

Lost After Care

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Dedication

This publication is dedicated to the memory of Sir Ronald Waterhouse who passed away on 8 May 2011. Sir Ronald's three year inquiry into child abuse in north Wales led to the publication of Lost In Care in February 2000. Described at the time as a landmark report it focussed on widespread abuse in the care system and led to wide ranging positive changes for children in care including the creation of the post of Children's Commissioner for Wales in 2001.

There is a set of laws, including the Care Standards Act 2000 and Children's Commissioner for Wales Act 2001, which explains the role and responsibilities of the Commissioner.

We want to see Wales as a country where children and young people are respected, valued, listened to and supported to lead safe and happy lives. There's a team of people who work with Keith – in Swansea and Colwyn Bay - to help him:

- 👂 **support** children and young people to find out about children's rights
- 👂 **listen** to children and young people to find out what's important to them
- 👂 **advise** children, young people and those who care for them if they feel they've got nowhere else to go with their problems
- 👂 **influence** government and other organisations who say they're going to make a difference to children's lives, making sure they keep their promises to children and young people
- 👂 **speak up** for children and young people nationally on important issues – being the children's champion in Wales.

You can find and download copies of all our reports on our website:

www.childcomwales.org.uk

Introduction

In February 2000 the “Report of the Tribunal of the Inquiry into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974, Lost in Care”¹ was published. During that inquiry its chair Sir Ronald Waterhouse concluded that the young people who had complained about the abuse they had suffered were discouraged from doing so and their complaints were suppressed. Their voices were just not heard. The first recommendation of the report was that an independent Children’s Commissioner for Wales should be appointed to listen to children and young people, to advocate and to take action on their behalf. Wales became the first country in the UK to appoint a Children’s Commissioner in 2001.

Eleven years later and much has improved for children and young people in care. Children and young people are safer, there has been an increase in understanding that the voice of children is critical to good practice and every looked after child is entitled to an advocate. But with increasing numbers of children coming into care it is important that the improvements that have occurred during the past ten years are sustained and developed further.

Over the last decade the number of looked after children and young people has increased significantly, by 44%. The experience of the care system can be traumatic for some children and young people and is an experience that requires them to have good positive support and guidance throughout their time in the system. That support is equally as important for them as they prepare to leave care, particularly for those young people who are moving on to live independently rather than returning to their families.

My Office frequently comes into contact with children and young people who are in care or have been in care, either through the individual cases we handle or through the varied visits, meetings, forums and conferences that we all attend as part of our work.

From the work we undertake with children and young people we are able to paint a picture of the concerns expressed by them about a wide range of issues affecting their rights and welfare and this helps me to focus on what needs to be done to meet their needs. One group whose concerns have made a powerful impact on me are young people who have talked about their experiences as they have made the transition from care to living independently. For this group of young people things do not always go smoothly and this has informed the focus of this report. I want their experiences to be understood and for their voices to be heard so all those tasked with supporting these young people can build on the good practice that exists to offer an even better service.

The aim of this publication is to give readers a flavour of what it is like to leave care and to demonstrate the experiences of young people who are currently preparing to leave care as well as those who have recently left care. It draws on the information we have gathered from young people themselves as well as drawing on reports and statistics produced by other key organisations.

Whilst this report may appear to focus upon shortcomings in the current system it also highlights good practice. I have been made aware of many examples of professionals and practitioners going the extra mile and of local initiatives that demonstrate that local authorities are making significant efforts to meet their corporate parenting responsibilities.

Importantly, it also includes a number of comments and conclusions with practice considerations for Welsh Government, local authorities, local health boards and others to take on board. I’m convinced that what we all want to see is improved outcomes for young people when they leave care.

Alongside this publication, we will also be formally launching My Planner² – a resource created for young people preparing to leave care. Not all young people preparing to move to independent living across Wales receive the same support and information about what they are entitled to and what they can expect as they approach the age of 16. To help mark my Office’s tenth anniversary I decided to produce something practical with young people, for young people that would enable them to have a checklist of what support they are entitled to. Copies of My Planner have already been sent to all local authorities and my hope is that every young person aged 15 and above in care will now have a copy of it in their hands.

Both this publication and My Planner are designed to focus attention upon the needs and entitlements of this group of young people and to assist the professionals, practitioners and carers working with them to provide the support and guidance these vulnerable young people need to successfully move from care to living independently.

Sir Ronald’s concerns about adults failing to hear young people in care were valid when he expressed them in 2000. My challenge to everyone working and caring for young people who are moving on is to hear and act upon the messages that young people are giving us today in this report.

To listen and do nothing is not acceptable. The value of this report depends upon what happens next.



Keith Towler
Children’s Commissioner for Wales

¹Waterhouse, Report of the Tribunal of the Inquiry into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974, Lost in Care, (2000)

²Children’s Commissioner for Wales, My Planner (2011) www.childcomwales.org.uk/myplanner

Policy Background

Within this section we highlight key rights, legislation and guidance relating to looked after children and young people and young people moving on to independent living in order to provide a context for the later commentary on young people's experiences of moving on. Children and young people who are looked after are, first and foremost, children and young people. As such they are all protected and supported by the rights set out in the **United Nations Convention on the Rights of the Child (UNCRC)**³ – a Convention ratified by the UK Government in 1991. In 2011, the National Assembly for Wales approved the Proposed Rights of Children and Young Persons (Wales) Measure. It will place a duty on Welsh Ministers to have due regard to the UNCRC from 1 May 2012.

Article 9 of the UNCRC recognises that children and young people must sometimes be separated from their parents: "Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents unless this might hurt the child" and Article 20, states that 'children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language'. While Article 3 ensures that all organisations concerned should work towards what is best for each child.

Although the circumstances which required the child or young person to be taken into care may have infringed some of their rights, it is incumbent on those who are now responsible for their care to ensure that they are able to exercise all these rights. Corporate Parenting responsibilities extend across all local authority services but particularly to local authority councillors, social workers, foster carers and residential link workers.

Article 25 of the UNCRC says that children who are looked after by their local authority should have their situation reviewed regularly. Children and young people should be involved in their reviews and Article 12 of the UNCRC emphasises that 'children have the right to say what they think should happen when adults are making decisions about them and to have their opinions taken into account'. In order to ensure that children and young people can make informed decisions, Article 13 states that 'children have the right to get and share information, as long as the information is not damaging to them or to others'.

The UNCRC provides a clear rights framework which is reflected in the **Children Act 1989**⁴, which imposed duties on local authorities in England and Wales to care for those children who could no longer live with their families. The Children Act 1989 provides the general legal framework for young people in and leaving care.

The **Children (Leaving Care) Act 2000**⁵ amended the leaving care provisions contained in section 24 of the Children Act 1989 with the purpose of improving the life chances of young people living in and leaving local authority care. Its main aims are:

1. *To delay young people's discharge from care until they are prepared and ready to leave;*
2. *To improve the assessment, preparation and planning for leaving care;*
3. *To provide better personal support for young people after leaving care;*
4. *To improve the financial arrangements for care leavers.*⁶

⁴ Children Act 1989

⁵ Children (Leaving Care) Act 2000

⁶ Welsh Assembly Government, Children Leaving Care Act Guidance (2001)

³ United Nations Convention on the Rights of the Child (1989) www.childcomwales.org.uk/en/rights/

Although the UNCRC applies to children under 18, the Children (Leaving Care) Act 2000 extended the duties of local authorities to young people who have been in care beyond this age. A care leaver within the meaning of the Children (Leaving Care) Act 2000 is a young person between the ages of 16-21 who is leaving (or has left) the care system having spent at least three months (since the age of 14) in the care of the local authority. The Act requires the home local authority to assess and meet the support needs of four different categories of young people:

Eligible children/child

- Aged between 16 and 17
- Between your 14th birthday and after your 16th birthday, you were looked after for at least 13 weeks, or periods adding up to 13 weeks unless this was planned respite care:
- You are still being looked after

Relevant children/child

- Aged 16 or 17
- You have left care
- But before leaving care you were an eligible child
- Also includes you if you are detained in the criminal justice system, or in hospital

Former relevant children/child

- Aged 18-21
- You have been a relevant child or
- You were looked after when you became 18 and before that you were an eligible child
- If at the age of 21 you are still getting help with education or training, you remain a former relevant child to the end of your education / training programme even if that is past the age of 21

Qualifying children/child

- Aged 16-21 (or 24 if in education/training)
- You were looked after at the age of 16 but you are no longer looked after or accommodated
- Includes you if you leave care after October 2001 but you do not qualify as an eligible child
- If you are subject to a Special Guardianship Order and immediately before the order was made you were looked after by social services

Young people leaving care are entitled to a range of clearly defined support that are designed to help them move from the all encompassing experience of being looked after, to living independently in the wider community. The Children (Leaving Care) Act 2000 defines the extra support a local authority must provide when young people leave care and start to live independently. The Welsh Government issued guidance on implementing the Act in 2001, published as **Children Leaving Care Act Guidance 2001**⁷.

The main provisions of the Act are summarised in that guidance:

- the responsible local authority to be under a duty to assess and meet the care and support needs of eligible, relevant and former relevant children;
- the responsible local authority to be under a duty to keep in touch with all its care leavers who qualify for the new arrangements;
- all eligible, relevant and former relevant children must have a Pathway Plan;
- all eligible, relevant and former relevant children must have a Personal Advisor;
- the responsible local authority must assist a care leaver in higher education with vacation accommodation if required;

- the responsible local authority must assist a former relevant child with costs associated with employment to the extent that his or her welfare requires it;
- the responsible local authority must assist with the costs of education and training up to the end of the agreed programme;
- the responsible local authority must assist a former relevant child to the extent that his or her welfare requires it, either in kind or exceptionally in cash.

The Children (Leaving Care) Act 2000 also requires local authorities to ensure that a pathway plan is in place by the young persons 16th birthday. This plan is pivotal to the process of planning and detailing the support the young person will need as they transition towards independence and should detail plans of how the young persons aspirations and needs will be met in the following areas: education and training, employment, health, accommodation, personal support, family and social relationships, practical and other skills, financial support and contingency planning. The **Children (Leaving Care) (Wales) Regulations 2001**⁸ state that a pathway plan should be reviewed at least every six months.

⁷ Welsh Government, Children Leaving Care Act Guidance (2001) www.wales.gov.uk/topics/childrenyoungpeople/publications/childrenleavingcareact?lang=en

⁸ The Children (Leaving Care) (Wales) Regulations 2001

Furthermore the Children (Leaving Care) Act 2000 states that a personal advisor should be appointed to each young person moving on to independent living up to the age of 21 to offer help, practical advice and support and to help to make the pathway plan a reality. The Munby judgement in *J v Caerphilly County Borough Council (2005)*⁹ stressed that the personal advisor should be a different person to the young person's social worker.

In 2007 the Welsh Government published guidance, '*Towards a Stable Life and a Brighter Future*'¹⁰ which set out the arrangements and functions that statutory partners must undertake in discharging their duties of co-operation with local authorities in respect of arrangements for the placement, health and education of looked after children and young people moving on to independent living. The overriding aim of the provisions is to ensure that decisions are made in the best interests of the child, that placements are made close to home, wherever possible and that services are coordinated between agencies and delivered by key people. Statutory partners are defined in the *Children Act 2004*¹¹ and include children's services in Wales, police authorities, local health boards, and youth offending teams.

The *Children and Young Persons Act 2008*¹² amended some of the requirements of section 23 of the Children Act 1989 to extend the advice and assistance of a personal adviser up to age 25 for young people still in education and training. All young people moving on to independent living should be offered advice and support up to the age of 21 and up to 25 if they are in education and training. It should be noted that not all of the key changes in the act in relation to looked after children and young people moving on to independent living have commenced in Wales.

Part of the role of the Children's Commissioner for Wales' Office is to monitor and hold government to account for the realisation of children's rights. This includes reporting to the United Nations Committee on the Rights of the Child (UN Committee) every five years, the last time being in 2008. At the same time the UK Government also stood before the UN Committee to answer questions about children's rights in the UK. In October 2008 the UN Committee published a report of its findings making 124 recommendations to the UK government in their *Concluding Observations*¹³ that should be implemented to protect children's rights in the UK.

