



Appendix B: Why legislation and practice needs to change - Family and friends carers' experiences

a) Is a child looked after? – What happens when the authority denies looked after status

Case 1 – Leonie and her 3 nephews and nieces

Leonie has been caring for her sister's 3 children since April 07. There were concerns about the mother's care of the children, who were on the child protection register. At the child protection conference the local authority indicated that unless problems were resolved, they would be considering taking care proceedings.

Leonie has received no support from the local authority. FRG wrote a letter to the local authority stating the children should be regarded as looked after children and that Leonie should be supported appropriately as a foster carer.

The local authority has verbally responded stating that they cannot treat Leonie as a foster carer. They suggest the family should go to court, "get parental responsibility" and the local authority will then assess if it can help financially. Leonie has got nowhere with the local authority and eventually, reluctantly, has said that she cannot continue to care for the 3 children

Case 2 – Fiona and her 3 nephews and nieces

Fiona is raising her niece and 2 young nephews (aged 4 and 7).

Jackie (Fiona's sister) and her children originally came to stay with Fiona in Autumn 2006, in order to provide Jackie with respite. Jackie disappeared for a few days but returned. Two weeks later Jackie left the children with Fiona during a contact visit arranged by Children's Services and Fiona has had no contact with Jackie since.

The children are on the child protection register and the local authority has said that if Jackie tries to remove the children they will go to court for an order. The local authority has advised Fiona to ring the police if Jackie tries to remove the children.

The local authority has so far provided no financial support but has advised about benefits although Fiona is not yet in receipt of these. The authority has said they will begin paying in total £50 p/w but won't pay retrospectively. It is not clear to Fiona how the local authority has come up with the figure of £50.

Case 3 - Tracey and her great grandson

Tracey's teenage granddaughter, Heather has a young son, Ben.

Heather went to the Children's Services' offices in January 2008 and said that she couldn't cope any more with bringing up Ben. The social worker took Heather and Ben to Tracey's home and asked Tracey to care for Ben.

Tracey is happy to continue to care for Ben, he's settled and contented and she feels she can give him a good home. However, Tracey is dependent upon her pension and is very concerned that she will be unable to continue to raise Ben unless she receives support.

The social worker has said that she "*cannot pay Tracey as she is a relative*"! She also said that Ben is not safe with Heather and if Heather tries to take Ben, Tracey should call Children's Services straight away.

FRG wrote a letter questioning whether the child was accommodated, but the local authority rejected this on the basis that the mother had been accompanied by the adolescents team not the assessment team when the placement with Tracey took place. The local authority's letter acknowledges that there are concerns about the mother's care which are not currently being pursued because Ben is safe with his great grandma.

Case 4 – John and his two grandchildren

John is a grandfather. His son and daughter-in-law got divorced. They have two children aged 6 and 7 years old. Children's Services told the children's parents that they had to remove the children and to take them to their grandparents. Initially Children's Services agreed this arrangement should last for 1 month but they have now revised that opinion. The children are now on the child protection register and the child protection plan states that the children must not go home and that mum can only have contact once a week – she is "*not allowed to have unsupervised contact with children*".

John and his wife stepped in and took on the care of the children since they would prefer their grandchildren to stay with them rather than go to strangers.

Children's Services stated that they did not regard the children as "looked

after" instead they set out in writing that they regarded the children as "residing" with their grandparents. Consequently the children have not been considered a priority for CAMHS although this is clearly needed nor is any financial support provided. A promised initial grant did not materialise nor the promised summer scheme provision.

The local authority rejected the argument that they children were accommodated because mother gave consent to the children staying with John. FRG challenged this view and Children's Services has now accepted that the children are looked after but won't backdate the decision to when the children were first placed.

Children's Services is now proposing a Special Guardianship Order and have agreed to financial support with legal costs after pressure from John.

Case 5 – Polly and Bill and their granddaughter

Polly and Bill agreed to care for their granddaughter, Sally who was unable to live with her parents due to child protection concerns. They shared Children's Services' concern and were happy to take on this arrangement. However, they are on a limited income and Polly has had to take unpaid leave from her job to care for Sally. Bill doesn't work and receives incapacity benefit. Taking on the care of Sally has left them financially very stretched and they reluctantly approached the local authority for support.

The local authority's response was to state it's a private arrangement, despite:

- a) the social worker contacting Polly prior to the child protection conference to ask whether she'd care for the baby and making no reference to it being a private arrangement';
 - b) the placement forming part of the child protection plan;
 - c) Children's Services making clear that the parents are not allowed unsupervised access;
 - d) the social worker informing Polly at the time of the initial placement conversation that finances would be "sorted out" after the child's birth; and
 - e) police checks being conducted and the house inspected by Children's Services prior to the baby's arrival.
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Case 6 – Dawn and her granddaughter

Dawn's daughter, Julia suffers from severe mental ill health. Julia was sectioned in front of Dawn and the social workers asked Dawn to take on the care of Julia's daughter. Since then Dawn has been contacting the mental

health team asking for support to raise her grandchild, but has been told they don't have a budget and to contact Children's Services.

