Those in care aged 16 and over were more likely to report that they knew this should happen (61%) but more likely to report that this was not happening (21% said that it did not happen for them). Those aged between 10 and 15 years old were most likely to not be sure if it was happening (30% of this age group were unsure).

76% of the children and young people who took part in the group work knew that this was an entitlement. However, as groups were often made up of children in care and care leavers who are part of Children in Care Councils (CICCs) they may be more knowledgeable for this reason. This was corroborated by evidence submitted to the inquiry which told us that decisions being made without review were often brought to their attention when young people leave care and have the benefit of hindsight.

WHAT DID LOOKED AFTER CHILDREN TELL US?

*"Think so – probably happened because I was spoken to, but I didn't go to the meetings."
(Care leaver)*

"I'm interested in knowing what is being said and done to help me." (Care experienced young person)

Children had mixed opinions about reviews before big decisions and told us that they had different levels of involvement. Some children said that they wanted to go to the review meetings and others didn't. Some told us that they would talk to their social worker before or after the review meeting takes place. Other children told us that this happened for them, but others told us that it didn't.

"It has to happen but it doesn't." (Care experienced young person)

"Can't think of any times." (Care experienced young person)

"Sometimes young people go through things and it is important to them, but sometimes adults say it's not a big deal or that they are making too much of a fuss over it." (Care experienced young person)

Lots of children said that they didn't have a review meeting before a big change. In one group work session, we heard that those who had moved house had experience of this and

were clear about the requirement of a review but those who were in more stable placements or circumstances didn't know about it.

"A good IRO [independent reviewing officer] is important." (Care experienced young person)

A few children and young people told us that they thought that this entitlement depended on the quality of the professionals who worked with them, particularly those who would arrange reviews.

WHAT ARE THE IMPLICATIONS OF NOT HAVING A REVIEW BEFORE BIG DECISIONS ARE MADE?

"Every time I moved I had no review, no warning or the reason why I was moving, they would all tell me different stories." (Care leaver)

Not having a review meeting before big decisions are made can cause uncertainty for children. Having a review before a placement move gives them an opportunity to understand why the move is happening and ask any questions that they have. Uncertainty can breed uncertainty; if a child moves placement suddenly with no warning, they can spend their time at the next placement anxiously wondering if they will be moved away without any notice or discussion.

4. LOOKED AFTER YOUNG PEOPLE AGED 16 TO 19 SHOULD GET A £1,200 BURSARY IF THEY STAY IN FULL-TIME EDUCATION.

37% of children in care told us that they knew about the bursary. The low level of knowledge is likely to be because many of the children responding were well below the school leaving age and so not yet eligible for the bursary. 65% of those who answered the question were not old enough to receive the bursary and others who were old enough may not be on an eligible course.

Decision-making and thinking about further education generally happens at the age pupils pick their GCSEs, which for most is in year nine, at age 14. We looked at how many looked-after children aged 14 and above knew about the bursary. Worryingly, knowledge among those who are old enough to be thinking about education at 16 to 19 was low. 44% of 14 to 19 year olds knew about the bursary. No one aged 14 said that they knew about the bursary. 46% of the 16 year olds who responded to the survey knew about the bursary, in contrast to 78% of 17 year olds.

Children should know what they are entitled to well before they leave school so that they know what options are open to them and can make an informed choice. Those who are on an ineligible course may make a different choice if they knew about the bursary when making decisions about their post-16 courses. There is a balance to be struck between being too young for this information to be relevant and being informed in good time to ensure that you are able to make properly informed choices.

Different colleges administer the 16 to 19 bursary differently. Some may offer cash payments, while others may offer payment in kind. They may pay for transport or equipment out of the money and give it to the student. This could mean that a student may not know that they are receiving the bursary, even though they are. However, they should know that they are entitled to receive the bursary and the college should be able to tell them how they are spending the money on their behalf.

Most children and young people in the groups knew about the bursary, although they were less clear about how it was accessed or how they could receive it.

WHAT DID LOOKED AFTER CHILDREN TELL US?

“I asked for financial support whilst I was at college and the college told me about the bursary, not my social worker.” (Care experienced young person)

“Foster carer said ask social worker. Social workers said ask foster carer.” (Care experienced young person)

“Depends on what course you are on and what equipment you need and your transport costs. Shouldn't be at colleges' discretion.” (Care experienced young person)

Overall we found that the way in which colleges are dispensing the bursary varied hugely and there is variability in how easy children find it to access. Some children told us that they had trouble getting money for trips, despite the availability of the bursary. Some children and young people told us they were unhappy with the way that some colleges controlled the money. One group told us that, despite knowing about the bursary, they all experienced different levels of ease when it came to accessing it, depending on which college they went to. One person from the group felt that when you are at college you are old enough to be able to make decisions about how you spend the money by yourself.

Across the groups, from those who received the bursary, we heard many different ways that the support was provided. Some told us that they received laptops, transport costs, meals, while others told us that they received it straight into their bank account like the old Education Maintenance Allowance (EMA).

WHAT ARE THE IMPLICATIONS OF NOT RECEIVING THE 16 TO 19 BURSARY?

Not receiving the 16 to 19 bursary has predominantly financial implications, but can vary depending on the way that a student's college spends the bursary. It may mean that students have to take on a job, or extra jobs, to ensure that they have money for lunch, transport or equipment. This can have detrimental effects on students' academic and personal lives.

It may mean that they miss out on going on school trips, or being able to afford equipment for their courses. It can put students off taking a subject, or force them to change course once they see the additional costs that their choices entail.

It may put them off pursuing further education, which could have a huge impact on their future.

5. WHEN A SOCIAL WORKER VISITS YOU THEY MUST SPEAK TO YOU ALONE UNLESS YOU REFUSE, IT IS NOT APPROPRIATE AT THAT TIME OR THE SOCIAL WORKER IS UNABLE TO.

75% of children knew about their right to be seen alone by their social worker.

Young children (5 to 9 year olds) were less likely to know about this right. Only 57% of this group said that they knew that this should happen. 29% said that this was not happening for them, the highest percentage of all age groups. This may be because being younger they are less aware of reasons why it may not be possible to be seen alone. There may also be more practical reasons that make it appear harder for social workers to see younger children on their own, for example negotiating a child's after-school commitments or busy foster home. However, that is not to say that these obstacles should not, and most definitely could not be overcome.

Children in care who are 16 and over were more likely to know about their right to be seen alone (81% knew about this right), and also to report that it happens for them (76% say that it happens for them). Again, this may be for practical reasons and it being easier for professionals to arrange to spend time alone with the older children in their care.

WHAT DID LOOKED-AFTER CHILDREN TELL US?

"It's really important that social workers visit young people." (Care experienced young person)

"I don't see her a lot." (Looked after child)

"I want my social worker to take me out more." (Looked after child)

Children told us that they think that it's very important that they spend time with their social worker and we were told that for many children they don't see their social worker enough or they would like to spend more time with them.

"If they got time, you get to speak with them alone." (Looked after child)

"I can speak to them with others if I want to." (Looked after child)

Many young people told us that they knew that they could say that they didn't want to be seen alone and some told us that they would choose not to be seen alone and preferred to be seen by their social worker with their carer or siblings.

"They visit the home (residential), he sometimes has to ask the staff to leave." (Looked after child)

We were also told that children thought that some professionals did not know that this should happen, and not just their social workers but other staff involved in their care. We

were also told that children who took part in one group work session spoke about how their social workers visit them with other staff members (for example, key workers, independent reviewing officers (IROs), interpreters etc.) and did not feel that there was a requirement to be seen alone. We also heard of children not understanding or being aware of the different reasons why their social workers would not speak to them alone.

WHAT ARE THE IMPLICATIONS OF NOT BEING SEEN BY YOUR SOCIAL WORKER ALONE?

“If I had been able to see my social worker one on one, I would have been able to say I wasn’t happy in my foster placement.” (Care leaver)

We recognise that it may not be appropriate or possible to be seen by a social worker alone every single time, but we would expect these exceptions to be rare occurrences. Regardless, children should know that they have the right to be seen alone and have the expectation that they will be. If they are not, they should be able to request that they are seen alone. If they are unhappy or have concerns about the placement, children should feel safe and secure to be able to raise them with their social worker in private without worrying that their foster carer or residential workers will hear.

If a child is unable to express their worries or concerns, they are unable to be resolved, which can put the child at risk of further unhappiness and harm.

Being seen by their social worker alone is also important to strengthen the relationship that children have with them. It gives the space for them to understand what children need and want, from knowing that they’ve grown out of their trainers, are finding maths really hard, or that they want to be a vet when they’re older.

6. YOU CAN ASK YOUR LOCAL AUTHORITY FOR £2,000 FOR THE SETTING UP HOME ALLOWANCE. THIS WAS THE AMOUNT THAT YOUNG PEOPLE AGREED, AT THE REGIONAL MEETINGS FOR CHAIRS OF CHILDREN IN CARE COUNCILS, TO ASK THEIR LOCAL AUTHORITIES FOR.

Only half of care leavers knew that the recommended leaving care grant/setting up home allowance should be £2,000. Only 34% told us that they were receiving it. This suggests that a high proportion of young people may be struggling to set up their first home on their own with very limited funds. However, we recognise that some care leavers may have received the setting up home grant, but they may not have received the recommended £2,000 and so told us that they had not received it. Equally, those who told us that they were receiving it may not be receiving the recommended £2,000, but had received a setting up home allowance.

Care leavers aged between 16 and 17 were less likely to know about this entitlement. 38% of this age group knew, compared to 52% of 18 to 21 year olds and 53% of 22 year olds and over. Only 11% of 16 to 17 year olds told us that they were getting the recommended £2,000 allowance, although 42% were unsure.

WHAT DID CARE LEAVERS TELL US?

“We only get £1,500 for our house stuff and we have to go to most charity shops for our stuff.” (Care leaver aged 19)

“I am from the [local authority] and our leaving care grant is only £1,200, why are they all different?” (Care leaver aged 18)

“Our CiCC [Children in Care Council] went to an APPG meeting and found that other councils were supporting their young people leaving care with grants over £1,500. Our council listened to the views of care leavers and our leaving care grant was increased.” (Care experienced young people)

Young people had a lot to say about the setting up home grant and had a number of concerns. Lots of young people told us that they didn't know that they were supposed to be getting £2,000 and many gave examples of the setting up home grant being less than £2,000 in their areas.

