

Future rules

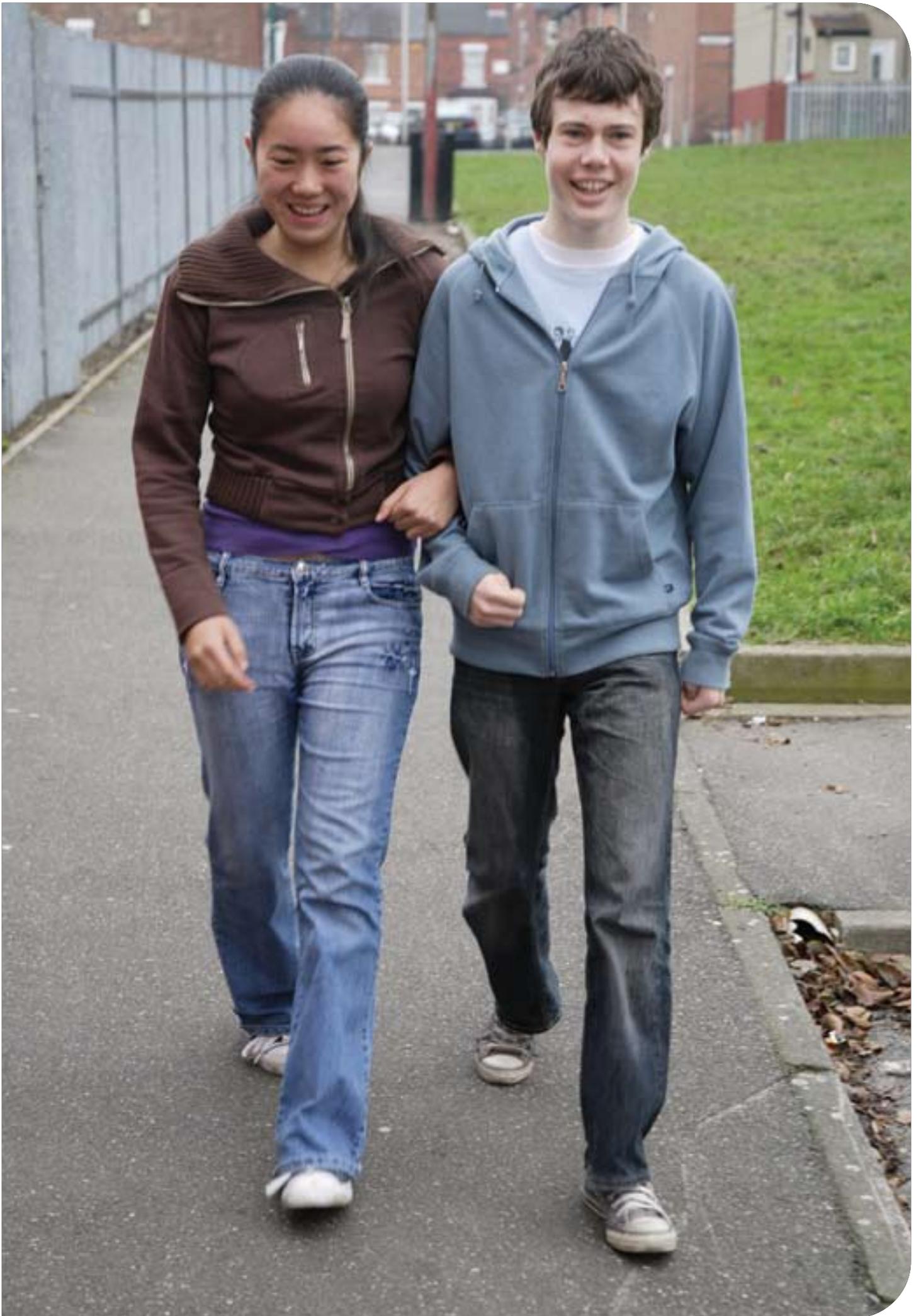
Children's advice on the Regulations to be made
under the Children and Young Persons Act 2008

A report by the Children's Rights Director for England



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About the Children's Rights Director



Roger Morgan, Children's Rights Director for England

The law sets out my duties as Children's Rights Director for England. One of my main duties is to ask children and young people for their views about how children are looked after in England. This includes children living away from home, and children getting any sort of help from council social care services.

