

FUTURE OF FOSTER CARE SOCIAL WORK SCOTLAND RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION

6 February 2025

INTRODUCTION

Social Work Scotland is the professional body for social work leaders, working closely with our partners to shape policy and practice, and improve the quality and experience of social services and as a result those who receive those services. As an organisation and across our members we are committed to service improvement and ongoing development, based on evidence and research on how we can best meet the needs of those we work with and particularly those who experience the greatest challenges and barriers to their wellbeing and lives. Children in the care of the local authority are there due to adversity in their lives, and as an organisation, Social Work Scotland has a particular focus on this area, contributing to local and national developments for many years.

Social Work as a profession is based on the principles of human rights, reflecting the value of all individuals and upholding their rights^{1,2} This is expressed in the SSSC Codes of Practice³ and in the BASW code of ethics. These underline the inherent worth and dignity of all people, including children, demonstrated in practice through relationships and promotion of self-determination, participation and wellbeing.

This means that social justice and advocating for the wellbeing and rights of those who are most disadvantaged, including children in the care system, is part of the context within which we operate.

We are alert to the benefits of changes to our care system, and the challenges of achieving the goals outlined in the Promise. Supportive of giving children every opportunity to have

¹ <https://www.ifsw.org/what-is-social-work/global-definition-of-social-work/>

² [SSSC Codes of Practice - Scottish Social Services Council](#)

³ [Code of Ethics | BASW](#)

their needs met in a family context, we are equally alert to the complexities of caring for children who have experienced trauma and what we ask of those who take children into their homes and families. We have appreciated the opportunities to work with partners and Scottish Government to explore what is needed to support and enable a fostering service which meets the diverse needs of children requiring alternative family care and welcome the chance to comment on proposals in this consultation for a flexible fostering service.

Our response is based on consultation and discussion with our membership which covers senior leaders in social work, including Chief Social Work Officers, service and team managers from across the country and from both local authorities and third sector agencies involved in delivery of services to children and adults.

CONSULTATION OUTLINE

Vision For Foster Care

Rationale

The aim of The Promise is for children to grow up loved, safe and respected living in the family home, and there must be enough support to make that happen, with extra help during difficult times.

If our collective efforts to achieve this through action support in early years, whole family wellbeing and child poverty is successful, it will enable more children to stay with their families. In turn, over time, there should be less of a need for alternative care across all settings, including foster care. We know, however, for some children, alternative family care, to ensure their wellbeing and protection, will continue to be needed. This should be in a loving home, and they should be able to stay there for as long as is needed.

Foster carers have a key role to play in achieving The Promise's ambition for our children and young people and ensuring they can live within a family environment with all the benefits this brings.

Foster carers have a special set of skills and qualities. They provide security, stability and kindness. They build trusting and often long-lasting relationships with children and show patience, resilience, and confidence to deal with situations which do not go to plan or are challenging. Foster carers listen to and advocate on behalf of the child, supporting their educational, health and social wellbeing. And they adapt according to the needs of the children and young people that they care for. For example, recent societal changes have led to more unaccompanied asylum-seeking children in foster care.

Many foster carers do more than provide a positive family experience in their own home. Where they are supported by social workers and other professionals, and circumstances allow, they play a key role in children and young people keeping in touch with their birth family – mum, dad, brothers, sisters, aunts, uncles or grandparents.

We also know that the foster carer role means they can often build open and trusting relationships with birth families where there might be more wariness of professionals. These core skills have been used in the Step-Up Step-Down programme which gives parents the support of a foster carer who can 'step up' if the family needs additional support, and 'step down' when parents are in a better place to support their children. If the family experiences a crisis, the children can stay with a known foster carer for a short period of time, rather than being placed with someone unfamiliar to them. The foster carers

can also provide mentoring to the birth parents, and a wider programme is provided for families including training, therapeutic nurture groups and community supports.

<https://www.thefosteringnetwork.org.uk/policy-practice/projects-and-programmes/step-up-step-down>.

The role of foster carers has, and continues to evolve, in order to:

- meet the needs of the children and young people they are looking after and help them develop and thrive into their future;
- reflect evidence-based changes in practice, including innovative projects including trauma informed practice; and
- respond to technological, societal and legislative changes, such as the strengthening of regulations to give siblings the legal right to stay together and connected when appropriate, if removed from their birth family.

Providing alternative family care for children unable to live with their birth families will remain the key role of foster carers. We will continue to improve the current fostering system so that children and young people can meet their full potential, and carers feel supported in helping make that happen. But we also want to build on the good practice and innovation happening in Scotland and elsewhere. And we want to continue stretching and adapting our thinking about foster care. We need to think about how it best meets the needs of our children, and what might need to be changed in the future to continue 'getting it right' for every child requiring alternative family care. Current practices across different parts of Scotland and the UK clearly demonstrate that some foster carers are already expanding their skills and confidence and have the capabilities to meet the changing needs of children, practice and culture. We will encourage and develop this further. But, most importantly, we need to continue to listen to what children and young people tell us about what is important to them and build upon the positive experiences of people who have spent time in foster care.

Our vision for the future of foster care is set out below.

Our vision is for Scotland's children to experience a flexible fostering approach which continually evolves to meet their specific and unique needs in a changing society and sector. This includes alternative family care, which prioritises children's experiences, and embeds within it maintaining family time, supporting families and managing cultural differences or complex needs. It is underpinned by listening to the voice of children and young people, upholding their rights and ensuring they feel safe, loved and respected. We will improve the current fostering system and provide ongoing support for caregivers to develop their skills and

knowledge, so they can nurture the children in their care, and play their part in delivering The Promise.

CONSULTATION QUESTIONS

Question 1

What are your views on our vision for foster care?

Social Work Scotland members have no issues with the vision as it is laid out.

Many however comment that it describes current best practice, noting that our national model as described in GIRFEC places children at the centre, family time is already part of the role foster carers carry out, children's voice is central to how the service is delivered and inspected, and there is core attention to children's rights.

They note that the focus on support is critical to enable foster carers to carry out their task and welcome the attention to this area and to learning and improvement.

Flexible Fostering Approach

Introduction

As mentioned earlier, we want to build on the good practice and creativity in evidence across Scotland, and the wider UK, and strengthen provision of fostering in our communities. A flexible fostering approach will allow us to respond nimbly to the varied and complex needs of children, and also to be responsive to new approaches and societal and cultural changes. Grounded in our national approach Getting It Right For Every Child (GIRFEC), it would be child-centred, providing a strengths-based, holistic approach to supporting children, young people and families when it is needed, for as long as it is needed. The sections below set out proposals for the different elements of a flexible fostering approach that we want to actively promote and support, so they become normalised as we move towards delivery of The Promise by 2030.