⁹ http://www.howardleague.org/fileadmin/howard_league/user/pdf/AJ_Final_Judgment_approved.pdf

¹⁰ Welsh Assembly Government, *Towards a Stable Life and a Brighter Future* (2007)

¹¹ Children Act 2004

¹² The Children and Young Person's Act 2008

¹³ United Nations Committee on the Rights of the Child, *Concluding Observations United Kingdom of Great Britain and Northern Ireland* "CRC/C/GBR/CO/4, (2008)

The *Joint UK Children's Commissioners' Report to the UN Committee on the Rights of the Child*¹⁴ and the 2008 Concluding Observations both made recommendations around the participation of children in decision making and provision of support and advocacy for these children and young people. The UN Committee also recommended training and education programmes to prepare children for adult life and expressed its concerns at the insufficient investment in the staff and facilities to support looked after children.

In their response to the 2008 Concluding Observations, *Getting it Right 2009*¹⁵, Welsh Government laid out its plans to respond to the committee's concerns. One of the priorities of the action plan is to deliver positive outcomes for the most vulnerable children and families recognising that many children and young people who are vulnerable are likely to require additional support to access support and services. The Welsh Government proposes that the new model for delivering advocacy for children and young people in Wales will assist in addressing this gap.

The Welsh Government also states that a number of other developments are underway to strengthen arrangements for the delivery of services to improve outcomes for vulnerable children and their families, including new powers to strengthen the care arrangements for children in care and leaving care through the implementation of the *Children and Young Persons Act 2008*.

Moreover, the Welsh Government's desire to improve the support and services available to looked after children has also been supported at a local level. In 2009 the Welsh Government and the Welsh Local Government Association published a joint publication, *"If this were my child ... A councillor's guide to being a good corporate parent"*¹⁶ which stated:

Elected Members have a responsibility to ensure that children looked after by the Council are able to thrive, that they are nurtured, supported, educated, listened to and prepared for adult life in the way any good parent would want for their own children.

In 2009 this guide was issued to local elected members and *"Statutory Guidance on the Role and Accountabilities of the Director of Social Services"*¹⁷ was issued to Directors of social services to reinforce the importance of their corporate parenting responsibilities to children in care.

Further to the issuing of the guidance the WLGA have published in April 2011 a compendium of notable practice providing a practical resource for professionals and Elected Members¹⁸, demonstrating some of the progress made by local authorities in improving corporate parenting practices.

¹⁶ Welsh Assembly Government and WLGA, *"If this were my child ... A councillor's guide to being a good corporate parent to children in care and care leavers"*(2009)

¹⁷ Welsh Assembly Government, *"Statutory Guidance on the Role and Accountabilities of the Director of Social Services"*(2009)

¹⁸ SSIA (2011) www.ssiacymru.org.uk/index.cfm?keyword=corporate+parenting&go=&articleid=2991&articleaction=sitesearchresults

¹⁴ UK Children's Commissioners' Report to the UN Committee (2008) www.childcomwales.org.uk/en/publications/

¹⁵ Welsh Government, *Getting it Right* (2009)

What We Did

In producing this publication and the resource for young people, **My Planner**¹⁹ we undertook research with nearly 120 children and young people who were in foster care, residential care or who had left care. The aim was to explore the issues that young people face when they start planning to leave care and live independently and to identify evidence of good practice. This research was undertaken between July 2010 and March 2011. In total we met with 11 groups of young people from across Wales. We also met with four groups of foster carers.

Views were also sought, through meetings and telephone conversations, from professionals and practitioners across Wales who work with looked after children including complaints officers, advocacy providers, a looked after children's nurse, residential link workers, looked after children's teams and leaving care teams. We met with other relevant professionals including officials from Welsh Government, elected members, Heads of Children's Services, a representative from the Welsh Local Government Association (WLGA) and the Wales Audit Office.

Additionally we commissioned the Fostering Network Wales – an organisation which provides learning and development opportunities for foster carers and fostering services – to undertake some specific research with older looked after children and young people moving on to independent living into their experiences as they make the transition.

The Fostering Network conducted their research from December 2010 to March 2011 and met with six groups of young people. Group consultations included both attending established forums and bringing together young people for specific sessions. Telephone interviews were conducted by the Fostering Network with some individuals using semi-structured interview questions. Young people were initially contacted to identify whether they were willing to participate and were then offered a briefing of the project before arrangements were made for the interview to take place. All sessions involved gaining feedback from young people on their experiences of the transition process as well as identifying what would support a young person's journey to independence.

Also highlighted within this publication are the views and experiences of children and young people in care and leaving care that have been shared with the Commissioner over the last three years. We also reviewed relevant cases from our advice and support service from the last two years.

We looked at a sample of eight looked after children's information packs (LAC packs) from across Wales to determine if all relevant information (including how to access advocacy, how to make a complaint, information about independent visitors, personal advisors, designated teachers and pathway plans) is provided to the children and young people.

Additionally, we contacted social services departments in all 22 local authorities to ask about their provision of independent visitors.

Five key areas were identified by the young people we worked with as topics of most relevance to their lives. The following chapters will look at each topic in turn.

¹⁹ <http://www.childcomwales.org.uk/en/my-planner/>

Social Services

A few facts

- *The latest figures show that on 31st March 2010 there were 5,162 children and young people in Wales who were looked after²⁰.*
- *The latest statistics show that for the year ending 31st March 2010, 195 young people had left care in Wales either to live in supported accommodation or to live independently²¹.*
- *Despite increased expenditure, outcomes for looked after children, although improving, are still relatively poor.*
- *A care order automatically ends when a young person leaving care reaches 18 years of age. However Social Services have to continue to offer them help, for example with finding somewhere to live until they are 21 years old (or 25 if in education or training).*

The following section details the various resources and support every social services department should provide for every young person leaving care.

²⁰ Welsh Assembly Government, 2011 Children and Young People's Wellbeing Monitor for Wales(2011)

²¹ Statistics for Wales, Episodes finishing for looked after children, by reason for finishing, year ending 31 March 2010, <http://www.statswales.wales.gov.uk/TableViewer/tableView.aspx?ReportId=24426>

Social workers

The relationship between the young person leaving care and their social worker is fundamental to that young person being properly supported and guided through the transition from care to independence. It is essential that the social worker has the skills, knowledge and understanding to provide information to the young person about move on accommodation and housing options, employment and training, benefits and independent living skills. They are responsible for ensuring that the young person's pathway plan is delivered. All of the young people we spoke to had had a social worker but there were very varied experiences and views on the relationship they had with them.

It was encouraging to hear that there were some young people who were able to describe very positive relationships:

"They're there when I need them and come out and see me if I need anything."

One young person described how their social worker visited them when they were unable to attend school due to illness and brought them magazines to read. Another young person recalled a time when his social worker had visited him on the weekend as he was ill and had recently moved to living independently.

There were also a few examples of when social workers supported contact with birth families. One young person explained how he had been separated from his siblings when he came into care but his social worker had supported him in maintaining contact with his younger siblings.

Unfortunately not all the young people we spoke to had such positive support. Some of the more negative experiences included observations about poor professional practice including having little contact with their social worker:

"If you're someone who's getting on with it you'll never see your social worker."

"Not there when you need them and there when you don't"

They also expressed concerns that their wishes and feelings were ignored:

"I feel as if they don't listen. They hear you but they don't listen"

or felt let down because social workers made promises that they didn't keep:

"they write things down and never do them",

or that social workers simply did not provide the young person with information about what was happening to them:

"Social workers stopped working with me with no explanation"

It is important that the social worker can be relied upon to always act in the best interests of the young person they are working with whatever other pressures they may be facing. Paying lip service to the young person and not following through actions that have been agreed with the young person, or failing to properly hear what it is that a young person is telling them were common frustrations that we heard.

Chief amongst the reasons for the young people expressing dissatisfaction with their social worker would appear to be the lack of time spent with the individual young person, coupled with a lack of understanding about what the young person really needed and wanted. We would suggest that these two issues are likely to be related. If social workers are not spending sufficient time getting to know the young people they are working with how can they properly represent that young persons best interests?

There were a number of other adverse comments that would suggest other factors can affect the quality of the relationship with the social worker and in particular there were a number of references to lack of regular contact with the same social worker:

"By the time you get used to a social worker they are planning to leave"

"Don't get chance to know them."

"I had six social workers in three years."

It was unclear whether the reasons for these comments were related to ongoing difficulties with recruitment and retention in particular services or a reflection of a more widespread problem. What was significant was the importance that young people attached to a good relationship with their social worker. The social worker was viewed as a powerful figure, key to contributing to major decisions about a young person's life even where the relationship was poor. One young person explained directly to the Commissioner that:

"Social workers have got a lot to do and sometimes I'm just not at the top of her to do list."

Whilst young people might recognise the practical difficulties social workers sometimes face, and in some instances are sympathetic to their plight, it in no way excuses the fact that the lived experience for young people is one where the social worker becomes a distant but powerful figure.

Another issue that young people raised that affected the quality of the relationship they had with their social worker was the frequency and timing of contact they had with them. Many of the young people we spoke to reported six-monthly contact and whilst some felt this was sufficient, others felt this should be more frequent. Young people were also critical of the time it sometimes took to see their social worker if they needed to see them outside of pre arranged appointments:

"Probably wouldn't be able to come out for 3 weeks. It should be quicker."

Although many felt they would be able to contact their social worker if they needed them, doubt was expressed as to whether the social worker would be able to respond and see them when they wanted to. Whilst the expectations of young people may be unrealistically high in terms of instant access to a social worker it does not seem unreasonable for services to provide same week contact in most cases.

It wasn't just the young people who told us they would like to be able to spend more time with their social worker. We also spoke to social workers from a number of different local authorities who were keen to tell us how much they would welcome the opportunity to be able to spend more time simply talking to the young people they worked with. They felt that too much of their time was spent sitting at a computer entering data into one database or another. Such views chime with the findings of the recent Independent Commission on Social Services in Wales, which reported in November 2010:

"We heard much from social workers and other frontline staff and service users about the bureaucratic burden in their work and the extent to which process and time spent at the computer was getting in the way of productive time with, and for clients."²²

²² Independent Commission on Social Services in Wales (2008) <http://www.icssw.org/?lang=en>

Contact with social workers appeared to be a particular issue for young people who were placed out of the local authority area sometimes many miles away from "home". During our research we spoke to a few young people who had been placed out of county. For most of these young people, there had been very limited contact with social workers and other professionals they had become familiar with from within their home authority. There was rarely any support from the local authority they were residing in. Consequently the impression these young people were left with was that they felt stuck between two authorities who didn't communicate with each other or work together and the result was that they felt isolated and unsupported:

"They forget that it's the young people who are affected."

"You feel like a case number not a young person."

Principal officers, social work managers and Independent Reviewing Officers (IROs) all have a role to play in ensuring that good practice is delivered by social workers and we think they have a role to play in improving looked after young people's experiences of transition from care to independence. The appointment of an IRO is a legal requirement under Section 118 of the Adoption and Children Act 2002. Their role is to ensure that the local authority is fulfilling its duties and also importantly to ensure that the child or young person's wishes and feelings are given full consideration.

The National Review of Independent Reviewing Officer Services 2008-2009²³ found that:

"For the most part, IROs perform their role of monitoring social work processes very well and have contributed to the improvements in performance around looked after children. However they are not always consistent in following up concerns about quality and in ensuring that the aspects of a child's care plan are implemented in a timely manner. In particular there can sometimes be a tendency to discuss a recommendation a number of times at a review without resolution."

Principal officers and social work team managers should ensure that staff are properly trained, supported and held to account for their practice and should ensure that a quality service is provided for young people moving on to independent living. Managers must work to ensure that social workers spend quality time with the young people and should not feel swamped by the pressures of high caseloads, paperwork, and other tasks.

Social work managers and IROs should ensure that social workers can demonstrate to them that they have properly consulted, discussed and explained to young people decisions that are made about their futures and that they have completed good quality assessments and care plans.

It is evident that the young people we spoke to have had very mixed experiences of being involved with social services. However one thing that is clear is that in the preparation for leaving care it is important that the young person has been able to establish a good relationship with their social worker based on understanding and, crucially, trust. Equally social workers should feel that they will be supported by their managers to spend quality time with the young people and should not feel swamped under the pressure of target-hitting, paperwork and administration tasks.

