

Social Services Department

Policy and Procedure

Promoting child contact with families

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Introduction

Contact between looked after children and their families of origin and others who have played an important part in their lives is to be promoted. This policy and procedure provides advice and guidance to staff and carers about the importance of enabling contact safely.

Policy

Wirral Council will promote contact between looked after children, their families of origin and others who have played an important part in their lives This applies whether a child is looked after by voluntary arrangement or as a result of a court order. It is generally accepted that for the majority of children their best interest will be served by efforts to maintain or create links with their birth families.

Procedure

Care planning

Care planning will establish arrangements for contact, which meet the child's needs and promote their best interests.

If the child has been abused, contact can allow abuse to continue if there is unsupervised direct contact or ineffective scrutiny of letters and cards.

Where it is deemed necessary for contact to be supervised, the reason for supervision and the arrangements for recording and reporting of contact will be carefully considered and clearly recorded.

Arrangements for contact will be monitored and discussed at each review where the views of children, parents and carers will be considered and taken into account.

Every effort will be made for looked after children to maintain links with their family or origin, through face to face contact or alternative indirect contact where direct contact is not possible or appropriate.

Contact will only be refused when it is deemed contrary to the interests of the child's welfare. In such circumstances, the child will be given an explanation appropriate to their age and understanding. The reasons will be clearly recorded on the child's file and appropriate legal authority for refusal of contact will be sought.

Where it is not in the best interests of the child to live with birth parents, social services will make rigorous enquires within the child's extended family, i.e. aunts uncles and grandparents, in order to ascertain if any member of the child's wider family can care for him or her. Friends who have knowledge and experience of the child are also considered in an attempt to reduce the amount of disruption and distress caused to the child through removal from the family.

Arrangements for contact must be clearly documented and provided in writing to all parties.

Managing contact

Contact requires very careful management and supervision to prevent any potential disruption to the child's placement

- attention must be paid to children's views of the importance of different family members, and ensuring the child's welfare and safety during contact
- clear boundaries must be set for contact, distinguishing between contact with different family members, for different purposes and different contexts
- the views of foster carers who are vital in helping children make sense of their family structures must be valued
- where appropriate, other members of the young person's social support network who could provide care and attention must be identified and involved.

Family group conferences

Where there is conflict between what the child or young person wants by way of contact and what adults see as positive and helpful, then family group conferences may play a useful role in mediating the difficulties.

Family group conferences can also help to 'discover' previously unknown family members who may be appropriate kinship carers.

Arrangements in foster care

Foster carers have an important and central role in promoting successful contact.

It is important that foster carers have a clear understanding from the outset of the placement about contact arrangements.

Flexibility may be required during the placement in line with developments for the child's future. Any changes to contact will be confirmed by the social worker.

Positive, continued contact can help the looked after child settle in placement, especially if it is respected and promoted during their foster care experience.

Contact, however occasional, will continue to have value for a child even when there is no question of returning to his or her family. These contacts can keep alive a child's sense of his or her origins and will keep open options for family relationships in later life.

Contact in the sense of face to face meetings and visits will generally be the most satisfactory way of maintaining birth family relationships, but other means can be considered: letters, telephone calls and the exchange of photographs.

Foster carers should convey any worries or concerns about contact arrangements to the child's social worker or family placement worker.

Definitions

DIRECT CONTACT means meetings between the child/young person and birth family members and/or significant others, and includes phone calls, texting and emails. INDIRECT CONTACT means letters and cards from members of the birth family and /or significant others, usually through a third person.

Guidance

Practice points

Ask yourself if you have explored all opportunities for contact, either direct or indirect. Remember that children in foster care have a legal right to contact with their birth family and most children want to keep in contact, although they find it distressing at times. Also, remember that contact often helps children's feelings of identity: being valued, respected and appreciated.

Ask yourself if you have 'fine tuned' contact and consulted with the child about all the different aspects of contact, for example, with different family members. Remember not to treat it as a 'blanket' event and ask yourself if you have considered all the alternatives to direct contact when this is not possible.