As well as asking children for their views and publishing what they tell us, I and my team also give advice on children's views and on children's rights and welfare to Her Majesty's Chief Inspector at Ofsted, and to the Government. We have a duty to raise any issues we think are important about the rights and welfare of children living away from home or getting children's social care support. We do this both for individual children and for whole groups of children.

Our consultations give children and young people a way of feeding their views in to the Government when it is making important decisions about what the law should say in the future about how children and young people should be looked after and supported. We send our reports of children's views directly to Government Ministers and officials, and they take notice of what the children and young people have told us.

This report sets out what children and young people in care told us they wanted the Government to put in Regulations that are to be written to say what must happen under the Children and Young Persons Act 2008. That Act is a new law about how children in care must be looked after in future.

The report has been sent to Ministers and Government officials so that they know what the children and young people want when they are writing those Regulations. It is also being sent to the people at Ofsted who inspect how councils look after children in care, and to all councils in England. Like all my reports, this report is being published for everyone to read. You can find copies of all my reports on our website www.rights4me.org.

I am grateful to all the children and young people who gave us their views, and to all the parents, carers and teachers who brought them to our conference to give their views.

A handwritten signature in black ink, which appears to read 'Roger Morgan'.

How we asked for young people's views

For this report we invited children and young people in care, together with care leavers, to a national children's conference we held at the National Space Centre in Leicester.

We asked for their views in two different ways. Firstly, every child or young person who came to the conference was asked to fill in a set of question cards which asked for their views and suggestions. They filled in one of these cards before coming to the conference and brought it with them. They filled in six others at different times during the day, with adult help if needs be (though we tried to make sure that any adults helping them didn't suggest what the child or young person should say). They handed these in at our six staffed 'bases' around the Space Centre during the day. Secondly, we invited all the children and young people to join in a series of voting sessions held in the planetarium at the Space Centre during the day. Here, seated in comfort and watching our questions on the all-round screen, they voted on different choices about what might go into the Regulations, using electronic voting pads. They could see the results of their voting immediately on the screens around them.

As well as giving us their views the children and young people, with the parents, carers or teachers who had brought them, could enjoy and learn from the educational activities and displays around the Space Centre, and watch a big screen video about space, time and distance in the universe. Our aim was to give everyone a day which combined having a say in the future laws of the land, having fun, and learning something new about the universe.

Asking for opinions about what the law might say is not an easy subject. It was probably one of the most difficult we have ever asked about. But even so, the children and young people who took part gave us a very large number of views and suggestions to send to the Government in this report.

We have set out the young people's views just as they gave them to us. Where we have quoted from what they wrote down, we have not changed any spelling or punctuation. We have not left out any views that we might disagree with, nor made our own comments on anything the young people told us. We have not added our own views or ideas, nor those of any of the parents, carers or teachers we met.

The children and young people who gave us their views

Altogether, 136 children and young people came to the conference. Out of the 127 people who told us their age, the oldest was 19 and the youngest was six. The middle age for everyone who came to the Space Centre was 13. A total of 132 people told us their gender; 61% were boys and 39% were girls. All 136 people told us whether or not they had a disability. Sixteen (12%) said they had a disability. Four of these said they had autism and another four that they had learning difficulties. Almost everyone (132 people) told us about their ethnic background. Of those who told us, 83% said they were white, and 17% that they were from other groups. Nine said they were black and four that they were from a mixed ethnic background.

Not everyone answered every question we asked, so we have said in this report how many people did answer each of our questions. We have checked whether there were big differences between boys and girls, between children and young people in different age groups, between people living in children's homes or in foster care, and whether people who told us they had a disability gave very different answers. We have said in this report where the biggest differences were.

A total of 122 of the children and young people took part in the voting sessions in the planetarium. Just over half of these told us they were aged 14 or over. Out of the 122, 42% told us they were in foster care, 34% were living in a children's home and 7% were living in a residential school.