Some of the proposed elements will enhance the alternative family care that foster carers currently provide, and others may be additional services which reflect the new skills and models of support already beginning to be established in Scotland. The elements required to ensure the best support would depend on each child's care plan, their needs and that of their family. Our intention is to build on the existing skills, experiences and qualities of foster carers, but also provide enhanced training and support where it is needed. We want foster carers to feel confident, empowered and supported as a valued, trusted and inclusive member of the multi-disciplinary team around the child. This will enable them to provide the best care possible, and to take a more active role in supporting birth families, where

appropriate. This reads across to a recommendation in the review of the Children's Hearings System, currently being consulted on, that foster carers should be able to contribute prior to a Hearing taking place, and section 7 sets out our separate proposals to support foster carer voices more broadly.

Not all the elements of the flexible fostering approach will be appropriate for every child, and foster carers all bring their own unique skills and strengths to the task. The main role for a foster carer to provide alternative family care will remain, but we see our vision enabling many carers to be confident in taking their skills and relationships into a broader arena. For lead professionals and other members of the team around the child, we hope this vision enables them to utilise the skills of the team to best effect. This will help us deliver The Promise. A potential additional benefit is that it may also attract more people from diverse backgrounds into fostering. Following analysis of the outcome of this consultation, we will work collaboratively with the sector and foster carers to consider any implications for recruitment, assessment, approval and reviewing of foster carers. Central to the flexible fostering approach will be ongoing high-quality training and support for foster carers, and how this can be provided, recognising the current challenges in the social work and social care sector impact. We know that evidence from innovative projects such as Mockingbird, which operates across the UK, shows that peer support and being valued by the whole team around the child can improve how supported foster carers feel, their mental wellbeing and resilience, and, ultimately, retention. Sustainability of projects/support is also an important area for discussion. It is key that any changes of focus for foster carers is agreed and clearly set out in the Foster Care Agreement covering the specific roles and responsibilities of foster carers, alongside those of others supporting the child. We welcome your views on the proposals. We are committed to working with local partners, frontline workers and the fostering community, including children and young people, to shape and implement the flexible fostering model

Elements of flexible fostering approach

The different elements proposed are:

- **High quality alternative family-based care** which provides a positive family experience for infants, children and young people in the foster carer's own home. To make this work better, we have set out some proposals to address the existing challenges in the system you have told us about. More detail is in section 7.

- *To build the potential and capacity of existing foster carers to **support and facilitate family time** where appropriate, in line with the child's care plan, so that children, including infants, can keep in touch with people that are important to them. This is relevant even when it is not safe for child to return home.*
- *As part of the child's plan, foster carers may, in some situations, have a role in supporting birth families whose children are in foster care, to **facilitate reunification** of the child or young person with their birth family. Research in England shows that, where reunifications fail, it can be devastating for the child. Re-entering care can also add to an already overburdened system and be costly to the public purse. A foster carer may play an important role, including facilitating strong post-care advice and support to strengthen the child and family connections and encourage sustainability of relationships. Any return home for a child is always carefully assessed, planned, and should be supported for as long as needed. This approach was echoed in the Children's Hearings Redesign report which suggested that children should maintain contact with caregivers after they return home – something we know is already a feature of fostering in Scotland. For those who are unable to return to live with their birth families, projects such as Lifelong Links aim to ensure that a child in care has a positive support network, including birth family connections around them to help them during their time in care and into adulthood.*
- *A foster carer's role will also include helping improve **transitions into Continuing Care** placements or permanency arrangements, which can be staying with the foster carer or transitioning to other carers or care settings, as well as through into adulthood where appropriate. This could involve support beyond 16 years of age, by providing practical help, advice and encouragement akin to birth and extended families*
- *Foster carers may be well placed to have a role **supporting families on the edge of care** to enable more children to remain home. Short breaks are already a category of registration for foster carers, and such provision can be part of a plan to sustain a child with their family or help at times of family crisis. This element is evidenced as a critical part of the successful Step-Up Step-Down programme (alongside mentoring and training for parents, therapeutic nurture groups for children, and community supports for the whole family) which shows how foster carers can play a key role in supporting families, parents and children, with*

appropriate social work support. A small-scale evaluation showed that parents found it easier to build trusted relationships with family support foster carers than social workers. It also showed that, from the children and families supported, 95% remained with their birth parents.

This would be a distinct foster care role, additional and sitting alongside high-quality alternative family-based care. We know from Step Up Step Down that it requires specialist and highly trained foster carers, and recruitment is key. It can include mentoring skills, teaching practical support and advice, and modelling and teaching good parenting skills. High quality training and the support of the multi-disciplinary professional team is crucial for this role. This will ensure there is clarity of remit, and appropriate safeguards are in place for the carer and child/family. We also want to ensure foster carers do not feel isolated. Peer support can be helpful, and we would work with local authorities to encourage development of such networks.

- Building on existing short break provision, **regular breaks**, which are also child centred, would be provided to existing foster carers, or to families experiencing difficulties. This equally applies to children having short breaks from their carers - where children do not have an extended family network of their own, short breaks offer the opportunity to experience this aspect of family life. Short breaks should include infants in care and can also be particularly useful for kinship care families. This could help build an extended family for both children and foster carers, with potentially foster carers having a network of
- Alongside professionals, we propose using **more experienced foster carers** who no longer wish to foster full-time, to **mentor new foster carers, deliver foster carers' training and share practice and knowledge**. This could be expanded to providing support to kinship carers, and those who are fostering to adopt.
- Potentially, the facility, where it is appropriate, for a **foster carer to stay in a family home**, for a short time, to provide immediate support and care at times of family crisis. This type of support could only be provided where the parent(s) are in agreement. It would benefit the child as it would keep them in their local community, at the same school and with their friends, minimising the disruption they experience. We envisage that this would only be used in rare circumstances, and that it would require further consideration of both the legal and practical parameters, responsibilities, oversight and regulation to determine if it is a workable aspect of

flexible fostering. If we take it forward, we will also need to think carefully together about how foster carers were trained and supported as it is very different to their current role. We welcome your views on what scenarios you can envisage this being appropriate, and if it would be helpful. An opposite proposition might be that a child and birth parent live with a foster carer, and we would also welcome your views on that.

- *Some of the elements outlined above already exist in practice and services across Scotland. Our vision is to see them become more **strongly embedded** and readily available across all of Scotland, as we move towards 2030. We believe that flexible fostering is the approach of the future. Although it will require a shift in mindset and not happen overnight, it will, in time, strengthen fostering in our communities, give foster carers the opportunity to develop new skills, and better meet the varied needs of the child and young person, and their family circumstances.*

Question 2

What are your views on the proposed flexible fostering approach?

