



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

The Entitlements Inquiry

**Summary report with
recommendations**

November 2013

Produced by The Who Cares? Trust

Secretariat to the APPG for Looked After Children and Care Leavers

Acknowledgements

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

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

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FOREWORD

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

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

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

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

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

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



Craig Whittaker MP

Chair of the APPG
for Looked After Children
and Care Leavers



Lord Listowel

Vice-chair of the APPG
for Looked After Children
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INTRODUCTION

Between April and August 2013 the All Party Parliamentary Group for Looked After Children and Care Leavers led an inquiry into the entitlements of looked after children. We heard from over 965 individuals and groups, including 324 children and young people who took part in our online survey and more than 120 young people who took part in group work sessions in at least 31 local authorities across the country. Thirty one older care leavers took part in the online survey, 474 people responded to the professionals' survey and we had over 15 written submissions from organisations.

This summary report presents the highlights from the evidence we collected. We have produced a longer report which looks at the findings and data in more depth, outlines the methodology behind our research and identifies examples of innovative practice that we found.

To read the full report, visit www.thewhocarestrust.org.uk/appg.

TERMINOLOGY

We refer to children and young people throughout this report. Unless we say otherwise, when we talk about children, we mean children who are in care, aged between 0 and 18. When we refer to care leavers, we mean care leavers aged between 16 and 25. Where there have been comments from both children in care and care leavers, we refer to them as children and young people. It is not possible to be both a child in care and a care leaver. When we use quotes from evidence submissions, they may use the terms interchangeably.

SPECIFIC ENTITLEMENTS

There are a number of rights and entitlements for looked after children and care leavers. The inquiry focuses on ten specific examples of these.

LOOKED AFTER CHILDREN

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

CARE LEAVERS

6. You can ask your authority for £2,000 for the setting up home allowance. This was the amount that young people agreed, at the regional meetings for Chairs of Children in Care Councils, to ask their local authorities for.¹
7. Your local authority must provide you with help with the costs of being in education or training up until you are 21 (or 25 if you're still in education).
8. Your local authority must provide you with help with the costs of getting and keeping a job (up until the age of 21 if you are in education, employment or training).
9. You must be given a copy, and full explanation, of your assessment and pathway plan.
10. If you're in higher education, your local authority must provide you with vacation accommodation (or money towards it).

KEY FINDINGS

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

¹ In addition to the four specific care leaver entitlements, we asked about the setting up home allowance – a crucial component of a successful transition to adulthood and one raised regularly by young people at the APPG. We used the government's best practice recommendation of £2,000 as a benchmark for our questioning: the Minister for Children and Families wrote to local authorities in October 2012 asking local authorities to consider increasing the leaving care grant to £2,000
<http://media.education.gov.uk/assets/files/pdf/l/letter%20to%20dcs.pdf>

- Some children and young people aren't getting their entitlements. Only 50% of care leavers said that they had a pathway plan. Some know about their entitlements but aren't getting them. 12% of young people knew that they should have a pathway plan, but said that they didn't.

WHAT DO YOUNG PEOPLE KNOW ABOUT THEIR ENTITLEMENTS?

OVERALL KNOWLEDGE

Very few looked after children and care leavers feel that they have all the information they need about their entitlements. Only 29% of children in care and 17% of care leavers feel that they have all the information they need. Children in care as a group are more likely than care leavers to say that they have "all the information" they need or that there are "lots of things they don't know". Care leavers are more likely than children in care to feel that they have some information about their rights and entitlements.

Children and young people's confidence about their overall knowledge depends on the age that they first entered care. Those who entered care aged 1 to 4 or at the age of 16 and over feel most confident about their knowledge, whereas no one who entered care when they were under one year old feels they have all the information they needed.

Feeling confident about knowledge isn't a true reflection of the extent of children and young people's actual knowledge but it is an important indicator. We found that there is a significant group of children and young people who do not feel confident in their knowledge, and therefore are highly likely not to have all the information that they need.

SPECIFIC ENTITLEMENTS

We asked about awareness and receipt of each specific entitlement and found that, with one exception, more young people knew about each entitlement than were actually receiving it.

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

There are specific regulations² that say that a child must have a care plan, how the care plan must be prepared and what must go in it. It must set out information about the long term plan for the child, how the child's needs will be met and how contact with their birth family will be maintained. 67% of children who took part in the survey said they knew that they should have a care plan. However, worryingly, only 62% of children said they think that they have a care plan.