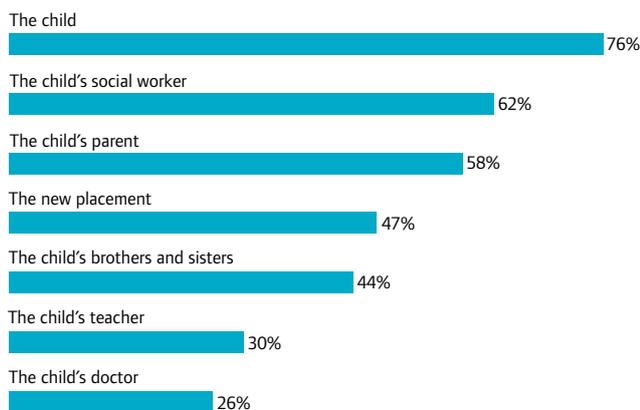
Children and young people's votes on the future Regulations

This section of the report sets out the results of the children and young people's votes in the planetarium. We have added the votes from different planetarium voting sessions together, to give a single final vote on each subject. Each of the votes was on an issue that we believed would need to be covered in the future Regulations under the Children and Young Persons Act 2008.¹

Who should have their say before a child is placed somewhere else than with their parent?

The chart shows the percentages of children and young people who voted for each of the people they thought should have a say in this. We suggested alternative answers, and people could vote for however many answers they wanted to.

Who should have their say before a child is placed somewhere other than with their parent?



Children and young people clearly want to have a major say for themselves before they are placed away from their parents, but also want their social worker and their own parents to have a strong say in this too.

There were some big differences in voting on this between different groups of children and young people.²

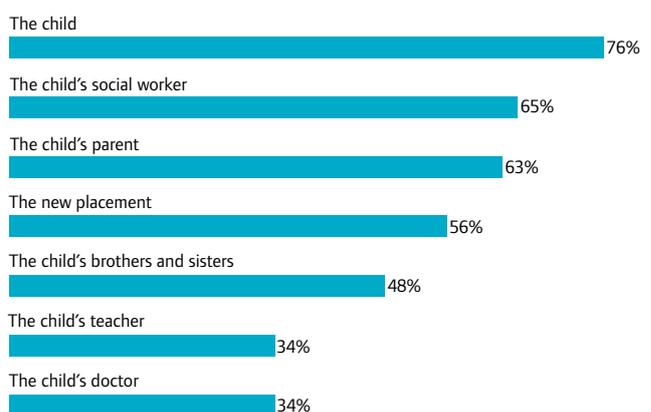
- Girls voted more than boys did for having a say themselves.

- Girls also voted more than boys did for the people in their possible new placement having a say.
- Children aged under 14 voted more than older young people for their brothers and sisters, and for their teachers, to have a say about being placed away from their parents.
- Children and young people in foster care voted more strongly than those in children's homes for giving a say to children's own parents, doctors and teachers.

Who should be told when a child is being placed somewhere other than with their own parent?

The first vote was about who should have a say before any decision is made to place a child or young person somewhere other than with their own parent. Our second vote was about who should be told about such a decision after it has been made. The next chart shows the percentage of children and young people who voted for each of the people listed. Again, people could vote for as many answers as they liked.

Who should be told when a child is being placed somewhere other than with their parent?



Children and young people's votes for who should be told about a child being placed away from their parent were very much the same as their votes for who should have a say in that decision. There were no big differences between the two sets of votes.

¹ To get this consultation done in time to give to Government officials, we had to base this on what was in the Children and Young Persons Bill as it was going through Parliament. When it finally became an Act and was signed by the Queen, there were of course some changes from the version we were working on.

² In this report, we have counted a difference of 10 or more percentage points as being 'big'.

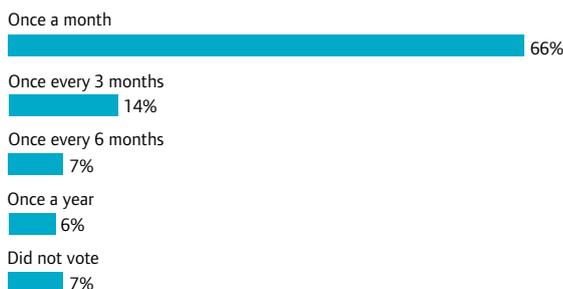
The differences between groups of children and young people on this vote were not the same as on the vote about who should have a say in placing a child away from their parents.