²³ CSSIW, National Review of Independent Reviewing Officer Services 2008-2009 (2009) http://wales.gov.uk/docs/cssiw/report/iro_rpt0809/091013iroen.pdf

Personal advisor

Another key professional that provides support and assistance to young people as they prepare to move on to independent living is the personal advisor. The personal advisor's role was introduced by the **Children (Leaving Care) Act 2000** to support young people moving on to independent living. Young people should all know who their personal advisor is by age 16. The role of the personal advisor is to:

- Provide advice and support;
- Draw up the pathway plan ensuring it is implemented
- Keep in touch with the young person;
- Co-ordinate services, linking in with other agencies.

The high court judgement in **J v Caerphilly County Borough 2005 (the Munby judgement)** made it clear that the personal advisor should be someone independent and, if necessary, able to challenge the local authority if the pathway plan is not being followed or needs are not being met. Part of the role of the personal advisor is to represent the young person in the course of the young person's dealings with the local

authority. However the role of personal advisor is not always clear to young people in care:

"It's not clear from your social worker or support worker who they are and what they're gonna do."

Some young people who we spoke to were not even aware of the existence of personal advisors:

"Who or what is a personal adviser – never knew they existed, what do they do – do I need one, have I got one?"

Some of the young people we spoke to told us that it was extremely helpful when both their social worker and personal advisor sat down with them and explained their different roles and the importance of the pathway plan. Whilst this might seem to be obvious good practice we had many comments made to us by young people moving on to independent living that would suggest that this is often not the case.

Some young people were not getting the contact that they expected from their personal

advisor, for example, one described seeing her personal advisor in August and then not again until February the following year. Another young person described seeing them weekly for the first month but hasn't been able to contact them since. Many of the young people we spoke to who had turned 18 no longer had contact with their personal advisor:

"We got help at the beginning but it all faded away."

For those young people who had a positive experience with their personal advisor what they found most beneficial was the help they received with budgeting and practical tasks such as food shopping. There was evidence that those who had regular contact valued the approach some of their personal advisors took:

"They don't tell you how to live your life. They tell you what you need to know and give you advice"

"We go out for dinner and talk about anything I need. I've found it a positive experience."

In one local authority we heard that the personal advisors arranged regular meetings for the young people to come together to learn some independent living skills and to seek any help or advice they needed. These young people also received a newsletter with lots of useful and practical information.

Similar to the relationship with their social worker, young people seem to value the ability to develop reliable and regular contact with their personal advisor. The example we were given of the social worker and the personal advisor sitting down with the young person together and explaining their different roles is one that we would like to see replicated for all looked after young people in every local authority. It is important that young people are provided with information that they can understand and make use of.

Pathway Plan

We have already mentioned that one of the key roles of the personal advisor is to ensure the pathway plan is implemented. The pathway plan is an important document and one that must be prepared with great care. The pathway plan details what support will be given to the young person as they move on to independent living. Every young person should be given time and support to have an input into their plan. In order to do this effectively it is vital that young people are appropriately advised and understand the importance of making detailed plans for their futures in their pathway plan. This is especially crucial if the young person wants to go on to higher education but in any event should cover all aspects of the young persons life as they prepare for independence. Unfortunately many young people we spoke to reported that they had never seen their plan and therefore had no part in formulating it. In **My Planner** we recommend that if young people are not sure what their pathway plan contains they should ask for a copy to ensure that, for example, any plans they have for going to university or college form part of the pathway plan.

Another inconsistency was the age at which a young person started their pathway plan and the support they received for completing the plan. One young person described their social worker bringing them a blank plan when they were 15 ½ and telling them to complete it before the next visit. On the following visit the young person's contributions were discussed. Another young person described how his social worker brought his personal advisor along to meet him for the first time just after he'd turned 16 and they'd discussed the purpose of the plan and left a blank copy with him to complete. However we met other young people who had turned 16 and some even 17 who couldn't recall ever seeing a copy of their plan. One 18 year old we spoke to was intending to go to university but had never heard of a pathway plan when asked about it.

What was most concerning for us was that a number of young people reported that whilst they had a pathway plan they had not been involved in the drawing up of the plan, had not had the plan discussed with them, and were not aware of its contents. We were also given examples where the wrong name or the wrong information had been documented on the young person's pathway plan deterring them from considering it as personal. It was viewed as just another document. Young people made statements like:

"I always thought it was just paperwork. It's not very young people friendly. It needs to be more usable, not just a crap load of paper."

"It's so they can say we achieved X amount, so they can tell the government we've done this, this and this."

The confusion and lack of interest that seems to surround pathway plans among young people needs to be addressed. Local authorities must ensure that all personal advisors work closely with looked after young people to ensure that they both understand the purpose of and contribute to their pathway plan. Additionally we would echo another important point made by the young people moving on to independent living that:

"the plan needs to be reviewed regularly as things change and you may need a "back up plan".

Advocacy

The provision of advocacy can also prove to be a valuable source of support for young people leaving care and is a statutory duty²⁴ for a local authority to make available to any looked after young person. Welsh Government has issued **National Standards for the Delivery of Advocacy Services**²⁵ which states that advocacy should be available to young people moving on to independent living, up to the age of 21. These standards describe advocacy as:

“giving children and young people the power to speak for themselves or speaking on their behalf, advocates also offer information, advice and support...”

“Advocates should work to make sure that children and young people in care can understand what is happening to them, can make their views known and, where possible, exercise choice when decisions about them are being made.”

Young people about to move on from care to living independently can make good use of advocacy at a time when important decisions are being made about their life. They are likely to benefit from someone who can speak up for them and clearly put across their point of view. However at a Leaving Care Forum attended by the Commissioner we found that only three out of approximately 30 young people had even heard of advocacy. All young people moving on to independent living should be encouraged to access the advocacy provision that is theirs by right, to assist them in ensuring that their wishes and feelings are heard.

A number of young people we spoke to told us how much they value the support of an advocate when they need to speak to professionals in social services, health services or their school. When asked about making a complaint most young people said they would talk to their social worker however, as one young person highlighted, it's hard to make a complaint to them if it's about their service because:

“They're part of it.”

A good advocate can make an important difference to the life of someone in care. One young person gave an example of when she had made a complaint about her placement to the social worker and the social worker's team manager but felt that she wasn't listened to. She contacted her local advocacy service and they were able to support her.

When we were undertaking our research for **My Planner** the young people we spoke to were generally better informed than many looked after young people about their entitlements. However only some of them knew about advocacy and those who didn't know were not aware they were entitled to receive this kind of support.

We have had a number of cases via our advice and support service where it is clear that young people moving on to independent living have not been able to access the advocacy service they were entitled to and often were unaware that such a service existed. Earlier this year a care leaver contacted us as she wanted an advocate to help resolve a difficulty she was experiencing with her social worker but had been unable to do so. She was not aware of what advocacy services

were available locally and had not been offered an advocate by the local authority throughout her time in care. On contacting the local authority we were told that they didn't have a dedicated advocacy service but used a spot purchasing arrangement to provide this support. However social workers including managers in this authority did not know about the details of the provision and did not appear to understand what advocacy was. The young person was asked to provide them with inappropriate information in order to access the service. Following our involvement the young person was provided with an advocate.

It is concerning that young people may not be aware of or have access to this entitlement due to stretched resources. Some professionals we spoke to have highlighted to us that they felt the amount of resources available influenced how advocacy was promoted to looked after children and young people moving on to independent living and this had a direct bearing on their opportunities to access a service.

²⁴ Children Act 1989 (section 26A)

²⁵ Welsh Assembly Government, National Standards for the Provision of Children's Advocacy Services(2003) <http://wales.gov.uk/caec/publications/childrenandyoungpeople/advocacy/advocacystandardsen.pdf?lang=en>

Independent Visitor

An independent visitor is someone who visits, befriends and advises those who live in foster care or residential homes who have had little or no contact with their family for over a year. We made a conscious decision not to include any mention of independent visitors in *My Planner* because we know children and young people have had difficulty accessing the service – even though local authorities have a duty²⁶ to provide one in certain circumstances. Five out of the eight looked after children packs we looked at had information on independent visitors and we found that very few of the young people we spoke to had any knowledge of this service. Yet it seems obvious that young people approaching independence could benefit from having an adult friend and mentor with whom they could share their interests and explore their future options and who would be independent from the array of professionals the young person may have contact with.

A recent publication by Tros Gynnal on their Positive Roles Volunteer Scheme²⁷ gives a model for *“successfully matching volunteers with children and young people in care – providing a long-term stable adult relationship”*. One of the young people quoted in that report said:

“Since having an independent visitor, I have made a great friend who I will know for life”

We conducted a telephone survey of local authority social services to elicit both their understanding and the level of provision of independent visitors. Many of the social workers we spoke to needed an explanation of what an independent visitor was. We also found that very few looked after children and young people were able to access an independent visitor. In light of this we would question the level of priority given to this service despite the potential benefits that this could provide for young people moving on to independent living and lacking adult role models and support.

The Tros Gynnal report provides examples of how much of an impact the presence of an independent visitor can have on the lives of looked after children and young people. Indeed, a well-established relationship with an independent adult who is a constant presence in their lives can be invaluable, especially as they start the transition process towards independent living and beyond. It is a great pity that this service is not made more widely available. Although looked after children and young people do not have to accept an independent visitor, they should be offered one if they are eligible and it is in their best interests. Many of the young people we spoke to told us they had little contact with their family which makes it hard to comprehend why so few looked after young people, and indeed social workers, seemed to be aware of this service. Local authorities must do more to make social workers aware of the independent visiting service and ensure that those children and young people who are eligible are given the option of engaging with the service.

²⁶ Children Act 1989 (section 23ZB)

²⁷ TrosGynnal, Positive Roles Volunteer Schemes, http://www.trosgynnal.org.uk/document/Page/TROS_GYNNAL%20POS%20ROLES%20BKLT.PDF

Education

A few facts

👉 *Welsh Government statistics for children who ceased to be looked after aged 16 or over with GCSE or GNVQ qualifications, year ending 31 March 2010²⁸ show that:*

- *35% had no qualification*
- *65% had at least one GCSE or vocational qualification*
- *30% had at least 5 GCSEs (A* to G grade, but just 9% had A* to C grade compared to 63% of 15 year olds who are not in the care system²⁹).*

👉 *For children looked after by local authorities, 2008/09 data show the percentage of children achieving the expected Core Subject Indicator level was 44% at KS2 and 25% at KS3. The equivalent figures for all pupils were 77% at KS2 and 61% at KS3 (some looked after children have difficulties that should be taken in to account when making comparisons)³⁰.*

👉 *All looked after children and young people must have a Personal Education Plan - as required by the Children Act 2004, Section 52.*

👉 *Section 20 of the Children and Young Persons Act 2008 places a requirement on all maintained schools to have a designated member of staff with responsibility for the educational achievement of looked after children and young people.*

The following section will detail the various resources and support education services should provide for looked after children and young people leaving care.

²⁸ StatsWales, Children who ceased to be looked after aged 16 or over with GCSE or GNVQ qualifications, year ending 31 March (2010) <http://www.statswales.wales.gov.uk/TableViewer/tableView.aspx?ReportId=24551>

²⁹ StatsWales, Educational achievements of pupils aged 15 by year (gender, LEA), <http://www.statswales.wales.gov.uk/TableViewer/tableView.aspx?ReportId=11293>

³⁰ Welsh Assembly Government, Children and young people's monitor

Support in school for looked after children

The final years in school and progression onto further education, training or employment is a key factor in the lives of all young people but it is particularly important for looked after young people. For these young people it is likely that their education will have been affected by their experience of moving from home into care and indeed by the circumstances which led to them entering the care system. Good effective support and understanding in the school setting is vital for this group of children and young people.

The experience of the young people moving on to independent living we met suggests that whilst there are supports in place for children in care the quality and provision of such support is variable, and knowledge and understanding about the personal difficulties that children in care may be experiencing is often patchy.

One of the key roles within the school setting that should support children in the care system is the designated teacher for looked after children. Welsh Government guidance *Towards a Stable Life* and *Brighter Future*³¹ outlines the roles and responsibilities of the designated teacher for looked after children in school and

the looked after children education coordinator who is responsible for ensuring that the needs of looked after children and young people moving on to independent living are addressed both within and outside the local authority area.

However when we spoke to young people and their foster carers about the designated staff we found that knowledge that there was someone in each school to help and support looked after young people was inconsistent. We asked the young people about their ability to access designated staff. Some were unaware who these were, although this may be due to a lack of clarity on the persons' role rather than not having contact with them. Information about this support in school should be available in local authorities' looked after children packs but of the ones we looked at it was included in some but not in others.