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

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

“I know I’ve got a care plan but I don’t know what is in it.”(Looked after child age 13)

Some children told us that they aren’t consulted about what goes into their care plan and that their plans are vague or contain errors. We heard that some children have care plans and know what is in them, but do not receive the support that is listed. We also heard that some children don’t like engaging with the process of writing their care plans and that some children don’t know that it is called a care plan.

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

Letting children express their views and including those in their care plan ensures that the reality of their lives are listened to and recorded. It helps ensure decisions are taken in the best interests of the child and build trust between professionals and looked after children. Excluding children’s views from their care plans risks children being spectators in their own care rather than active participants in their own lives. Only 63% of children knew that their views should be taken into account when decisions are made about their lives.

“They take the views, but don’t do anything.” (Care experienced young person)

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

Some children felt that they were listened to and their views taken into account. However, we are concerned that, whilst some told us that they were listened to, their views weren’t acted upon or were only acted upon when they were easy to achieve. We also heard that when social workers listen but don’t act on what they have been told it can be frustrating.

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

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

Not having a review meeting before big decisions are made can cause uncertainty for children. Having a review before a placement move gives children an opportunity to understand why the move is happening and ask any questions that they have. Only 58% of children didn’t know that no important decision should be made without a review. Younger children were less likely than older children to be aware of this.

“Think so – probably happened because I was spoken to, but I didn’t go to the meetings.” (Care leaver)

“It has to happen but it doesn’t.”(Care experienced young person)

Children had mixed opinions about reviews before big decisions and told us they had different levels of involvement. They told us about different ways that they contributed to

their reviews, when they happened. However, lots of children said that they didn't have a review meeting before a big change. A few children and young people told us that they thought that this entitlement depended on the quality of the professionals who worked with them, particularly those who arranged reviews.

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

Not receiving the 16 to 19 bursary has predominantly financial implications, but there can be detrimental effects on students' academic and personal lives. 37% of children in care knew about the bursary. 44% of 14 to 19 year olds knew about the bursary.

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

Overall we found that the way in which colleges are dispensing the bursary varied hugely and there is variability in how easy children and young people find it to access. Some children and young people were unhappy with the way some colleges controlled the money. One group told us that, despite knowing about the bursary, they all experienced different levels of ease when it came to accessing it, depending on which college they went to.

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

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

If they are unhappy or have concerns about the placement, children should feel safe, secure and able to raise them with their social worker in private without worrying that their foster carer or residential workers will hear. If a child is unable to express their concerns, they may not be resolved, which can put the child at risk of further unhappiness and harm. Three quarters of children knew about their right to be seen alone by their social worker. Children over 16 were more likely to know about their right to be seen alone and to report that it happens for them. Young children were less likely to know about this right. This may be for practical reasons such as it being easier for professionals to arrange to spend time alone with older children.

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

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

Children told us that they think that it's very important to spend time with their social worker. We were told that many children don't see their social worker enough or would like to spend more time with them. Children also thought that some professionals did not know about this entitlement.

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

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

Care leavers who do not receive the recommended £2,000 may find it hard to furnish their flat appropriately. This can make the transition to independent living difficult and increase care leavers’ vulnerability. Only half of care leavers knew that the recommended leaving care grant/setting up home allowance should be £2,000. Only 34% told us that they had received the recommended £2,000 allowance.

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

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

Care leavers had a lot to say about the setting up home grant and a number of concerns. Lots of young people told us that they didn’t know that they were supposed to get £2,000 and many said they received less in their area. In some cases young people are not receiving enough; some care leavers move into a completely unfurnished flat and have to buy flooring, curtains, furniture and white goods from their grant. We heard that care leavers are not given enough support to spend the setting up home allowance, are very restricted in how they spend their money and have to choose items from a list or from certain shops.

We were very concerned to have heard about setting up home grants being used to pay for clothes and lunches at college, often without the care leaver’s knowledge.

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

Not knowing about or not being given support with the costs of education can influence the decisions children and young people make about their future. It has an immediate financial implication for some care leavers, resulting in additional stress and even dropping out of college or university. Just 67% of care leavers knew that they should get help with the costs of their education, indicating that one third of care leavers are not aware this support exists.

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

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

We heard conflicting evidence from care leavers. Some told us that they felt well supported to meet the costs of their education. In contrast, others told us that they had to support

themselves entirely, or felt that they hadn't been supported as fully as they had needed. They thought that local authorities didn't know that they had to do this and that the eligibility criteria of this entitlement were confusing for many.