We were also told that some care leavers felt that they are not given enough support to spend this money, which can lead to young people spending their money inappropriately or failing to budget properly. Furnishing a house can be a daunting prospect and young people may not think about budgeting for certain items or know where to buy items that are reasonably priced and good quality. We also heard evidence that some young people are very restricted in how they spend their money and have to choose items from a list or from certain shops.

We were very concerned to hear that for some young people their setting up home grant was being used to pay for things that young people should be receiving in addition to their setting up home grant, for example support to attend college. We also heard that some young people hadn't known that they were spending their allowance when they bought clothes or other things.

“When I go to college my lunch and food money comes out of my setting up home grant.” (Care leaver)

“In our borough we used our money on clothes and other things without knowing it was coming out of our grant.” (Care experienced young person)

“I was informed by my social worker that if I used the money before I moved into my own home that was OK but it would reduce my final grant. I needed the money to buy basic things like plates.” (Care leaver)

Some young people told us that the setting up home grant that they received wasn't enough to furnish their new flat. We heard that some young people move into a completely unfurnished flat and have to buy flooring, curtains, furniture and white goods from their grant.

Young people from London were concerned about the cost of living in the city, and how that isn't taken into consideration by all London boroughs. They also thought that it wasn't right that neighbouring local authorities gave different amounts to their care leavers.

"Areas that are close to each other should get the same." (Care experienced young person)

"It's expensive in London." (Care leaver)

We heard that for a minority of young people, not knowing about or receiving the setting up home grant was not their main concern, but rather that they were worried about being able to find suitable housing for them to spend their setting up home allowance on.

"I knew but I'm worried I won't be in my own place by the time I leave my PA [personal advisor]." (Care leaver aged 20)

"I know it's available but I can't find any suitable housing, I'm always at least 20+ on the list." (Care leaver aged 19)

WHAT ARE THE IMPLICATIONS OF NOT GETTING THE RECOMMENDED £2,000?

"[...] I lived in a flat with no furniture for the whole year." (Care leaver)

Young people who do not receive the recommended £2,000 may find it hard to furnish their flat appropriately or in the way that they want. Young people can be forced to use other means or resources to complete the furnishing of their homes.

This can make the transition to independent living difficult and more stressful than it already is and is a drain on young people's precious additional resources. Those without access to savings or other means of support can be left more vulnerable.

"I had a leaving care grant of £1,000. After flooring, curtains, blinds, second hand cooker, fridge freezer, washing machine and TV licence I had nothing left. If I didn't have savings I would have been screwed!" (Care leaver aged 23)

"After only getting £110 leaving care grant I didn't have a washing machine and the council wouldn't give me money for one so my 18th Birthday present was a washing machine." (Care leaver)

7. YOUR LOCAL AUTHORITY MUST PROVIDE YOU WITH HELP WITH COSTS OF BEING IN EDUCATION OR TRAINING UP UNTIL YOU ARE 21 (OR 25 IF YOU'RE STILL IN EDUCATION).

Just 67% of care leavers who took part in the survey knew that they should get help with the costs of their education, indicating that one third of care leavers are not aware this support exists. 46% of care leavers said that they were getting this.

Young people may be making the decision not to continue in education because of cost or may be struggling to support themselves while unaware that support is available. 16 to 17 year olds were the least likely to say that they knew about this, and that they were getting

it; 52% of 16 to 17 year olds said they knew compared to 67% of 18 to 21 year olds and 76% of 22 year olds and over. This is likely to be because care leavers aged 18 to 21 are more likely to be in higher education than 16 to 17 year olds and the 16 to 19 bursary may be used to cover college costs for these young people. However, they should still be made aware of this entitlement in order to ensure that they can make well-informed decisions.

71% of young people who took part in the group work knew that this was an entitlement. Although the majority of these young people knew about this entitlement, we were told by some staff who facilitated the groups that many were unable to elaborate further about what education support may look like in reality. We think that young people may have a general idea that they are entitled to support with their education but may not actually know what the detail of that should look like and what it would mean for them.

WHAT DID CARE LEAVERS TELL US?

“I supported myself completely.” (Care leaver aged 21)

“I get plenty of help towards my studies and cost for trips etc.”(Care leaver aged 19)

We heard conflicting evidence from young people. Some told us that they felt well supported to meet the costs of their education. In contrast, others told us that they had to support themselves entirely, or felt that they hadn't been supported as fully as they had needed.

We heard evidence that young people thought that local authorities didn't know this. We were also told that young people had found that this doesn't apply for all courses and heard from individuals who were unclear about what that meant for them specifically, for example if they were doing an apprenticeship or postgraduate study.

“This message needs to be communicated more clearly to local authorities. I don't think many of them know this!!” (Care leaver aged 22)

“They don't make this clear and change their stance on this depending on your course.” (Care leaver aged 20)

WHAT ARE THE IMPLICATIONS OF NOT GETTING SUPPORT WITH EDUCATION COSTS?

‘The information given by the professionals was not always accurate or correct, young people found this unhelpful and [it] could lead to them making poor decisions about their future.’ (Write up by a professional from [local authority] group work in relation to a question about help with education costs)

Not being told about or given support with the costs of education can have an impact on decisions young people make about their futures, which can then have an impact on the rest of their lives. The decision between university and employment must be made with the financial implications considered. However, young people should not have to choose between education and employment for purely financial reasons. Today most young people

go to university with financial concerns but these worries should not be insurmountable barriers for care leavers.

“That would have saved me a lot of money whilst I was at college if they had paid for my travel. I was told to leave college and get a job when I was struggling for money. I managed to get a bursary independently.” (Care leaver)

Not getting help with the costs of education can also have an immediate financial implication for some young people, which can result in additional stresses and even dropping out of college or university. Books can be expensive, as can trips and equipment for some courses. Being in education means that care leavers may not be able to work full time or as much as they need to because of the demands of the course, which limits the money that they can earn to support themselves.

8. YOUR LOCAL AUTHORITY MUST PROVIDE YOU WITH HELP WITH THE COSTS OF GETTING AND KEEPING A JOB (UP UNTIL THE AGE OF 21 IF YOU ARE IN EDUCATION, EMPLOYMENT OR TRAINING).

51% of young people didn't know about this entitlement. While we know that some young people who answered this question may be in education and so not be looking for employment, young people should know about everything that they are entitled to. It is still important that young people know about the support they can get with the costs of employment in case they ever need this support in the future.

16 to 17 year olds appear to be better informed about this entitlement than the older care leavers. 46% knew about the entitlement, compared to 42% of 18 to 21 year olds and 29% of 22 year olds and above.

29% of 22 year olds and over said that this is happening for them, although this is a small sample size. Given the duty only extends to care leavers up to the age of 21; it appears that some local authorities may be going beyond their legal duties.

Only 35% of the young people who took part in the group work thought that this was a statutory requirement, which corroborates our survey findings that this is an entitlement that a significant number of young people do not know about.

WHAT DID CARE LEAVERS TELL US?

“My local authority provided me with a post 16 personal adviser where they helped me looking into apprenticeships and jobs. They also reimbursed my travel to attend constructive activities.” (Care leaver aged 20)

“They provided me with a work placement, others with apprenticeships, uniforms [and] internships.” (Care leaver)

We heard evidence from young people that some local authorities were providing young people with significant levels of support. However, it was more common to hear young people tell us that they had not been offered support with getting a job.

“Not spoken to me about getting a job. Not got help to put a CV together.”(Care leaver)

“They just tell me to get a job, but no help to do it.” (Care leaver)

“I want to go in the Army next May and I haven’t got a clue what I’m entitled to. I would like to know, they shouldn’t leave it so late. I will also want help with searching for somewhere to stay.” (Care experienced young person)

We also heard from one group that there was no longer a personal advisor attached to the leaving care team and therefore young people had to access employment support through other boroughs.

WHAT ARE THE IMPLICATIONS OF NOT GETTING HELP WITH FINDING AND KEEPING A JOB?

“There is no more money after 18. I will have my worker until I am 21 to help me get food parcels.” (Care leaver aged 17)

Given their often poor educational experiences, and without the help of traditional support networks and encouragement, it can be hard for care leavers to find a job. Identifying opportunities and applying for roles is a skill and can often incur costs that care leavers can struggle to meet. Young job seekers need to have the skills necessary to write a CV and fill in an application form, even before having to meet additional costs such as travel to and from interviews and suitable clothes.

Other young people often receive help from family or friends. This is a crucial role that local authorities need to fulfil as corporate parents. Not having a job means that young people will be relying on benefits to support themselves. Unemployment can also lead to poor mental health, poverty and for some young people, entry into the criminal justice system.

9. YOU MUST BE GIVEN A COPY, AND FULL EXPLANATION, OF YOUR ASSESSMENT AND PATHWAY PLAN.

We found that 69% of young people knew that they were entitled to be given a copy of their assessment and pathway plan. However, only 50% of young people said that they had received one.

73% of 18 to 21 year olds knew that this was an entitlement, and were also more likely than other age groups to say they had one.

16 to 17 year olds were the least likely to know about the entitlement (43% said they didn’t know about it) and also least likely to be getting it (67%). This could be because in the transition to the leaving care team, young people don’t get told about the pathway plan, and so are unable to ask for one. Knowledge of previous entitlements is important here. If

young people did not know that they should have had a care plan when they were in care, they may not ask if they have an equivalent for leaving care.

WHAT DID CARE LEAVERS TELL US?

"Yes I have one, it has what I think and want to do in future." (Care leaver)

"My pathway plan is a waste of paper, waste of a tree. They may as well let the tree live longer." (Care experienced young person)

Of the young people who told us that they had a pathway plan, views were mixed about whether or not the plan was accurate or reflected their views, plans and ambitions. Some told us that they felt that their views about their future were not always up to date or captured in their own words.

"Never had a copy in my life." (Care leaver aged 17)

"I've never had a copy although I was there when [it was] done." (Care leaver aged 18)

We were concerned by the fact that so many young people told us that they didn't have a plan, did not have a copy or didn't know what was in their plans. We were also concerned to hear from young people who told us that their pathway plans were out of date or whose circumstances had changed but their plan had not been changed.

"I haven't seen my pathway plan since I was 18. I wanted it to be revisited so I can look at other options I can take with not being able to go to university." (Care leaver aged 20)

"It's three years out of date." (Care leaver aged 19 who took part in the survey)

WHAT ARE THE IMPLICATIONS OF NOT BEING GIVEN A COPY OF YOUR PATHWAY PLAN?

