

Alternatives to Custody

Developing specialist fostering
for children in conflict
with the law

The Alternatives to Custody Project – Europe

HANDOUTS



SESSION 1: WHAT DOES FOSTERING CHILDREN INVOLVE?

Working together agreement

This works best as a whole group activity but if there are some particularly shy carers, or if your group is unusually large, you may want to split the group into two small teams.

- Explain that you are going to be working together for some time and so it is important that you are able to get on well together. Group members need to feel that the group is safe, respectful and constructive.
- Allow group members or individuals to suggest a rule or idea, which is then clarified, discussed and agreed by the larger group as you write it up.
- If you have split into two or more groups, ask the individuals in each group to then discuss together for five minutes and come up with a list for their group.
- Once each group has had a chance to discuss, bring everyone back to the larger group.

Once the group has worked out an agreement, this should be displayed on the wall at each session. This is helpful if you need to refer back to the rules. You can, of course, add to or alter rules in the light of the experience of the group.

Below is an example of a group working agreement.

Group working agreement

- Confidentiality – we can share learning outside the group, but do not use names of carers or children.
- Respect each other's views – don't be judgemental, agree to differ.
- Punctuality – we want to start and finish on time.
- Be sensitive, particularly to differences and to each other's feelings.
- Create space to listen to one another (avoid interrupting).
- One person to talk at any one time.
- Try to be brief and clear.
- Ask if you don't understand.
- It is OK to make mistakes – this is how we learn.
- Be supportive.
- Switch off mobiles or put on silent – let group know if you may need to answer your phone.
- Let the group know if you will not be attending a session.
- Will send handouts of any missed sessions to carers.

(Taken from Bachmann *et al*, 2011, *Fostering Changes*, London: BAAF)

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Ali and Ramy

Ali and Ramy are 15-year-old twins of Turkish heritage. They have just been placed with white foster carers. Ali and Ramy have four other siblings. Unfortunately, their parents' relationship broke down when the boys were 10 years old, and the parents eventually separated. The boys' lives became disrupted and their parents shared their care. However, the streets and local gangs of young people also became their "family" as they often felt neglected and rejected by their parents. They began to steal money from shops and gradually their crimes of theft became more serious, while their school attendance worsened. They got into conflict with the law as a result of several burglary offences they committed, several incidents of drunk and disorderly behaviour, and a physical assault on one occasion against a police officer who arrested them.

- 1) Why do you think Ali and Ramy have been behaving in this way? What do you think lies behind their offending?
- 2) What needs do you think Ali and Ramy have which were not being met?
- 3) If you were Ali's and Ramy's foster carer, how would you begin to help them with their offending behaviour?

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Alternatives to Custody DVD Transcript

Princess, foster carer

'I decided to become a foster carer about two-and-a-half years ago, that was after considering it for a number of years because I have a large house and because my children are grown up now. I wanted to become a remand foster carer for those young people that fall through the net, those that people sometimes don't really want. My current family is made up of myself, my son Ché, Dajour my foster son he's 17, Che's 17 as well, and the youngest one is 15. The 15-year-old is currently a remand foster placement. He came to me as a remand foster placement, although it has transpired into something else. He was involved in criminal activity. He had two outstanding offences, very serious offences for robbery. He was also nearly killed a couple of months before coming to me and he's totally transformed his life. He's totally transformed it. He is in full time education now. I don't have to get him up in the mornings – he's up and he's out of the door in full uniform looking smart. He now wants to become a PE teacher. He's doing very well, very very well. And it could have been so different for him. In relation to Dajour, his situation is quite similar to my other foster son although he wasn't as involved in criminal activity. He was still very much on the brink of doing so. His peer group were involved in criminal activities, he was very much engaged with them before he came to me. I had to put a lot of work in to change a lot of that behaviour and to get him to settle. He's come a long way. It would have been an awful lot different for him. He's coming from a background of a lot of deprivation, a lot of neglect both emotionally and physically. And we've had to work with that and he's in a good place now.'

Text captions:

Princess is one of a small group of foster carers in the UK offering young people intensive and remand fostering.

It's essential work, requiring empathy, commitment and patience, and an understanding of the systems which all too often fail young people in need.

Good foster care provision relies on people like Princess...and for them to succeed they need our support.

Claudine Duberry, carer

'I don't think people in authority listen, I don't think they take the experiences of those on the ground and make decisions. I kind of feel as though they are far removed from what's going on in the streets, from what's going on in the services, from what's going on in these young people's lives and I think yes, we do need to come back to the drawing board and start looking at the impact that our decision-making process not only has on these young people's lives in the here and now when they're just involved in the criminal justice system but long term. Is it an offence that I've done once and because of the resources, the encouragement, the support that was put in I've learned a lesson and

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I've moved on? Or will I continue in the criminal justice system for many years because actually nobody really cares?'

Bruce Clarke – external expert

'What's been important about today's roundtable and the roundtables that are going on in the other countries is the opportunity for practitioners, policy makers and people who work directly with children and children themselves to inform and shape the overall programme of interventions. I've found that I've learned a huge amount and I've been humbled by what I've experienced from the other European Countries, who I thought I had something to teach and I now find from whom I have something to learn.'

Claudine Duberry, carer

'What we as foster carers need is the understanding, the understanding that placements can be very difficult, the understanding that resources need to be had, and the understanding really that we are doing a very, very challenging job.'

Paul Hargreaves, Action for Children UK

'Everybody knows that early intervention services work. Unfortunately, early intervention services are the first thing that goes when people are feeling the pinch. And so whilst people are aware that it works, they're the first thing that tends to be got rid of because they're not essential, they are not seen as not essential. So we need policy makers to be looking at the long-term game.'

Princess, foster carer

'To be a good foster carer, you've got to be resilient, you have to have the ability to think out of the box, you have to realise that most young people, especially when they're teenagers, they're coming to you with a thought process that's already formed. So they have a way of doing things. They have their own way of doing things, their own way of understanding how family life is. So you have to really work hard at changing that, especially, you know, if it is negative behaviour – then you've got to work really hard, you've got to be sensitive, you have to be understanding, you also have to realise it's not going to happen overnight, and that's just with being consistent. So good foster carer will need to be resilient, consistent, understanding, sensitive, compassionate and balanced. It's exhausting, it's the most challenging thing that you ever do in your entire life. But at the end of that, when you see your hard work and you see the changes, it's some...in my quiet moments I smile. Sorry.'

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Dajour Jones, Foster son

'She's just...she's wonderful, she's a wonderful person to be honest. I can't really think of the words, you know what I mean? She's just a wonderful person to be around and just have in your life, to be honest.'