Question 3

What are your views on the seven different elements in the flexible fostering approach?

Question 4

What implications does a flexible fostering approach have for how fostering is funded and how foster carers are remunerated?

Question 5

How can the Scottish Government, working with you, support the delivery of the flexible fostering approach?

We respond to all four questions below

Most elements of the flexible fostering approach outlined already exist across Scotland. Bringing them together in one vision/description of what fostering might look like in Scotland will, in the view of many members, be beneficial to providers helping to put a spotlight on what is possible, and the benefits of this to children and carers, thus, ensuring that the various strands of fostering support are available more widely.

In a climate of cuts and pressures, core to achieving this is national support and funding

Our members noted that:

- There is already extensive use of short breaks, and this is often successfully utilised to support placement and kinship care situations. Highlighting the benefits of short breaks as a means of 'extended family' type support to maintain placements in kinship scenarios is in the view of many members, helpful, though sourcing consistent short breaks in the current climate is a challenge. No child should be excluded, but we caution too much focus on infants, for whom consistency of care is critical.
- Mentoring is a well-established approach in some areas and valued by carers. Some agencies also already use experienced foster carers in training and talk positively about this, underlining the importance of supervising worker support to those carers.
- Supportive of foster carers helping children in their return home and giving examples of positive practice in this area, members also expressed concern that carers are not given too much responsibility and used to plug gaps in professional roles. Clarity of role and remit, supervising worker support and standard inclusion in the Team Around the Child is critical.
- Including family time in the fostering task is supported, but with the caveat that inclusion is part of a child's plan, and that the carers agreement /placement agreement considers this from the perspective of what is best for the child, rather than it always being assumed that the carer will manage sometimes complex dynamics.
- The permission in the approach to carers maintaining contact with children they cared for is welcomed. Many already do so but there can be a tendency amongst some professionals to discourage this.
- In relation to continuing care members did not understand how the vision would improve transition into continuing care. Many foster carers go on to offer a young person continuing care, but this involves no physical or practical transition simply a change in the status of the placement – the young person is no longer looked after, or a foster child and the carer is no longer a foster carer to that young person.
- Some members expressed worries about how the vision might be used by those inspecting services.

There was almost universal support for all elements of the flexible fostering service apart from the one suggesting foster carers should go and live with families in times of crisis.

Significant concern about this was expressed across the board in terms of:

- Practicalities – insurance, agency responsibility for such a service, the level of ask of foster carers who are 'volunteers', lack of consideration of a carer's own family commitments including their own children, oversight, the level of risk involved.
- Legal issues – the legal basis for such provision, and very practical issues such as what authority the carer might have.
- Risk – the level of risk involved at individual and organisational level if a carer is in another person's house, including risk of allegations, the carer's own wellbeing. This is a role which other family support/home support or residential professionals would not undertake at the moment except on rare occasions and for very short

periods and not on their own. Are we therefore asking something of foster carers in terms of task and risk which we would not ask of other caregivers?

- Purpose - The function of such a service, how it would be registered and monitored, level of skill and expertise required eg if a family had substance issues.

Members also expressed concern that:

- Someone going into a house to live, is no longer fostering.
- The skill base and focus of such provision would be different to fostering – support to families, managing risk etc. And the parent would retain responsibility for care given.
- It will reduce availability of foster placements if experienced carers need to be available to go and stay with a family and are 'held' for that purpose – they cannot also have other placements as the role would involve leaving any other children they are fostering. A similar issue could arise for parent and child placements
- If such intensive provision is required to avoid children coming into care, then this should be considered in that light rather than utilising foster carers, especially where we already have a national shortage of foster carers.
- SWS are not supportive of anything which could look like a 'two tiered' fostering service.
- Home support services, which this element of the proposed flexible fostering service describes, already exists though in a different form. Though more often applied in situations where a family needs assistance to care for a child with a disability, it does exist as part of family support services for families with other challenges. Agencies are registered as 'home support' agencies, and employ staff to carry out support functions, including overnight care in some situations. SWS suggest exploration of this approach as part of family support for families in crisis or edges of care is more appropriate.
- There are significant financial implications to this aspect of the proposed model. Foster carers are not employed, yet other 'home support' staff are. How would this be managed?

Mockingbird is a valued approach and is being piloted currently. It captures many elements of how we support both carers and children and their families, and what we know makes a difference to families. The core elements of peer support and a 'natural' network of family supports meets many needs, and the research additionally demonstrates that it contributes to family contact and relationships, retention of carers, and recruitment. SWS would support this approach being available across Scotland but note that there are funding and organisational implications which would require central support.

While Step Up Step Down was successfully evaluated, we note that it remains a relatively small test, and the evaluation highlighted the intensity of training and support required, and the family support aspect of the remit. We suggest that further work is required to consider the model before including it as an aspect of the Scottish fostering approach, including whether this actually sits more comfortably as part of family support provision, with paid staff – without detracting from the capacity meantime, where it is appropriate, for a carer who has looked after a child to provide ongoing support as they move home, and following that. The learning from the Welsh pilot may assist this thinking.

We are fully supportive of the range of family supports which may prevent children from coming into care and facilitate their return, and the remit of Step-Up Step-Down carers cover many similar elements to the relationship-based practice we know works in good quality whole family support. However, members have expressed concerns about too much edges of care support being provided by foster carers, and that pushing this approach may detract from the core need for foster care, particularly if this is seen as a cheaper way of providing the service than employing family support staff. The costs and potential for challenge for unions has also been raised.

Options for including mentoring, and other aspects of support for children already known to fostering services may be feasible without the specific aspects which concern some of our members.

Independent Fostering Agencies

In discharging their duties, local authorities provide care and accommodation themselves, and they purchase the remainder from independent providers (known as IFAs) by virtue of arrangements made with registered fostering services under Part Xiii Of The Looked After Children (Scotland) Regulations 2009. The Promise made it clear that “Scotland must avoid the monetisation of the care of children and prevent the marketisation of care”.

In Scotland, the majority of fostering placements are provided by local authority foster carers, with IFAs providing around 31% of foster placements. Currently there are 25 registered IFAs. They are required to register with the Care Inspectorate as providers of a fostering (care) service under Part 5, chapter 3 of The Public Services Reform (Scotland) Act 2010, (“the 2010 Act”). In particular, section 59(3) of the 2010 Act requires that a person who provides a fostering service must be a voluntary organisation. As defined in section 105(1) of the 2010 Act, a voluntary organisation means a body, other than a public or local authority, the activities of which are not carried on for profit. This means IFAs, as providers of fostering services, are required to operate for the purposes of their Care Inspectorate registration under the principle of ‘not for profit’.