- Girls voted more strongly than boys did that brothers, sisters and teachers should be told when a child is placed away from their parents.
- Young people aged 14 and over voted more strongly than younger children that the child must always be told.
- Those in foster care voted more strongly than those in children’s homes that the child’s teacher should be told.

How often should a child in care get a visit from someone from the council?

The new Regulations will need to say how often every child in care must be visited by someone from the council to check that they are being looked after well. We asked the 122 children and young people who joined our planetarium sessions to vote for just one choice of how often every child in care should be visited in the future. The next chart shows the percentage of votes for each choice.

How often should a child in care get a visit from someone from the council?



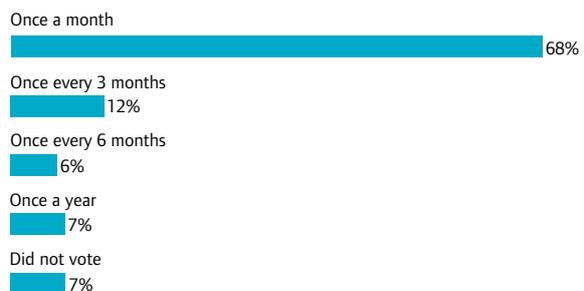
The result is clear. **Children and young people in care want monthly visits by someone from the council.** This is a very strong message to the people in government who will be writing the new Regulations.

There were no big differences on this result between boys and girls, younger or older children, or between those in foster care or children’s homes.

If any child has spent more than three months living in either a school, a clinic, a hospital or a care home for adults, how often should they get a visit from the council to check if things are OK for them?

Our 122 children voted almost exactly the same on this question as they did about how often children in care should be visited. Again, they voted for just one choice. The percentage of children who voted for each choice is in the next chart.

When a child has spent more than three months living in either a school, a clinic, a hospital or a care home for adults, how often should they get a visit from the council to check if things are OK for them?



Again, the result is clear for the officials writing the Regulations. **Children and young people want checkup visits to be made every month to children living for more than three months at a time in a school, clinic, hospital or care home for adults.** It is also clear, since the voting was so similar for both this sort of visiting and visits to children in care, that children and young people see monthly as the right frequency to visit a child to make sure that child is being properly looked after.

Altogether, there were eight separate votes taken in the planetarium on how often children should be visited (children could attend any of four separate voting sessions, and in each session there was a vote about how often children in care should be visited, and another about how often children living over three months in a school, clinic, hospital or care home for adults should be visited). Monthly visiting came top in every one of those eight votes.



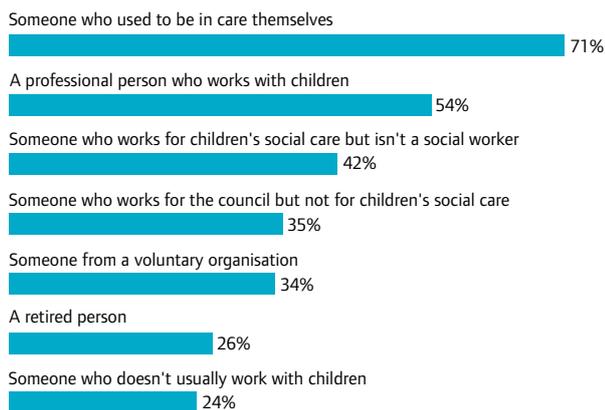
Boys and girls, over and under 14s, and those in foster care and in children’s homes, all gave their top vote to monthly visiting. There were two big differences between these different groups.

- Children aged under 14 voted even more strongly than those over 14 for monthly visiting.
- Fewer boys than girls were in favour of yearly visiting.

What sorts of people would be independent enough to be a child’s special personal visitor and adviser?

The new Children and Young Persons Act says that councils must appoint an independent visitor for children who might need this, to ‘visit, befriend and advise’ the child. It also says that these visitors must be independent, and that new Regulations can say what sorts of people can become independent visitors. We asked children and young people to vote on seven different suggestions about who might be the right sort of independent person to be an independent visitor for children in care. The percentage of children and young people who voted for each sort of person is shown in the next chart. People could vote for as many sorts of people as they liked.