Princess, foster carer

'Seeing the transition and the evolving of that young person...you know looking at pictures of Dajour when he was 15 in comparison to his pictures now at 17, it's just I'm amazed. I love them and I will continue to have a place in my heart and my home for them. You know there's gonna be other young people, you know they're gonna move on and so on, but I always want them to know that connection will never be broken between us – you're family. That's what they need, that's what they need.'

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Types of fostering for children in conflict with the law (UK)

Intensive and therapeutic fostering

In the UK there are a number of types of intensive fostering that are used for children and young people in conflict with the law. These fostering programmes vary according to whether they focus primarily on children who are young offenders, or have a broader focus on therapeutic fostering for children with complex or high levels needs, challenging behaviour, and a history of placement disruptions, rather than focusing on offending per se. However, all these programmes require an intensive package of support from a number of professionals to help maintain placement stability and the placing agency's aim will be to match the capacities of the carers with the needs of the young person fairly closely.

The programmes can be known by slightly varying names, but have common features. They generally ensure that foster carers are trained to provide a supportive, relationship-focused but also structured environment for young people in placement so they can learn pro-social skills and participate in positive social activities, within a household context where there are clear rules and consequences if they are not followed. Therapeutic foster homes usually have restricted numbers of young people in placement at any one time, and the foster carer receives not only training, but continuous support and supervision from the social work team supporting the placement, and an additional reward element in their financial remuneration/support package.

Therapeutic foster care requires an approach that integrates the work of the team around the child, through encouraging close collaboration and excellent communication between foster carers, teachers, therapeutic or clinical staff, youth justice staff or probation officers, and employers or training bodies. In these models it is important that young people's progress is monitored at home, in school, and in out-of-school activities, and that the separation of participants from delinquent peer associations is prioritised. Careful attention is given to young people's transitions from the programme's intensive placement and to the follow-up plan, which may involve a less intensive but appropriate move-on placement, or additional therapeutic and practical support if the plan is for a return home.

Intensive fostering as developed by the Oregon Social Learning Centre, USA

What is this model of intensive fostering and how does it work?

Intensive fostering in the Oregon model is a highly structured foster care programme for a serious and persistent young offender facing custody, whose home environment is directly contributing to his or her offending behaviour, and where fostering would provide a clear benefit to that young person. It is intended to be an alternative to

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custody for children and young people aged 12 to 18.

Intensive fostering is based on the Multidimensional Treatment Foster Care (MTFC) programme developed by the Oregon Social Learning Centre at the University of Oregon in the USA.

It aims to rehabilitate young people more effectively than a custodial sentence by:

- providing the young person with close supervision;
- providing the young person with fair and consistent limits around behaviour and discipline, and consequences for breaking these;
- providing a supportive relationship with the young person;
- minimising association with peers who may be a bad influence;
- working with the offender's family around discipline and behaviour and how to encourage the young person towards more positive behaviour.

The foster care environment is very restrictive, particularly in the first three weeks. However, as "points" are earned for good behaviour, the child "graduates" to the next level and gains privileges accordingly.

A support team is employed to work with:

- the child or the young person, in developing their social skills and changing their behaviours and attitudes;
- the birth family, by offering a range of support, including family therapy, counselling and help in developing parenting skills;
- the foster carer, by providing daily contact with a supervisor to discuss the young person's behaviour patterns and ensure that any potential problems are identified before they become critical.

Each child has a programme supervisor, a skills trainer and an individual therapist, while their birth family has a family therapist. No other professionals are involved, even if the child has drug, alcohol or mental health problems.

All intensive fostering carers are assessed, registered and trained by fostering service providers and will need training in understanding child/adolescent development, methods of communicating with young people, dealing with challenging behaviour, risk management and drug misuse. In addition, carers will need to learn about offending behaviour, the legal framework and the work of Youth Offending Teams. For the MTFC model, more specialised in-depth training will be required. The foster carers involved meet as a group with the programme supervisor weekly, and the meeting is videoed and emailed to the Oregon Social Learning Centre, which provides advice and support.

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Intensive fostering and the youth justice system

Intensive fostering is one of the requirements that can be added to a Youth Rehabilitation Order, a community sentence that was introduced by the Criminal Justice and Immigration Act 2008. Under the Act, the threshold for a Youth Rehabilitation Order (YRO) with intensive fostering provisions is that the offence/s would be punishable by prison, if committed by an adult, and that it is so serious that if a YRO with intensive fostering was not available, then a sentence of custody would be appropriate. In addition, for under 15-year-olds, the young person must be a persistent offender.

A Youth Rehabilitation Order with an intensive fostering requirement must be for a minimum of six months.

Does intensive fostering work?

An evaluation of a specific application of the Oregon model of intensive fostering in England (Biehal *et al*, 2012; Youth Justice Board, 2012) found that, in the year after entry to the fostering placement, young people were significantly less likely to be reconvicted than those sentenced to short periods of custody and those sentenced to a Supervision Order with an Intensive Supervision and Surveillance Programme (the most rigorous non-custodial intervention available for young offenders). The researchers concluded that this reduction in reconviction rates was largely due to the increase in supervision, the limited unstructured or unsupervised time, diversion from negative peer influences, and increased engagement in education, training and leisure activities.

However, it was difficult for young people to maintain the positive changes in their behaviour after the intensive fostering placement due to a lack of support and inappropriate follow-on accommodation. The young people tended to return home after the placement, re-engaging with their former anti-social peers, having their education disrupted again (often not being able to remain at the schools they attended during the foster placement due to the change in location, and not being accepted at alternative schools close to their homes), and not being able to maintain positive leisure activities. Parents were also reluctant to engage with the family therapists, which meant that, too frequently, the young people returned to disharmonious family situations and poor parenting.

Intensive fostering is dependent on adequate resourcing, recruiting the right families, and support from children's services, particularly in finding appropriate move-on accommodation and support.

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Remand foster care

Remand foster placements are for children and young people aged 10 to 16 who are remanded to local authority accommodation while awaiting trial or sentence for alleged criminal behaviour. It is also used for those aged 17 who are bailed to reside as directed by magistrates.

In recent years, remand foster care has been an important part of Youth Offending Teams' remand management strategies for children and young people awaiting trial or sentence by Crown Courts (which deal with the most serious crimes) or by Youth Courts.

Placements tend to be short term, lasting on average only seven or eight weeks. However, some placements last considerably longer (in some instances six months or more), particularly if the young person is being tried in the Crown Court or alongside an adult.

Who manages remand foster care placements?

Placements for those on remand are often part of the local authority's general foster care pool, although some authorities and Youth Offending Teams have arrangements for specialist foster care schemes working specifically with children on remand; these schemes may be managed by Youth Offending Teams, local authority children's services, independent fostering agencies or charitable organisations.

Carers must be recruited, assessed, approved, trained and supported by both the Youth Offending Team and local authority children's services or whichever organisation is operating the scheme.