One of the designated teachers we spoke to admitted she was unaware of the numbers of looked after children in her school. It is difficult to comprehend how someone can provide appropriate support to these young people if they are not aware of their existence. Schools and Social Services should be more proactive in

ensuring that the designated teacher is aware of every looked after young person in their school and that the designated teacher in turn makes sure that each looked after young person knows about their role and how to contact them.

The role of the designated teacher for looked after children and the looked after children education coordinator becomes particularly important when young people are moving towards independent living. Young people can benefit from early discussions on their interests and choice of subjects so they can decide what they want to do when they are older. Careers advice and support is key at this point in any young person's life.

Schools must also think much more carefully about how they manage the role of the designated teacher and the impact that this role can have on the lives of looked after children in their schools. One group of young people we met described how the designated teacher in their school was also the special needs teacher:

"She used to call in the kids in foster care"

"It was horrible I hated going in there"

The young people felt they were singled out publicly as being in care and additionally that there was an implication that they may have special educational needs. We assume that this was done unintentionally but it did have an affect on the young people.

There were also various references to young people being pulled out of class to attend review meetings:

"I hate meetings in school"

"My geography teacher says it in front of everyone.....it's annoying when they do it in front of the whole class"

"My teacher said (name), your social worker is here for your very important meeting"

"Everyone wants to know where you've been."

³¹ Welsh Government <http://wales.gov.uk/docs/caecd/publications/110317stableen.pdf>

While some young people are comfortable with being identified as being looked after, others are not. Schools should seek to ascertain the views of the looked after children and young people they are educating and make provision accordingly. It should not be left to the child or young person to manage this situation for themselves as one young person we met told us she had done. She told us she doesn't go to the review meetings because she doesn't want to be called out of lessons so she asks her foster carer to go and tell her what happened.

Others objected to the fact that they were pulled out of lessons to meet professionals:

"They shouldn't do that, doing it in school because you're meant to be learning aren't you. They wouldn't do it in break because it's their break as well."

If we are trying to emphasise the importance of a good education to young people, it seems rather remiss to take them out of their classes to attend meetings. Social workers and schools should work together to plan meetings for looked after children and young people outside of their core school hours.

There was disagreement among the young people we spoke to as to whether staff other than the designated teachers should know which children are in care. Some young people felt that it made things easier to tell their teachers they were looked after but others were adamant that they didn't want people at school to know:

"I like to go to school, escape their house and be with my friends, why does the whole school have to know?"

However, some felt that it was important that certain teachers knew as it could help to explain poor behaviour or reactions to certain situations. There are situations in which some schools could do more to be sensitive to the needs of children in care. There is guidance from Welsh Government in this area, for example, the Key Stage 2 PSE curriculum for Wales³² recognises that family has a number of different forms. Teachers should think carefully about the lessons they prepare and the potential for certain topics being difficult for children in care. As one foster carer said:

"Children who have been looked after often don't know their family history" and school projects entitled "My Family" can be a cause of distress."

³² Welsh Government [http://wales.gov.uk/dcells/publications/curriculum_and_assessment/arevisedcurriculumforwales/personalandsocialeducation/PSE_Framework_WEB_\(E\).pdf?lang=en](http://wales.gov.uk/dcells/publications/curriculum_and_assessment/arevisedcurriculumforwales/personalandsocialeducation/PSE_Framework_WEB_(E).pdf?lang=en)

Some young people appeared to want teachers to have an understanding of them being in care and the difficulties they may experience as a result of this but they didn't want to be treated any differently:

"If I was ever naughty they would just blame it on me being in care"

This young person didn't feel that this was the reason for their misbehaviour. They felt they got let off some disciplinary sanctions such as detention and that this influenced their behaviour. Similarly another young person described how he felt some children in care would act up because of teachers' reactions to them:

"Because you're taking pity on them they'll just play up"

Although many didn't welcome being treated differently most welcomed the extra help they received:

"We get quite a lot of support with it" [education]

"I think fostered kids need more help than other kids...because they have more stuff going on"

We are aware that the Welsh Government did provide specific funding via the Raising Attainments and Individual Standards in Education (RAISE) grant to enable educational support to be provided for looked after children particularly when they are approaching crucial examinations at the age of 16. We heard of examples where young people had received laptops, tutoring, help with homework from foster carers and their fostering families and financial support to attend school trips. One young person discussed how he received extra tuition outside of school hours in a local youth provision. He found this very helpful as he had been falling behind in his work. Unfortunately the tuition stopped just before he was sitting his exams and it was never clearly explained to him why. He went on to pass with good grades though and felt this wouldn't have happened if he hadn't had the additional support.

The educational attainment of looked after children and young people has long been a cause for concern. Although attainment has gradually improved over the years there is still much to be done. Of the 503 young people aged 16 or over who moved into independent living in the year ending 31 March 2010, 105 of them left school with no qualifications at all. Only 47 left with 5 or more GCSEs of grades A* to C³³.

³³ Welsh Government, SDR14 5/2010 adoptions, Outcomes and Placements for Children Looked After by Local Authorities: Year Ending 31 March 2010 (2010)

The targets set for local authorities have been low historically and this appears to have fostered a culture of low expectation. Even though those low targets have been removed, it would appear that a negative culture persists. This has made an impact on some of the young people we have spoken to who have unfortunately lowered their own aspirations.

This level of attainment is low compared with the school population as a whole, and corporate parents must do more to ensure that effective educational support for children and young people in care is a priority.

All looked after children should have a Personal Education Plan (PEP) whilst at school. A PEP is a plan which supports children and young people

to do well at school. It should identify the young person's strengths and other areas where extra support may be needed. The PEP should be initiated by the social worker and prepared in partnership with the young person's carer, the designated teacher, the looked after children education coordinator and other professionals but, most importantly with the young person.

The PEP should form part of the child's care plan initially and later, in the transition to independence, a part of the Pathway Plan. PEPs should be regularly reviewed in conjunction with looked after children reviews. However, only some of the young people we spoke to had had opportunity to contribute to their own PEP. The involvement of the young person in putting across their aspirations for the future and what they envisage should be included in their PEP is crucial.

When we sought feedback on young people's views of their PEP we received comments such as:

"That crappy sheet," "It's boring", "I write the same thing every year".

"I've heard of it, I haven't got a clue if I've done one though"

"I Googled PEP to find out what it was"

"When we reviewed it things had changed that I hadn't done"

Some felt it was patronising and felt stereotyped by it. It was apparent that many didn't understand the purpose of the PEP. This is deeply concerning as it appears that the importance of understanding and contributing to the PEP is lost on many of the young people. If professionals do not take this process seriously and engage appropriately with the young people how can they expect them to take an active part in making their PEP an important document? We question whether this document is seen by some professionals as another form filling exercise rather than a valuable tool to guide them in their work with looked after young people.

Post 16 education and training

We discussed with the young people what support they had received in terms of preparing them for post 16 education. As might be expected there were varying experiences. Some young people had been supported to attend college open days by their foster carers and one group of young people moving on to independent living had been supported by the local authority to spend time at a nearby university.

There were examples of schools and colleges providing support to access further education and training and some young people described how their college placements had helped them to find part-time work. One local authority told us how they offered employment and training to their young people who were moving on to independent living by way of an apprenticeship within the local authority itself.

However, amongst the young people we spoke to there was a lack of clarity around what their options were and they weren't always clear who could offer them support:

"I'm looking to go to Uni but no one's letting me know what I can do or what support I'll get"

"They said they would support me through Uni but I'm still waiting for that support"

"I don't think foster carers are informed enough to support young people. They're either not clued up or don't care enough."

We were also concerned with the way in which some young people viewed how the options they chose post compulsory education directly impacted on the level of support they would receive from the local authority. For example, a reference was made to having to go to college or stay in school if you want to stay in care. A young person moving on to independent living told us how the much-valued support he was receiving from his personal adviser was due to stop once his college course ended. The imminent loss of this support was causing the young person a great deal of stress and worry.

Some young people said they felt pressurised to attend university:

"Everyone was adamant that I went to Uni, it was so annoying"

While it is positive that young people are encouraged to pursue higher education, it must be remembered that this option will not suit all young people. Social workers must ensure that each young person has an opportunity to discuss what they want for their future.

Young people were also aware of and concerned by the current financial climate and referred to local authority cutbacks:

"I want to go to college and they've been promising me things but I doubt that will happen now"

Although there was no evidence that young people had not received support with education due to cutbacks, there was clearly concern amongst the young people as to how this was going to affect them.

One foster carer told us how he had been advised by a social worker that the young person he looked after ***“would be better off on benefits than going to university”***. Thankfully this was an isolated case brought to our attention. He was, however, very clear about this and commented: *“The system is shoving them into benefits!”* He correctly pointed out that financial support for attending university came from local authority budgets whereas benefit payments were not a drain on their local resources.

Young people moving on to independent living who were in post compulsory education felt that they received significantly less support from their social worker and personal advisor:

“If you are seen to be a success you fall down the priority ladder”.

“If you’re doing alright then it’s like ‘great, bye’ and they’re off.”

We were pleased to hear how some universities – including all those in Wales – were actively encouraging young people moving on to independent living to enrol and offering them considerable support once they joined the university. All Welsh universities are working toward the Buttle Trust Quality Mark for Care Leavers in Higher Education. Most will provide the opportunity to have a mentor and access, if necessary, to some financial support. Importantly, accommodation is available all year round.

One of the added difficulties that young people transitioning from care to independent living face in relation to post school age education is the confusion about the type and level of support that they can expect to receive. We found that there were several differing versions about when support for “former relevant children” would stop. The Children (Leaving Care) Act 2000 sets out the duties of local authorities:

23C Continuing functions in respect of former relevant children.

- 7) If the former relevant child’s pathway plan sets out a programme of education or training which extends beyond his twenty-first birthday:
- *(a) the duty set out in subsection (4)(b) continues to subsist for so long as the former relevant child continues to pursue that programme;*

This would suggest to us that the support would continue until the course of study ended – no matter what the age of the student. However, some professionals have suggested that the support will end at the age of 24 regardless of whether the course of study was completed. For most young people this will make little difference since only in a few cases will a course of study continue for so long. For those whom it does affect, however, the distinction is very important. Others have suggested that the support should continue until the age of 25.

Some young people felt they may need support with education up to and possibly beyond 24. One young person discussed how she would like to do a post-graduate course and initially was advised that she would be supported by the local authority but has since been told this is not possible. A young person moving on to independent living, whose degree course finished after his 24th birthday contacted our advice and support service. This young person had been told by social services that they would not fund his degree to the end because of his age. We made representation to the local authority and it was agreed that the funding would be made available to the young person to enable them to complete their degree.

There is an urgent need for clarification from the Welsh Government on when the support for young people moving into independent living on education should end. Practice by local authorities in providing this support and advice given to young people must be standardised across Wales.

Financial support to young people who have left school and progressed to further education is also a key concern. The Welsh Government has acknowledged this and has recently introduced legislation in this area. The ***Children Act 1989 (Higher Education Bursary) (Wales) Regulations 2011***, has standardised the Higher Education Bursary. This is a payment by local authorities to young people moving on to independent living in higher education. Local authorities will now award £2,000 to each young person moving on to independent living who is going into higher education and who have this in their Pathway Plan.

Whilst there are a number of supports for young people remaining in education or training, the young people we met felt that there were less supports in place for those deciding to move into employment. Current regulations curtail support from social workers and personal advisers after age 21 for those young people moving on to independent living who do not continue on in education or training. A young person who decides not to go to university and gets a job will not have the support available in a university – nor will there be any support from the local authority (after age 21). As one young person who had moved on to live independently, aged 22, whose training course, and therefore his much valued support from his personal advisor, had ended, said:

“If you need the support you should have it – I feel I need support to 25”

Another asked:

“Why are you discriminating against me because I choose to work?”

Young people we spoke to were critical of the artificial distinctions that were made in relation to the support they would be offered dependant upon whether they were in education or not. For many young people continuing in an academic course of study after 16 may not be the choice they would make if they could be reassured that they could stay in care or continue to receive support (post 21), even if they decided to get a job.

We question whether the criteria of being in education or training are particularly helpful. Surely all young people leaving care should be entitled to help and support – if not financial then certainly emotional and practical support? This happens in many families today where young people remain with parents well into their early to mid twenties until they are financially and emotionally ready – a society norm that should be extended to those leaving care.