Moreover, many IFAs are also registered charities under The Office of The Scottish Charity Regulator (OSCR). This requires them to meet the charity test which, among other things, means that they are carried out only for charitable purposes, providing public benefit and using their funds and property only for those purposes.

Whether or not an organisation is established on a not for “private” profit basis will depend on how it is constituted or set up. For example, a charity or voluntary organisation can make

a profit, but those profits then go back into the organisation to advance its mission or aims, rather than going to shareholders or business owners.

IFAs are not required to pay their foster carer the Scottish Recommended Allowance (SRA) and, like local authorities, there is no obligation to publish their fostering allowance rates. All children placed with IFAs are placed by local authorities who pay the IFA the rate agreed with the IFA. This may be in the form of a fee, allowance and management fee, or a single payment where the elements are not broken down. The broader issue of transparency around allowances and fees is covered under 'Financial Support' in section 7.

Local authorities recruit and review foster carers and have a legal responsibility to place children in an alternative care setting if they are unable to stay at home. Local authorities are able to make arrangements with IFAs who are registered fostering services if they are unable to find a suitable local authority carer. Local authorities have to pay for this service. Placements can be purchased via the Scotland Excel Foster Framework¹⁴ and also by the local authorities' own contracts or occasionally on a spot purchased basis.

In line with The Promise, we want children who cannot stay at home to be able to stay in their local community, to maintain their friends and relationships and remain at the same school. Multiple moves, and moving out of local neighbourhoods, can be destabilising and further traumatise a child. However, often where an external IFA placement requires to be used, children are placed outside their local authority area, or another part of the country. This type of transition can be deeply impactful on children and young people, and especially when it is for short stays and not permanent.

There is indicative evidence that local authorities could provide some placements more cheaply than by purchasing them from IFAs. The Competition and Markets Authority Children's social care market study¹⁵ found that children are not always gaining access to placements that appropriately meet their needs, or in appropriate locations, and local authorities are sometimes paying too much for placements. In addition, IFA placements in Scotland were higher than in England and Wales. On the other hand, we have been told anecdotally that some carers feel better supported in IFAs.

Any move away from the reliance on IFAs, if desired, will take time. It is likely that local authorities will continue to rely on commissioning places from independent providers, and

that new placements to increase capacity will be needed, to reflect changing needs, and to replace lost capacity (e.g. through foster carers retiring).

In Scotland, the Care Inspectorate (CI) has no formal market oversight role or function in respect of care services (including fostering services), but it asks services to declare that they are 'not for profit' at the time of registration.

Question 6

What is the role of Independent Fostering Agencies (IFAs) in the future of fostering?

Historically local authorities were able to meet almost all the demand for foster placement within their own provision. A small number of independent agencies existed but tended to specialise in specific types of placements eg long term fostering. It was only in the late 1990's and early part of this century that independent providers began to expand in Scotland, leading to the current mixed economy.

Many of our members expressed the view that ideally returning to a position where local authorities are able themselves to provide the alternative family care services children need within their own localities would be preferable. However, this is balanced by the perspective that such a significant change is unlikely, and by the views of others who consider that fostering as a service is appropriately carried out by independent agencies. We note as context that SWS membership is weighted toward local authorities as the biggest employers and providers of social work services, but that membership also spans the breadth of local government and third sector.

The Competition and Marketing Authority work warrants further consideration to aid discussions about what the future economy of care should and could look like. SWS are of the view that the current dependence on market forces, the competition for carers, and the business approach which has led to the marketisation of foster care are not conducive to meeting the Promise, and a focus on the needs of children.

We would also note that:

- Placement with an independent provider does not necessary equate to placement out with a local area and that the considerations in relation to how best to meet the needs of each child remain regardless of whether they are placed with a local authority or independent foster carer are critical. Responsibility for the child also remains with the local authority.
- Some of our members dispute the 'anecdotal evidence' that foster carers in independent agencies are better supported citing contrary examples. They also note the benefits to the child of the placing and providing aspects of fostering begin located with one agency
- While all agencies must be registered with the Care Inspectorate, inspections of local authority and independent agencies are not comparable. Local authority inspection will consider all aspects of the fostering service including the role of the child's team in assessment and planning of the child's plan; independent agencies as providers of only the foster carer aspect are inspected only on this element.

On balance, SWS consider that a mixed economy is necessary in the current context, but that there is a need to shift the balance attention given to how nationally a small independent sector providing some agreed specific aspects of service might be developed.

Question 7

Should we require all IFAs to have charitable status? Please explain.

While instinctively the response this question would be 'yes', the Competition and Marketing Agency did not identify much difference between the charitable and private sector fostering providers in terms of approach, placement charges to local authorities or outcomes for children. The sense was that all were making a profit, with particular attention drawn to the often-higher costs in Scotland compared to south of the border where profit is still allowed despite the Scottish 'no profit' position.

However, capacity to move nearer to the Promise commitment to not main profit from children's care would be aided by all fostering agencies being required to have charitable status, with guidelines around tracking to ensure that any profit is appropriately reinvested in the local service.

SWS would suggest that more consideration of the foster care market and how that is best achieved is needed, including any role for independent provision, before any decisions about changes are progressed.

Question 8

Should we limit how much local authorities can pay to IFAs? If so, why and how would we do it?

Some members were of the strong view that limiting what can be paid to independent providers would be helpful, as it would restrict excessive charges. Others were felt that a better focus would be to consider the cost of foster care and seek greater transparency from independent providers around the components of placement costs – allowance, fee and management component (along with what it covers). Some concern was expressed that limiting payment may limit ability to properly meet the needs of a child in placement especially where addition needs are a factor.

Question 9

Should IFAs be required to pay their foster carers the Scottish Recommended Allowance (SRA)?

SWS members had mixed views on this but universal views that payments to independent providers (which are a single payment to cover allowances, fees and management costs) were sufficient to ensure that a provider could meet all the needs of

the child. Members also noted that the agreement between a provider and a local authority for a placement is a contractual agreement to provide a service, and that the responsibility for how that service is delivered in line with the contract specification would lie with the provider – appropriately monitored. Members noted that the next ScotExcel contract could require that independent providers pay the SRA, but also that this would simply result in weekly charges to local authorities for a placement increasing.

Question 10

What more could be done nationally to support local authorities when paying for placements from IFAs (including forecasting, market shaping and procurement)?

As noted in our response to question 7 and charitable status, additional work is required to consider the market that is needed for foster care, and how that is best achieved. This would inform any need for the independent sector, what their role should be, and how it is developed and monitored.