How effective is remand foster care, and how do foster carers make a difference?

Remand foster care can be influential for the child or young person in that, compared with custody or residential care, it can have a less damaging, and in fact often a quite positive, impact on their offending behaviour, attitudes, education, and/or employment and family relationships.

It is built on the premise that adults who take a supportive interest can closely supervise, use reinforcements and consistent sanctions, and make a real difference to the behaviour of young people, despite the relative brevity of remand placements in England (in other countries remand may be far more protracted and the remand foster care role consequently of even greater potential benefit for the young person). Carers' day-to-day contact with a child gives them a good opportunity through the developing relationship and the attention foster care can offer to engage with and support the child.

Remand foster carers can also be role models and advocates, and play a valuable part in multi-agency preventive work, providing support with education, training or employment, and working with the child's family.

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Understanding the youth justice system

Children under the age of criminal responsibility: how are they dealt with?

The age of criminal responsibility in England is 10. Almost every other European country sets the age of criminal responsibility higher than this (in Scotland it is 12). But a child under 10 cannot, in English law, commit a crime and therefore cannot be prosecuted. Below that age, conduct which might otherwise be criminal is dealt with by the police and/or children's services without recourse to the youth courts, though use may be made of the family courts.

Formal measures available for under-10s include an application for a **Child Safety Order** that could put the child under the supervision of a **Youth Offending Team**; or a **Local Curfew Order** or a **Care, Supervision or Emergency Protection Order** could be issued. The behaviour of the child could be evidence of significant harm under the Children Act 1989, s 31 (Brayne, H., Carr, H., 2013); in other words, it could show that the parents are not looking after the child properly.

Some facts about young offenders:

- About a quarter of young offenders have some kind of learning disability.
- More than 60 per cent have difficulty communicating, while an extremely high proportion have emotional and mental health needs.
- More than one in three young people who have committed offences go on to re-offend.

The role of the Youth Offending Team (YOT)

Youth Offending Teams work with young people who get into trouble with the law. They are part of local councils and are separate from the police and the courts.

They work with:

- the police
- probation officers
- health, housing and children's services
- schools and education authorities
- voluntary organisations and local communities

They look into the background of a young person and try to help them stay away from crime.

They also:

- run local crime prevention programmes;
- help young people at the police station if they are arrested;
- help young people and their families at court;
- supervise young people serving a community sentence;
- stay in touch with a young person if they're sentenced to custody.

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The Youth Offending Team gets involved if a young person:

- gets into trouble with the police or is arrested;
- is charged with a crime and has to go to court;
- is convicted of a crime and given a sentence.

Usually, the police are the first people to contact the Youth Offending Team. But family members and friends can also contact them if they are worried about a young person's behaviour.

Keeping young people out of court

At some point while they are detaining a young offender, the police must decide whether to charge and prosecute him or her or to deal with the offence out of court.

Police and Youth Offending Teams in England and Wales use the tariff system with young offenders to keep the use of court to a minimum.

They have a range of options to deal with any offence committed by a child or young person:

- No further action
- Community Resolution
- Youth Caution
- Youth Conditional Caution
- Charge

To help decide the most appropriate way to deal with the young person's offence out of court, Youth Offending workers first undertake an assessment. They look at how likely it is that the child or young person would comply with the appropriate out-of-court option and whether that would be the best way to reduce their risk of reoffending.

Community Resolution

For less serious offences, it may be appropriate to deal with them with Community Resolution – this is the term for the resolution of a minor offence or anti-social behaviour incident through informal agreement between the parties involved, as opposed to progression through the traditional criminal justice process.

Youth Caution

A Youth Caution may be given by the police for any offence where the child or young person makes a full admission and there is enough evidence for a realistic prospect of conviction but it is not in the public interest to prosecute. Youth Cautions aim to provide a proportionate and effective resolution to offending and support the principal statutory aim of the youth justice system of preventing offending by children and young people.

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Following a first Youth Caution, the police must inform the Youth Offending Team that the Caution has been given. For any second or subsequent Youth Caution, workers have a statutory duty to assess the child or young person's needs and arrange an intervention programme aimed at preventing re-offending.

Youth Conditional Caution

As for a Youth Caution, a full admission of guilt is required. In the case of Youth Conditional Cautions, however, the Youth Offending Team and the police should agree on a compulsory assessment and package of interventions necessary to prevent re-offending. The child or young person must agree to accept both the Youth Conditional Caution and the conditions attached.

The intervention package may include:

- community reparation activity to make good the damage caused by the offence;
- direct reparation to any victim or victims, including writing a letter of apology;
- brief cognitive behavioural work to address the thinking and attitudes behind the decision to offend;
- interventions to address specific offences, such as substance misuse.

(Extract from Ministry of Justice, Youth Justice Board guidance on use out-of court-disposals in England and Wales (October 2014) for Police and Youth Offending Teams <https://www.gov.uk/government/publications/use-out-of-court-disposals/use-out-of-court-disposals-section-1-case-management-guidance>)

Charging young offenders

A decision to charge must be approved by the Crown Prosecution Service (CPS), which will wish to be sure that adequate evidence is there for a conviction and that prosecution is in the public interest. But as well as consulting the CPS, if the suspect is under 18, the police should also consult with the Youth Offending Team. They can only avoid this if it is obvious that there should be a charge, because of the seriousness of the offence, or the case is so trivial that no charge is appropriate. In between these clear-cut cases, liaison with appropriate agencies is normal before a decision is made; but the decision is still that of the police and CPS.

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Legal advice and representation in criminal cases

Help for suspects is available from a solicitor. This is often provided through a local duty solicitor scheme, whether at a police station or at court. Legal aid for representation in criminal proceedings of under-16s, or under-18s without independent income, is free.

Waiting for the final hearing – when bail is agreed

If a young person is charged, he or she should normally be **released on bail**. This means he/she is free to go but must attend the court at a later date.

Police are not required to liaise with local authority children's services on bail conditions, although it is likely they will do so.

Police, like courts, can make bail **conditional** – for example, requiring that the accused person lives at a certain address or does not approach a witness. Another person can be asked to **stand surety**, which means that the person is liable to pay a penalty if the accused person absconds.

Waiting for the final hearing – when the young person is remanded in custody

If bail is refused, then the young person who is charged may be **remanded in custody**, which means he or she will be detained until the date of the trial or the hearing when sentencing takes place. If the child is between 12 and 18, the remand will normally be to local authority accommodation. This may, for example, be with a **remand foster carer**.

The court designates a local authority, which will be the one where the child lives or where the offence was committed or, in the case of a looked after child, in whose care the child is. The court may order that a child is not placed with a named person, such as a co-accused person or a parent.

Among conditions may be **electronic tagging** of a child aged 12 or over who is alleged to have committed a serious offence and where the Youth Offending Team has told the court that electronic monitoring would be suitable for the child.