Many looked after young people experience a damaging period ‘not in employment, education or training’ (NEET), which can have a persistent effect on their future economic prospects³⁴. We are concerned though that, for those young people moving on to independent living who are not in education, employment or training, it is also highly likely that they will not be receiving any support from the local authority once they reach 21 years old as much of the support available for young people moving on to independent living is tied to remaining in education or training. This very vulnerable group of young people are left in an even more vulnerable position as they may have no one to offer them support. We call on local authorities in exercising their duties as corporate parents to provide more practical help and support to this group of young people moving on to independent living in particular. Such help could include a guaranteed place on a training course, work experience within the local authority or local businesses or one to one intensive careers support.

³⁴ Welsh Assembly Government, *Skills that work for Wales, A skills and employment strategy and action plan (2008)*
<http://wales.gov.uk/docs/dcells/publications/081217stfwstrategyandactionen.pdf>

Supporting young people moving on to independent living to have good education and training is not only good for their emotional well being but it also makes good economic sense. In a recent report into the experience of looked after children In Loco Parentis, Demos, an independent think tank, hypothesised the cost to the state of two different children:

- 👉 *'Child A', may cost the state £20,119.10 by age 30 if she goes on to university and secures a graduate job.*
- 👉 *'Child B' may cost the state £111,923.99 if she experiences unemployment, underemployment and mental health problems.*
- 👉 *Between age 16 and age 30 there is a difference between Child A's and Child B's costs to the state of £91,804.89.³⁵*

Corporate parents must consider how they can do better. We need to leave more options open to our young people moving on to independent living and maintain the support they need if they choose not to go into education and training. At the same time, we must support those who do want to continue their education at college or university. Young people moving on to independent living should have the same opportunity as other young people in choosing the path they want to take be it employment, training, higher or further education and, importantly, the right to change their minds or have a "gap year" as many other young people do.

³⁵ Demos, In Loco Parentis <http://www.demos.co.uk/publications/inlocoparentis>

Housing

A few facts

- 👉 *There are duties on local authorities to provide accommodation for those in their care under the Children (Leaving Care) Act 2000. These are age dependent.*

- 👉 *In G v London Borough of Southwark (2009)³⁶ the House of Lords reiterated that the duties of children's services within local authorities to accommodate children in need (under section 20 of the Children Act 1989) cannot be circumvented by referring the young person to the housing department within the local authority. The housing department's duties (under Part 7 of the Housing Act 1996) provide only for those homeless young people who will not meet the criteria for accommodation under section 20 of the Children Act 1989.*

- 👉 *Studies have shown that young people moving on to independent living are at an increased risk of homelessness relatively soon after leaving care³⁷.*

- 👉 *Since April 2008, the Homelessness (Suitability of Accommodation) (Wales) Order 2006³⁸ has made the statement:*

7. for the purposes of Part 7 of the 1996 Act and subject to the exceptions contained in article 9, B&B accommodation is not to be regarded as suitable for a person who is in priority need.

³⁶ <http://www.publications.parliament.uk/pa/ld200809/ldjudgmt/jd090520/appg-1.htm>

³⁷ Wade, J. and Dixon, J. (2006) Making a home, finding a job: investigating early housing and employment outcomes for young people leaving care, *Child and Family Social Work*, 11, 3, 199-208 cites Biehal and Wade (1999) and Dixon and Stein (2005)

³⁸ <http://www.legislation.gov.uk/wsi/2006/650/part/3/made>

Housing Resources

There are a number of accommodation options that should be considered when planning for a young person to leave care. These include:

- *supported lodgings, where the care leaver lives with other young people, with adult support to learn and develop independent living skills;*
- *foster placement conversions, where the care leaver continues to live in their foster placement but now pays rent;*
- *renting privately, from approved landlords or housing associations;*
- *foyers which provide accommodation that is usually linked to education, training or employment.*
- *training flats / taster flats*
- *bed and breakfast*
- *hostel accommodation*

But options will be dependent upon what is available locally.

We are adamant that bed and breakfast accommodation and hostels should be considered only in an emergency but they should never be part of a young person's Pathway Plan. The problem for many local authorities is that there are not sufficient stocks of housing suitable for young people moving on to independent living – at least not of the type that can be afforded when on Housing Benefit. Our advice and support service received calls from young people who are living in bed and breakfast accommodation above licensed public houses

or in bed and breakfasts with a high percentage of their clientele being vulnerable or risky adults. Such accommodation is often in areas where they feel unsafe and vulnerable. Our Investigation and Advice Officers have contacted local authorities on behalf of callers and have been met with frustrated local authority staff who are aware of the policies and guidance on housing vulnerable young adults but find themselves in a situation whereby there simply isn't the appropriate housing stock available.

More local authorities need to be thinking and planning creatively around this issue. At the seminar we ran with the Welsh Local Government Association one local authority described how they were converting some sheltered accommodation for the elderly into accommodation for young people moving on to independent living. Another were planning to open a drop in centre for young people staffed by Llamau – a homeless charity - and social services staff providing advice and guidance about accommodation problems. What is clearly needed is for local authority housing departments and social services departments to work together to plan for when looked after young people move into independent living so that there is appropriate provision available for them when the time comes.

The following section will detail the various housing resources and support that should be provided for looked after children and children leaving care.

Many of the younger people we spoke to were very keen to leave foster care at 16 and get their own accommodation but few of the younger people had a clear idea of how they would be housed or what living independently might entail. They had unrealistic expectations about the reality of living alone:

"I'll have parties every night."

Often there was no consideration that the young people would not actually "own" the house they lived in (if they lived independently) and that they would have to pay rent and abide by the rules of their tenancy or residency agreement:

"Social services will buy me a house and furniture"

However, those who were older, and nearer to the reality of living independently, were less sure that this was what they wanted and were facing the prospect of living independently with some trepidation:

"Why do you have to leave care when you turn 18?"

"Should go when you're ready to go, not when people tell you."

"When you're 18 you've got to leave your placement. You feel weird in the last year because you're thinking about having to move out. It's annoying, you turn 18 and they chuck you out."

Although it does not determine how a young person moving on to independent living must be housed, the Children (Leaving Care) Act 2000 does suggest that it would be inappropriate for 16 and 17 year old young people moving on to live completely independently with no contact or support.

We heard of several circumstances when young people who were living independently were getting into debt and not knowing who could help them. In each circumstance most of the debt was accumulating from rent arrears. Some of the young people living independently were of the understanding that they didn't have to pay rent so were surprised when they suddenly received letters stating they were in arrears. This would suggest that robust preparation for living independently may not have taken place, or the young person had not properly understood what they had been told.

As local authorities have a duty to arrange suitable accommodation and provide support for young people moving on to independent living it is difficult to understand why they may become homeless in such situations. We would have expected young people moving on to independent living to receive support with any shortfall in the rent. It is also highly alarming that the young people didn't feel that anyone could help them and therefore found their debts were increasing thus risking eviction.

One young person moving on to independent living commented: *"Something like 93% of care leavers fail their tenancy agreement within the first 6 months of moving in.....it's ridiculous."*

We have to question why so many young people moving on to independent living fall into rent arrears because of a lack of understanding around their tenancy agreements and what is expected of them as tenants. Leaving care teams must be trained to support young people moving on to independent living with their housing needs whether that be support with form filling, discussing their obligations as tenants or indeed addressing why a young person may purposely decide not to pay their rent. An eviction significantly reduces the chance of further accommodation and therefore increases the possibility of long-term homelessness.

If, as we believe it should be, the transition from care to independent living is to be a gradual process, then supported accommodation seems to be one very good option with young people being supported and given the opportunity to develop the skills they require to move onto living independently when they are ready.

Many of the young people we met with had positive things to say about supported accommodation:

"Approved lodgings offer 24 hour support to care leavers"

"There's a support package for each person"

"Supported lodgings give you help, then help you to find a flat"

However, there can be issues when the young person moves on from supported accommodation to living independently. Some young people felt rushed and pressurised to leave:

"Lack of communication between supported housing and social services into whether the young person is ready to move on"

"I wanted to stay in supported housing but was told I would be at the bottom of the list if I did not accept a council flat. I felt pressure to move on by the council. My social worker advised me not to but I was worried I wouldn't get offered a flat again. It didn't work out and my social worker really fought to get me a better flat"

As part of our research, we met with a focus group of Heads of Children's Services and elected members to discuss how they see their role as corporate parents. It became clear that the ability to provide appropriate accommodation for young people moving on to independent living very much depended on the working relationship between the housing and social service departments. Some reported good working relationships but others felt that joint working could be improved. Corporate parenting applies to all areas of a local authority's activities – it is not something that applies only to social services. Housing and planning departments must do more to ensure that there is sufficient suitable accommodation for their young people moving on to independent living.

In addition social workers should assess each young person on an individual basis when deciding whether or not it is the right time for them to move on from supported accommodation to live independently. It is essential that the young person also contribute their wishes and feelings to this assessment. If the lack of suitable accommodation results in a placement with high risk of breakdown the local authority should exercise its corporate parenting role and provide additional support.

A foster carer and local councillor raised another serious issue that can arise when a young person moving into independent life is living in supported accommodation. Once the young person becomes employed they are required to pay for their supported accommodation from their earnings. This can mean that it may be cheaper to live independently but support workers have pointed out that very often these young people are not ready to live unsupported. In these circumstances once again the young person can feel pressured to live independently before they are ready. Other studies have echoed these concerns. The *Keep Dreaming*³⁹ report from Care Leavers' Week in Wales in 2010 suggested that young people in supported housing must not be penalised if they gain employment but should be assisted with the support element of their housing costs. This is something that we feel is worthy of highlighting again.

³⁹ Care Leaver' Week, Keep Dreaming (2010) http://www.thecareleaversfoundation.org/documents/NCLWMagazine_Oct2010.pdf

Health

A few facts

- *The local authority must ensure that a looked after child is registered with a General Practitioner and should arrange for the child to receive the full range of NHS dental treatment⁴⁰.*
- *Each looked after child should be regularly assessed by a specialist nurse for looked after children (LAC nurse). However, in Wales as a whole only 82% of the assessments were carried out - with the worst performing local authority carrying out only 53% of the assessments⁴¹.*
- *The prevalence of mental disorders is particularly high in this group of children and young people – particularly conduct disorders. The most recent relevant research available for looked after young people in Wales, carried out in 2003⁴² produced statistics that showed among 11- to 15-year-olds, the prevalence of mental disorders for children looked after by local authorities. Compared with 12% of children from the private household survey, it found 40% in the looked after system.*
- *A later UK report⁴³ published in 2007 suggested there was an even higher prevalence of mental disorder in looked after children of all ages at between 45% and 49%.*

⁴⁰ Welsh Government, Towards a Stable Life and a Brighter Future

⁴¹ Data Unit Wales 2009-2010 statistics

http://dissemination.dataunitwales.gov.uk/webview/index.jsp?study=http%3A%2F%2F192.168.100.31%3A80%2Fobj%2FStudy%2FSCC_2008_09_v1&mode=cube&language=en&v=2&cube=http%3A%2F%2F192.168.100.31%3A80%2Fobj%2Fcube%2FSCC_2008_09_v1_C1&top=yes

⁴² http://www.statistics.gov.uk/downloads/theme_health/mentalhealth_WalesSummary.pdf

⁴³ Ford, Vostanis, Metzger and Hammond, Psychiatric disorder among British children looked after by local authorities: comparison with children living in private households in The British Journal of Psychiatry (2007) <http://bjp.rcpsych.org/cgi/content/full/190/4/319>

Health resources and support

Most of the young people we spoke with were aware of looked after children (LAC) nurses and health assessments. There were varying responses to these; some of the young people we spoke to liked to be able to review their height, weight and other health matters but others found them less beneficial and some found them patronising or of little value:

“They’re pointless, just filling in forms, there’s no conversation”

On a positive note it was reassuring that the young people we spoke to seemed confident they knew how to access help and advice on various health issues including sexual health. As well as the LAC nurse they told us they would speak with their foster carer and/or social worker or contact their doctor. However if the young person was in foster care, the foster carer was usually the first person they went to and the young people felt that foster carers should be equipped with the information they needed:

“I think it’s down to the foster carers not the social workers.”

“They should support you, like normal parents.”