What sorts of people would be independent enough to be a child’s special personal visitor and adviser?



The top choice of children and young people is for people who have been in care themselves to become independent visitors for children in care. The second choice, some way behind the top choice, would be professional people who work with children, but not in social care. Again, this vote gives a very clear message to the government officials who will be writing the new Regulations about this.

Having independent visitors who used to be in care themselves came top in the voting from both girls and boys, from younger and older children and young people, and from those in foster care as well as children’s homes. Girls were even stronger than boys in voting this way; 81% of girls voted that independent visitors should be people who had been in care themselves, compared with 70% of boys.

There were some big differences in voting for the other suggested people who might become independent visitors.

- Having someone working in social care who isn’t a social worker as an independent visitor had more votes from girls than boys, and from children aged under 14 than older young people.
- Having a retired person had more votes from children under 14 than from those over 14, and so did having someone who doesn’t usually work with children at all as an independent visitor.
- Girls gave more votes than boys did to having someone from a voluntary organisation.
- Children in foster care gave more votes than children in children’s homes did to having someone who works for children’s social care but isn’t a social worker, and to having a retired person, as an independent visitor.

When is it OK for a council to place a child somewhere away from the council's own area?

The new Children and Young Persons Act says that a council has to place a child within its own council area if it can. The government can issue Regulations about this. On one of our conference question cards, we asked children and young people when they thought it was OK for a council to place a child or young person away from the council's own area. We didn't suggest any possible answers. Answers to this question came from 92 children and young people. Here is the list of all the answers which were given by at least one in 10 of these people (numbers are the numbers of children giving each answer):

It is OK for a council to place a child out of the council's area...



All age groups, boys and girls, and both those in children's homes and in foster care, agreed that **it is OK to place a child out of the council's area if that will keep them safer**. Some children gave very clear reasons for a council placing a child away from their home area, even if the council could place them near home. Examples were: 'if the parents are dangers'; 'so my family can't get me'; 'to stop them getting into trouble, change their group of friends'; 'someone could be after them in the area'; if they need to escape from risks of 'gang violence'; and 'if they are having problems in their area and need to get away from them'.

Some wrote about how **a child or young person should have some say in whether they should be placed near home or at a distance away from home**: 'If the young person would like to move'; 'if they want a fresh start'; or 'if that child would prefer to be away from family'.

Some also told us about how **sometimes the right placement is simply not a local one**: 'if the council cannot cope with a persons specialist needs or requirements'; 'if the services they require are not provided or easily accessible at the local council area'; 'if there are no foster carers in that area'; and 'if there is definitely no family relatives to go to'. Moving somewhere else is then the right thing 'if a child/young person can receive more help in caring'. A few of these children and young people still wanted a placement which was not further away than it had to be in order to meet their needs, 'not too far away'. It is all to do with 'appropriate matching'.

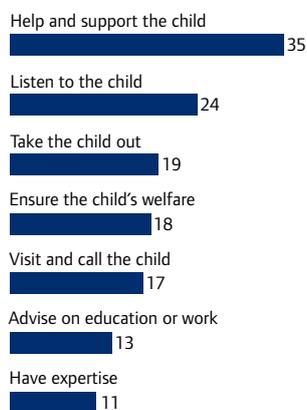
Although the new Act says that councils should always place children in the council's own area 'unless that is not reasonably practicable', the message from children and young people themselves is that **it needs to be made clear in the new Regulations that a child or young person can be placed outside the council's area if it is definitely in that child's best interests, particularly if it helps to keep the child safer**.

Social workers who don't work for councils

The new Act will let councils use social workers from another organisation, who therefore don't work for the council itself. One of our question cards asked children and young people what work they thought these social workers should be allowed to do for children in care. We then asked whether there was any sort of work with children in care that social workers should never be allowed to do if they aren't on the council's own staff. The government can make Regulations about these things. Again, we didn't suggest any possible answers.