In the case of serious offences, the child may be remanded to **youth detention accommodation** to protect the public or prevent any further offence, or if he has a history of absconding or is likely to receive a custodial sentence.

Serious offences are defined as a violent or sexual offence or an offence punishable, in the case of an adult, with imprisonment for 14 years or more.

When a child or young person is remanded into youth detention, a local authority will be designated for various responsibilities (including potentially the cost of youth detention), and consulted about the detention. The child will have "looked after child

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status”, i.e. be treated as a child who is in the care of, or accommodated by, the local authority.

It is for the authority to decide how to accommodate the young person. The considerations are the same as for any child it is looking after.

Sentencing in the youth court

Young people from 10 to 17 are dealt with in a **youth court**, a special type of magistrates’ court which is less formal than an adult court.

Detention

The youth court’s maximum power is to impose a **two-year detention and training order**. Cases where a longer sentence may be appropriate will be dealt with, whether in relation to the whole of the case or the sentencing aspect, by the **Crown Court** (the court that deals with the most serious offences).

Youth Rehabilitation Order

Most young offenders who are sentenced are given Youth Rehabilitation Orders. This is a community sentence, i.e. it is an alternative to detention. Youth Rehabilitation Orders are supervised by the Youth Offending Team, or for unpaid work requirements and where young people reach the age of 18, by the Probation Service.

A Youth Rehabilitation Order may include some the following requirements.

- Activity Requirement (the young person must engage in certain directed activities)
- Curfew Requirement (up to 16 hours a day for up to 12 months)
- Exclusion Requirement (prohibited from entering certain places)
- Local Authority Residence Requirement (must live in accommodation provided by or on behalf of the local authority)
- Education Requirement
- Mental Health Treatment Requirement
- Unpaid Work Requirement (if 16/17 years)
- Drug Testing Requirement
- Intoxicating Substance Misuse Requirement
- Supervision Requirement
- Electronic Monitoring Requirement
- Prohibited Activity Requirement
- Drug Treatment Requirement
- Residence Requirement (the young person must live with a person or in a place specified)
- Programme Requirement
- Attendance Centre Requirement
- Intensive Supervision and Surveillance
- Intensive Fostering

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When a Youth Rehabilitation Order (YRO) is imposed, an officer in charge of an individual's YRO will be appointed from a Youth Offending Team or, in the case of 16–17 year-olds, the probation service through a private firm may be the responsible officer if the only requirement is electronic monitoring for a curfew. If an attendance centre requirement is the only imposition, the responsible officer will be whoever is in charge of the centre.

Breach of a Youth Rehabilitation Order

The officer in charge will deal with the failure to comply with a YRO. Two warnings may be given and on the third failure within a 12-month period the matter should be referred back to court unless the responsible officer/Youth Offending Team manager considers that there are exceptional circumstances.

A court may impose a fine; impose another, tougher YRO, including Intensive Supervision and Surveillance even if the original offence would not have warranted it; and re-sentence on the basis of other sentences that would have been available originally, including imprisonment.

The young person or responsible officer may seek a revocation of a YRO if good progress has been shown.

If the young person re-offends during the period of a YRO, it may be revoked and the individual may be re-sentenced for the original offence as well as the new one.

Deferred sentence

A court can defer (i.e. postpone) the decision on sentence for up to six months. It should do so only if some change is imminent – e.g. the young person is leaving school and taking up employment. The offender must consent and the court can impose conditions. Compliance will usually be monitored by a probation office. Breach of any conditions can lead to arrest and return to the court. All being well, however, a day is set for the return to court and the court will sentence in the light of the new circumstances. It will take into account the person's behaviour after conviction, including any appropriate reparations that he may have made and how he has complied with the court's requirements regarding his conduct.

Discharge

This is an option where, considering all the circumstances (the offence and the offender's past history), no punishment is appropriate. If the court orders an absolute discharge then, apart from showing on the offender's record, it does not count as a conviction.

A discharge can be **conditional** for a period of up to three years. If the offender commits another crime within that period, the court can sentence for the original offence as well as the new offence.

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Compensation orders

Any person found guilty of an offence can be ordered to pay compensation to the victim. This order can stand alone, without the court making any other order against the offender, or it can accompany any other order made by the court.

Binding parents over

When a court convicts a child under 16, it must normally also **bind over** the parents. This means the parent or guardian promises to exercise proper control over the child to prevent re-offending. (The court cannot bind over the local authority if the child is in care.) If the young person is over 16, it can still choose to do this.

Parenting order

If the appropriate conditions apply, a court can order the parents of a convicted child to attend counselling sessions to receive support via a parenting order. This may involve a parenting skills course or weekly counselling. There may be other conditions applied by the court over a period of up to 12 months, for example, that the parent ensures that the child is at home during set hours or ensures that the child attends school on time.