Remember to ask children about the contact they want to have with their brothers and sisters and other relatives, for example grandparents. You can also consider previous carers. Try and make contact arrangements because this can be very important to them.

Remember that children who have been abused by their family members should be protected from risks posed by contact and that their rights to contact can be overruled in the need to keep them safe.

Ask yourself if you and their carers have talked with them about how safe they feel and remember to look out for non-verbal signs that may indicate that the child does not feel safe.

Remember that children who have been abused should not have unsupervised contact with family members who are involved in, or associated with the abuse. Ask yourself if you should scrutinise letters and cards. There must be a formal decision about every risk.

Remember that most parents also want to have contact, although they may find it distressing, so make sure you talk with parents about how contact could be made less stressful.

Research shows that contact by itself does not result in improved outcomes, for example, settled placements and reunification and you should consider additional interventions to achieve these goals.

Think about the aims of contact between children and their families and whether they are being achieved. The value of contact may be as much to do with reducing distress, helping keep in touch and to feel valued and respected, as to achieving other outcomes. What can you do to support parents with managing contact?

Foster carers' needs are also important when making arrangements, so things needs to be discussed in advance to tackle any problems.

Types of contact

Contact can be through meetings, phone calls or letters with specific members of the family. Meetings can be unsupervised or supervised by social workers, foster carers, other professionals and sometimes other family members of friends.

Contact can take place in a variety of venues. Meetings can take place at different dates and times, regularly or every now and then. However, making arrangements that please everybody and are in the best interests of the child can sometimes be complex and difficult.

Children's opinions on contact

Contact is a key issue for children. They often spend a lot of time thinking about their relationship with their family and are often distressed by the thought of contact. Many children think about their families every day (1).

When children were asked to think of their two most important wishes for their future, a quarter prioritised seeing more of, or being reunited with, their birth family (2).

Children often want more contact with fathers and other family members, such as grandmothers and siblings, as well as mothers, even if they are happy in their placement and do not want to return home. Some want contact with particular family members, and not with others (7), while other children prefer indirect to direct contact.

Decisions need to be made around the different aspects of contact. You will need to consider the child's wishes and feelings on the variety of contact options, such as indirect and direct contact as well as contact with different family members. Contact must always be 'fine tuned', assessing and taking into account any risks. Many looked after children - between 40- 50 per cent - have contact with a family member at least weekly and only a minority, between one in six or seven children, do not have any contact with a member of their birth family (2).

Birth parent views on contact

Parents often have mixed feelings about having their children in care and this can affect the way they feel about contact arrangements. Feelings can range from relief, shame, and concern that they have 'failed', or can be mixture of all of these. Most parents desperately miss their child, want to have contact, and may often find the experience very distressing (1).

Parents often have difficulty in asking for help when their child returns home because of the associated stigma and the possible risk of losing their child again. When their child is accommodated at their request or as result of the child's difficult behaviour they often welcome it, but they often resent compulsory intervention (2).

Contact and re-abuse

Direct, and even sometimes indirect, contact can allow abuse to continue. One study found that in situations where the child had been abused, and there was unsupervised contact with all family members, placement breakdown was three times more likely to occur, as well as re-abuse (7).

The relationship between contact and improved outcomes

Research (2) argues that contact between birth families and children, does not, on its own, facilitate reunification or improve relationships. Additional interventions are also needed. Contact can, however, achieve specific and perhaps more limited and realistic goals, such as reassuring children about what is happening at home.

Other research knowledge (1) on the relationship between outcomes and contact is summarised by a series of linked reviews of studies about contact in fostering and adoption, mainly in the UK (3-6). When researchers reviewed the studies they did not find a clear relationship between contact and improved outcomes in areas such as placement stability and improvements in the child's mental health. They did not always find that different factors had been considered in the research and queried whether imprecise definitions of contact and weak measures of outcomes had been used. They noted a failure to effectively consider the quality, purpose and setting of the contact and to use small self-selected samples.