As part of our research we met with one LAC nurse who told us that she felt that, in her area at least, looked after children and young people were probably better provided for than the general population. Although a report⁴⁴ on the health of looked after children published in 2005 by Children in Wales suggested that in some respects their health was worse:

- They are 4 times more likely than others to smoke, drink and take drugs
- They fare worse for routine dental care, immunisation status and health threatening behaviour

The following section will detail the various health resources and support that should be provided for looked after children and children leaving care.

⁴⁴ Children in Wales, The Looking After Health Project 2002-2004, (2005) <http://www.childreninwales.org.uk/areasofwork/lookedafterchildren/healthoflookedafterchildren/lahproject/index.html>

It should be possible to ensure that the general health of looked after children is very good since they have a dedicated looked after children’s nursing service. However, more of an effort needs to be made to ensure that health assessments are carried out for all looked after children and young people across Wales.

Guidance from the National Institute for Health and Clinical Excellence (NICE) and Social Care Institute for Excellence (SCIE), *Promoting the quality of life of looked-after children and young people*⁴⁵, states that “physical and mental health problems can increase” after a young person leaves care and that outcomes can be “more serious and enduring for some looked after young people”, including those who leave care early. If foster carers are viewed as the main source of support for health matters for those young people in foster care then once they leave care unless they continue to have contact with their foster carer there is likely to be a gap in support – particularly if the young person leaves foster care before their 18th birthday. For those young people living in residential care, the residential link worker is responsible for promoting the health and educational achievement of looked after children, liaising with key professionals, including the LAC nurse, the child’s GP and dental practitioner but once the young person has left care they are unlikely to maintain this link and may well be left without support

Although for young people still living in care access to support with general health needs appeared to be of little or no concern, we saw a different picture when discussing this issue with young people living independently. Some had moved geographical location when they left care and had not registered with a new doctor. They had little awareness of how to do this and some were deterred by knowing they would have to complete forms.

Towards a Stable Life and a Brighter Future states that:

“The Pathway Plan should take account of the assessed health needs of the young person and set out clearly how these are to be met. Particular attention must be given to the young person’s need for support in taking responsibility for his or her own health and in accessing appropriate services, including information and advice”⁴⁶.

⁴⁵ National Institute of Health and Clinical Excellence (NICE) and Social Care Institute for Excellence (SCIE), *Promoting the quality of life of looked-after children and young people*(2010)

⁴⁶ Welsh Government, *Towards a Stable Life and Brighter Future*

In addition, young people moving on to independent living should be encouraged to register with a GP and to gain access to a dentist. They should also be advised of the range of NHS services available, together with information on the process for accessing services. Crucially, health professionals should ensure that the young person has named contacts of health professionals and organisations should they choose to live in another area:

“If a looked after child or child leaving care is moved out of an LHB area, arrangements should be made through discussion between the LHB of Origin (those currently providing the health care) and the new provider, to ensure continuity of health care” (ibid.)

Although the guidance states what should happen when a young person leaves care it does appear from talking with young people moving on to independent living that these arrangements do not happen consistently. This is an area that needs to be addressed through aftercare, placing more focus on supporting a young person moving on to independent living to register themselves with a doctor and dentist and access the help and support they may require. For some young people this may need to be taken a step further providing them not just with the information but also with the support they require to ensure that they can and do access provision to address their health needs.

It is also important that young people moving on to independent living know that they may be entitled to help with the costs of health care through schemes such as the NHS Low Income Scheme. They will also need to know what financial support they can have from their local authority, for example the cost of eye tests and glasses. Social workers and personal advisors must be trained so that they can advise young people moving on to independent living on all aspects of health care and any relevant financial support available to meet their health needs.

Young people may want to have a confidential appointment with a doctor without involving their foster carer or social worker. However, it is questionable whether all young people attending a doctor's surgery will get to see a doctor privately. We have previously been asked by a local health board to provide children's rights training because they were concerned that some doctors' receptionists had told young people that they must come with a parent in order to see a doctor. Young people should be able to see a doctor on their own if they are sufficiently mature and capable of doing so. One young person described how he went to the local surgery at the age of 16 to register and they asked for his parent's signature even though he explained he was living independently.

We were contacted by a professional working with a young person who was living independently who had tried to register with the local GP practice. The young person had attended the practice to register and asked for an appointment, as they were unwell. On arrival at the surgery the receptionist refused to register the young person stating that they could only accept new patients via the telephone. Unwell and not in a position to argue the young person left the surgery having not registered or been seen by a doctor. A support worker then attended the surgery with the young person and was told exactly the same. In the end, the young person had to step outside the practice door and, using the support worker's 'phone as they had no credit on their own phone, make the request to register and see a doctor.

Whilst this may not be a widespread problem local health boards should consider sending guidance to GP practices in their area outlining best practice in dealing with young people who wish to access services but do not have a parent or carer to register for them. There needs to be clear guidance and training for all primary care staff on how to assess the competence of a young person wishing to access their services without involving a parent or carer.

Aside from general health issues, the young people we spoke to were unsure that support with mental health was equally effective in all parts of Wales. A representative for LAC nurses told us that there was a much faster referral route for looked after children to Child and Adolescent Mental Health Services (CAMHS). However, not all young people seemed aware of how to access this support:

"You don't get any help with your mental health."

"When I wanted information about my mental health she couldn't answer any of my questions so literally all I went to see her for was to get weighed, measured and check my eyesight."

One young person described asking their LAC nurse for help with their mental health but the nurse was unable to signpost her.

It should be noted that this office has received calls from children placed out of county who find it even more difficult to access support health services such as CAMHS. Long waiting lists and lack of forward planning often leave young people travelling long distances to visit CAMHS practitioners from their home county or finding themselves without any continuity of care as the placing authority have failed to inform and plan the move appropriately.

A recent development that has proved very popular with young people in helping to address their emotional health needs is the provision of school based counselling. School based counselling services are now available in all secondary schools, with pilots running in some primary schools. The success of this new service is illustrated in the, as yet unpublished – due out end of May report of a national evaluation . The service has been well subscribed to by all children and young people but even more so by looked after children and young people. Just under 5% of the episodes of therapy were delivered to young people who were looked after. This represents 10.5 % of the number of looked after children and young people of secondary school age in Wales whereas the take up of counselling by the general secondary school population was 2.89%.

Independent Living

When to leave care

One of the most consistent messages coming from young people, professionals and elected members we met during our research was that many young people were required to leave care before they were ready and that often the transition, rather than being gradual, was too rapid or sudden.

Young people moving on to independent living appeared to be getting mixed messages about how long they could stay in care. The Children (Leaving Care) Act 2000 is clear that young people can stay in care until they are 18 if they wish to. However, one group of young people from one local authority were convinced that they could only stay in care until 18 if they were in full time education. Additionally there was little awareness among young people that they could go back into care if they felt they had chosen to live independently too soon. Whilst this may practically pose a difficulty for social services because the young person's previous foster placement may no longer be available, or the residential units statement of purpose may preclude the young person from returning there because of their age, this is not sufficient reason for refusing to take them back into care.

In order to assist young people leaving care in some local authorities, some young people living independently that we spoke to were acting as peer mentors for younger looked after children and young people preparing to leave care. They felt that this was very important since they were able to share their experiences of leaving care. Mostly, they told us, they advised young people to stay in care until they had to leave at 18.

There was a clear message coming from the older young people that preparing them for independence should have happened earlier:

"They leave it too late to tell you. I'm 17 now and it's only a year away. Would have been better if they told me before."

When we asked at what age, they responded:

"Should be 15, but it depends on the person's maturity. Shouldn't just assume they're not mature enough."

Many of the other young people also agreed that preparation for independence should start at age 15. However this needs to be approached sensitively on a case-by-case basis as some of the young people we met with were clearly concerned about the prospect of having to move out at 18:

"It's forced on you too young... it kind of ruins your childhood."

It is also important to take into account what else is going on in the young person's life at that time. A case referred to our advice and support service clearly illustrates the problems that can be caused to young people when professionals stick rigidly to rules and regulations without looking at the wider picture and thinking through what would be in the best interests of the young person.

We received a call from a very distressed young person who was due to have an eighteenth birthday halfway through their A Level exams. This young person had been told by social services that he would have to move into bed and breakfast accommodation prior to the completion of his exams the day after his 18th birthday. We had been advised that the foster carer were happy for this young person to remain with them past their 18th birthday and for them to receive a supported lodgings allowance in place of a foster carer. The young person's social worker had been adamant that the young person had to leave their foster placement. We made representations on behalf of this young person to managers within social services who eventually agreed to allow him to remain in the foster placement whilst the foster carer received supported lodgings allowance, allowing him to successfully complete his exams and continue onto college.

A similar situation was recounted to us by a foster carer we met as part of a focus group we organised for this report. The foster carer related the problems they had had with getting agreement for supported lodgings status. They had fostered a young person for five years and had become very close to them and wanted to convert their foster placement into a supported lodgings placement. They had been told that this would not be possible because they worked for an agency and not as a local authority foster carer. Regardless, he was prepared to have her stay while she completed her college course. The local authority later relented but, with only two months to go before she turned 18, neither the foster carer nor the young person had any details about what they would be entitled to receive.

Situations such as these can cause a great deal of stress and upheaval at a time when the young person is trying to concentrate on their studies. As we want to see greater educational attainment by looked after young people it is important to realise that other factors in a young person's life can also have a great impact on a young person's educational achievement.

We were also concerned about the misinformation that there appeared to be about the consequences of moving from care to independent living particularly in respect of education. It was concerning that we were meeting with young people who were keen to engage with higher and further education but saw this as not being an option as they were under the impression that by living independently they would not be able to afford to do this, or would not be able to cope with both experiences at the same time. Given that education can be a looked after child's passport to better opportunities it was disappointing that their personal aspirations were blighted by the assumption that they would have to become independent at age 18, and in some cases 16, and therefore would have to focus all their time and energy on living independently:

"I think I'll find it hard to get a house when I'm 18.... but if I stayed on until I was older and I went on to university and I got a job...like a really good job, I'd be able to afford it better"

"We always felt that our education suffered from being moved out at 16...you're learning how to live independently, how can you think about going to college?"

Young people leaving care clearly have to cope with an experience that many other teenagers do not have to undertake until they are much older. The average age that most young people move out of the family home and start to live independently is 24 as reported in the Demos report⁴⁷:

In Loco Parentis:

Every year, around 6,000 looked-after children leave care for good; 21 per cent are 16, 17 per cent are 17 and 61 per cent are 18. This ought to be compared with the average age when young people leave home in the general population: 24. This means a significant proportion of young people are still leaving care prematurely to live alone in private accommodation, ill prepared for the realities of adult life.

⁴⁷ Office for National Statistics, 2005

Preparing to leave care and live independently

Many of the young people we spoke to said that the thought of having to live independently was “scary”. Having good support in place well before things get “scary” is important and is something they are entitled to. Transition to independent living should not be seen as something that happens suddenly and preparation for the transition should happen over many years as a gradual process. If this were better understood, perhaps the young people would be less worried. The report from the Demos Foundation “*In Loco Parentis*”⁴⁸ summed this up:

“To support positive outcomes for care leavers and build their resilience, the care system must provide emotional preparation before they leave care and continued emotional support throughout young people’s transition to independence. The stress and depression reported by many care leavers may be linked to the rapid series of changes and the withdrawal of support that many experience at this time.”

Planning for the transition from care to independent living should start at the first LAC review after a looked after young person’s 15th birthday. However, some of the provisions for looked after young people should already be in place:

- *A social worker*
- *An advocate- if they want one*
- *An Independent Visitor - if they want or need one and are eligible*
- *A designated person in school for looked after children.*

These are essential elements of support providing the bedrock of support upon which all future young people moving into independent living should be able to build.

Unfortunately these building blocks do not appear to be in place on a consistent basis. In one of the Commissioner’s meetings he heard this message from one young person who was about to move to independent living: he did not know what a pathway plan was and when we told him he could have an advocate, the young person had no idea what an advocate was or how he could get one. He said:

“I didn’t know I was leaving care until I met someone from the ... leaving care team. I didn’t know what to say”

Skills and emotional support for independence

We asked young people whether they felt they had the skills to live independently. Older young people seemed relatively confident about skills such as cooking and cleaning. Some had attended structured courses to help them develop skills, one group made reference to a community kitchen they could access and another young person was engaging in a course in college. Others described simply “picking it up” from their foster carers. We were given a few examples where young people received incentives if they completed chores around the house.