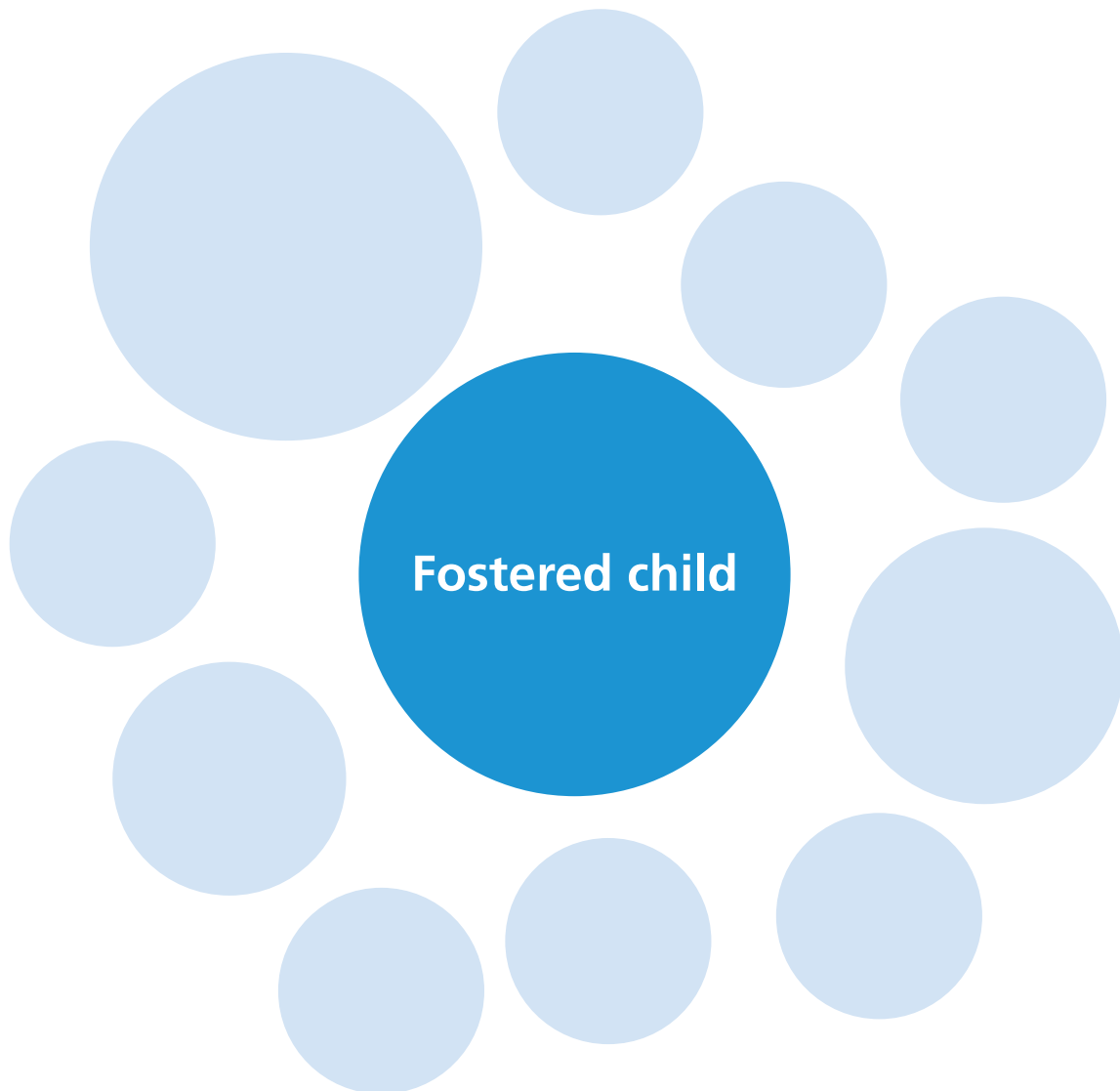
Community sentences can reduce re-offending

Recent analysis by the Ministry of Justice found that, controlling for relevant factors, children placed in custody for six to 12 months were more likely to re-offend than a matched control group given a community sentence (Youth Justice Statistics, 2014 www.justice.gov.uk/)

So it is important that alternatives to custody (such as **remand foster care** and **intensive fostering**) are available to those sentencing young people (Economic and Social Research Council, Seminar in June 2014, London).

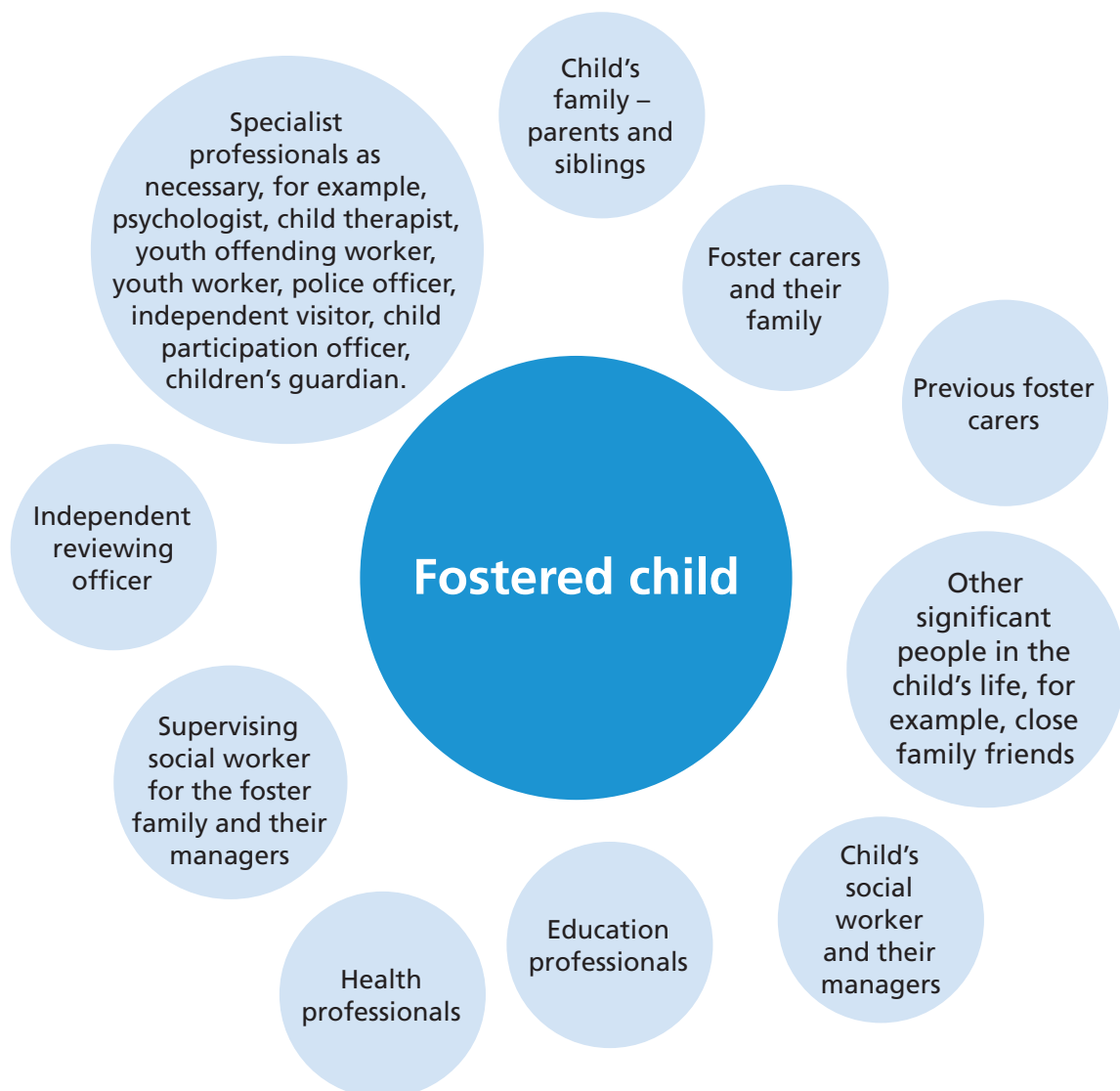
SESSION 2: WORKING WITH OTHERS AS A FOSTER CARER

The team around the child



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The team around the child



SESSION 2

An example care plan (England specific)

