

RESPONSE TO SCOTTISH GOVERNMENT'S 'REVIEW OF CARE ALLOWANCES' SURVEY

May 2018

CEL CIS (Centre for excellence for looked after children in Scotland), based at the University of Strathclyde in Glasgow, is committed to making positive and lasting improvements in the wellbeing of Scotland's children living in and on the edges of care. We welcome this opportunity to contribute our views to the Scottish Government's Review of Care Allowances, to consider what the 'core allowance', paid in relation to looked after children and young people in foster and kinship care, could include. We support the ethos of the approach taken, focusing on the needs of a child and their right to have the support they need to realise their potential. To achieve this, and provide optimum care, those who care for looked after children and young people should not be financially disadvantaged by the placement, and must be in receipt of a core allowance which meets children and young people's needs.¹

The following list has been developed in close consultation with stakeholders to outline components which should be covered by the core allowance:

- *Food*
- *Toiletries*
- *Clothes*
- *Wear and tear*
- *Hobbies and activities*
- *Bedding*
- *Furniture*
- *Pocket Money*
- *Toys*
- *Insurance and utility bill increases*
- *Daily access to a computer and the internet for homework/course work*
- *Transport costs for the child (for the purpose of attending review meetings, children's hearings, contact, travel to school, college or other educational facility)*
- *Mobile phone*
- *Holiday costs to cover school holiday activities and family trips*
- *Annual Birthday payment*
- *Annual Christmas payment*

Q – Do you think anything is missing from the above list (please provide detail)?

In accordance with the underpinning concepts of corporate parenting, existing guidance makes explicit the expectation that care provided to looked after children and young people should be of optimum quality, and reflect the standards of care children would receive from a concerned parent.² This specifically includes:

- a healthy diet and good physical care;
- opportunities for stimulation and exercise;
- development of social skills and participation in activities in the community;
- building self-esteem, including good presentation and acceptability by peers;
- a safe and comfortable environment;
- full inclusion in special celebrations such as birthdays, Christmas or other cultural or religious events and promoting and developing educational opportunities³

Whilst the items suggested for inclusion in the core allowance will contribute to ensuring the above expectations are met, it would be preferable to frame the components in a way which clearly demonstrates a holistic understanding of children's rights and needs. Rights to human dignity are central to the [United Nations Convention on the Rights of the Child](#) (UNCRC, 1989), and children tell us about the things they need to be happy, safe and healthy throughout their lives, and to live with dignity.⁴ To better reflect this, the components could be framed against the Girfec wellbeing [SHANARRI indicators](#), or the above list, for example by specifying what a child needs in order to have "a healthy diet and good physical care" such as healthy food and drinks, appropriate toiletries, clean and well-fitting shoes and clothing. This approach can enable more recognition that the way in which a child experiences their care is of critical importance. For example, feeling included in special celebrations, such as birthdays, rather than simply receiving a birthday payment.

In addition to annual payments for birthdays and Christmas, explicitly adding "Payments for other cultural or religious celebrations" would strengthen the suggested components by ensuring that guidance reflects the range of different cultural and religious celebrations, and respects children and young people's rights to be included in these, in line with their individual needs and views.

Research into core child allowances for foster carers highlights the necessity of calculating allowances based on what children need, rather than estimates of what families currently spend on children.⁵ The National Foster Care Review (2013) recognised the importance of a 'core allowance' in establishing equity for carers on the basis of core costs associated with fostering, rather than focusing on 'minimum thresholds'.⁶ Some children living in foster and kinship care may express their needs and emotions through behaviours which cause damage to home furnishing and belongings. Recognition of the need to replace broken and damaged items with increased frequency is required.⁷ The need for clear guidance

which details the components that a core allowance is expected to cover is vital.⁸ Similarly, clear guidance is required about how components will be provided for which are not considered 'core' (because they are not necessarily encountered for every child), but are vital to care for those children to whom they apply.

Q - Should Scotland have a national recommended minimum allowance for foster and kinship care payments?

- **YES**
- No
- I don't know

There is significant evidence to suggest that due to their often difficult start in life, the needs of a care experienced child can be greater than the needs of a child who remains with their birth parent(s). As a result, the costs of their care may be higher.

Q - To what extent do you agree or disagree with this?

- **STRONGLY AGREE**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Across Scotland, foster and kinship allowances differ according to the age of the child, as follows

- **0-4 years old**
- **5-10 years old**
- **11-15 years old**
- **16+ years old**

Q - Do you agree that the above age bands provide a useful grouping for determining the level of allowance?

- Yes
- **NO**
- I don't know

Please explain/provide alternative suggestions

We strongly agree that children of different ages will require different rates of allowance to meet their needs. The suggested age banding is recognised as that most commonly used amongst fostering agencies, and is a reasonable suggestion.⁹ However, there is scope to consider an approach which allows for the developmental needs of individual children to be recognised, without relying on measures solely based on chronological age.