"All young people should have a copy of their pathway plan, it is important to know what you have agreed to do as well as what the council is going to do to support you." (Care experienced young person)

"My pathway plans are hardly ever carried out and if they are they are often incorrect due to taking place without my knowledge or talking to me about it." (Care leaver aged 19)

A care leaver's pathway plan should contain all the support that the local authority is going to provide for them as a care leaver. It should be updated as circumstances change to ensure that both the local authority and the young person know what both parties are committed to. If something is not in the pathway plan, local authorities do not have to provide it. Pathway plans can contain lots of different types of way that the local authority will support care leavers, including support for higher education, mental health support and driving lessons.

If plans are written without the young person's knowledge, their needs may not be properly identified, the wrong kind of support can be provided for the young person and it can be

very difficult to change the support that they are getting from their local authority. For example, a care leaver may need to learn to drive in order to pursue their chosen career, or may have specific mental health needs. Pathway plans are important tools for care leavers in ensuring they receive what they are entitled to and in holding the local authority to account.

10. IF YOU'RE IN HIGHER EDUCATION, YOUR LOCAL AUTHORITY MUST PROVIDE YOU WITH VACATION ACCOMMODATION (OR MONEY TOWARDS IT).

44% of all care leavers we surveyed knew about this entitlement, and 31% of young people aged 18 and above said that they were receiving vacation accommodation. However, not all care leavers aged 18 or over will be at university and therefore eligible to receive vacation accommodation.

56% of 22 year olds and over knew about this entitlement, compared to 48% and 29% of 18 to 21 and 16 to 17 year olds respectively. This probably reflects the fact that it is highly unlikely that anyone aged 16 to 17 is at university. However, at 16 and 17 important decisions are made about plans for the future, particularly about higher education and so young people, particularly those aged 16 to 17, should know about the entitlement. It is important that all care leavers know about this, particularly as young people who have experience of care do not always follow the typical educational journey of young people who are not care leavers.

WHAT DID CARE LEAVERS TELL US?

"I have been told. But I always have to remind people I'm entitled to it. They don't remind me." (Care leaver aged 20)

"I was told that they won't provide me with that kind of support." (Care leaver aged 21)

We were told by young people that local authorities do not readily offer this kind of support and in some cases refused to support young people in this way. Young people having to fight for this entitlement came across strongly in responses. Young people felt that information was not clear and they were not clear themselves about this right.

"I was advised that the best place to go to uni is in London because then they can give you one place and don't have to find you emergency accommodation in the vacation. If we went away it poses the question: do I still get my flat when I come back?" (Care leaver)

We were told by organisations that work with care leavers that there are problems with this entitlement. We were told that some local authorities do not want to provide accommodation out of the area. While some universities provide 365 day accommodation, this means that young people have to stay in university accommodation all year long and are unable to return to their home local authority during the holidays. We heard some

anecdotal evidence of young people selecting local universities so that they do not lose the accommodation that they already have and are able to stay close to friends and family.

WHAT ARE THE IMPLICATIONS OF NOT GETTING VACATION ACCOMMODATION?

“If I'd have known, I would have gone to university. I didn't know and it put me off.”(Care leaver aged 20)

“Always fighting to have money for vacation accommodation, they don't want to know, [I] had to be homeless for one month.” (Care leaver aged 20)

“This did not happen last summer I had to use my overdraft £1,500.” (Care leaver aged 20)

We heard that not receiving vacation accommodation has resulted in some young people living unofficially with friends or former foster carers during the holidays. They can be forced to sofa surf, or even put off from attending university altogether. In the very worst cases, young people are being forced to pay for accommodation out of their overdrafts, or are forced to become homeless during their holidays.

WHY LOOKED-AFTER CHILDREN AND CARE LEAVERS DON'T KNOW ABOUT THEIR ENTITLEMENTS – THEY ARE NOT BEING TOLD IN THE RIGHT WAY

HOW YOU ARE TOLD MATTERS: INFORMATION FROM ONE EXPERT SOURCE

Children and young people told us that it matters to them how they get information. They currently receive it from a number of sources, although the main ways that children in care get their information are from their carer and social worker.

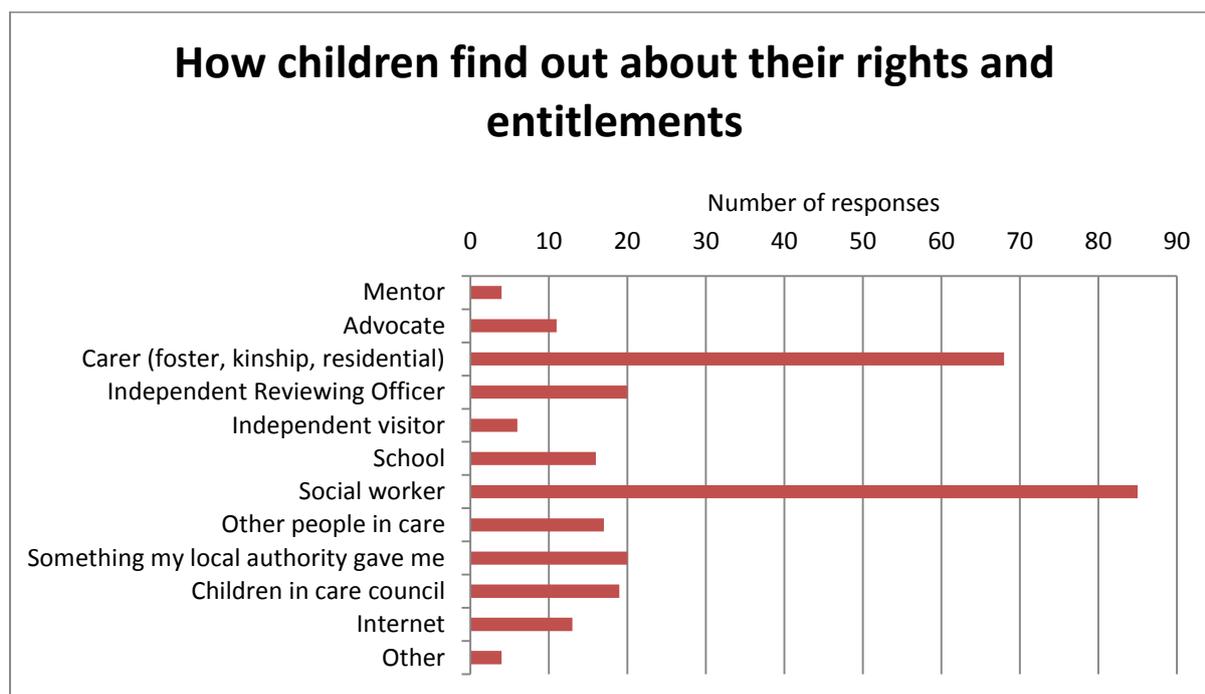


FIGURE 3⁸

Care leavers rely more heavily on other young people in care and the Children in Care Council for their information, but their personal advisor is still the most regular source of information. This may partly be because care leavers are more likely to know of or be involved in their Children in Care Council and are more likely to be in touch with more young people from care.

⁸ Respondents could choose as few or as many of options as they wanted

How care leavers find out about their rights and entitlements

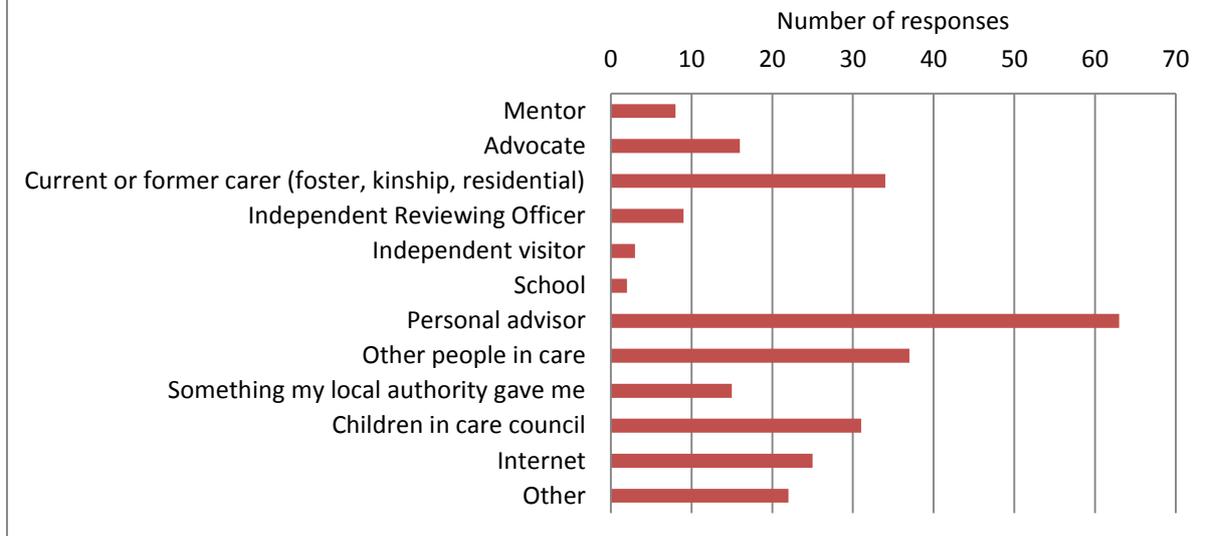


FIGURE 4⁹

Children and young people want to be able to get all their information from one source and generally they prefer this source to their social worker or personal advisor. They told us that they didn't want to get their information from lots of different places. We know this because when we asked them how they liked to get their information, most gave us one or two ways that they liked to get their information, not a long list of different ways. This contrasts starkly with what professionals told us about how children and young people receive information, which we look at later in this report.