Name of child

Date of birth

Court case no

Name of court

Type of court hearing

Local authority

Date

Section 2: Child's needs including contact

- 2.1 The child's assessed needs, including needs arising from race, culture, religion or language, special education, health or disability
- 2.2 The ascertainable wishes and views of the child and the extent to which they have been acted upon
- 2.3 The reasons for supporting these wishes and views and/or explanations where the child's wishes/views have not been given precedence
- 2.4 Summary of how the child's needs are to be met
- 2.5 Arrangements for, and purpose of, contact in meeting the child's needs (specifying contact relationship, e.g. parent, step-parent other family member, former carer, friend, siblings, including those looked after who may have a separate placement); any proposals to restrict or terminate contact

Section 3: Views of others

- 3.1 The extent to which the wishes and views of the child's parents and all others with a sufficient interest in the child (including representatives of other agencies, youth offending services, current and former carers) have been obtained and acted upon
- 3.2 The reasons for supporting or taking into account the wishes/views of others or explanations of why they have not been

SESSION 2

Section 4: Placement details and timetable

- 4.1 Proposed placement – type and details (or details of alternative placements)
- 4.2 Current risks associated with the young person, and ways they can be managed
- 4.3 Time that is likely to elapse before proposed placement is made
- 4.4 Likely duration of placement (or other placement)
- 4.5. Arrangements for health care (including consent to examination and treatment)
- 4.6 Arrangements for education
- 4.7 If reunification is appropriate, the plan and arrangements including support for this
- 4.8 Other services to be provided to the child
- 4.9 Other services to be provided to parents and other family members
- 4.9 Details of proposed services for supporting the carers and the placement
- 4.10 Special details of the parents' role in day to day arrangements

Section 5: Management and support by local authority

- 5.1 Who is to be responsible for implementing the overall care plan?
- 5.2 Who is to be responsible for implementing specific tasks within the plan?
- 5.3 Dates of review
- 5.4 Contingency plan, if placement breaks down or if preferred placement is not available
- 5.5 Arrangements for input by parents, the child and others into the ongoing decision-making process
- 5.6 Arrangements for enabling the child or other parties to the plan to make complaints or representations
- 5.7 Arrangements for notifying the responsible authority of disagreements or complaints about the implementation of the care plan

SESSION 2: WORKING WITH OTHERS AS A FOSTER CARER

An example placement plan (England specific)

Details of child/young person, their foster carers and parents

Details of key people in young person's life

Placement details

Living together agreements in the foster home, including court ordered conditions such as curfews and community sentences

Self-care skills

Living safely together as a family in the foster home

Arrangements regarding pocket money, personal allowances and savings

Social and leisure activities, including practical arrangements, for example, finance, transport

Alternative foster care arrangements

Health details of young person

Summary of any health issues, medical conditions or disabilities including allergies, safer sex and contraception (where appropriate)

Emotional and behavioural needs

Educational needs, including Personal Education Plans (specifying key school and social care contacts, assessed educational needs, goals and targets) and details of transport arrangements to and from school

Identity needs of young person

Contact arrangement between children, birth parents and siblings, and other extended family members and supportive adults

Arrangements for supervision of contact

Social worker visits to young person

Youth justice professionals' visits

Support for foster carers by the fostering agency

(Taken and adapted from material in Dibben, 2012, BAAF)

SESSION 2: WORKING WITH OTHERS AS A FOSTER CARER

Ross

Ross, aged 15, is arrested by the police having committed a serious offence of theft while on bail for drunk and disorderly offences. He is interviewed by the police and on the advice of his lawyer he makes no comment to any of the questions the police ask. He is given bail by the police, so that they can investigate the offence further, with the condition that he lives with remand foster carers, he does not contact any witnesses, he does not enter a certain area of the town he lives in, and he does not go out of the house between 7pm and 7am. He is bailed to return four weeks later when the matter will either be dropped or he will be charged. Ross's birth mother is not happy that he will be living with a foster family because she wants him to be bailed on the condition that he lives at home with her. She wants to have a say in what food he eats while he is in foster care, wants him to be able to phone her whenever he wants, and to take him with her shopping because she has difficulties in carrying heavy bags. He is not keen to do this.

Question for discussion:

Do you think that Ross's mother's requests are reasonable?

When Ross returns to the police station, the police decide to charge him as they have examined CCTV footage showing him committing the theft. Ross is charged and detained overnight to be taken to court the next day. He has pleaded that you – his foster carer – visit him in the evening in the police cell. He does not want his mother to visit him at the moment, because he feels ashamed about having lied to her regarding the serious theft he committed.

Question for discussion:

**What would your responses be in this scenario as his foster carer?
And if you were his mother?**

SESSION 3: IDENTITY, LIFE OPPORTUNITIES AND DISCRIMINATION

Frank

Frank is 15 when he comes to you in a foster placement. His parents do not seem very interested in him. He is in trouble with the police for stealing mobile phones from shops (he was made to do this by some older youths, who were selling them on) and for attempting to set fire to one of the shops from which he stole the phones. He seems to have few friends. He is withdrawn and spends a lot of time in his room. He doesn't say much and will not make eye contact with adults. His teachers say he has very little confidence in class. When you asked him about school, he told you that he's stupid. When you asked him what sports he likes doing, he said: 'Nothing. I'm rubbish at everything.'

SESSION 4: UNDERSTANDING AND CARING FOR CHILDREN IN CONFLICT WITH THE LAW

Patterns of attachment

Secure attachment

A secure attachment between a child and a caregiver emerges when the caregiver is available, sensitive and responsive to the child's emotional needs and demands. The child's feelings are acknowledged, anxiety is reduced and she can explore safe in the knowledge that the caregiver will be available when needed. The securely attached child can think about and reflect on her feelings and the feelings of others. She feels loved and loveable, confident and competent.

Avoidant attachment

An avoidant attachment between a child and a caregiver emerges where a caregiver ignores or rejects the child's emotional needs and demands. The caregiver may also be insensitive to the child's feelings by being intrusive or interfering. In response, the child learns to avoid displaying feelings or asking for comfort. Instead, the child becomes self-reliant in order not to upset the caregiver or provoke rejection. This is a strategy for protecting the self from rejection or intrusion, but also achieving some proximity to the caregiver. The avoidantly attached child does not show emotions but is angry and anxious and doubts his own loveability.

Ambivalent attachment

An ambivalent attachment between a child and a caregiver emerges where a caregiver responds intermittently to the child's emotional needs and demands. In response to the caregiver's unpredictable availability, the child learns that it is necessary to make frequent emotional demands in order to achieve some degree of responsiveness. The child feels needy and anxious about her loveability but also angry and so resists comfort when it is offered.

