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GET TO KNOW YOUR RIGHTS

A GUIDE TO THE CARE SYSTEM AND WHAT RIGHTS YOU HAVE WHEN YOU'RE IN CARE.

This is from a series of FREE factsheets for young people with care experience, produced by the charity for children in care and young care leavers, Become.

Why do people go into care?

There are many reasons why you might have gone into care. It could be because your family aren't looking after you properly or because something bad has happened at home. Whatever the reason is, it's really important to remember that it's not your fault and that lots of children go into care. Going into care can be a confusing and worrying time as it often means adults you have only just met making big decisions about your life, such as where you might live and when you might see your parents or brothers and sisters. However, it can also be a chance for a fresh start for you. Your life will definitely be different, but lots of young people say that they were glad they were taken into care and that it was better than living with their family.



What is the 'care system'?

If you are a child under the age of 18 in the UK and you cannot live with your family for some reason, the government has to make sure that you are safe and well cared for. You will go into care and be in what is sometimes called the 'care system', which means how care is organised.

What bits of law affect being in care?

Section 20 of the Children Act 1989 - Voluntary Care

If you're in care under section 20, it doesn't involve a court and your parents will still have legal responsibility for you, shared with the local authority. This sometimes happens when a child's parents are in prison, or when a young person's relationship with their parents has broken down, or when a young person is homeless. It can also happen when a young person asks to be taken into care.



Section 31 of the Children Act 1989 - Care Order

This is when the court makes a 'care order' for you, because it's likely you might be harmed physically or emotionally if you stay living at home. This means that the main parental responsibility for you is taken over by your local authority. If you're in the care of a local authority, you will be considered a 'looked after child' (the legal term for being in care) and your local authority takes the role of your 'corporate parent' which means they have responsibility for you. As a looked after child, there are several things that the law says your local authority must do for you to ensure you are safe and well cared for.



BECOME.
THE CHARITY FOR CHILDREN IN CARE
AND YOUNG CARE LEAVERS

FOR MORE INFORMATION ON ANYTHING IN THIS FACTSHEET CONTACT THE CARE ADVICE LINE ON 0800 023 2033, WEEKDAYS 10AM – 5PM



So, you're in care... what are your rights?

The good news is: you have lots of rights - so make sure you know what they are! Here are some of the main things your local authority has to do for you:

- They must make sure you have somewhere safe to live. (See Factsheet 4 for more about this.)
- They must make sure you are in education and have something called a Personal Education Plan to make sure your educational needs are met and that you are supported to achieve your goals.
- They must meet your health needs – this includes your physical and mental health. If you think you need help with anything to do with your health, remember you have a RIGHT to be helped. Tell your



carer or social worker.

- They must give you a social worker, and your social worker's job is to make sure you're happy and that you're cared for. It's important that you feel able to talk with your social worker and tell them what you need.

Your social worker must:

- Visit you at least every six weeks. When they visit, they must spend some time with you alone and get to know you.
- Listen to your views and take them seriously. They must involve you in decisions about your life. This includes where you'll live, who'll look after you, your education, health, and contact with your family.
- Write you a Care Plan. This should consider all your needs, like your health and development, family relationships, where you will live, your education, and much more. Your Care Plan will go with you throughout your time in care. It's your document so it's important you tell your social worker what is important to you so it is written in the plan.

You must also have an Independent Reviewing Officer (IRO)

Everyone in care has an IRO, and their role is to make sure that your social worker is doing everything they should be to help you.

You also have the right to

Make a complaint You have the right to complain formally about your care and your local authority should let you know who you need to contact to do this. Start by telling

your social worker that you want to make a complaint. They should then help you contact an advocate and tell you what to do next.

An advocate Their job is to help you get your opinions heard if you don't think decision makers are listening to you. An advocate can come and help you in meetings about being in care – they will help the decision makers understand how you feel and what you want.