National work and support around forecasting and procurement would be welcomed.

Recruitment Of Foster Carers

The Promise set out that, “Foster carers must be provided with the support they need to develop nurturing, compassionate and loving relationships with the children in their care. This requires practical and emotional support, as well as financial support in the form of allowances”. In accordance with Part 3 of the Children and Young People (Scotland) Act 2014, each local authority and relevant health board, working collaboratively with a range of organisations under a Children’s Services Planning Partnership area, must produce a Children’s Services Plan for every three-year period for the local authority area. These plans should detail how the children’s services will meet the needs of the local population. The definition of ‘children’s service’ means any service provided wholly or mainly to, or for the benefit of, children generally or children with particular needs (for example, looked after children in foster care placements).

Registered fostering services in Scotland, including local authorities, are responsible for recruiting and supporting foster carers. We recognise that different services will provide different types of support depending on local needs, the child or young person, and their foster carers. There is some fantastic work happening on the ground and we want to continue to encourage local strategies. However, as indicated earlier, there is a shortage of foster carers. Therefore, we want to develop, at a national level, a clear ‘offer’ to foster carers across Scotland designed to facilitate recruitment and retention of foster carers. A

national approach to some aspects of recruitment and support for foster carers will support our vision of foster care and our flexible fostering model, as well as bringing more equity and opportunity to the foster care community across the country. This 'offer' includes national action to recruit more foster carers. It also includes key areas of practical and financial help which will support local authorities to deliver and create the right conditions, so they can better deliver The Promise through our vision for foster care.

Recruitment of foster carers is key to the success and development of local authority fostering and meeting the needs and rights of children and young people. There are significant recruitment and retention challenges within fostering and also the wider children's service workforce. Our approach to recruitment, some of which is currently underway, is based on significant engagement over the course of 18 months with key stakeholders and those who represent foster carers. It has five key parts, which are:

- A national recruitment campaign funded by the Scottish Government;*
- Targeted national recruitment approaches to recruit diverse foster carers;*
- Working with local authorities to develop joint national and local communications including developing a national toolkit for local authorities to use locally;*
- Creation of a Foster Scotland brand; and*
- Ensuring our online presence is up to date, clear and easy to navigate ensuring that prospective foster carers and current foster carers can find all the information they need easily and quickly.*

We are confident that a national campaign should help deliver the following outcomes:

- Increase the number of foster carers recruited in Scotland.*
- Contribute to increasing the value and recognition of foster carers and reducing the number of foster carers that retire or de-register.*
- Increase the diversity of foster carers in Scotland which will allow for better matching (both locally and according to needs), including Unaccompanied Asylum-Seeking Children.*
- Contribute to reducing foster care placement breakdown by having better supported foster carers, allowing for stronger matches and increased placement suitability, and reducing moves for children and young people.*
- Support better outcomes for children and young people in care, for example enabling more children to be in a family-based care setting in their own community, and therefore contributing towards the delivery of The Promise by 2030.*

- *Raise public awareness of foster care, and to help build understanding of the care system.*

Local authorities already do local recruitment, and our approach will be to support and complement the local recruitment and take an evidence-based approach to what we know works for recruiting foster carers. We will, therefore, continue to work with local authorities, foster carers and stakeholders to inform our national campaign. We will also learn from what has worked elsewhere. For example, the Welsh Government have created an organisation called Foster Wales which aims to raise the profile and understanding of fostering in Wales, involving close collaboration between central and local government in Wales.

Proposals on financial and practical help for foster carers is set out in the next section.

Question 11

What are your views on the ‘offer’ described above?

Question 12

What more can the Scottish Government and local authorities do to recruit foster carers? Please explain your answer. You may wish to share successes and challenges of recruitment of foster carers in your response.

The offer of central support for recruitment of foster carers is welcomed by SWS and our members. This approach to branding, while retaining the local duties and flexibility of fostering agencies will enable a better focus and understanding of the task of foster care, enabled by expertise which is often not available in local areas. Scotland is a small country and utilising Scottish ‘branding’ will be beneficial. We believe that it will also contribute to better public perceptions of why children may need alternative family care and a resultant reduction in stigma.

Various and wide-ranging approaches to recruitment have been undertaken over the years, some with success for a while, but our members often note that word of mouth is the best recruitment tool.

Future recruitment should take account of the changing nature of our communities and the unique role of foster carers as volunteers yet registered with a service for a specific role. The sustainability of an essentially volunteer model, particularly as family care is central to meeting the needs of children as part of the Promise, requires consideration in a climate where volunteering across Scotland is reducing.

Retention Of Foster Carers

Recruitment and retention of foster carers are intrinsically linked. We know that supported foster carers results in supported children, and a commitment to fostering. To both attract and keep foster carers it is essential that they receive adequate support and recognition for their vital role in providing stable homes for children who cannot live at home. This is particularly important as we build on the good practice and innovation already underway and stretch our thinking on the future of fostering. Learning, development and practical support foster carers play a central role in the lives of children and young people looked after away from home. The quality of relationships with their caregivers is crucial in order for children and young people to thrive. Although quality relationships cannot be delivered simply by training, new skills and knowledge can help committed caregivers to cope with the increasingly complex needs and trauma of the children and young people they are looking after. The Scottish Social Services Council (SSSC) published The Standard For Foster Care in 2017, which sets out learning expectations for foster carers at different learning stages: pre-approval, post-approval and continuous professional development (CPD). However, we have been told by stakeholders that the SSSC's Standards have not been implemented fully on the ground. In addition, learning and development for foster carers can vary across local authority areas, depending on local needs and priorities, with additional support provided by third sector organisations and independent and voluntary providers. We have heard from foster carers that they would welcome more consistent provision of reflective supervision, peer support, mentoring, informal training and therapeutic intensive support. At a national level, the Scottish Government is working towards the development of trauma training and resources to support alternative caregivers to provide trauma-informed care for the children and young people in their care and, where appropriate, with the wider families of those children. This may be particularly relevant for infants and children who have experienced trauma within their primary caregiver relationship(s) and have specific and unique needs for attuned care, to support their recovery and the development of healthy attachment relationships. We anticipate trauma training pilots for foster carers in 2025. The Scottish Government also continues to invest in the Pathways programme in 2024-25 to allow adoptive families, kinship and permanent fostering families to benefit from therapeutic support and a peer support parenting group

Question 13

What is your experience of the SSSC 'Standard for Foster Care' and do you find it helpful?

Question 14

Should there be a new national learning framework for foster carers which could also be a pathway for continuous development?

SWS very much align with the view that well supported and valued foster carers results in well supported and cared for children.