⁹ Respondents could choose as few or as many of options as they wanted

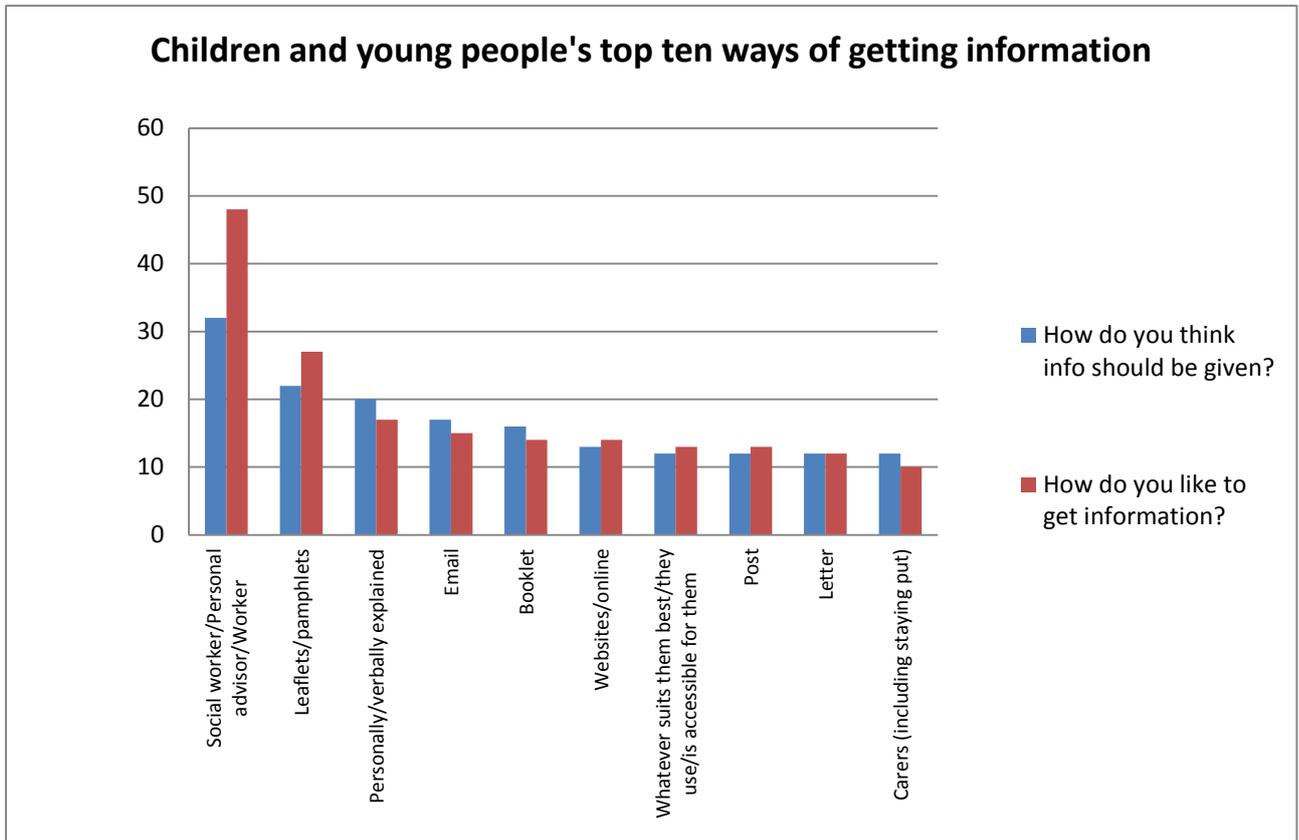


FIGURE 5

Children and young people prefer to get their information from a professional (social worker, personal advisor), rather than their carer. They also want to receive information directly to them, either electronically via email or in the post. Nine of the top ten answers that they gave us are linked to an adult with responsibility for their care providing them with the information that they need. They told us that they want to actively be told something rather than having to find things out for themselves. Children and young people don't want to have to be the experts on the support that they should be getting.

“They should make sure I understand and tell me at the right time and over again if I need to.” (Care leaver aged 20)

“[...] my foster carer to have knowledge.” (Care leaver aged 20)

“I would like my personal advisor to be informed of my rights.” (Looked after child aged 15)

“A care manual for children which is updated every week and copies of information given to parents and professionals who are responsible to look after me.” (Looked after child)

‘Young people said it was important for social workers to help them understand their right to be involved in decisions and to take part in review meetings.’ (The Children’s Society)

One of the top ten answers was that information should come in whatever form suits the child or young person. This suggests that those responding to the survey were aware that everyone likes to get information differently and that the information they are being

provided with is of such importance that it must be delivered in a form that children in care and care leavers can access. Information should be available in a range of formats so that the appropriate format can be identified for each child and young person in consultation with them. Our evidence suggests that this should be via their social worker or personal advisor (PA) for many, but this does not mean it should be the exclusive source.

In comparison we counted 110 different ways that professionals thought that children and young people find out about their rights. Their top ten looked like this:

The professionals thought that children and young people hear about their rights from a wide range of adults. The list they gave was far larger than the range of adults that young people themselves told us they heard about their rights from. More importantly, it is also a greater range of professionals and sources than children and young people told us they **wanted** to hear from. Children and young people tended to name their social worker or personal advisor as the professional that they want to get information from, and did not list other professionals such as IROs and advocates as ways that they like to, or think they should, get their information.

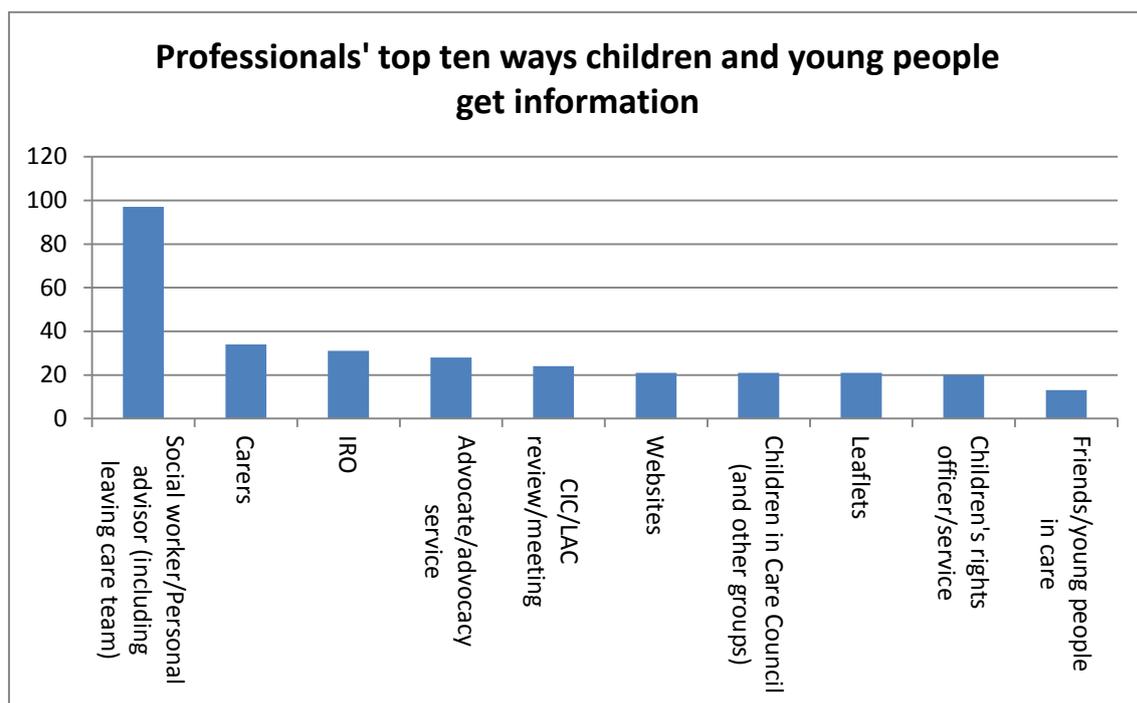


FIGURE 6

Innovative Practice

Lincolnshire Country Council have created the Coming into Care Kit app following feedback from teenagers about their paper-based coming into care kit and their wish for 'something electronic' that could be kept up to date and was more interactive. It was designed collaboratively and information that was previously text-based will largely be conveyed by means of short films, though with some minimal supporting text remaining, accessed through the 'app' and placed on a secure site. The app will include a 'dropbox diary' where young people can choose to leave messages for their social workers, where an allocated social worker will have access to that page for each young person on their caseload, and a social worker profile page that includes contact details for each young person for their social worker.

WHY DOES GETTING INFORMATION FROM ONE OR TWO WELL INFORMED PROFESSIONALS MATTER?

Providing information via a wide range of people, like the wide range suggested by professionals above, can cause problems for children and young people.

“It's very difficult to get all the information you need, just one person or place only gives you part of the advice you are looking for.” (Care leaver aged 19)

When children and young people have to speak to lots of different people, they get different bits of information. It becomes like a giant jigsaw that the child or young person then has to put together to work out what is right, what is happening to them, and what they are entitled to. It makes a complex issue even more difficult to understand because of the complex way that information is passed on.

Innovative Practice

In Warwickshire, looked-after children and care leavers receive a pack of playing cards, which have links to relevant websites. These were designed and websites chosen by groups of care leavers. Warwickshire County Council can look at the information to see what young people are interested in finding out more about.

BEING ABLE TO UNDERSTAND MATTERS: INFORMATION NEEDS TO BE ACCESSIBLE

We asked professionals to identify the largest barriers that children and young people face in finding out about and understanding their entitlements. They consistently said that inaccessible information was the biggest barrier.

The findings from young people confirm that the information that they currently have is often difficult for them to understand. This information could be in a format which the child

or young person does not understand because it is too complicated, or presented in a style that they don't like or use.

“Young people can't do it alone with the current information available – it's too complicated” (Care experienced young person)

“To understand an education entitlement is quite complicated, my leaving care worker helps me get all of my entitlements, I don't know what I can get myself.” (Care leaver)

Professionals also told us that information was often presented in a way that young people didn't understand. In particular they told us that the subject matter itself was often complex and this is compounded by the way that this information is explained often being too difficult for children to understand.

‘Of key importance to care leavers being aware of their rights and entitlements is the availability of clear accessible information...’ (Trevor Akerman, London Borough of Richmond and Chair of the London Leaving Care Managers Group)

‘Entitlements, duties and obligations owed to looked after children and care leavers by their corporate parents (the local authority) are complex and difficult to understand and negotiate. The complex legal framework presents a barrier to children and young people attempting to navigate the system and claim entitlements.’ (Coram Children's Legal Centre)

GROUPS WHO FIND INFORMATION PARTICULARLY INACCESSIBLE

The complexity of the legal framework combined with the inaccessibility of resources is difficult for all children in care and care leavers but there are some particular groups who face additional barriers, which make understanding their rights even more challenging. We also asked professionals if there were any particular groups in their area that struggle to understand their rights. Professionals most frequently identified the following groups as having particular needs:

- children with special educational needs (SEN) (including those with a learning difficulty or disability or communication needs);
- unaccompanied asylum seeking children;
- children with a disability (including those with autism);
- children who are not engaged or difficult to engage with;
- children with emotional problems and/or mental health needs.