The Scottish Government Best Start Grant, due to be in place by Summer 2019, recognises the importance of financial support at key transition points in children's early years. As such, eligible families can access payments at maternity stage, when children are at early years/nursery stage, and again when starting school.¹⁰ The suggested age band could better reflect a consideration of these transitional expenses, and the Scottish experience of early years education and schooling, if they were adjusted to:

- 0-3 years old
- 4-11 years old
- 12-15 years old
- 16+ years old

Alternatively, consideration could be given to a broader approach, less explicitly based on age. National minimum fostering allowances in England are banded as 'Babies'; 'Pre-primary'; 'Primary'; '11 to 15'; and '16 to 17'. It is recognised that this approach leaves some potential for differing local interpretations which could have implications for achieving fairness for children, however using language which does not relate solely to chronological age provides the opportunity for children's developmental needs to be more appropriately reflected.

Explicit commitment is required regarding the provision of appropriate allowances with respect to young people who remain in their foster care placements into young adulthood (up to the age of 21), whether they are 'looked after', or continue to live with their foster carers under the provisions of [Part 11 \(Continuing Care\) of the Children and Young People \(Scotland\) Act 2014](#). Guidance accompanying Part 11 notes that eligible young people must be provided with same accommodation and other assistance as was being provided by the local authority, immediately before the young person ceased to be looked after.¹¹ Through our networks, we are aware of situations where foster carers have experienced significant reductions of allowances where young people have entered into Continuing Care arrangements, which puts previously stable placements in jeopardy. This is contrary to the intentions of Part 11, particularly to address inequalities between looked after children and their non-looked after peers by providing a stable home, and ensuring young people remain in their care settings until they are prepared and ready to leave.

Q - What further support do you think would be helpful to better meet the needs of carers and children in care (e.g. training, guidance, advocacy, information on benefits, etc.)?

Supportive, enduring relationships with those who care for and about children (such as foster carers) are the "golden thread" in children's lives, and the quality of these relationships should be prioritised.¹² Despite this, looked after children report feeling such relationships are often not prioritised, and that they are not supported to sustain relationships with significant adults in their lives.¹³ In addition to promoting and supporting continuity and stability in relationships throughout children and young people's care journeys, greater emphasis should be given to the continuation of important relationships when young people leave care. Enabling and encouraging positive, enduring relationships with former carers is critical to young people feeling supported when they make life transitions.¹⁴

Policy and guidance for foster carers must make expectations about continued relationships clear from the outset, and the support needs of foster carers must be considered to ensure these are possible.

Foster carers require increasingly significant skill and knowledge, from navigating the legal frameworks, to responding to the needs of children who have experienced serious, often sustained, trauma. Such a complex and challenging role must be met with high quality support, which meets the needs of individual carers. In accordance with the recommendations from the National Foster Care Review (2013), the development and implementation of an accredited, accessible Learning and Development Framework would be helpful to ensure the needs of foster carers and children in foster care are met.¹⁵ A national framework could ensure continuous improvement in standards among carers, minimise inconsistency in learning and development opportunities across organisations and local areas, ensure the status of foster carers is respected in a multi-agency context, and enable fostering agencies to identify skills gaps and put in place necessary support.

As noted in the National Foster Care Review, ensuring access to high quality out-of-hours support would be helpful in better meeting the needs of carers.¹⁶

Information, advice and support on a range of issues are of critical importance for kinship carers. Such issues include attachment, trauma, resilience, child development, the impact of abuse and neglect on children, and supporting children who are displaying emotional and behavioural difficulties. There is a need for specific advice on legal and financial matters, and accessible information. For many, managing difficult family relationships and supporting children who are often upset and distressed is demanding, and practical and emotional support are required. Kinship carers must have opportunities to discuss their situation with someone with knowledge of kinship care, and to be signposted to national and local support networks.¹⁷

Q - The Scottish Government is planning some follow up discussions on this topic. Would you be willing to take part in a follow up discussion?

- **YES**
- *No*

Q - Do you have any further comments on any of the topics raised within this survey?

Commitment to parity for kinship and foster carers is complicated currently by the lack of a national rate of allowance. The complexity of establishing a national core allowance for foster and kinship care is recognised. To ensure consistency between local authorities, and equality for children and carers, we support the establishment of a national core allowance. To be successful the national core allowance must be sufficiently resourced, with clear accountability mechanisms established.