We had answers from 119 children and young people about what social workers who don't work for the council should be allowed to do. Children wrote many of the sorts of things that all social workers might do. Here are the seven answers that were each given by at least one in 10 children and young people (numbers are the numbers of children giving each answer):

What social workers who don't work for the council should be allowed to do

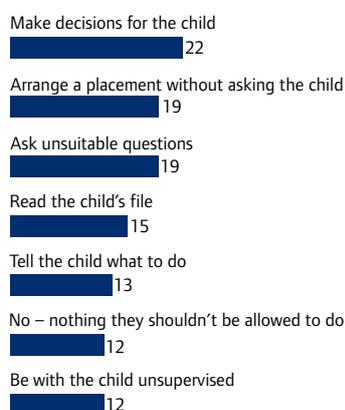


So the children and young people at our conference thought **it would be OK for social workers from a different organisation than the council to support, advise and visit the child, and to check on how they are being looked after.**

The last answer was very different from all the others. Eleven children, putting it in their own different ways, told us that (whatever they actually do for children) **it is important that any social worker who comes from somewhere other than the council has the expertise they need to work with children in care.**

Here are the **seven things that at least one in 10 children and young people told us social workers who aren't on the council's staff should never be allowed to do with children in care.** We had answers about this from 97 children and young people (numbers are the numbers of children giving each answer):

What social workers who don't work for the council should never be allowed to do



Some of these are things that in other consultations children have told us about social workers in general, not just those who don't work for the council. For example, arranging a placement without taking the child's view fully into account is something that has often been raised as an example of bad practice. It is also important to see that 12 children wrote that there is nothing that a social worker from outside the council shouldn't be allowed to do. These children thought they should be allowed to do the same as a social worker who does work for the council.

But the people writing the new Regulations about social workers from outside councils need to think hard about some of the things that the children decided to put on this list. The top two items on the list are very important. We know from other consultations that many children and young people do not want social workers to make decisions for them, but want them to make decisions with them, taking their views properly into account. We also know from our other consultations that decisions about placements are some of the most important of all. The fact that children were concerned enough to put these at the top of this list means that **the new Regulations should especially make sure that non-council social workers do not make important decisions on behalf of a child – especially about their placements – without taking the child's views fully and properly into account every time.**

Two other items on the list need to be thought about for the new Regulations too. Firstly, that 15 children thought that **non-council social workers should not be allowed to read the child's file**, and secondly that 12 children thought that they **should not be allowed to be with children unsupervised**. Even though these are two things that non-council social workers may have to do (and we know from other consultations that children and young people do want social workers to see them alone when they do visits to check that children are OK), the fact that these children have put them on this list means that they are particularly concerned about non-council social workers doing them. **The new Regulations will need to take this concern into account and say how non-council social workers must take care of children's confidentiality and safety** on these points.

There were some differences in concerns between different age groups. Young people in the 12 to 15 and over 15 age groups were more worried than those under 12 were about confidentiality and privacy if they had non-council social workers.

Some quotations from the question cards show concerns from individual children. Some were **concerned about whether having social workers from outside the council might mean they ended up with even more changes of social worker than now**. One wrote: 'They should have to work for the council because it is too easy for them to leave.' One was worried about a non-council social worker speaking to their parents: 'don't want them to talk to my parents'. Some thought that **non-council social workers should not have the power to move children or change their care plans**: 'shouldn't be allowed to move kids'; 'change the plan for the child'.

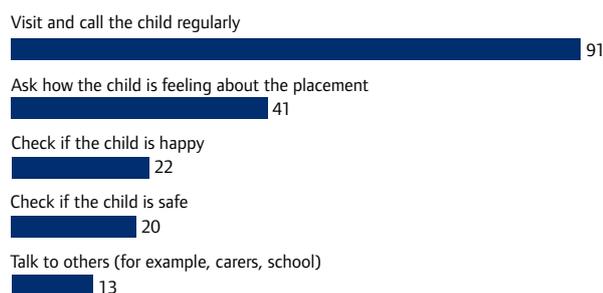


Making placements

There are three things that will need to be put into the future Regulations under the new Act about making placements for children and young people. One is what social workers or people from the council must do to make sure that the child is OK after being placed somewhere. The next is what the council needs to check before it places any child in care back home with their parent. The third is what reasons there would have to be to take a child back from their parent again after the council has placed them back home. We asked each of these questions at our conference, without suggesting any possible answers.