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS (SEN) (INCLUDING THOSE WITH A LEARNING DIFFICULTY OR DISABILITY)

*“They will not usually proactively be aware that they need or are entitled to support.”
(Written submission from IPSEA)*

We sought additional evidence from professionals and organisations who work with children with SEN or a learning disability and have experience working to support them. We heard how children with SEN or a learning disability can struggle to understand complex information and so may find it hard to understand more than simple facts about their entitlements. We also heard that some will find it hard to communicate their views. Children with a learning disability have a variety of different ways that they communicate¹⁰ and not all professionals are trained to meet their communication needs. This means that professionals do not always know when they do not understand.

Some professionals who took part in the survey said that young people with SEN or a mild learning disability are most likely to be unable to access information because their needs are not severe enough that they are eligible for additional support as an adult, but still mean that they find it difficult to access information.

In particular we heard concerns that children and young people with SEN who are in care can often struggle to get the additional support that they should get to meet their needs. We heard that often the professionals who work with them are also unaware of the support that they should be getting.

CHILDREN WITH SPEECH, LANGUAGE AND COMMUNICATION NEEDS (SLCN)

‘The main barrier to young people with SLCN accessing information about their rights and entitlements is that SLCN is still often undetected; in children with mental health or behaviour problems and in those in out of care home.’ (Integrated Service Programme)

We spoke to professionals with experience of working with children with SLCN to understand in more detail the problems that this group of children can face. We were told that children with SLCN can appear to understand information that is given to them, but in reality may not have not fully understood the conversation. This can result in them agreeing to suggestions to be accommodating or not fully responding to the conversation. The latter may give the impression of non-compliance or a resistance to being engaged in discussion which can give the wrong impression about the support needs of the child.¹¹ Children with particular language needs, for example those who are deaf or hearing impaired or with a visual impairment can also struggle to access information and struggle to engage.

¹⁰ Early Support, Information about learning disabilities, 2012, available:

http://www.ncb.org.uk/media/923258/earlysupportlearning_disabilities_final2.pdf

¹¹ Cross, M (2011) *Children with social emotional and behavioural difficulties and communication problems: There is always a reason*. 2nd edition Jessica Kingsley Publishers, cited in evidence submission from the Integrated Services Programme.

We were told that SLCN is often undetected in many young people with other needs, for example those with mental health needs or behavioural problems, and also for those who live in residential care.¹²

UNACCOMPANIED ASYLUM SEEKING CHILDREN

‘Language barriers can also be an issue where young people’s first language isn’t English and find it hard to ask and understand long and difficult rights and entitlements.’ (London Borough of Islington)

Evidence submitted to the inquiry explained that information about rights and entitlements can be inaccessible for unaccompanied asylum seeking children for multiple reasons. Information can be difficult for them to access because they may have low levels of literacy or unable to speak English and so are unable to understand information that is provided to them.

‘From our work with children outside their country of origin...they experience additional difficulties in understanding their rights because they may be illiterate, unable to speak English, experience cultural barriers to understanding their rights and who can help them.’ (The Children’s Society)

We also heard evidence that seemed to suggest that information can also be inaccessible for cultural reasons. We were told by one professional who facilitated group work with unaccompanied asylum seeking children that, when discussing entitlements and rights, there had been a clear indication from the participants, that requesting financial support may be considered rude or ungrateful.

Children and young people who are out of their country of origin are often involved in immigration cases or dealing with other traumatic life events, such as fleeing war, being abandoned by families or sexual exploitation or trafficking. This added layer of emotional trauma may make it even harder for young people to process and understand relatively complex information. People find it hard to process information when under stress. In addition, toxic stress can affect cognitive development,¹³ which can then impact on a person’s ability to process and retain information.

¹² Cohen, N. J., Farnia, F. and Im-Bolter, N. (2013), Higher order language competence and adolescent mental health. *Journal of Child Psychology and Psychiatry*, 54: 733–744 and McCool, S. and Stevens, I. C. (2011), Identifying speech, language and communication needs among children and young people in residential care. *International Journal of Language & Communication Disorders*, 46: 665–674 cited in evidence submission from the Integrated Services Programme.

¹³ Johnson S B & Blum R M. Stress and the Brain: How Experiences and Exposures Across the Life Span Shape Health, Development, and Learning in Adolescence. *Journal of Adolescent Health* 51 (2012) S1–S2 and Shonkoff J, Boyce W, McEwen B. Neuroscience, molecular biology, and the childhood roots of health disparities: Building a new framework for health promotion and disease prevention. *JAMA* 2009;301:2252–9

WHY DOES HAVING ACCESSIBLE INFORMATION MATTER?

*“Some people don’t get anything at all because they don’t speak up or are not confident.”
(Care experienced young person)*

Information needs to be accessible because if it’s not, children and young people are not going to be able to understand it and are thereby denied the opportunity to access their rights. We heard of instances where support has only offered if it is asked for, but if something is not known about, it can’t be asked for.

Not knowing about something, or not being able to find it out puts children in care and care leavers at a disadvantage, removing any power or control from the child or young person, making them completely reliant on their corporate parent to provide for them.

Innovative Practice

Newham Council have developed a Young People Quality Mark (YPQM) for council-wide policy and publications that impact on young people. They run ‘form parties’ to consult on things such as: as the complaints/compliments/suggestions leaflet, the template for pathway plans and the template for single assessments. There is a process that council employees have to follow and at the end of the process, a decision is made by the YPQM group as to whether a Young People’s Quality Mark is awarded or not to the document/policy.

WHEN YOU ARE TOLD MATTERS: INFORMATION SHOULD BE RELEVANT AND REGULARLY REPEATED

We were told by children, young people and professionals that the different times and places that information is given can impact on children and young people’s understanding and ability to retain and then utilise information.

We were told by children and young people that it is important that information is available when they need it. They recognise that the first time a child enters care is a crucial time because they know very little about the system and their rights and entitlements. They told us that it’s important that children are informed of their rights at the very beginning of their time in care.

They also recognised that entering care can be a daunting and overwhelming experience with lots of information that they have to process and deal with. They said that it was important that the information wasn’t only given to them at the very beginning of their time in care, but repeated regularly and easily accessible when they needed it. They also said they wanted professionals and carers to know about their rights and entitlements so that they could tell the children and young people about them when it became relevant. It is

important that it happens for all children in care and that information is reiterated and messages about rights reinforced.

*“When coming into care over the first six months or so they should be briefed on what they are entitled to, when they will be entitled to it, how and why and make sure that they understand all that has been said to them and that they remember at least most of it.”
(Looked after child aged 16)*

“A care manual for children which is updated every week and copies of information given to parents and professionals who are responsible to look after me.” (Looked after child aged 16)

“Keep websites updated instead of being years old.” (Care leaver aged 19)

Telling children and young people about particular entitlements at the wrong time could mean that they end up not knowing about their entitlements and missing out on things. They may be told about things that aren't relevant for them yet, or that they think will never be an issue for them and forget that they were ever told about something. They may be told that the local authority may be able to help with the costs of learning to drive, but when they are old enough, they have forgotten. They may never even think that they can be supported with mental health needs because they never thought it would happen to them. When they do become old enough for something, or they do need that extra support in an area, they may have forgotten all that they were told.

*“Information [is] often given at time when children in crisis and not able to process [it]”
(Virtual head teacher)*

“Many young people find it difficult to retain large amounts of information about benefits which can be difficult to understand. They cannot necessarily see the relevance of it at the time they receive that information and so do not take note of it for future reference. It would be relevant to them if they are unhappy enough at the time to want to do something about it.” (Action for Children)

Innovative Practice

Hertfordshire County Council has a group of 20 “Deputies” who are young people who help steer the Children in Care Council. They help organise the four open forums each year, as well as other events to gather the opinions of young people in care. They have produced a financial leaflet for young people that explains entitlements for young people aged 0 to 18. Leaflets for those aged 18 plus and for asylum seeker and unaccompanied young people are currently in production. They were adapted from the original leaflet and approved by the Deputies.

However, we are concerned that children and young people seem to only be told about their entitlements when they are about to start on a path which makes them applicable. For example, in our survey responses, children and young people often told us that something wasn't applicable to them yet. In the group work, we were told that many children and young people who were not yet old enough to be going to university did not know about the vacation accommodation entitlement. Children and young people should be told about their entitlements at a time that will ensure that they make fully informed decisions about their future.

Some professionals felt that the type and length of placement can, in some cases, be a barrier to children and young people being able to access information about their rights and entitlements.

Some professionals identified in their survey responses that age upon entry to care can be a barrier to receiving information. Young children were identified as a particular group that struggle to understand their entitlements because the information that is provided to them when they are younger is inaccessible and it contains subject matter that is complex. This information is then not repeated for children and young people who stay in care for some time.

“Understandably, younger children will often struggle to understand their rights as many of the issues affecting them may be too complex for them to comprehend, regardless of efforts to make information age appropriate.” (Social worker)

Responses by the children and young people to the survey seem to reflect the professionals' responses. We found that children in care aged between 5 and 9 were less likely to know about their specific entitlements than their older peers. 25% of children aged 5 to 9 know that they must have a care plan, compared to 68% of 10 to 15 year olds and 76% of 16 year olds and over. This could be because of the lack of accessible information, or may be because the concept of entitlements is too hard to understand. They may also be less likely to recognise that they know about something because they just take things that happen for granted.

For example, 32% of children who entered care between the ages of 1 to 4 didn't know that their views should be taken into account, compared to 11% of children who entered care for the first time at 16 or older. However, those who entered care between the ages of 1 and 4 were more likely to say that they felt that they had all or most of the information that they needed (see Figure 2, page 13). There is a significant difference between feeling that you know your rights and actually receiving what you are entitled to. For some, this false assumption can mean that they miss out on accessing entitlements.

WHO TELLS YOU MATTERS: THE IMPORTANCE OF RELATIONSHIPS

Some professionals identified that placement stability is a factor in children and young people's understanding of their entitlements. Some professionals felt that those in stable placements were at risk of not knowing about their entitlements, while others felt that those in unstable placements were also at risk of not knowing.