One young person described how their personal advisor took them shopping once to purchase food for the week. She found this helpful but felt that just doing it once was not enough. These are life skills and require development over time. Other examples of beneficial support young people felt they received when they lived independently included support with driving lessons, support to attend college, support with purchasing a laptop for college work and contact with the forum for care leavers.

Another young person described a scheme she was involved with where she was able to experience living in her own flat for a month before deciding whether it was the right thing for her. Another discussed how he had the opportunity to live in a self-contained flat within a residential home for some time before becoming fully independent. These young people felt that having these opportunities were invaluable.

Aside from the importance of being competent in the practical skills needed, we heard of the emotional journey that young people experienced when they moved to living independently. Many of the young people expressed concerns about how difficult they found living alone for the first time:

“I felt so isolated.”

“The first night stopping at my own place was the most frightening thing ever. You’re used to the other kids kicking off around you, and then nothing.”

“First week – I wanted to cry.”

The consequences of this emotional distress can be far reaching and can impact on other aspects of the young person’s life. Centrepoin’s report *A place to call home*⁴⁹ found that: “loneliness can turn to depression. This, in turn can have a negative effect on their education and work”.

⁴⁸ http://www.demos.co.uk/files/In_Loco_Parentis_-_web.pdf?1277484312

⁴⁹ Centrepoin, *A place to call home: care leavers’ experience of finding suitable accommodation* (2006) <http://www.leavingcare.org/data/tmp/2149-4944.pdf>

We asked the young people what support they felt was missing and a consistent message we received was around the lack of emotional support for young people who have left care and are living independently. This lack of support can and does have a huge impact on the stability of these young people's lives and indeed their futures:

"I don't think we get any emotional support.... we get lots of skills taught us but nothing if you're feeling lonely."

"You need lots of emotional support when you leave care.... just to know someone's there. And your first year of moving out should be a priority."

"We should have someone like an independent visitor.... People who aren't social services. Someone who pops in and has a cup of tea with you."

Indeed a link worker in a residential home echoed those sentiments:

"We can prepare them for all the practical things but not for the loneliness!"

The Centrepoint report tended to reinforce this message stating that the young people they spoke with felt that the preparation for leaving care focused too much on practical skills like DIY and cooking but didn't really prepare them for all the issues they faced when they left care, such as the loneliness.

Local authorities should look again at the preparation they undertake with looked after young people getting ready to leave care and the ongoing support they provide once they have left care. They must ensure that the young people not only receive practical skills but also receive advice to help prepare them for the emotional issues that they may face once they move to live independently. Mentors, peer support or independent visitors could help to fill this gap in the lives of young people moving on to independent living.

Many of the young people living in foster care said that they would keep in contact with their foster carers and go to them if they needed advice or support:

"If I need help my carers will help me."

This will not be the case for all young people moving on to independent living of course and therefore the availability of additional emotional support will be crucial for those young people. For example, there was, understandably, a greater concern about leaving care amongst young people who'd been placed out of county. Some of these young people had lived with their carers for several years and had established support networks within the local community. They felt that if they had to move back to their home authority they wouldn't have anyone who could help them:

"Some children don't see their families so if they've got to move away they wouldn't have anyone to turn to."

Another point raised by young people leaving care was that they felt it was very important to be able to maintain contact with other young people after moving to independent living. The ability to share their experiences with someone who was in a similar situation was seen to be of great benefit:

"When I was going through everything I felt really alone and isolated because there was no one else going through what I was."

"They should set up a link between all care leavers, or a magazine"

"I feel like we shouldn't be shoved out of the system.... because we haven't chosen to be in this situation."

"Everybody imagines what it's gonna be like....but you never really know until you're doing it."

Young people involved with aftercare projects spoke very positively about the support they received. The knowledge that there was someone available to talk to or go to for advice proved invaluable for the young people involved with these projects. We would like to see every local authority provide high quality aftercare support to their young people who move on to independent living including a forum.

Personal belongings and important documents

It is critical that at the point at which a young person leaves care they are in receipt of all the important documents that they will need for their future life. Key documents and keepsakes may not be all in one place and may not easily be accessible. It is important that in planning for the move to independent living all the young person's key possessions and documents are readily available for them.

Some young people have had many changes of placement and it may not have been realistic to have carried all their personal belongings with them from placement to placement. Often social workers will keep key personal belongings and documents in safe-keeping in what some call a "memory box". Memory boxes have traditionally been physical boxes but thought should also be given to scanning and storing key information electronically – but preferably both.

One professional told of how she was shown a photograph of a young person's mother, which was carried everywhere. It was clearly a treasured possession but was getting worn and seemed likely to fall apart soon. A quick computer scan and print soon produced a few copies that were given to the young person so that the original, treasured possession could be put away in safe-keeping. This is a lovely example of how a simple gesture can make a big difference for a young person.

Another aspect of living independently is that there are a number of important documents that everybody needs in order to prove their identity, get a job or access medical treatment. We were concerned that there may be important documents that were not immediately available, such as birth certificates or passports, but, when we asked young people, most seemed to know what they had or what their social worker kept safe for them. In *My Planner* we have included space for young people to keep a record of the documents that they have such as:

- *Birth Certificate*
- *National Insurance number*
- *Passport – as a means of establishing identity*
- *NHS Medical Card*
- *Driving license*

One local authority told us that when a young person is transferred to the leaving care team, there is a comprehensive check that all the key documents are in place. This is very positive and we would like to see this as common practice across Wales otherwise difficulties like the following may arise. A young person moving on to independent living contacted our advice and support service because he had been unable to enrol in college. The root of the problem was that he didn't have a National Insurance (NI) number. Most young people automatically get their NI numbers when they turn 16 and we wondered why this young person didn't have one. Children who are being looked after by local authorities won't necessarily get a NI number automatically as Child Benefit may not have been claimed for them. We contacted Her Majesty's Revenue and Customs (HMRC) and they have amended their website⁵⁰ to clarify the information for social workers on how to obtain a NI number for their looked after children. It is important that this is done when a child reaches the age of 15 years and 9 months to avoid problems later such as enrolling for college or getting a job.

We believe that there is still much variation in what documents and support are provided by local authorities while a young person is in care. There is a need to standardise what a looked after young person or young person moving into independent living is entitled to have provided by their local authority such as driving lessons, driving license and passport. Welsh Government should provide guidance on this to ensure a consistent approach for all looked after young people and young people moving on to independent living, regardless of where they might live.

⁵⁰ Applying for a National Insurance number for a looked after child <http://www.hmrc.gov.uk/ni/intro/number-child.htm>

Financial concerns

One of the biggest concerns that young people raised with us was managing money. Many young people described being worried about whether they would be able to pay bills and whether they would get into debt. It was concerning that some of the young people stated they didn't have bank accounts and had never saved. Having a bank account is vital to living independently and having the opportunity to manage an account whilst they are in care with the support of social worker and foster carer/link worker could help them develop skills necessary for when they leave care.

We did hear some good examples of foster carers supporting young people to manage and save money. One young person described how his carers had started giving him an allowance to purchase his toiletries and other personal items to help him budget for when he lived independently. Another young person discussed how his foster carer gives him his allowance as a lump sum so that he learns to spread it out and make it last. One young person, placed with an independent fostering provider, stated it was the provider's policy that the foster carer had to save for her. Although these are good examples this clearly indicated inconsistencies both in developing the young person's skills in managing money and providing them with reserve funds for when they do leave care. Not all young people in care received such assistance with learning to manage their money.

Even though some young people may have had help with budgeting whilst they were in care, the reality is that when they have left care they are likely to suffer financial exclusion. A recent report⁵¹ by Consumer Focus Wales sums this up:

"However, the majority of care leavers who took part in the research were experiencing financial exclusion – both in terms of their financial-management capabilities and access to appropriate financial products and services to meet their needs. The impact of this was wide ranging from limiting opportunities to progress on to further education or training and not being able to socialize with their friends, to severe and devastating consequences such as struggling to afford food or decent clothing, homelessness and mental health difficulties."

⁵¹ Consumer Focus Wales, From care to where? How young people cope financially after care(2011) <http://www.consumerfocus.org.uk/wales/publications/care-2>

This financial exclusion can also lead to poverty of opportunity. Many young people are placed in accommodation that is far from college and leisure opportunities and transport then becomes a very important issue for them. If good transport links are not available for the young person or they cannot drive then their opportunities to participate in work, education, employment and leisure pursuits are limited. There seems to be considerable variation amongst local authorities as to whether they are prepared to pay for driving lessons and the driving test. Particularly in rural areas the ability to drive could make all the difference to being able to attend college and getting a job. Public transport is not always an option as in many places the full fare is normally charged for over 16s and can therefore be very expensive. Some corporate parents are considering issuing a free bus pass to looked after children and young people who live independently – this would be one way for corporate parents to assist young people as they make the transition into independent living.

Young people moving on to independent living do get financial support for setting up a new home from their local authority – this is called the Leaving Care Grant. Unfortunately many of the young people we spoke to were unaware that there would be such support. We would question if not knowing about this financial support adds to their anxiety about moving to independent living?

Perhaps more than any other aspect of transition, the variation in the value of leaving care grant across local authorities was difficult to believe. A report⁵² published in March 2010 by Welsh Government and commissioned from the National Youth Advocacy Service (NYAS) gave details of the amount of this grant in most local authorities in Wales. The amount of grant quoted in that report varied from £2327 to £700. However, it is difficult to make comparisons based simply on the value of the grant because of the different practices across local authorities. Some local authorities expect young people to pay bonds for accommodation from the grant whereas others will pay the bond and first month's rent in addition to the grant. Some local authorities have told us they purchase items for the young person's home and then reclaim the VAT and return this to the young person's grant account. This practice could effectively increase the young person's funding for setting up home by 20%.

⁵² NYAS Cymru, Taking Care of the Future (2010) <http://wales.gov.uk/docs/dsjlg/research/100604careoffutureen.pdf>

In November 2010 the then Deputy Minister for Children, Huw Lewis AM, announced⁵³ further financial support for young people moving on to independent living:

"We will introduce a new transition to adulthood grant for looked after children. This will be a one off £500 grant which will be given to all looked after children who are between the ages of 16 and 18, as they leave care. The use of the grant would be agreed in conjunction with the individual's Personal Adviser who would help them spend or invest the grant in the most appropriate way."

In 2010 the Child Trust Fund, which provided savings for all children, was abolished – saving the UK government £500 million. Under that scheme looked after children had received additional annual contributions in recognition of the state's role as corporate parents. In a recent joint report, Barnardo's and Action for Children have proposed a new scheme so that looked after children will have some savings for when they move into independent living. The report *"On our own two feet"*⁵⁴ made the following proposals:

The scheme applies equally to children in England, Wales, Scotland and Northern Ireland.

- *Any child who enters local authority care under Section 20 or Section 31 of the Children Act 1989 (or the equivalent legislation in Scotland and Northern Ireland) and remains in care for a minimum of 13 weeks is eligible.*
- *After 13 weeks the responsible local authority sends the child's details to Her Majesty's Revenue and Customs (HMRC) who will then open an account.*
- *HMRC make an initial payment of £250.*
- *The responsible local authority notifies HMRC if the child spends more than 26 weeks of the next year in care. HMRC will then make a further contribution of £100. The same applies to any subsequent year the child spends in care until they leave care.*
- *Looked after children who currently have the Child Trust Fund would also receive the annual top-up payments if, as above, they have spent more than 26 weeks in care.*

The UK government have accepted the scheme in principle but the exact details have yet to be finalised at the time of writing.

In terms of financial support for looked after young people and young people moving on to independent living, we reiterate many of the recommendations made in the Consumer Focus Wales *"From care to where?"* report. The Welsh Government should standardise the value of leaving care grants so that every young person moving on to independent living in Wales receives the same amount. Local authorities should ensure that all young people moving on to independent living have received relevant financial education and provide support in order to ensure that they are confident in managing their leaving care and transition to adulthood grants.

⁵³ <http://wales.gov.uk/newsroom/childrenandyoungpeople/2010/4628767/?lang=en>

⁵⁴ http://www.barnardos.org.uk/1102_own_2_feet_report.pdf

Conclusion

I hope this report has provided a useful snapshot of the experiences of some young people leaving care. It seems from their viewpoint it can be scary and lonely with many obstacles and challenges to overcome. What is clear is that with dedicated support from foster carers, professionals and corporate parents many of these young people can and will prosper. But currently too many are falling at the first hurdle.