The SSSC Standard for Foster Care published in 2017 however did not land well with either foster carers or fostering agencies and our members note that it has not been utilised to any extent. While a standard in terms of learning and development was, and continues to be welcomed, feedback was that the SSSC standard was complicated, and the approach too rigid and prescriptive for carers. Agencies largely continue to use the recognised pre-registration material developed by tFN, and a range of post registration mandatory and developmental material suitable for their individual localities and fostering skills schemes.

Members are committed to the importance of ongoing training and development and underline the importance of understanding of the sector and the unique place of fostering in the care system as a home-based provision. The focus on the impact of trauma on children's lives is acknowledged and increasingly understood, and members note the range of existing material in this area which is part of the range of opportunities available to foster carers.

Members knowledge of the Pathways programme was less extensive

If an updated/new approach is to be developed, it is important that this is developed in collaboration with carers and is able to be responsive to their unique context and take account of current training and development approaches.

Question 15

What more can the Scottish Government do to nationally support the learning and development of foster carers?

A review of the SSSC standard, resulting in something more attuned to the fostering task would be welcomed most of our members. Essential is including local flexibility

Question 16

What, if any, specific support might be needed to ensure that foster care in Scotland is attuned to the unique and specific needs of infants and very young children?

Foster carers in Scotland look after children from birth through to adulthood. Our members described many standard and excellent examples of carers attunement to the specific needs of children in their care, and this includes those whose expertise lies with needs of babies and infants. Examples range from caring for children born addicted to drugs, providing sibling placements, nurturing early attachment to enable infants to make

those attachment with others, passing over care and bonding to parents or adoptive parents, working to enable positive attachments with parents, providing mother and baby placements

The experience and understanding of the needs of babies and infants who are unable to be safely cared for by their parents is perhaps best understood and demonstrated by foster carers.

SWS would also note the changing demographics of care with older children, many from different ethnic backgrounds and with unique experiences of trauma, now a significant portion of our looked after population. It is importance that the care sector, including foster care, respond to this in a conscious and coordinated manner

Question 17

What other practical support would help foster carers?

Foster carers, like other care givers are not a homogenous group. Their needs differ and so also does the practical support which will assist them to undertake the fostering task. An open approach which ensures that carers are able to access the support they need, practical, psychological, and emotional and which may be needed for a specific child. Is the important factor. And being able to do so without criticism or stigma.

Question 18

What, if any, additional learning and development would be needed for the ‘flexible fostering’ approach?

A flexible approach by its nature will require a flexible response to training, development support. Discussion with carers is critical and alignment with other caregivers such as adoptive and kinship carers.

Financial support

It is key that foster carers in Scotland are financially remunerated so that the costs of caring for a child are met.

While remunerated, foster carers are not employed by their fostering service and are self-employed for tax purposes. The current financial support model is set out below. It has been suggested by stakeholders that there may be an argument for nationalisation or harmonisation of payments to assist recruitment and retention across Scotland.

- *Scottish Recommended National Allowance - All foster carers receive a weekly fostering allowance which is calculated to cover the cost of caring for a looked after*

child, which it is acknowledged is greater than the costs of looking after a for child who has not got experience of care. This includes food, clothes, toiletries and other reasonable expenses, and it is not remuneration for the caregiver. The allowance received will depend on the age of each child. The Scottish Government committed to setting a Scottish Recommended Allowance for Foster and Kinship carers (SRA). The SRA was introduced in August 2023 and a review of the SRA is taking place. It will assess whether the policy intent, which was to bring transparency and consistency to allowances in Scotland, has been achieved in practice, what is working and what is not, and areas for improvement.

- *Fees - Fees are separate and are paid in addition to allowances. They may be paid by fostering services to reflect the expertise and nature of the tasks undertaken by foster carers. There is variation in fees across Scotland.*
- *Additional payments - While the national allowance is designed to cover all the costs of caring for a looked after child, many fostering services decide to provide some additional payments to cover 'one off' expenses. It is for fostering services to determine what those might be, but common extra payments include a birthday and religious festival payment, start-up costs or other payments. There is variation in additional payments across Scotland.*
- *Retainer fees - When foster carers do not have any children placed with them, some, but not all, fostering services pay a retainer fee. The fee is usually for a time limited period and may not cover the whole duration they do not have a child or young person in their care. While a retainer fee is being paid, the fostering service would expect the foster carer to be available to receive a child into their home, to maintain availability of a bedroom, and to not take on additional work. There is variation in retainer fees across Scotland.*
- *Continuing Care allowances¹⁹– some fostering services will continue to pay an allowance and fee to a foster carer when a young person remains in that placement after their 18th birthday. There is variation in continuing care allowances across Scotland. The legal requirements to publish information relating to carer allowances and fees are inconsistent. For example, local authorities are under a duty to publish (among other things) the rates for kinship carer allowances²⁰, but not the rates for foster care allowances. Similarly, IFAs are not required to publish their foster carer allowance rates.*

Question 19

How effective is the current financial model for foster carers? Is there an alternative?

Please explain your answer.

The current model of payments to foster carers has grown incrementally over time from the early 20th century when a minimal payment was made to cover food for a child boarded out, and standard clothing was issued, until the 1990's when recognition of the task as well the actual care of a child was introduced with fees along with more appropriate allowances. This approach to paying for care is unique to fostering, and while levels of payment of allowances and fees has grown, the essential historical model of remuneration for a voluntary role rather than payment for a task has not changed.

The current allowances/fees approach is however well understood but it also plays into the way competition between agencies for foster carers is played out.

SWS would not be averse to consideration of an alternative approach to payment of foster carers but acknowledge that this is a complex area and that while no other central care provision is funded in this way, the unique 'voluntary' nature of foster care means this would not be straightforward task, particularly as they are self-employed for tax purposes. Changes to that status would be complex.

Question 20

Do you think there should be national approach to fees for foster carers? Please explain your answer.

SWS members have mixed views on this with many agreeing that a fixed fee rate would be useful.

Other members feel that the fee element is the aspect which enables them to have flexibility to respond to local need, and to recognise when a carer is taking on a specific and more complex task, and that to restrict this may also restrict capacity to meet children's needs eg recompensing a carer where a child's needs restricts capacity to take another placement.

With the SRA now in place, fees is one of the areas which agencies can use to attract potential carers to their agency.

Question 21

Do you think there should be a national approach to additional payments? Please explain your answer.

This aspect was discussed as part of the national foster care review allowance's working group. Additional payments can contribute to the competition element noted above, but equally members were strongly of the view that the facility to make additional payments needed to remain and should not be restricted. This was linked to being able to provide

payments to carers related to a child's specific needs. Some national non statutory guidance on good practice may be helpful

Question 22

Should the financial model for foster carers include a retainer fee for when a foster carer does not have a child placed with them? Please explain your answer.