Here are the five top answers to the first of these questions. Each of these came from at least one in 10 children. Altogether, 124 children and young people answered this question (numbers are the numbers of children giving each answer).

How should a council make sure a child is OK after being placed?



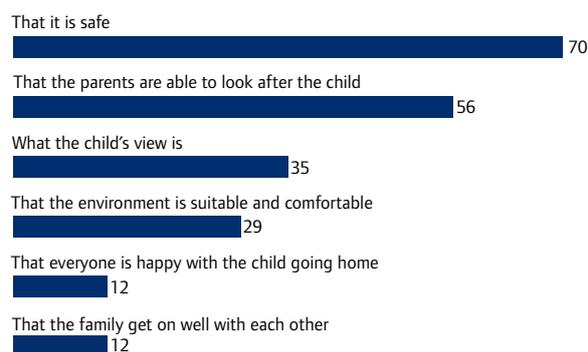
The clear **message for the future Regulations is that social workers or others visiting for the council should keep in contact with each child, both visiting regularly and keeping in touch in other ways, always asking the child themselves whether they are both happy and safe. They should also check with the other services (including the school) that they believe the child is happy and safe in their placement.**

The same thing – regular visits and calls – came top of the list for all groups of children and young people: those aged under 12; those aged 12 to 15; those over 15; from both boys and girls; and from both those in children’s homes and those in foster homes.

One child summed this up for many when they said ‘stay in contact with yp’; another said ‘to find out if he or she is coping with the placement’. Some wrote about how often visits and calls should be. One wrote ‘come and see you at least 1 a month. Phone calls 1 a week’, while another wrote that visits should be even more frequent at first: ‘come and see me every week for a month’. One wrote about how important it is that the child feels free to raise any problems they have in their placement: ‘ensure that they let the young person know that nothing will go wrong if they admit they have a problem’.

A total of 120 told us what they thought a council needs to check before it places any child in care back home with their parent. Here are the top answers, each of which came from at least one in 10 of those who answered the question (numbers are the numbers of children giving each answer):

What does a council need to make sure about before it places a child in care back with their parent?



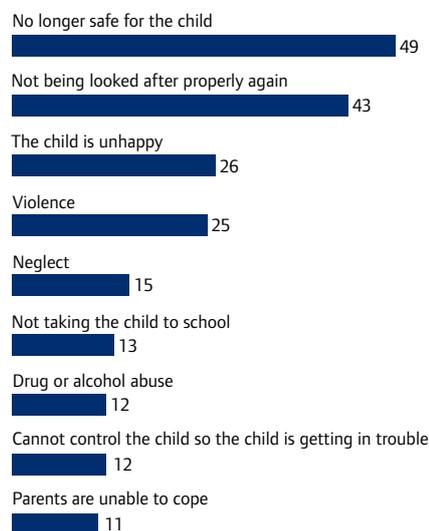
In summary, **children in care want the new Regulations to say that before any child in care is placed back home with their parent, the council is sure that this is safe for the child, that the parents can look after the child properly, and that everyone involved, and especially the child, is happy with the child going home and are likely to get on with each other if this happens.**

All the different groups of children and young people at the conference gave the same top two answers – that going back is safe, and that the parents are able to look after the child, though sometimes these were in a different order.

Children were clear that any reasons for taking the child away in the first place had been sorted out before they were placed back at home: ‘Issues are resolved’; ‘parents clean of things eg drugs, alcohol’; ‘the reasons the child was taken away have been amended’. Councils must make sure that: ‘the parents are reliable’; ‘kids want to’ go back; ‘the house is clean and safe’; and that ‘brothers and sisters are OK with you coming back’.

We had answers from 115 children and young people to the question about what reasons there would have to be for a council to take a child away from their parents a second time, after placing them back home. Here are all the answers that came from at least one in 10 of the people answering this question (numbers are the numbers of children giving each answer):

What reasons would there have to be for taking a child in care away from their parents again, after placing them back home?