Young people transitioning from care to independence are supported by a strong legislative and policy framework that sets out a range of entitlements that should ensure that young people moving on to independent living are assisted to make this transition successfully. However the experiences of children and young people would suggest that in reality they face significant difficulties in this transition.

Local authorities have a duty to provide services for looked after children and young people and those moving on to independent living. However from some of the accounts we have heard in preparing this publication, I would question whether services are effectively promoted, explained and offered to children and young people in a way that encourages them to use them.

If young people do not know what services are available they will not know to ask for them. Merely giving children and young people information in a looked after children pack does not appear to be sufficient, and even more so if the young person has difficulty reading or understanding the information contained within the packs. It is also important that professionals working with young people know about and understand the full range of services to which the young people they are working with are entitled.

Additionally there needs to be greater clarity around the different roles of the social worker, the personal advisor as well as the independent visitor and the advocate. This should be clearly explained to the young people and to their carers. Some professionals in my team have spoken to were confused as to the role of the various professionals involved in a young person's life, particularly when the transition process begins. If the professionals lack clarity about each other's role, then it is highly unlikely that the young person will understand them.

The planning for transition from care to independence is sometimes inadequate and rushed and the consequences for the young person can be significant. It is of particular concern that young people are not always involved in this process and professionals are paying lip service to planning documentation and not taking account of the wishes and feelings of the young person moving on to independent living and properly explaining to them why certain processes are important for them to engage with.

Whilst social services cannot endlessly continue to provide accommodation, support, and guidance the current system makes no distinction based upon the needs of the young person. The system assumes that all young people will be at the same stage of development, and will all be equally capable of making the move to independence at a particular age. Quite clearly a less rigid approach needs to be adopted to meeting the on-going needs of young people moving on to independent living and in supporting them to become independent adults.

Effective working across local authority services to understand and respond to young people moving on to independent living as a good corporate parent could be better developed. The responsibility of being a corporate parent is one that is shared across the whole local authority. To this end I call on local authorities to develop a more coordinated approach across the authority including social services, education, housing and other relevant departments to ensure that looked after children, young people and those moving on to independent living receive support and advice of the highest quality for all their needs. That means the local authority will also need to work in partnership with voluntary and private sector providers. I know that in some areas these partnerships are well developed but the current economic climate is putting those relationships under pressure. There is no more important responsibility for a local authority and its members than that contained within their role as corporate parents. I do pay tribute to those who exercise that duty in full and to all I would ask that you care for these young people as you would those in your own family.

I welcome the fact that the issues surrounding leaving care and children in care currently seem to be high on the policy agenda. I am reassured that there is an understanding of the importance of an holistic approach and of the need for practical and emotional support from adults who are well known and trusted by the young people at all stages in the process. There also appears to be a strong will among many local elected members, social workers and managers to improve the situation for these vulnerable young people. There is a clear legislative base, a strong will to improve the experience and outcomes for young people moving on to independent living and much evidence and guidance to advise and improve practice.

It is also important to acknowledge that many young people moving on to independent living do well and that is a tribute to their resilience and application and also to some of the good practice we have seen from some local authorities, their foster carers and the partner agencies they work with.

I hope that the comments within this publication, and the subsequent priorities for service improvement, will encourage corporate parents and all those who have a part to play in supporting young people as they leave care to review how they look after these young people and support them in their transition from care to independence.

As ever I remain keen to hear about the work that is being developed to support young people leaving care and my team will continue to make themselves available to young people when they get in touch.

I would like to take this opportunity to thank all those professionals who have dedicated their time in assisting us with this publication and most importantly to the young people who were so willing to share their experiences with us. Let's now be wise and listen to them, and act accordingly.



Keith Towler
Children's Commissioner for Wales

Priorities for service improvement

<i>Issues raised in report</i>	<i>Solution</i>	<i>Whose responsibility</i>
1. Variation in leaving care grant and financial support for young people moving on to independent living	In consultation with young people who have left care Welsh Government to review the financial supports available to young people moving on to independent living with a view to determining an acceptable level of support, and to issue guidance to local authorities on what that should be	Welsh Government
2. Having to leave care at too young an age	Welsh Government to amend legislation extending the maximum age at which a young person has to leave a foster / residential placement from 18 to 21	Welsh Government
3. Lack of national forum for young people in care to meet and share experiences	Establish an all-Wales forum for children and young people in care	Welsh Government and the Children's Commissioner for Wales
4. Lack of clarity about the role of the Personal Adviser	Care and Social Services Inspectorate Wales (CSSIW) to undertake a national review of the role of the personal adviser and the work that they undertake with young people moving on to independent living to highlight good practice and identify areas for improvement and development	CSSIW

Issues raised in report	Solution	Whose responsibility
5. Young people moving on to independent living not aware of their entitlements, and lack knowledge and understanding about entitlements including pathway plans, personal education plans, and advocacy	CSSIW to consider a series of spot inspections of leaving care teams to focus upon the lived experience of children progressing from care to independence highlighting good practice and identifying areas for improvement and development	CSSIW
6. Lack of a co-ordinated response to identifying and responding to the rights and entitlements of young people moving on to independent living	As part of the Annual Council Reporting Framework (ACRF) Directors of Social Services to ensure that their analyses of current effectiveness includes a self assessment about services providing information about young people moving on to independent living accommodation destinations; their employment; training; and education destinations; the interface with social workers / Personal advisers, arrangements for transition to adult services where appropriate, and feedback from those young people who have moved on to independent living during the previous year	Directors of Social services
7. The term "Leaving Care" is viewed by some children as being threatening and "Scary"	Heads of Children and Family Services to change the name of leaving care / aftercare teams to Future Care Support Team	Local Authority Children's Services

Issues raised in report	Solution	Whose responsibility
8. Lack of a co-ordinated response to identifying and responding to the rights and entitlements of young people moving on to independent living	ADSS Cymru, WLGA, Local Government Data Unit and CSSIW, make reference to the key messages from this report in developing new datasets to support service improvement as part of the ongoing work they are progressing in relation to the performance improvement framework	Local Authority lead member for children and young people
9. Lack of a co-ordinated response to identifying and responding to the rights and entitlements of young people moving on to independent living	Following publication of the ACRF the relevant overview and scrutiny committee (likely Children's)to include young people moving on to independent living within their published forward work programme	Local Authority lead member for children and young people
10. Young people moving on to independent livings lack of qualifications and work experience	Lead member to initiate discussion within the council regarding the development of work experience / apprenticeship / educational opportunities for young people moving on to independent living who would otherwise be categorised as not in education, employment, or training (NEET). Local authority to develop an action plan with clear targets for improving outcomes for this group of young people	Local Authority lead member for children and young people
11. Shortage of suitable accommodation options for young people moving on to independent living	Lead members for children and young people to ensure that local authority services provide and promote a range of suitable accommodation options for care leavers to assist their move to independence	Local Authority lead member for children and young people

Issues raised in report	Solution	Whose responsibility
12. Young people moving on to independent living are not aware of their rights and entitlements	Lead member and head of children and family services to ensure that a hard copy of "My Planner" is provided to all young people in care on their 15th birthday and to ensure "My Planner" is accessible to all young people moving on to independent living on the local authority website	Local Authority lead member for children and young people and Head of Children and Family Services
13. Young people moving on to independent living do not have their own social worker and Personal Adviser	Local authorities to adhere to the legislative provisions of the Children (Leaving Care Act) 2000 ensuring that all care leavers have access to a personal advisor and social worker	Local Authority Children's services
14. Young people moving on to independent living require ongoing practical/ emotional support beyond the age of 18	Social Services in partnership with voluntary organisations, and in consultation with children and young people develop a "drop in" support facility for all young people moving on to independent living to age 25 providing advice, guidance, independent living skills training, and emotional support	Local Authority Children's Services
15. Young people moving on to independent living wishing to pursue further education unclear as to what financial and accommodation support they will be entitled to when they leave school and care	Future Care Support teams to publish clear up to date guidance re financial on accommodation support at the start of each financial year	Local Authority Children's Services

Issues raised in report	Solution	Whose responsibility
16. Foster Placements end at age 18	Heads of Children and Family Services to plan conversion of foster placements to supported lodgings placements to age 21 for all young people and their foster carers requesting this option	Local Authority Children's Services
17. Independent Visitor service is poorly resourced and difficult to access	Heads of Children and Family Services to review their current arrangements and make necessary adjustments	Local Authority Children's Services
18 Young people moving on to independent living not able to return to care setting if attempts to live independently have failed	Heads of Children and Family services to ensure young people know they can return to care setting if independent living fails	Local Authority Childrens Services
19. Young people moving on to independent living do not know about and/ or cannot access advocacy services	Head of Children and Family services to ensure that advocacy services for care leavers are effectively promoted and readily available to all young people moving on to independent living to age 21	Local Authority Children's Services

Issues raised in report	Solution	Whose responsibility
20. Young people moving on to independent living lack the essential skills for successful independent living	<p>Social Services training staff develop a suite of accredited independent living skills for young people moving on to independent living. Training resource to include financial management, cooking, cleaning, personal hygiene, emotional resilience, neighbourliness, problem solving skills, health advice.</p> <p>Future Care Support team staff provide the opportunity for all LAC preparing to leave care to access relevant training</p>	<p>Local Authority Social Services Training Departments and Leaving Care Managers</p> <p>Future Care Support team</p>
21. Foster Carers and residential care staff unaware of the range of issues and supports that young people moving on to independent living may have and need in relation to their move to independence	<p>Social Services develop and provide a "transition planning" training module for all foster carers and residential staff looking after children who will be moving from care to independence. The purpose of this module will be to ensure that all care staff are working to improve the chances of a successful transition from care to independence, and that the work that foster carers/ residential staff undertake with the young person complements that of the social worker and personal adviser</p>	<p>Local Authority Social Services Training Departments</p>
22. Young people moving on to independent living deemed intentionally homeless following breakdown of first tenancy	<p>Housing departments to amend where necessary local policy to ensure that care leavers are given a second or third chance to make a success of a tenancy</p>	<p>Local Authority Housing Departments</p>

Issues raised in report	Solution	Whose responsibility
23. Young people moving on to independent living struggle to manage the responsibilities of managing their own tenancy	<p>Housing Departments to offer tenancy support to all young people moving on to independent living to the age of 21</p>	<p>Local Authority Housing Departments</p>
24. Social workers / Personal Advisers' lack knowledge about housing options, tenancy support, and other housing related issues and therefore not able to offer advice to young people moving on to independent living that will be in their best interests	<p>Housing Department to offer annual training/ briefing events to social workers / personal advisers to provide them with information necessary for them to be able to effectively advise/ support young people moving on to independent living in relation to move on accommodation</p>	<p>Local Authority Housing Departments</p>
25. There is insufficient appropriate housing stock available for young people moving on to independent living	<p>Housing Departments in partnership with Children's Services to review stock levels, project likely demand and plan accordingly</p>	<p>Local Authority Housing Departments</p>
26. Social workers / Personal Advisers' lack knowledge about routes into further and higher education and training and therefore not able to offer advice to young people moving on to independent living that will be in their best interests	<p>Education/ Careers Service to offer annual training / briefing events to social workers / personal advisers to provide them with information necessary for them to be able to effectively advise / support young people moving on to independent living in relation to education, training, and employment issues</p>	<p>Local Authority Education Departments / Local Careers Services</p>

<i>Issues raised in report</i>	<i>Solution</i>	<i>Whose responsibility</i>
27. Designated LAC teachers role not properly understood or consistently applied in school settings	Director of Education and Social services to agree best practice guidance for the role of the designated LAC teacher within local schools and to jointly develop and deliver a training package for all designated LAC teachers	Local Authority Education and Children's Services
28. Young people moving on to independent living report that the quality and review of pathway plans is inconsistent	Independent Reviewing Officers to ensure they maintain an overview of pathway plan reviews for relevant children and if arrangements are not satisfactory convene an additional review	Independent Reviewing Officers
29. Looked after young people sometimes experience difficulty in registering with a GP	Local Health Boards to consider issuing guidance to GPs outlining best practice in relation to looked after children	Local Health Boards

Get in touch:

Freephone: **0808 801 1000**

Text us for free: **80800** and start your message
with **COM**

Email us: **post@childcomwales.org.uk**

Write to us: **Children's Commissioner for Wales,
Freepost RRGL XLYC BHGC, Swansea SA7 9FS**

Phone us: **01792 765600 // 01492 523333**

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