Dawn contacted Children's Services and was told that since it wasn't a Children's Services social worker who'd placed the child, they don't have any responsibility for the placement or to provide support.

b) Families in poverty – the consequences of failure to support and inaccurate information

Case 7 – Tim and his nephew

Tim has been asked by social workers to take on the care of his brother's children. The family do not know for how long, and neither do Children's Service and they cannot give a time frame.

If Tim hadn't taken the children they would have been put into care.

Tim is on a basic wage and is worried about how he will care for them financially. When the children were placed, all they had were a few sets of clothes, a couple of teddies and one bottle for the baby. Tim has already spent monies getting them more clothing and essentials but has received no assistance from the local authority.

One of the children should be starting primary school. Tim lives an hour away from her school, so that's not an option. He thinks the child should be schooled at a local school near him, yet one of her parents is not agreeing, and Tim is receiving no guidance from the local authority as to what to do. Instead he has been told to wait for at least another month to find out what is happening.

Case 8 – Nadine and her siblings

Nadine is 24 years old, the oldest of four children. Her mother died in Autumn 2007. She moved into her mother's flat and took over her tenancy, in order to care for her younger sister (age 15) and brother (age 10). The children's father does not have parental responsibility for the children. He is in and out of prison, and Nadine does not think he is a suitable person to be involved in bringing them up.

When she moved into the flat, Nadine contacted the local authority to ask for support. She was visited by a social worker, who told her that she would be financially supported as the children's kinship carer, and that the social worker would get back in touch with her.

Several weeks later, when she had still not heard from the social worker, she phoned her. Nadine was told that she could not be financially supported as the children's kinship carer. The social worker said that there were two reasons for this:

1. The children had not been displaced, and had continued to live in their own home; and
2. Nadine was a close blood relative of the children.

Nadine told the social worker that she was struggling financially to look after the children. She was using her very limited income to provide for her two siblings as well as herself. The social worker advised her to give up work, so that she could claim welfare benefits for her two siblings.

Nadine advised the social worker that they were going to struggle to enjoy their Christmas because of a lack of money. The social worker advised her to come into the local authority social work office any time that Friday and that something would be sorted out. Nadine went in to the office, as advised. She was kept waiting for an hour and a half, despite the fact that there was no-one else waiting to be seen and she did not seem to be part of any queue. After an hour and a half, she phoned the social worker's direct line, and one of her colleagues told her that she'd come down to see Nadine. She arrived 20 minutes later, and gave Nadine £40 for her Christmas with the children. She passed a comment that seemed to be meant to inform Nadine how inconvenient it had been for her to see Nadine that day.

Since then, Nadine has continued to struggle to manage financially, and she recently had a bill from the Housing Association which is their landlord for over £1,300.

Case 9 – Dominique and her niece

Susan ran away from home and refuses to live with mum. Susan's mum has been suicidal in the past and has self-harmed. She has learning difficulties and is an alcoholic. Susan has exhibited disturbed behaviour and was in care earlier in the year.

Dominique is Susan's aunt although she didn't know Susan prior to her running away from home. Dominique took Susan in after she'd run away and a social worker then visited and asked Dominique to care for Susan long term. Susan is doing very well in Dominique's care and Dominique is happy for her to stay indefinitely but is on a low income. Susan's mum is also happy with the arrangement. However, they have received no financial support from the local authority nor has Susan received a full assessment of her complex needs.

c) A lack of transparency/ inaccurate information

Case 10 – Caprice and her grandchild

Caprice, a grandparent-carer reported the reasons she was given by the local authority for placing a time limit on the SGO allowance for her two-year-old grandchild:

“The cessation of payment is when the child enters full time education (age 4 usually) and is permitted as a condition under section 10. This is because in most cases it is reasonable to assume the special guardian will be able to go to work and not need the allowance.”

Lynn’s partner is 62 and disabled. Lynn is his carer.

Case 11 – Grandparent carer

Message from a grandparent carer:

“We have never been told what we are entitled to. The reason given is that the policies are not written yet. Or nobody knows as this is new. How do we find out what we are entitled to? We were told that the social worker didn't want to put anything in the report that would "rock the boat". We had been through enough and she wanted to make sure it was not turned down. Like most we have had a dramatic change of life style. All "retirement" plans gone. I had to give up work and if I try and return later I will have lost all seniority therefore will be on minimum wage. Like £27,800 down to £17,500.”

Grandparent carer