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

Given their often poor educational experiences and without the help of traditional support networks, it can be hard for care leavers to find a job. Support with costs and the skill of job hunting is a crucial role that local authorities need to fulfil as corporate parents.

Unemployment can lead to poor mental health, poverty and in some cases involvement with the criminal justice system.

Over half of care leavers didn't know about this entitlement. While we know that some care leavers who answered this question may be in education, so not be looking for employment, they should know about everything that they are entitled to.

We heard from care leavers that some local authorities provide young people with significant levels of support. However, it was more common to hear that they had not been offered support with getting a job. One example of concern is that we heard about one instance of there no longer being a personal advisor attached to the leaving care team and care leavers having to access employment support through other boroughs.

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

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

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

A care leaver's pathway plan should contain all the support that the local authority will provide for them as a care leaver and as such they are important tools for care leavers in holding the local authority to account.

It is worrying that only 68% of care leavers knew that they were entitled to be given a copy of their assessment and pathway plan. However, of more concern is that only 50% of care leavers said that this was happening for them.

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

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

Of the care leavers who told us that they had a pathway plan, views were mixed about whether or not it was accurate and reflected their views, plans and ambitions. Some told us

that they felt their views about their future were not always up-to-date or captured in their own words. We also heard about plans that were not updated when things changed.

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

Not being provided with vacation accommodation or money towards it can result in having to live unofficially somewhere, homelessness and debt. Children and young people can be put off from going to university altogether because of uncertainty about living arrangements. Only 44% of care leavers knew about this entitlement.

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

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

We heard of care leavers being forced to pay for accommodation out of their overdrafts, sofa-surfing, living unofficially with friends or foster families, or forced to become homeless during their holidays. We heard that care leavers have to fight for this support and that it is not readily offered by local authorities. We also heard that the nature of the entitlement can force young people to select local universities, or to stay in university accommodation all year long, unable to return to their home local authority during the holidays.

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

HOW YOU ARE TOLD MATTERS: INFORMATION FROM ONE EXPERT SOURCE

Children and young people currently receive information from a number of sources, although the main way that children in care get their information is from their carer and social worker. Care leavers rely more heavily on other young people in care and their Children in Care Council for their information, but their personal advisor is still the most regular source of information.

However, children and young people want to be able to get all their information from one source and generally prefer this to be their social worker or personal advisor. They also want to receive information directly, either via email or in the post. Children and young people don't want to have to be the experts on the support that they should be getting; in general they want to actively be told something rather than having to find things out for themselves.

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

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

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

In professionals’ view, young people hear about their rights from a wide range of adults. The list they gave was far larger than the range of adults that young people said they heard about their rights from and wanted to. Professionals thought that independent reviewing officers and advocates were key sources of information about rights for children and young people, but children and young people didn’t agree.

Providing information via a wide range of people, like the wide range suggested by professionals, can cause problems for children and young people as information can become like a giant jigsaw that they then have to piece together. It makes a complex issue even more difficult to understand because of the piecemeal way that information is passed on.

BEING ABLE TO UNDERSTAND MATTERS: INFORMATION NEEDS TO BE ACCESSIBLE

According to professionals, inaccessible information was the biggest barrier to children in care and care leavers finding out about their rights and entitlements. The subject matter is complex – the way it is explained can make matters worse.

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

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

There are particular groups who face additional barriers, which make understanding even harder.

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

We heard from professionals who said that children and young people with SEN or a learning disability can struggle to understand complex information and may struggle to understand more than simple facts about their entitlements. They may also find it difficult to explain that they do not understand something. Professionals who work with them can be unaware of the support that they should be getting, including the additional support that they should get as a child with SEN.

We heard that children and young people with SEN or a mild learning disability are most likely to be unable to access information because their needs are not severe enough to

qualify for additional support as an adult, but still mean that they may find it difficult to access information.

CHILDREN WITH SPEECH, LANGUAGE AND COMMUNICATION NEEDS (SLCN)

Professionals told us that children and young people with SLCN can appear to understand information that is given to them, but in reality may not have not fully understood the conversation. This can result in them agreeing to suggestions to be accommodating or not fully responding to the conversation. If children don't respond fully it can appear that they are not paying attention or that they are agreeing. This may mean that their full support needs are not identified.³ Often SCLN are not recognised in young people with other needs, including mental health needs or behavioural problems, and also for those who live in residential care.⁴

UNACCOMPANIED ASYLUM SEEKING CHILDREN

Organisations that work with unaccompanied asylum seeking children told us that information can be difficult for those children to access because they may have low levels of English literacy or be unable to speak English. The traumatic experiences they have faced in their lives so far, or are currently facing, may make it even harder for young people to process and understand relatively complex information.