We were told by some professionals that those who have very stable placements can find that they are unprepared as they become eligible for certain entitlements.

“Young people that have been in long term foster care, stable environment seem not to have been prepared when they leave care to know their entitlements, with benefits, student finances, housing or as a care leaver.” (Personal adviser in a leaving care team)

“Those in settled foster placements where interventions have been minimal and demand less may have less information as they do not access the resources.” (Senior manager)

However, others said that the children and young people who have multiple, unstable placements are also likely not to know their rights and entitlements. Many did not tell us why they thought this was the case, although some suggested reasons that included not being told the information and having poor relationships with their workers. Another reason may be that the factors leading to the instability of their placements often made it difficult for them to have the time, inclination or capacity to understand the information provided.

“Looked after children who have multiple moves and/or changes of social workers – I strongly feel this undermines any effective information giving – if you have numerous different people giving information in a variety of ways and constant change - well, would you be able to retain it?” (Designated member of staff for looked after children or care leavers)

Some professionals also told us that those living in out of area placements also struggled to access information. One professional in particular articulated the reasons why they feel that this is the case:

“For those in residential care placed a long way from home, visits from social workers are less frequent and shorter in duration. Contact with families is infrequent – sometimes once a month or less, and for only a few hours. This makes it difficult to spend any "normal" time together.” (Teacher in private children's home)

Implicit in these factors is the fracturing of relationships that happens for children in care and care leavers. Children, young people and professionals told us that poor relationships with a worker could mean not knowing about or not receiving what they were entitled to.

“Looked after children who don't have good relationships with their social worker or the local authority and where opportunities to discuss rights and entitlements are limited by lack

of contact time [particularly struggle to understand their rights and entitlements].” (Social worker)

“Also, the work load of some young persons advisors and the low frequency of their visits which can be a three monthly can be a barrier to carry out the work adequately with the young person.” (Social work team manager)

We were told by a lot of people, in particular professionals, who told us that children and young people often didn't know about their rights and entitlements because they didn't get to spend enough time with the professionals who work with them, which means that there isn't enough time to talk about what they are entitled to, or notice any changes in situation or aspirations for the future. A lack of time makes it harder to tell someone about the big school trip coming up which is too expensive, or about a job interview that's just too expensive to get to. It also makes it harder to form strong relationships in the first place, and makes it less likely that a child or young person is able to approach their social worker or personal advisor to ask about things like support for going to university.

“There are certain people you have to be nice to, if you don't demand it you won't get it... this is what I've realised.” (Care experienced young person)

“Everything is individually needs based, that means it's up to your allocated worker how much you get from your leaving care grant, if you don't see your worker, like I didn't for a while you cannot get anything. It shouldn't matter how good your worker is you should all get the same.” (Care leaver)

“Young people may not get full access to the leaving care grant because it's “individually based” but you never get to know what other people got and why you didn't get the full amount, it's open to discrimination. It should be a full automatic entitlement. If you don't get on with your worker, they may not let you get everything you need, or tell you what you can have, they have all the power.” (Care experienced young person)

Children and young people particularly were concerned that the quality of their relationships had an impact on the amount of support they were given. They told us that professionals had to have a good understanding of them and their situation to ensure that they could meet their needs, and not seeing them has an impact on their ability to do so.

Just as worryingly, a minority of children and young people felt that they had to 'be nice to' people in order to access support and their entitlements. They felt that the quality of their relationships with the professionals who worked with them would impact on the support they got, or the answers to the questions that they ask.

WHY DO RELATIONSHIPS MATTER?

“I played ice hockey, and I found out about [the local authority’s] financial assistance for talented young people in sport, after I spent my own money on my equipment.” (Care experienced young person)

“I didn’t know that that I could’ve got support through my care plan to access my hobbies. I wanted to play football at a local club as I enjoyed it, but couldn’t afford to pay, so used to sneak in and play, but got in trouble for it.” (Care leaver)

“I didn’t know that at college I had a designated tutor. I think this would have helped me during my time there. Unfortunately I found out after my situation impacted on my education and I dropped out of college.” (Care leaver)

Being told about something at the wrong time, in particular after something is relevant, can result in missed activities, poor or wrong decisions and missed opportunities. It can result in missing out on joining clubs or not getting the correct support in school. Good relationships would help workers know about what is important and relevant at the right time and place and make sure that information is passed on.

The placement can be the right place for the child, but the type of placement may mean that there is less engagement with social workers and looked-after children miss out.

Equally, unstable placements can impact on quality of relationships with carers and communication, which can result in missed opportunities for children and young people. Carers who aren’t in close communication with the social worker may find it hard to ask for money to pay for equipment or clubs, and may not even know that they can. It is therefore important that all professionals working with the child or young person have good relationships with each other, as well as the child or young person themselves.

WHY SOME LOOKED AFTER CHILDREN AND CARE LEAVERS DON’T KNOW ABOUT THEIR ENTITLEMENTS – THEY ARE SIMPLY NOT BEING TOLD

Looked after children and care leavers simply not being told about their rights and entitlements was a running theme through the evidence presented to the inquiry. Two clear reasons for this were presented. Firstly, that those working with children in care and care leavers did not tell them because they themselves did not know. Secondly, that their local authorities did not have the resources to provide certain entitlements.

NOT KNOWING SO NOT TELLING

“Our young people can only be as informed as those working for them are.” (Social worker)

We asked professionals about the barriers to looked after children and care leavers understanding their rights and entitlements. Professionals could choose as many or as few options as they wanted. 41% of respondents told us that they thought that one of the

barriers was that children in care and care leavers are not told about their rights by the professionals who work with them (see Table 1).

Barriers to looked after children and care leavers receiving their entitlements (332 respondents answered this question)	No. of responses	Frequency of responses
Not having information in a format which they understand and use	231	70%
Not having enough information themselves	180	54%
The people who work with them not having enough information	171	52%
The people who work with them not telling them about their rights	136	41%
The local authority not meeting their duties	99	30%
Other	58	17%

TABLE 1

The responses to our survey suggest that professionals themselves feel that they do not have the information they need to inform young people of their rights. Three professionals, including one frontline practitioner said that they find out information about children and young people’s rights and entitlements from the children and young people themselves.

‘Research conducted by Coram Children’s Legal Centre¹⁴ highlighted that there is an ongoing misunderstanding on the part of young people themselves and practitioners (including social workers, key workers and IROs) of young refugees’ and migrants’ entitlements to support.’ (Refugee Children’s Consortium)

Professionals should be knowledgeable and confident about what they know. They should be trusted by those in their care to be fully informed about the support that they can offer, to be able to identify gaps in their knowledge and ensure they update their knowledge or signpost accurately and to be able to deliver on the support that is offered.

‘Young people rely too heavily on individuals, such as their social worker or personal advisor to access information about their entitlements. Through human error, poor training and miscommunication information is sometimes wrong or withheld.’ (Coram)

PROFESSIONALS GET THEIR INFORMATION FROM LOTS OF DIFFERENT PLACES

We looked to see how different professionals got their information. We had a mix of professionals respond to our survey: frontline carers (including residential workers, foster carers and kinship carers), frontline workers (including social workers, advocates, personal advisors and independent reviewing officers), education professionals (including designated teachers and higher education and further education staff) and social care managers (social work team managers and social care senior managers). Professionals were able to select more than one way that they got information. We included all responses in our analysis, except where they had chosen ‘other’. We gave a selection of options which included more formal ways sources such as government publications and training sessions, to more

¹⁴ Coram Children’s Legal Centre, ‘Navigating the System: Advice provision for young refugees and migrants’, 2011, at http://www.seekingsupport.co.uk/images/navigating_the_system_final.pdf cited in Refugee Children’s Consortium’s response

informal ways such as the internet and newspapers. In general, government publications are the most common way for professionals to get their information and newspapers the least common way of getting information.

Education professionals told us that they are most likely to get their information from their social care colleagues (21% of all responses by education professionals). Most frontline workers (who are most likely to be the social care colleagues informing their education colleagues) get their information from government publications (17% of responses from frontline workers).

Frontline carers are most likely to get their information from training sessions (20% of responses) and their social care colleagues (18% of responses). Social care managers are more likely to access their information in the same ways as their frontline workers; through government publications (23% responses), but are more likely than their frontline workers to access information through the internet (17%) and other social care colleagues (16%).

It is clear that there is no one ultimate source of information and for different professionals, different information or accessibility is needed. It is logical that education professionals get their information from their social care colleagues, providing this information is not specific to education, which they should be finding out directly from a related training, publication or manager. Similarly, it is logical that frontline carers get information from their social care colleagues.

Reliance on other professionals works until the professional on whom you are relying does not know something or they leave. In the same way that the children and young people told us they wanted something written down, it is understandable that professionals use written government publications to support their knowledge, and it is positive that professionals are consulting official guidance and regulations. However, government publications are often dense (The Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review (England) Regulations 2010 and statutory guidance is 178 pages long) and can be difficult to find, particularly following a change of government when websites are migrated and guidance can be lost in the archiving process.

PROFESSIONALS AREN'T RECEIVING ENOUGH TRAINING

"It was definitely beneficial for me to be trained by young people from the service. These young people had experienced the system I am currently working in and therefore could provide specific examples of both good practice and areas for development." (Specialist educational psychologist)

We asked professionals if they had received training in the past three years. Only 43% of professionals told us that they had received training on looked after children and 39% told us that they had received training on care leavers in the past three years. However, this

figure doesn't take into consideration the professionals who do not work with one of the two groups and so may not need to receive training on this area.

We grouped the professionals who work specifically with children in care together as we therefore could reasonably expect to have received training (designated teachers, residential workers, secondary school teachers and social workers). Only 50% of these professionals had received training on looked after children in the past three years. Of these professionals, only 18% said that they have all the information that they need, although only 10% said that there were lots of things that they did not know. 69% of designated members of staff had not had training in the past three years, and none of the respondents from this group said that there were lots of things that they didn't know.

Innovative Practice

Young people in the London Borough of Richmond deliver Total Respect training to its staff. Total Respect aims to encourage participants to better understand the experiences of young people in care, to think about young people as individuals, challenge assumptions, support participation of young people in their care planning and to provide further knowledge of children's rights and advocacy. It was developed by children and young people who were care-experienced and is designed to be delivered by young people themselves.