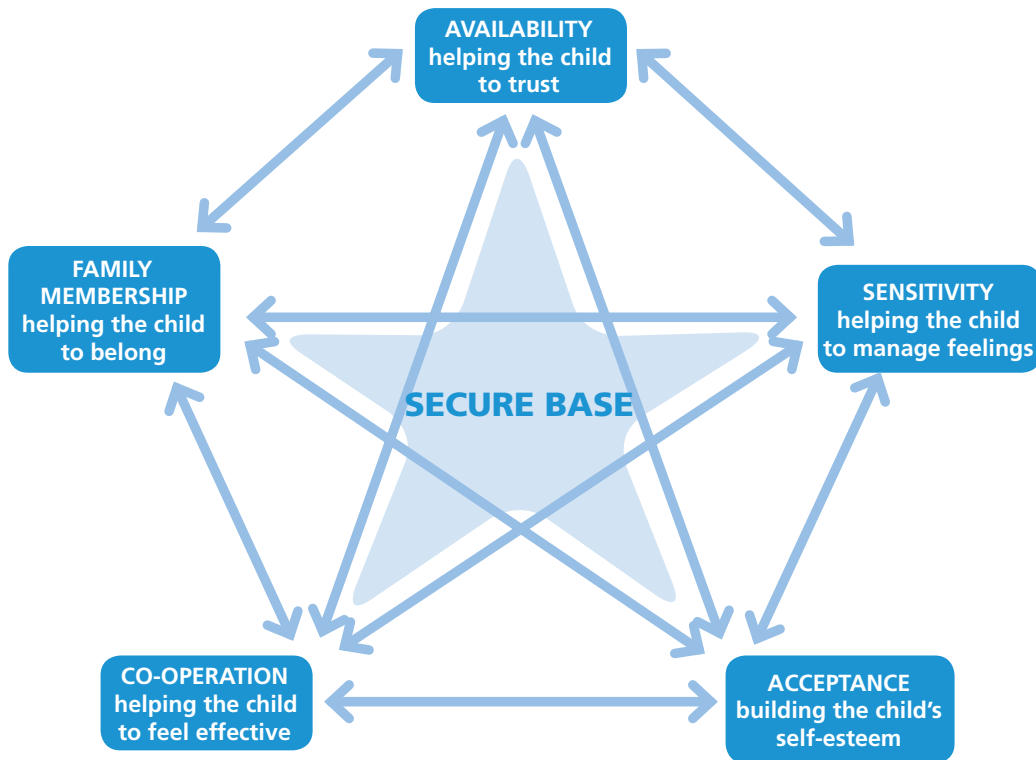
Disorganised attachment

A disorganised attachment between a child and a caregiver emerges when a caregiver at times responds in a frightening or frightened way to the child's emotional needs and demands. In response to this combination of uncertainty and fear in relation to the caregiver, the child learns that it is necessary to stay in control of the situation in order to feel safe. This can lead to a child-caregiver role reversal in which the child's punitive/hostile behaviour or compulsive caregiving behaviours (where the child cares for the caregiver) can seem to put the child in charge. The child, nevertheless, feels unloved and sees others as potentially hostile and so becomes controlling in order to survive.

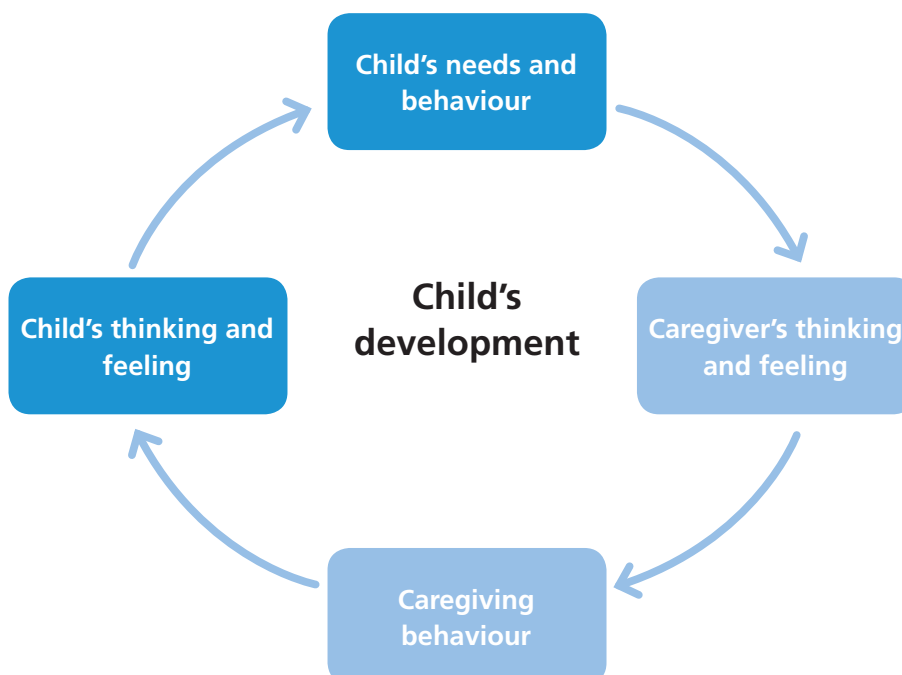
(Beek and Schofield, 2006, p 32)

SESSION 4: UNDERSTANDING AND CARING FOR CHILDREN IN CONFLICT WITH THE LAW

Creating a Secure Base



The caregiving cycle



SESSION 5: KEEPING EVERYONE SAFE

Safeguarding is everyone's responsibility

Everyone who works with children – including teachers in schools and colleges, doctors, nurses, midwives, health visitors, early years' professionals, youth justice workers, police, hospital accident and emergency staff, paediatricians, voluntary and community workers and social workers – has a responsibility for keeping them safe.

No single professional can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action whenever concerns arise.

Children are best protected when professionals are clear about what is required of them and how they need to work effectively with staff in other partner agencies. It is vital that every individual working with children and families is aware of this need to communicate well with other professionals and to have a good understanding of their roles. In addition, effective safeguarding requires clear local arrangements for collaboration between professionals and agencies.

Professionals need also to be aware of the authority in their role, and to use it to safeguard children as well as to support parents.

In England the statutory guidance sets out the key roles for individual organisations and key elements of effective local arrangements for safeguarding. It is very important that these arrangements are strongly led and promoted at a local level with agencies and community services working well together.

(Adapted from the Department for Education, 2013)

SESSION 5: KEEPING EVERYONE SAFE

Example of a safer caring plan

Guidelines for foster carers

Every foster family should have a safer caring plan to protect children and family members from harm, misunderstandings or allegations. These guidelines will help you to formulate a plan that is suitable for your family. Such plans may, depending on the individual European country, form part of the foster carers' assessment. If so, it should be kept by foster carers and a copy should be held on the agency foster carer file, to be reconsidered when foster carers are reviewed.

There should be a recognised routine and rules within family life, which all family members are familiar with. These should be considered and then the safer caring plan should be based on them.