While many expressed the view that this was for individual agencies to determine, most SWS members, and particularly local authorities, noted that their fostering agencies already paid retainers. This assists with retention of carers.

If any steps to bring greater consistency in this are to be taken, it is though important that there is common understanding and clear boundaries around any retainer eg is it an individual fee equivalent to one placement, how long is it payable for, is it relevant where the carer is not available or only when the agencies does not have a placement for the carer, how would it apply where a carer had been suspended or was awaiting deregistration etc.

Members have examples of local schemes which can be shared if appropriate.

Question 23

Do you think there should be a national approach for Continuing Care allowances and fees? Please explain your answer.

The national foster care review allowances working group chaired by the Chief Social Work Advisor, concluded that a separate piece of work is required around continuing care allowances. SWS would be supportive of a national group to clarify the payments (not restricted to allowances) appropriate to the continuing care task, including if an allowance/fee approach is the right model, what the task entails, what suitable remuneration looks like and what if any role young people should have themselves in contributing either via benefits, or work.

Debates and arguments about what previous foster carers or stand-alone supported carers should receive and if this should equate to the SRA amount, and this focus has detracted from understanding of what a continuing care placement is seeking to achieve and how the specialist work of supporting a young person into independence is best supported practically and financially.

Question 24

Would an enhanced framework of transparency with a legal requirement, for example, on local authorities and independent fostering agencies to publish foster care allowances assist foster carers and wider recruitment and retention?

SWS members are supportive of all fostering agencies being required to publish the rates of allowances paid to their foster carers. This will bring a more even playing field to the sector. SWS is not though sure that this requires to be legislative.

Local authorities already, as a result of the COSLA/Scottish Government agreement publish this information, and independent agencies could be required to do so as part of the ScotExcel or local procurement contracts.

Retention of foster carers - status, recognition and value

We have heard evidence from fostering services, foster carers, and those representing them, that more needs to be done to improve the status, value and respect given to foster carers. All the proposals in this consultation, including a national recruitment campaign should help increase the recognition and value placed on foster carers. We are also consulting, through a different exercise, at a broad level on the current definition of a “relevant person” as set out in the Children’s Hearings (Scotland) Act 2011 for the purpose of participating in children’s hearings Children’s Hearings Redesign - Scottish Government Consultations - Citizen Space.

Additional proposals to improve the value and recognition of foster carers are set out below and include a national charter; day to day decision making; a national register; allegations guidance; support on raising concerns; and wider issues.

National charter

- *The development of a **national charter of support for foster carers and fostering services (Local Authority and IFAs)** which, we would recommend, all fostering services would have in place.*
- *The national charter would be co-designed with foster carers and local partners, and it would be principle based with a focus on supporting the value and recognition of foster carers. We hope this would empower foster carers to have a key voice and ensure foster carers feel recognised for the role they play in the children and young people’s lives they care for.*
- *The charter would set out what foster carers can expect from the fostering service and what the fostering service can expect from foster carers.*
- *The Scottish Government would develop a charter template which local authorities and IFAs could adapt for their service.*

Question 25

What are your views on the proposal for a national charter of support for foster carers.

While in principle a charter appears a positive step, SWS members are aware of many charters for many purposes, but not of the availability of evidence to demonstrate how and if these improve status and outcomes for the relevant groups.

We also note that if standards are available, then a charter may not have any particular additional relevance, though recognising that foster carers may feel more valued simply by there being a charter in existence.

Question 26

What else could national government do to increase the value, status and recognition of foster carers?

SWS are increasingly aware of the negative impact of how media and press portray the care system and by association both those who experience that care and those who provide it. A concerted campaign nationally to engage with the press and shift that portrayal could make a significant difference to all of those involved, including carers.

Simple matters also make a difference eg avoiding excluding foster carers from any recognition payment, acknowledging them in events and awards, including foster carers in family leave policies.

Retention of foster carers - day to day decisions

*A foster carer is looking after the child on behalf of the local authority and will not have parental rights for the child in their own right. What a carer can do day to day depends on whether the decision is necessary to safeguard the child's health, development and welfare in accordance with section 5 of the Children (Scotland) Act 1995, and what the person with parental rights and responsibilities for the child has agreed. Scottish Government guidance exists to support this. For foster care to be successful, **enabling the carer to take appropriate day to day decisions** should be encouraged, and there are opportunities for carer and birth parent to work together to make this happen.*

Question 27

Is the existing framework under which foster care can make decisions clear?

Yes, however it is not well understood

As a foster carer is looking after a child on behalf of the local authority the local authority retain responsibility for the child's care, but the child's parent may also retain PRR. As such this area will always be slightly complex, with care required in relation to what decision are permitted, when additional decision making may be delegated, and how that is monitored.

Question 28

Would further guidance, for example good practice, be helpful to support decision making for foster carers (sometimes called delegated decision making helpful?

Guidance is always helpful as long as it is not prescriptive. Case examples demonstrating general delegation and specific delegations is suggested

Retention of foster carers - a national register

*In 2022, the ongoing Scottish Child Abuse Inquiry (SCAI) heard evidence from relevant experts, regulatory bodies and from survivors of abuse about foster care. A range of witnesses gave evidence, and some spoke about maintaining a **national register or database of foster carers**. There were varying views – some stakeholders expressed a view that a register would not add to existing mechanisms for recruitment while others supported the scheme as they felt that the current approach is not risk free and is reliant on the foster carer being honest about their previous residence. Currently, registration and de-registration of carers are functions of the foster care panel, and prospective foster carers are required to undergo suitability checks prior to being approved as foster carers. These checks include a criminal background check facilitated by the Disclosure Scheme.*

A national database had been previously considered by the National Foster Care review in 2012, however at that time it was not taken forward and alternative strategies for realising the perceived benefits of a national database were explored.

SCAI has still to publish its findings in relation to the Phase 7 public hearings on foster care. However, in response to issues raised during the evidence sessions, the Scottish Government undertook some early engagement with stakeholders and foster carers to

understand if a national register for foster carers in Scotland would benefit the sector. We heard a range of diverse opinions, and it was clear that there was no consensus.

To generate further views, we have set out below, based on what we have heard, suggestions for what a national register in Scotland could look like and do. We really welcome your thoughts to inform whether this idea merits further scoping out and would add value to the landscape.

A national register for foster carers in Scotland could sit independently from the national and local government, and we could explore options to use an existing organisation or a third sector organisation to hold the register. Data protection issues would need to be considered.