"Children in care and leaving care have had both positive and negative experiences, so who better to train workers and share their views on how services could be improved. Overall I think Total Respect training proves how well professionals and young people can work together..." (Care experienced young person from Richmond who delivers Total Respect training)

56% of further education staff and personal advisors in leaving care teams have had training on entitlements for care leavers in the past three years, and only 33% told us that they have all the information that they need. Only 6% of further education staff told us that they had all the information that they needed. They were also less likely to have had training than personal advisors; only 33% had had training on care leavers in the past three years.

We were also told that staff who work with unaccompanied and asylum seeking children do not have enough knowledge about the particular issues that they face and so are unable to ensure their needs are met.

Training can be an important way of ensuring that professionals have up to date knowledge; continuing professional development is supported and advocated by social work professional bodies.

90% of professionals who told us that there were lots of things that they didn't know haven't had training in the past three years. Of those who had had training in the past three

years, 58% said that they mostly have all the information they needed and 40% felt that they had all the information that they needed.

However, training is not the solution on its own. An organisation that works with kinship carers told us that their carers are unlikely to access training because of the nature of their relationship with those for whom they are caring. They do not see it as necessary that they receive training on caring for their own family.

In addition, just as young people told us that they like to receive information in different ways, we expect that professionals like to receive information in different ways. Training may not be the appropriate way to pass on information to all professionals.

We also heard from one organisation that, while training is important, they felt that the benefits will only be felt when children and young people are in stable placements and not pushed from pillar to post. This holds true to a certain extent. The inquiry has found that there are a number of reasons, some systemic and some to do with the workforce, that children and young people do not know about and get their entitlements. Training will only help boost professionals' knowledge; it will not fix the systemic problems that affect how they get and use this knowledge.

KNOWING BUT NOT TELLING

NOT HAVING THE TIME TO TELL

When professionals do not tell the children and young people they work with about certain entitlements it is not always because they do not know. Children and young people have told us that they want and need a professional to tell them about the rights that they are entitled to. For this to happen, professionals need to have a good relationship with the young person, time to build this and to pass on the information. Some children and young people told the inquiry that they didn't even know the name of their worker.

“Those who don't engage with the service well, know less because they don't meet with their worker.” (Personal advisor in a leaving care team)

“Workers physically haven't got enough time to spend with them to explain matters - purely because of caseloads!” (Professional)

Innovative Practice

Wakefield Council is introducing small credit card sized social worker contact cards. On the front is a poem written by children and on the back a personal message, text/phone number and the name of their social worker. It's anonymous with no reference to being looked after or part of the council. The card is currently in draft form.

Professionals and children and young people both identified the impact of high caseloads on the capacity for frontline workers to spend enough time with children and young people to give them all the information they need.

“The main issue for me remains that our caseloads are too high, which means that it is possibly the areas of rights and entitlements that might get lost compared to trying to ensure that all statutory duties are carried out.” (Social worker)

“[...] workers physically haven't got enough time to spend with them to explain matters - purely because of caseloads!”(Personal advisor in a leaving care team)

“Social workers have too many cases. My PA [personal advisor] is working with 31 different people.” (Care leaver)

‘Young people thought it was very important to get on well with their social workers, to be able to understand them and to have frequent and less formal contact with them. They felt that it would be helpful if more young people, with care experience, could become social workers.’ (The Children’s Society)

“Social workers having too many cases to deal with and not having the time to spend with young people when they are ready to engage” (Prospects (Connexions) Personal Adviser)

We heard from a professional body told us that they have had reports from social workers in some areas about being overstretched by staff shortages and under pressure because they have high caseloads. They told us that the poor management and the inflexible use of resources can lead to social workers being unable to use their skills holistically to assess a young person’s situation and needs. We have also heard that the case loads of personal advisors have been increasing over the past two years.

We have also had a small amount of evidence that local authorities where there is high staff turnover can also be a barrier to children and young people receiving their entitlements. This is likely to be associated with staff not having good relationships with the children and young people as well.

NOT TELLING BECAUSE THEY DON’T HAVE THE RESOURCES TO DELIVER

A significant minority of professionals told us that another barrier was local authorities not meeting their duties (30% of people responding to the survey cited this as a barrier as did some professional submissions). We also heard from a significant minority who told us of examples of local authorities trying to save money by not telling children and young people about their rights. We found that this was particularly a problem for care leavers.

'The young people at the focus group believed that their corporate parents do not care about their futures and that there is a culture of withholding entitlements within local authorities to save money.' (Coram)

*"Deliberately giving misinformation and withholding information to save money."
(Professional)*

Some children and young people told us that they often had to ask about their entitlements as they were not being told about them by those working with them. They felt that sometimes they weren't told things on purpose to save money. Children and young people also told us that they were put off from doing things, such as pursuing education, by the local authority because of the cost. We appreciate that local authorities do not have a never ending supply of money, however the role of the corporate parent is to be supportive of their children and we would expect children and young people to feel supported and encouraged by their local authority as opposed to feeling like a drain on resources.

"The attitude is 'the less they spend the better'." (Care experienced young person)

"I have to ask what I want to know. I don't just get told."(Care leaver)

'Entitlements should be about aspiration and achievement. Several young people felt that they have been deterred from accessing higher education because of how much it costs the local authority.' (Coram)

"I know what I am entitled to but there is always something you don't know or what professionals selectively keep back from you to suit them."(Care experienced young person)

"Only really told about 'rights' when I asked something relevant to it. Even when I tried to voice my own opinion (me myself or someone speaking for me) I was treated and felt that it didn't matter, that no one was listening to what I was actually saying, so I just stopped and gave up trying." (Care leaver aged 19)

We also received a small number of anecdotal suggestions from professionals that local authorities were making decisions about entitlements for purely financial reasons. We are concerned that financial considerations appear in some cases to be prioritised above the best interests of the child.

"[...] successful placements, where young people are achieving positive outcomes, are increasingly being terminated when young people reach the age of 16, in many instances purely for financial reasons." (Social care regulatory inspector)

'In some places, economic realities are leading to local authorities looking for quick fixes, which have unfortunately meant that some young people are not getting the support to which they are entitled.' (Centrepont)

“For example, a formerly relevant care Leaver may be entitled to “support” when continuing in higher education. However, managers ask social workers to look at other sources of funding such as college hardship funds, charities and anything else that avoids payments from the leaving care budget. [...] For care leavers aged over 18 who are struggling to budget on income support or job seeker’s allowance I have even now been told that our leaving care team won’t give any money out and that Care Leavers should use the new “food banks”. This is now [an] option given by my managers!” (Social worker)

We were told by one social worker that they felt that not only is it important that children, young people and their families know about their rights and entitlements but that services were well resourced and able to deliver them in order to avoid children and young people feeling let down if their social workers, personal advisors and local authorities are unable to deliver what is promised to them.

OUTSIDE THE SYSTEM

Organisations that work with particular groups told us that sometimes children and young people are kept outside the care system in order to limit the local authority’s duties towards them or not told about rights and entitlements because circumstances mean they are not entitled to support, or stop being entitled. We have heard a small amount of evidence that suggests that vulnerable children are having decisions made against them that prevent them from being able to access the support of the care system.

HOMELESS OR UNACCOMPANIED CHILDREN

We heard a small amount of evidence that suggests that some homeless 16 or 17 year olds whom local authorities have a duty to accommodate, as clarified by the 2009 Southwark Judgement, are not being accommodated and so are unable to access the entitlements that come with being a looked after child and then a care leaver.

We were told that 59% of 16 and 17 year olds who approached councils in 2012/13 were not referred directly to children’s services and less than half of young people were referred to children’s services at any time during their assessment process.¹⁵ We were also told that children are not given the full facts by local authorities, including the implications and benefits of their options.

‘[...] some authorities are failing to give young people all the relevant facts, instead giving them a choice between being taken into care or living independently. Those who choose independent living are, in some cases, being recorded as refusing a child in need assessment, but many young people do not understand the implications of this decision or the duties that they are giving up post 18. Many 16 and 17 year olds presenting as homeless are not in touch with any support services, meaning that many do not have someone to advocate on their behalf and give them impartial advice.’ (Centrepint)

¹⁵ Homeless Link, *No Excuses*, 2013 cited in evidence submission from Centrepint

We are concerned that those who need support are unable to access it. Entering the care system is not a decision that should be made lightly. It should be made for the right reasons when it is the right thing for the child and their future. The rights and entitlements that children get while in care and as a care leaver are not benefits, but should be seen as protections against the additional vulnerabilities that looked after children and care leavers have. Homeless 16 and 17 year olds are extremely vulnerable, and should be able to access those protections if it is the right thing for them. In order for them to be able to make informed choices, they need to be equipped with all the necessary support and information.

We also heard some evidence of local authorities placing unaccompanied or homeless 16 and 17 year olds in bed and breakfast accommodation, despite government guidance stating that *“bed and breakfast accommodation is not considered suitable for 16 and 17 year olds even on an emergency accommodation basis.”*¹⁶

UNACCOMPANIED ASYLUM SEEKING CHILDREN

We heard some evidence that unaccompanied asylum seeking children without documentation can be refused services because they do not believe the child’s claim as to their age. We were also told that when they turn 18, young people seeking asylum can have their access to support and services limited because of the impact of immigration legislation. This evidence came from submissions from organisations, but it was not something that we asked specifically about and are unable to substantiate the submissions with our own data. However, we did hear some anecdotal evidence from children and young people themselves.

“I wanted to attend university when I finished college in 2011, I had applied and been accepted into [school of higher education]. However, due to my discretionary leave to remain, despite living in London since 2004, I was unable to access student finance and my local authority, which is [local authority] informed me that they will not be paying for my tuition. This resorts me going into work, where I wanted to go to university and do a degree.” (Care leaver)

CHILDREN IN KINSHIP CARE

We were told that many children in kinship care lack entitlement to support. Any support is discretionary unless the child is in kinship foster care and is a looked after child who has been placed with their kinship carer by the local authority. Only 5% of children in kinship care are looked after children. As a result, 95% of children in kinship care are not entitled to the same support as those in formal care. While carers can request an assessment by the local authority, we heard that this does not always happen.