Information can also be inaccessible for cultural reasons. For instance, they may think that requesting financial support is rude or ungrateful.

Information needs to be accessible because if it's not, children and young people are denied the opportunity to access their rights. Not knowing about something, or not being able to find it out, puts children in care and care leavers at a disadvantage. They lose power and control and it makes them completely reliant on their corporate parent to provide for them.

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

The different times and stages in children's and young people's lives that information is given can impact on their understanding, ability to retain and then use the information.

It is important that information is available when they need it. Being informed of their entitlements the first time a child enters care is crucial because they know very little about the system and their rights. However, because entering care can be a daunting and

³ Cross, M (2011) *Children with social emotional and behavioural difficulties and communication problems: There is always a reason*. 2nd edition Jessica Kingsley Publishers, cited in evidence submission from the Integrated Services Programme

⁴ Cohen, N. J., Farnia, F. and Im-Bolter, N. (2013), Higher order language competence and adolescent mental health. *Journal of Child Psychology and Psychiatry*, 54: 733–744 and McCool, S. and Stevens, I. C. (2011), Identifying speech, language and communication needs among children and young people in residential care. *International Journal of Language & Communication Disorders*, 46: 665–674 cited in evidence submission from the Integrated Services Programme

overwhelming experience, it is important that the information isn't only given at the very beginning of their time in care, but repeated regularly and easily accessible when they need it.

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

Telling children and young people about particular entitlements at the wrong time could mean that they end up missing out on things because they were told them and forgot, or didn't really listen because they didn't think it was relevant for them at that time.

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

Children and young people seem to only be told about their entitlements when they are about to start on a path which makes them applicable. They often said that the reason they didn't know about something was because it wasn't applicable to them yet. Children and young people should be told about their entitlements in plenty of time to ensure that they can make fully informed decisions about their futures.

Placement type and length can also be a barrier to accessing information. Those who first enter care between the age of 1 and 4 know less about their rights than those who enter care for the first time at 16 or above. This could be because children who enter care at an earlier age are more likely to be in long term placements and have less social work involvement.

WHO TELLS YOU MATTERS: THE IMPORTANCE OF RELATIONSHIPS

Placement stability can influence children and young people's understanding of their entitlements. Some professionals told us that children who have very stable placements can find that they are uninformed because they have less intervention and information, while others said that those who have multiple, unstable placements are also likely not to know their rights and entitlements. This is because they miss out on being told information and are more likely to have fewer trusted sources of support and advice.

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

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

Being fully informed and supported is often dependent on strong, supportive relationships with professionals and carers. Without them, children and young people can miss out on information and the support they're entitled to. The more contact they have with professionals, the easier it is for children and young people to speak to people about the things that they need.

*“Looked after children who don't have good relationships with their social worker or the local authority, and where opportunities to discuss rights and entitlements are limited by lack of contact time, [particularly struggle to understand their rights and entitlements].”
(Social worker)*

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

Children and young people thought that professionals needed to know a lot about them and their situation in order to meet their needs. They also said that the quality of their relationships had an impact on the support that they got. They said that they felt that they had to 'be nice' to some people in order to access support and entitlements.

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

The placement that a child is in may be the right place for them, but the type of placement may mean that there is less engagement with social workers and looked after children miss out. Equally, unstable placements can impact on the quality of relationships with carers and communication, which can result in missed opportunities for children and young people.

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

Looked after children and care leavers simply not being told about their rights and entitlements was a running theme through the evidence presented to the inquiry. Reasons included professionals not telling them because they themselves did not know, and local authorities withholding information because they did not have the resources to provide certain entitlements.

NOT KNOWING SO NOT TELLING

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

Professionals thought that one of the barriers was that children in care and care leavers are not told about their rights by the professionals who work with them.

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

PROFESSIONALS GET THEIR INFORMATION FROM LOTS OF PLACES

There is no one ultimate source of information, and for different professionals, different information is needed. We found that government publications are the most common way for professionals to get their information about children and young people's rights and entitlements.

Government publications were the most common information source for frontline workers and social care managers. Education professionals get their information from their social care colleagues, and frontline carers are most likely to get their information from training sessions and social care colleagues.