In response to the needs, vulnerabilities and early life experiences of many looked after children and young people, carers are expected to provide a level of 'reparative' care which has higher associated costs than the general cost of parenting a child.¹⁸ This has particular implications for kinship care, as research highlights that children in kinship care families are disproportionately living in the

poorest households across Scotland.¹⁹ In order to provide reparative care, carers must not be financially disadvantaged by providing a placement.²⁰

The respect shown to carers when applying for funds, as well as the efficiency of payment systems and how errors are resolved, are thought to be as significant to carers as the level of allowance itself.²¹ Under article 9 of the [Kinship Care Assistance \(Scotland\) Order 2016](#), a local authority must publish (and keep under review) information in relation to the provision of kinship care assistance, including policy in relation to providing kinship care assistance, assessment criteria, the application process, and allowance rates.²²

In addition to the unique complexities they experience, kinship carers also have many of the same support needs as foster carers, and the need for equivalent allowances is recognised.²³ The development of a national core allowances is an important opportunity to ensure national parity for kinship carers of looked after children, and those receiving an allowance in relation to a Kinship Care Order for an eligible child. This is an incredibly complex area, particularly given ongoing interaction with the social security system and the roll out of Universal Credit (which is especially problematic for new kinship carers). This requires further specific, detailed consideration and consultation.

The distinction between 'allowances' and 'fees' in relation to foster care is not always clear, and the two are sometimes conflated. Developments in establishing the core allowance should continue to reiterate the distinction between allowances and fees.

Thank you for providing us with this opportunity to respond. We hope the feedback is helpful; we would be happy to discuss any aspect in further detail, including the range of important issues to consider regarding Adoption Allowances which have not been covered in this survey.

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- ¹ Scottish Government (2011) [Guidance on the Looked After Children \(Scotland\) Regulations 2009 and the Adoption and Children \(Scotland\) Act 2007](#). Edinburgh: Scottish Government, p.121
- ² *ibid*
- ³ *ibid*
- ⁴ Children’s Parliament (2018) [The Weight on Our Shoulders: Consultation on the Child Poverty Bill and Delivery Plan](#). Edinburgh: Children’s Parliament
- ⁵ Button, D. (2014) Research into core child allowances for foster carers. Edinburgh: Scottish Government
- ⁶ LACSIG (2013) [National foster care review: Final report](#). Edinburgh: Scottish Government
- ⁷ Davis, A. & Padley, M. (2013) [Household costs and foster care](#). Loughborough: Loughborough University
- ⁸ Button, D. (2014) Research into core child allowances for foster carers. Edinburgh: Scottish Government
- ⁹ *ibid*
- ¹⁰ Scottish Government (2018) [Early Years Assistance: Consultation on Best Start Grant Regulations](#). Edinburgh: Scottish Government
- ¹¹ Scottish Government (2016) [Guidance on Part 11 \(Continuing Care\) of the Children and Young People \(Scotland\) Act 2014](#). Edinburgh: Scottish Government. Para 23.
- ¹² The Care Inquiry (2013) [Making Not Breaking: The Findings & Recommendations of the Care Inquiry](#). London: The Care Inquiry.
- ¹³ Coram Voice (2015) [Children and Young People’s Views on Being in Care - A Literature Review](#), Bristol: University of Bristol
- ¹⁴ Swain, V. (2016) [Keep Connected: Maintaining Relationships When Moving On](#). TFN; Boddy J (2013) [Understanding permanence for looked after children](#): A review of research for the Care Inquiry. London: The Care Inquiry.
- ¹⁵ LACSIG (2013) [National foster care review: Final report](#). Edinburgh: Scottish Government
- ¹⁶ *ibid*
- ¹⁷ Scottish Government (2016) [National Guidance on Part 13 of the Children and Young People \(Scotland\) Act 2014: Support for Kinship Care](#). Edinburgh: Scottish Government
- ¹⁸ LE Wales & the Hadley Centre (2010) [Foster Carer Payments Schedule and Fees Framework](#), Final Report for the Welsh Assembly Government, Cardiff: LE Wales
- ¹⁹ Nandy, S., Selwyn, J., Farmer, E. and Vaisey, P. (2011) [Spotlight on kinship care: Using Census microdata to examine the extent and nature of kinship care in the UK at the turn of the Twentieth century](#). Bristol: University of Bristol.
- ²⁰ Scottish Government (2011) [Guidance on the Looked After Children \(Scotland\) Regulations 2009 and the Adoption and Children \(Scotland\) Act 2007](#). Edinburgh: Scottish Government, p.121
- ²¹ Department for Education & Skills (2006) The National Minimum Fostering Allowance & Fostering Payment Systems: Good Practice Guidance, London: Department for Education and Skills, p6.
- ²² Scottish Government (2016) [National Guidance on Part 13 of the Children and Young People \(Scotland\) Act 2014: Support for Kinship Care](#). Edinburgh: Scottish Government
- ²³ Scottish Government (2011) [Guidance on the Looked After Children \(Scotland\) Regulations 2009 and the Adoption and Children \(Scotland\) Act 2007](#). Edinburgh: Scottish Government, p.62