The following may be used as a guide and adapted for your particular circumstances:

PART 1 – Family routine

This element of the plan covers issues such as the following:

- Getting up in the morning
- Using the bathroom
- Use/storage of medication
- Smoking and alcohol
- Visits of friends and relatives
- Use of internet and phones
- Traveling in cars
- Going to/returning from school
- Bedtime routines
- Physical contact between foster carer couples

Some of the above routines will be different at weekends – key variations should be noted in the plan. Note down the main parts of your routines, focusing on how you ensure that you operate in ways that are safe for children.

PART 2 – Family rules

This element of the plan sets out the ways in which adults and children (both fostered children and foster carers' own children) behave towards each other. It covers aspects such as:

1. Who may enter parental/children's bedrooms, whether occupied or not?

SESSION 5: KEEPING EVERYONE SAFE

2. Male and female foster carers – are there differences in the ways in which they provide care?
3. What physical contact (between adults and children and between children themselves) are viewed as being appropriate?
4. What are the ways in which conflicts and disagreements are resolved?

Ask participants to identify the sorts of family rules that they currently operate, or might in future develop, to enable them safely to provide care for foster children. Remind them that there are various ways in which families operate, and that there is more than one right way to do many things.

PART 3 – Formulating a safer caring plan for your family

Having thought about the issues in parts 1 and 2, you will now be clearer about how your family operates. This should help you to identify the best strategies to make your homes a safe place for foster children and other family members. This may mean that you will need to change some family practices that may previously have been normal and acceptable but which will not be helpful when caring for foster children.

This takes account of the possible impact of a child's adverse past experiences and the impact your family routines and behaviour may have on him/her. Participants may need to work out how to do things in a way that is not open to misinterpretation or likely to make the child feel threatened.

Each foster family's plans for safer caring need to be shared and agreed with their fostering agency, recorded in your safer caring plan and reconsidered and reviewed at regular intervals as part of your foster carer household review.

This safer caring plan should be reconsidered and, if necessary, adjusted when a new child or young person enters the foster home.

SESSION 5: KEEPING EVERYONE SAFE

Seven safer caring principles

- 1** Children and young people need individualised care from their foster carers. Decisions about the whole range of ordinary family ways of caring require a proportionate and reviewable (but clearly recorded) approach.
- 2** Foster carers' own children should be listened to very carefully, involved in safer caring discussions, and consulted about changes that may have to be made about how everyday things are done in the home.
- 3** Everyone has a right to some privacy and a right not to be worried or embarrassed by other people in the house.
- 4** Everyone has a right to say "no thanks" to physical contact like hugs or cuddles.
- 5** Everyone has a right not to be hit, hurt or bullied
- 6** Fostered children should feel safe in relation to their physical care. If they are unable to communicate for any reason, they should be given the consideration and respect that other children of the same age and gender would expect.
- 7** Fostering tasks are "gender neutral" in nature, although children, their parents or the foster carer may have preferences about who performs what tasks

Reproduced from *The Skills to Foster: Leader's guide*, pp 186–187,
The Fostering Network, 2014

SESSION 6: CHILDREN MOVING ON, PLACEMENTS ENDING, AND WHAT HAPPENS NEXT

Ross: moving on

Ross: the impact of moving on

Ross, aged 15, was arrested by the police for having committed a serious offence of theft while on bail for drunk and disorderly offences. He was interviewed by the police and on the advice of his lawyer he made no comment to any of the questions the police asked. He was given bail by the police so that they could investigate the offence further, with the condition that he lived with remand foster carers, he did not contact any witnesses, he did not enter a certain area of the town that he lives in, and he did not leave the house between 7pm and 7am. He was bailed to return four weeks later when the matter would either be dropped or he would be charged.

Ross' birth mother was not happy that he was going to be living with a foster family because she wanted him to be bailed on the condition that he lived at home with her. Despite this, Ross settled well into his remand foster family and he co-operated well with his curfew conditions and Youth Offending Worker. The contact arrangements with his mother were problematic to start with but Ross's carers gained her trust and after the second week of placement, there were no difficulties reported.

When Ross returned to the police station, the police decided to charge him as they had examined CCTV footage which showed him committing the serious theft. Ross was charged and detained overnight to be taken to court the next day. He was sentenced to a secure centre for three months.

With this transition in mind, consider the following questions:

- 1) What emotions is Ross likely to feel?
- 2) What might be the concerns for Ross's foster carers, and what emotions are they likely to feel?

SESSION 6

Training Evaluation form

| | |
|----------------------------|--|
| Title of training | |
| Date of training | |
| Name: | |
| Fostering agency: | |
| Name of trainer(s): | |

Training aims:

- Aim 1
- Aim 2
- Aim 3

1. Self-assessment of knowledge and skills related to training course – complete at end of course/session

| Before training | Learning outcomes (LO): By the end of the course participants will: | After training |
|-----------------|---|----------------|
| 5 4 3 2 1 | LO1 | 5 4 3 2 1 |
| 5 4 3 2 1 | LO2 | 5 4 3 2 1 |
| 5 4 3 2 1 | LO3 | 5 4 3 2 1 |
| 5 4 3 2 1 | LO4 | 5 4 3 2 1 |
| 5 4 3 2 1 | LO5 | 5 4 3 2 1 |
| 5 4 3 2 1 | LO6 | 5 4 3 2 1 |

(Further rows can be added if more LOs)

2. How did you find the course content?

| | | | | | | |
|-----------|---|---|---|---|---|------|
| Excellent | 5 | 4 | 3 | 2 | 1 | Poor |
|-----------|---|---|---|---|---|------|

3. How would you rate the quality of the materials?

| | | | | | | |
|-----------|---|---|---|---|---|------|
| Excellent | 5 | 4 | 3 | 2 | 1 | Poor |
|-----------|---|---|---|---|---|------|

4. In relation to your responsibilities as a foster carer/other role, please state what did you find:

Most useful

Least useful

SESSION 6

5. Evaluation of trainer(s)

Please rate the trainer(s). Circle the appropriate numbers. Provide any additional feedback in the comments section.

| Trainer’s expertise | | | | | | |
|---|---|---|---|---|---|---|
| High level of expertise | 5 | 4 | 3 | 2 | 1 | Limited expertise |
| Clarity of delivery | | | | | | |
| High level of expertise | 5 | 4 | 3 | 2 | 1 | Limited expertise |
| Inclusion of equality and diversity | | | | | | |
| Equality and diversity issues fully covered | 5 | 4 | 3 | 2 | 1 | Equality and diversity issues not covered |
| Trainer’s expertise | | | | | | |
| Fully responsive to learners needs | 5 | 4 | 3 | 2 | 1 | Un-responsive to learner’s needs |

Any other comments?

How will you apply this training to your work as a foster carer?

7. Please identify further training needs

(We will feed this back to our agency and contact you as and when appropriate)

Thank you for completing this evaluation form