Reliance on other professionals works until the professional on whom you are relying does not know something or they leave. Similarly, while using government publications is positive, they can often be dense, long, and difficult to find. It is important that information can be easily accessed and is accessible to all professionals.

PROFESSIONALS AREN'T RECEIVING ENOUGH TRAINING

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

Less than half of professionals have received training on looked after children or care leavers in the past three years. Training can be an important way of ensuring that professionals have up to date knowledge and continuing professional development is supported and advocated by social work professional bodies.

90% of professionals who told us that there were lots of things that they didn't know hadn't had training in the past three years. Only half of professionals who work specifically with children in care had received training on looked after children in the past three years, and only 18% said that they had all the information that they needed.

However, training is not necessarily the solution on its own; professionals and carers all like to receive information in different ways. In addition, training will only help boost professionals' knowledge; it will not fix the systemic problems that affect children and young people's knowledge, such as good quality relationships and receiving information in the right way.

KNOWING BUT NOT TELLING

NOT HAVING THE TIME TO TELL

When professionals do not tell the young people they work with about certain entitlements it is not always because they do not know. It can also be because the relationships between the child or young person and their worker do not make it easy for this to happen.

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

High caseloads and high staff turnover can make it hard for frontline workers to spend enough time with children and young people to give them all the information they need. Poor management and the inflexible use of resources can lead to social workers being unable to use their skills holistically to assess a young person's situation and needs. We have also heard that the caseloads of personal advisors have been increasing over the past two years, putting even more pressure on the time they have available.

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

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

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

We heard evidence that another barrier to children and young people, especially care leavers, hearing about and receiving their entitlements is that some local authorities are trying to save money by not telling them about their rights.

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

Children and young people told us that they felt that they weren't told things on purpose to save money and were put off from doing things, such as pursuing education, by the local authority because of the cost. While resources are not unlimited, those in the care of the state should feel that they are supported by their local authority, not a burden. We are concerned that financial considerations appear in some cases to be prioritised above the best interests of the child.

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

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

OUTSIDE THE SYSTEM

The inquiry was told by organisations that some groups of children and young people are kept outside the care system and this limits the access that they have to support from the local authority. We have heard a small amount of evidence that suggests that vulnerable children are having decisions made against them that prevent them from being able to access the support of the care system.

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

For every single entitlement that we looked at there were looked after children and care leavers who said that they knew something should be happening, but that it wasn't. For some entitlements this was a small group: for example, only 3% of young people knew that major decisions about them shouldn't be made without a review meeting but said that this wasn't happening for them. However, for other entitlements, there was a much higher percentage of young people who knew about an entitlement but weren't getting it.

While in some cases this can be explained by the fact that the young people don't know about an entitlement because they are not eligible for it, there is still a significant minority of young people who knew about their entitlements, were eligible to receive them and still were not getting them. 6% of children in care knew about their rights relating to social workers visiting them alone, but said this was not happening for them. 12% of care leavers knew that they should have a pathway plan, but said that they didn't. 12% of care leavers knew about the £2,000 setting up allowance, but said this was not happening for them.

The attitudes of other people can have an impact on this. When children and young people spend a long time hearing about the impact them being in care has on others, and how children's services are short of resources, they can feel like an inconvenience and don't want to cause a fuss. They can also be made to feel grateful for any money and support that they do get, and this can make them more unlikely to ask for additional things, even if they know that they know should get them.

The attitudes of the young people themselves can also affect how empowered they are. Young people may not access their full entitlements, despite knowing that they are entitled to something, because they perceive things to be better in their lives than they used to be. Young people might find it hard to visualise what they could have, so do not push for more than they have.

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

We were also told that some young people are worried about repercussions if they make a complaint, or they do not feel that anybody will take any notice.

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

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

The system limits young people's ability to advocate for themselves. With reviews held during school hours, or children and young people not knowing the time and date of their reviews, they are unable to be present and to speak for themselves. It means they rely on professionals and the system, and this means they are vulnerable to the weaknesses of busy professionals and a corporate system.

CONCLUSION

We have put the voice of the child at the heart of our research and believe that real change can happen if it is put at the heart of all decisions and actions for children in care and care leavers. We would urge you to read the full report which includes many more quotes from children and young people.

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

Many of the issues faced by children and young people will require many changes to a complex system. We have identified ten key recommendations which are practical and would make a tangible difference for children and young people.

RECOMMENDATIONS

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

FURTHER INFORMATION

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