The primary purpose of a national foster care register for Scotland could be to increase public protection, improve ease of mobility across fostering agencies and increase safeguarding for children. To this end, we propose that the key aims of a national register for Scotland could be to:

- improve foster carer status, by bringing foster carers in line with other parts of the children's workforce who are registered and regulated;*
- support the process of transferring to a new agency or local authority, by enabling a foster carer's 'new' foster service to carry out a simple check of their approval status;*
- provide robust safeguarding measures, by enabling foster services to see whether a prospective carer has had their approval removed previously; and*
- provide more local and national data to understand better when more foster carers are needed.*

A national register may also have the potential to provide a national approach to matching foster carers with children and young people. In theory, this could enable children to stay in their local community (as it would cover both local authority and independent fostering agencies) and be matched with foster carers who are best suited to their needs. In addition, if there were no suitable local foster carers available, it may be easier through the register to access foster carers in bordering local authorities so a child could stay in the broad region, rather than a different part of the country. We would need to be mindful of

unintended consequences, such as priority given to location over a child's needs. A national register may also avoid local authorities incurring additional costs by using placements across the border in England, or other parts of the UK.

A national register could also be used as a tool to support sufficiency planning, to provide meaningful live data to drive commissioning and recruitment planning. It could inform workforce planning and development in addition to supporting foster carer recruitment planning. This might include, over time, the development of the register to include the skills, experience and learning undertaken by foster carers which might help with matching between foster carers and children and young people.

Question 29

What are your views on a national register for foster carers in Scotland

SWS members are generally not supportive of a national register. This is for several reasons:

- Carers are already approved and registered with their agency. No additional benefit arises for them also being registered with SSSC or similar apart from them being required to pay for that registration and have additional CPD and other requirements. Equally agencies already have 'fitness to practice' processes.
- There are other ways of gathering better national data.
- It will not improve mobility and there is an existing utilised protocol for carers moving between agencies
- How it would improve matching is not clear.
- The commitment to children is for local placements. A national register would mitigate against this, encouraging rather than discouraging placements at a distance.
- Many local authorities already have arrangements with neighbouring authorities, or contracts with independent providers which required a placement within a reasonable distance.
- The current registration process ensures that placement availability locally is known and understood including the particular skills and preferences of a carer. This does not transfer to a national context.
- The benefits are not clear, and we consider that the existing protocols and processes are sufficient to identify the few occasions where a prospective carer may have ulterior motives. Public protection processes for foster care are tighter than for any employment or other voluntary role, and fostering is (rightly) the most regulated aspect of any other public care system., processes and structures which will take away from funding of care itself, and result in additional administrative burdens on agencies.
- Keeping a register up to date is almost impossible, given the many daily changes to placement and availability and the equally many reasons why a carer may have a vacancy which cannot be utilised eg due to another child's needs.

- SWS has concerns about how a national register might be used, and about data protection and information sharing – and whether a carer would be willing to share their data in this way. If a register is ultimately pursued, we would advocate minimal information being held.

Question 30

If a register is introduced where should the register be held?

We prefer that a register is not progressed, given our view that the benefits are not clear. If it does happen, we suggest considering options including whether it should be held alongside for example Scotland's Adoption Register, where issues of confidentiality and data protection have already been thrashed out.

We again note the costs of providing yet another primarily administrative service unless there is a clear evidenced need for this which will improve children's experiences.

Question 31.

What are your views on the potential to linking continuous professional development to a register?

CPD is something which agencies already give attention to, and which is inspected as part of the inspection by Care inspectorate of registered services. It is also something which reflects local need and skills. We see no benefit of further complicating and bureaucratising this aspect of fostering provision, noting that carers retain a unique status in the care world.

Some SWS members are concerned that this move to professionalise fostering may mitigate against people applying to foster or hasten older carers retiring.

Question 32.

What are your views on a national approach to foster care placement matching

This is not something SWS members support, considering it to be against the drive to place children in their local communities near to family and friends, schools and activities.

Local social work services, who assess, and support children requiring alternative care, know the children and their needs and are best placed to understand and know local foster carers and make appropriate matches.

Question 33

How can Scottish Government support local authorities with resource planning of foster carers including building an evidence base and data on placements which can also include those outside local areas?

This requires significant discussion, and SWS would offer our knowledge as part of this process.

Allegations

Foster carers look after children who may have experienced trauma in their lives which has led to them being placed away from their birth family. This can mean that children and young people, and foster carers may need additional support.

In 2013, we published best practice Guidance for local authorities and independent fostering agencies on how to respond when there are concerns about the safety and well-being of children in foster care. The guidance is designed to both help to ensure positive outcomes for children in foster care and to minimise stress on foster carers.

Allegations against foster carers must always be investigated, as the safety of the child is paramount. A recent survey of foster carers showed that allegations can have an emotional, health and financial impact on foster carers²⁴ and there is a need to improve practice around allegations and support foster carers through the process.

Question 34

Should the Scottish Government update its guidance on managing allegations against foster carers? If yes, please explain what you'd like to see updated or added.

SWS is supportive of a national allegations protocol, and the importance of having a robust and clear process for such situations. Foster carers are in a unique position of caring for children in state care in their own homes which, alongside the huge benefits of family life, also brings vulnerabilities.

Members note that they universally utilise the national guidance on allegations against foster carers. Many however note that it has not been reviewed and that understanding of the fostering task, and practice in child protection has advanced significantly since 2013, along with appreciation of how to speak to and interview children.

SWS and our members would therefore be willing to be involved in the process of reviewing the guidance and to bring to that our specific expertise around child protection and trauma informed interviewing processes and learning

Raising Concerns

Given their significant involvement in the upbringing of a child, foster carers are often well placed to highlight poor and unsafe practice in fostering, and child protection more generally or issues relating to the fostering services. Many foster carers already do that and are supported by fostering services and local authorities who have policies in place to support and encourage raising concerns without it adversely impacting upon the foster carers, or the care that is provided to the child.

Question 35

Is there is a need for the Scottish Government to take action in this area? If so, please explain why and what would be helpful, for example best practice guidance?

No this is already a feature of fostering services, who have feedback and complaints processes. Additionally, most (possibly all) fostering agencies have whistleblowing policies, which are inspected by the Care inspectorate as part of their processes.

Wider issues

Question 36

Is there anything not covered in the consultation which impacts on fostering that you would like to tell us about, or take action on? E.g. housing, poverty etc

Wider societal issues such as poverty, housing and mental health support and the ways in which those factors contribute to circumstances which may lead to a child being placed in foster care, are well described elsewhere.

We would highlight access to mental health support and provision for children in care including foster care. The pressures on health services, and CAMHS is such that provision to support children and their carers is limited, and in some areas not available.