Whilst a certain level of contact is needed if reunification is to be achieved, it is now uncertain whether contact as a factor by itself results in the improved outcomes previously thought to be associated with it. Good outcomes, such as reduced placement breakdown, improved mental health in children and returning home, may be more a result of factors that preceded placement. Children who have direct contact with birth parents usually already have a good attachment to them, which precedes their placement and because of this they may be better adjusted, more likely to experience a stable placement and more likely to go home to their parents (8).

Current practice assumes a strong underlying principle, supported by legislation, that contact is generally beneficial and should be promoted as long as it is in the child's best interests and does not increase risk (9). However in some situations there may often be dilemmas and concerns about contact.

Views of foster carers

Foster carers, whilst generally positive about contact, report some serious problems associated with it. These include drinking, serious mental health problems and violence from members of the birth family. They also express concern about more common problems such as unreliability and have worries about the impact of contact on the behaviour of the foster child, as well as their own children (2).

Life story work

As well as listening to the views of children and young people, another way workers can help children identify and connect with family members, is the use of life story work, with photographs of people in their social support network and moments from the young person's life gathered from network members. It is important that this work is ongoing and foster carers take photos of significant events such as birthdays, new schools and friends, to help children and young people keep a record of their lives. Life story work is about helping children express their feelings, preserving a sense of self and keeping connected with key kin, including foster carers. It can help children and young people make sense of their past and help them move forward. It should be remembered, however, that life story work is a difficult and delicate area and is not appropriate for all children at particular stages of their lives.

The use of a social network map or use of an eco-map where the attachment network is mapped out and discussed is also a key means of helping looked after children remain connected with family and friends. This can be used independently or as part of life story work. Trigger questions could be developed that would be explored with the young person:

- Who is important to you in your life now?
- How close is each person to you?
- Who do you see?
- Who would you like to see?
- What changes would you like in the ways things are now?

Legislation

Legislation and guidance

Compliance with Statute and Regulations is mandatory; compliance with Standards is taken into account by the Council for Social Care Inspection, when registering and inspecting fostering service providers.

The Children Act 1989 (CA 1989) and case law, [decisions of the higher courts], identify contact as a right of the child – birth parents, relatives and others do not have a 'right' to contact, although local authorities have legal duties to provide and promote contact, as set out below, unless it is not in the best interests of the child.

Fostering Services Regulations 2002 [FSR 2002] Regulation 14. 'The fostering service provider shall, subject to the provisions of the foster placement agreement and any court order relating to contact, promote contact between a child placed with a foster parent and his parents, relatives and friends unless such contact is not reasonably practicable or consistent with the child's welfare.'

National Minimum Fostering Standard 10 'The fostering service makes sure each child or young person in foster care is encouraged to maintain and develop family contacts and friendships as set out in his/her care plan and /or foster placement agreement'

Children Act 1989

Contact for looked-after children [including those not subject to Care Orders or Interim Care Orders] Schedule 2 paragraph 15 CA 1989:

'Where a child is being looked after by a local authority, the authority shall, unless it is not reasonably practical or consistent with his welfare, endeavour to promote contact between the child and:

his parents

any person who is not a parent but who has parental responsibility for him any relative, friend or other person connected with him.

Contact for Children in Care [subject to Care Orders or Interim Care Orders] Children Act 1989 Section 34

Where a child is in the care of a local authority, the authority shall allow the child reasonable contact with:

His parents [with and without parental responsibility] and any legal guardian, the previous holder of a Residence Order, and any person who had care of the child by virtue of a High Court Order.

Reasonable contact for children in care includes direct contact between the child and those listed above, but the local authority can decide the frequency and venue of contact, and whether it is supervised or not.

If it is not possible to reach agreement about what is 'reasonable' contact, the local authority or child can apply for a contact order under Children Act 1989 Section 34 [2] or Section 34 [4] - [see refusal of contact below] or the parents and others listed above, or any person with the leave of court, can apply for an Order for Contact which is to be allowed by the local authority Section 34 [3] Children Act 1989.



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