¹⁶ Guidance to children’s services authorities and local housing authorities about their duties under Part 3 of the Children Act 1989 and Part 7 of the Housing Act 1996 to secure or provide accommodation for homeless 16 and 17 year old young people, April 2010 available: www.education.gov.uk/publications/eOrderingDownload/Provision%20of%20accommodation.pdf

In addition, their kinship carers are not entitled to support from the local authority, which would include training or information about the rights of the children in their care. Even when they are foster carers, they may lack access to the same training and support as other foster carers.¹⁷ When we spoke to organisations that support kinship carers, we were told that the support needs of kinship carers are often different to those of adoptive or foster parents and some offers of support are only available to those who care either formally or with a special guardianship order.

We also heard that any financial pressure on families is felt more greatly than by other families. This may be because carers are already caring for children or have had to make changes to their life that reduces their income. We were told that there is no one place for carers to go to get information to ensure that they can make well-informed decisions that are right for their family. We heard about an “all or nothing” system where support exists for those who are in the formal system, but not for those on the outside, which can leave them even more vulnerable as a consequence.

WHY SOME LOOKED-AFTER CHILDREN AND CARE LEAVERS KNOW ABOUT THEIR ENTITLEMENTS BUT AREN'T GETTING THEM

We found that there was a gap between the number of children and young people who were aware of their entitlements and the number who thought that they were receiving them. In some cases they do not know about an entitlement and therefore do not receive it. In these cases the solution may simply be to better inform these children and young people as to their rights and entitlements.

However, we found that some children and young people knew that they should be getting something, but weren't.

For all the entitlements we looked at, there were looked-after children and care leavers who said that they knew something should be happening, but that it wasn't (see Figure 4). For some entitlements this was a small group: for example, only 3% of children knew that major decisions about them shouldn't be made without a review meeting but said that this wasn't happening for them.

¹⁷ R (on the application of X) v London Borough of Tower Hamlets [2013] EWHC 480 (Admin)

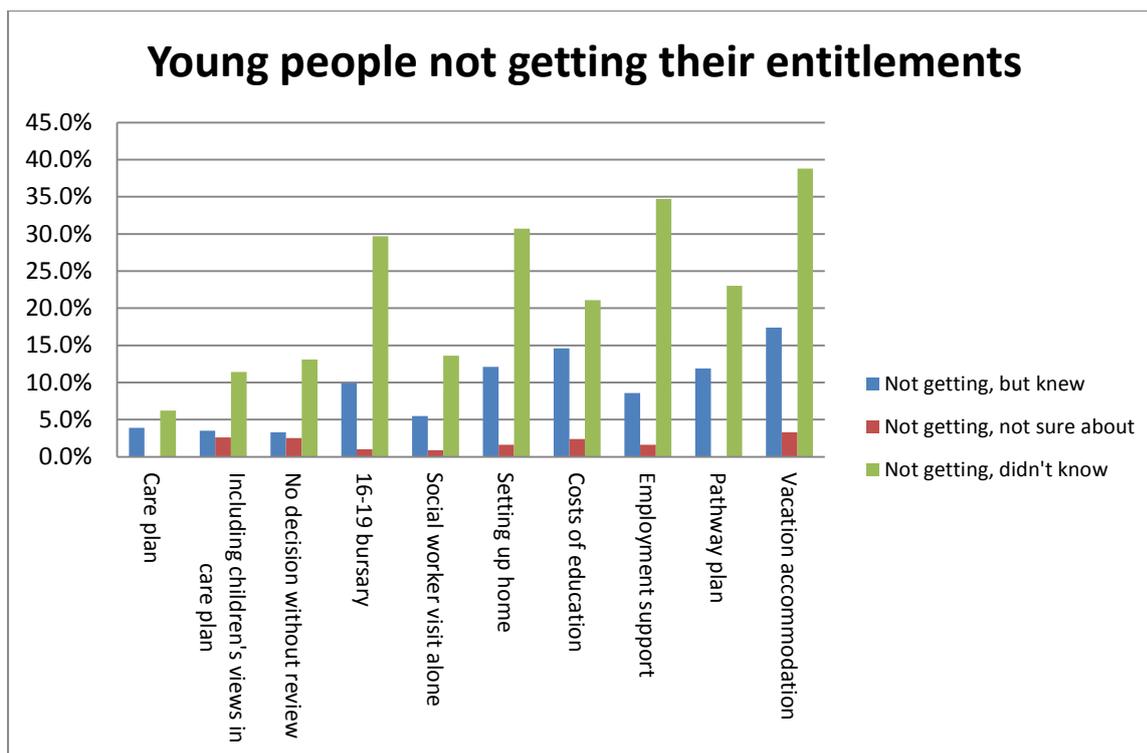


FIGURE 7

However, for other entitlements, there was a much higher percentage of those who knew about an entitlement but weren't getting it.

In some cases this can be explained by the fact that the children and young people don't know about an entitlement because they are not eligible for it. For example, the 16 to 19 bursary, education and employment support and vacation accommodation all have eligibility criteria.

However, even taking this into consideration there is still a significant minority of children and young people who knew about their entitlements, were eligible to receive them and still were not getting them.

- Social worker visits – 6% of young people knew about their rights relating to social workers visiting them alone, but that this was not happening for them.
- Pathway plan – 12% of young people knew that they should have a pathway plan, but said that they didn't.
- Setting up home grant – 12% of young people knew about the £2,000 setting up allowance, but that this was not happening for them.

We initially called this the “self-advocacy gap” because we thought that this gap was caused by children and young people being unable to self-advocate to access their entitlements. We spoke to organisations that provide independent advocacy and were told that children and young people's empowerment is very important to facilitate their self-advocacy. We were given some examples that suggest that children and young people might not feel

empowered to self-advocate. We didn't think that there was a clear overarching reason for this, so we have just called this "the gap."

ATTITUDES OF OTHERS

We were told that children and young people can sometimes be made to feel grateful for any money and support that they do receive and this can make them even less likely to ask for the things that they know that they **should** be receiving. We were told that because of this *"they feel they are an 'inconvenience' and want to fade into the background rather than push themselves to the front and cause a fuss."* (Action for Children).

ATTITUDES OF YOUNG PEOPLE

We were told that some children and young people are aware of their rights, but do not access their full entitlements because their situation is so much better than it used to be. They might find it hard to visualise what they could have, so do not push for more than they currently have.

"One such example is with bed and breakfast accommodation, which some young people say is better than where they were previously living and so are happy to stay there." (Action for Children)

We were also told that some looked after children and care leavers are worried about repercussions if they make a complaint and do not feel that anybody will take any notice.

A few children and young people told us that they don't want to be different and don't want to be given extra support and money. We think that for some people the language of entitlements promotes the wrong message and suggests to them that they are getting something for no reason.

"I have always felt patronised by the care system. [...] It feels as though money is thrown at us, almost as if it's some sort of compensation for our traumatic childhoods. I would like to be thought of as normal person and not be defined by my experience in care. [...] I appreciate financial help and I don't mean to be ungrateful, but I would rather have emotional support as I grow up and become independent, rather than having money thrown at me when I don't deserve it." (Care leaver)

For us, this raises a question as to whether entitlements is the correct terminology and whether in fact there could be a more appropriate term applied to make children and young people more comfortable with receiving support from their corporate parents.

THE SYSTEM

We were told that the system limits children and young people's ability to advocate for themselves. One organisation that provides advocacy services told us that factors such as reviews being held during school hours or children and young people simply not told the time and date of the reviews mean that children and young people are unable to attend

reviews and to speak for themselves. This forces children and young people to rely on adults to get their entitlements for them, which makes them vulnerable to the weaknesses of the system.

Innovative Practice

Mind Of My Own (MOMO) is a self-advocacy app that helps young people in care and care leavers to express their views and find someone they can trust to speak for them. It helps them prepare for meetings, and ask for changes or make complaints.

At key points MOMO also uses links to information on young people's rights and entitlements. That way they can check what they are entitled to in their situation.

At the end, MOMO puts their views into a structured statement which young people can save, email or download. If a local service has connected to MOMO then the user is offered the option to send their statement to them directly.

CONCLUSION

We have put the voice of the child at the heart of this report and believe that real change can happen if it is put at the heart of all decisions and actions for children in care and care leavers.

The subject of entitlements raises a number of issues which are deep-seated in the care system. We have heard a number of positive accounts from children and young people who have been supported well through the system and have been able to take up opportunities because of that support. We have unfortunately heard a great many more stories about children and young people who have not heard about their rights in time, who do not know about their rights and who have experienced negative consequences as a result.

We heard from children and young people who have been gravely let down because they didn't get what they were entitled to. We heard from some young people who have ended up in debt or homeless because they weren't supported to find somewhere to live during university holidays. We heard about those who are making choices about their future based solely on the fact that they think they can't afford to do something because they don't know about the support they could get. Looked after children and care leavers told us that they know that things should be happening for them but aren't. We have heard that children and young people think they need to 'be nice' to certain people to get things. Most of these stories are of vulnerable children and young people dealing with problems that they should not have to face.

Many of the issues faced by children and young people will require changes to an already complex system. We have tried to identify ten key recommendations which are practical and would make a visible difference for children and young people.

RECOMMENDATIONS

- Local authorities should set realistic and manageable maximum caseloads for social workers and personal advisors to ensure that they have enough time to spend regular and quality time with the children and young people on their caseload.
- Care planning regulations should explicitly require social workers to share information about rights and entitlements regularly and not just on entry to care.
- Statutory agencies should work together to produce a leaflet with best practice examples to be sent to all Children in Care Councils and lead members to support them to seek the views of children and young people in their own area about the best way to provide information about rights and entitlements.
- Voluntary agencies should work together to produce a best practice guide for frontline workers on communicating complex information to children and young people with additional language, communication and learning needs.
- Independent reviewing officers should report on whether young people know about their rights and entitlements. IRO managers should include this in their annual report to the Corporate Parenting Board.
- Lead members should review annually with their Children in Care Council whether there is enough accessible and relevant information about their entitlements.
- Department for Education to ensure information for frontline workers on entitlements is available on its website.
- Young people who are care experienced should be involved in delivering training in every local authority that focuses on communication and relationships so that professionals understand how to communicate information about rights and entitlements.
- Children in care should be given the contact details of their advocacy agency at every review meeting in an accessible way.
- Ofsted to consider how information and evidence about looked after children and care leavers' receipt and awareness of legal entitlements could be retrieved and aggregated from the first year of the new inspections.

FURTHER INFORMATION

For more information on the All Party Parliamentary Group for Looked After Children and Care Leavers, visit www.thewhocarestrust.org.uk/appg.