This list links very closely to the last one. Children in care should only be placed back with their parents if the council has checked it is safe for them, and that the parents can look after them properly again. **Children should be taken away from their parents again to a different placement if being with their parents is no longer safe, or if their parents are not able to look after them properly again.**

Most of the other answers are about particular things that might make the child unsafe, or show that their parents are no longer able to look after them properly again. The third answer though is something very different; **another reason for taking a child back again from their parents is that the child is not happy living back at home.**

Most of the different groups of children and young people gave the same top two answers, but the child being unhappy at home was the second main reason given by older young people (aged 15 plus) for taking a child from home again, and not taking the child to school came second for foster children.

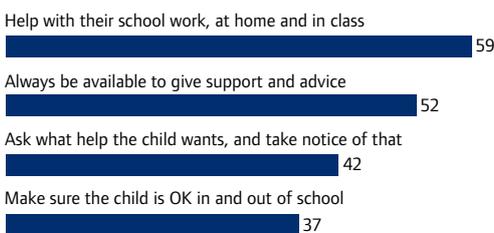
The quotations given by children underline the importance of removing a child again if the placement at home starts to become unsafe or the child is not being looked after properly: ‘if it did not work’; ‘if the parents cock up caring 4 there kids’; ‘things gone wrong’; ‘it may still not be OK’; ‘if they keep on abusing the child’. Some wrote that the child should be taken back and placed somewhere else if the: ‘child wants to leave’; ‘if want to leave then they should’.

Help for children in care at school

The new Act says that every state school must have a member of staff to help children in care to do well in their education. The Government can give guidance about what this special member of staff should do. When we asked children and young people what that person should actually do for the children in care in the school, we had answers from 125 people. As usual, these came straight from the children and young people themselves, without us making any suggestions at all.

Here are the top five answers, each from at least one in 10 people (numbers are the numbers of children giving each answer):

What help should children in care get at school from a person specially appointed to help them?



These are four very different sorts of help that children want to see listed in the Government's guidance. **Children in care in school want help with their school work, but also want someone they can contact at school at any time if they want any sort of support or advice, and who will have the job of making sure that they are OK at school – and even outside it.** It is also important that **the help given is what each child wants, not just the same for everyone, and so the person giving the help needs to check with each child what they want.**

As one child put it, 'Children need somebody to talk to.' Another said, 'Be there 4 us.' Different children in care need different sorts of support: 'help children get over rough patches'; 'help me when I'm feeling sad or angry or upset'; 'make sure they are not getting picked on by other children or teachers'; 'stop people from bullying'. It is important that the person can always be contacted: 'see them whenever you like'.

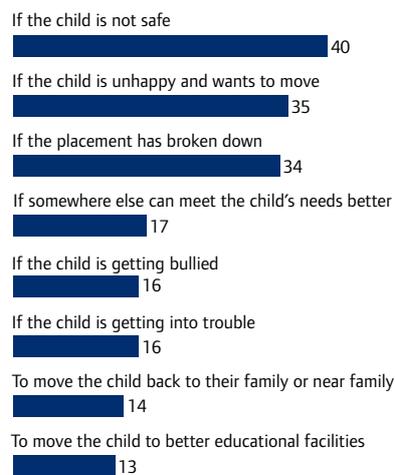
The same top two answers came from boys and girls, and from children in most of our age groups and placements, although again sometimes in the other order. Foster children, though, put asking what each child wants second, between always being there to give advice and support, and helping with school work. Younger children, those aged under 12, put help with school work top, but then put asking what each child wants second, and then put making sure each child is OK third.

When is it OK for someone aged 15 to 16 to change placements?

The Children and Young Persons Act says that the Government can make Regulations about not changing a young person's placement if they are aged around 15 or 16. At that age they will be doing Key Stage 4 at school, and might be studying for examinations. The idea is to make sure that, unless they really have to change placements, their education is not upset at that time.

We asked children and young people what they thought would make it OK, even for a young person aged around 15 or 16, to move to a new placement. We had answers from 111 people, again without making any suggestions ourselves. Here are the answers which each came from at least one in 10 of the children who answered the question (numbers are the numbers of children giving each answer):

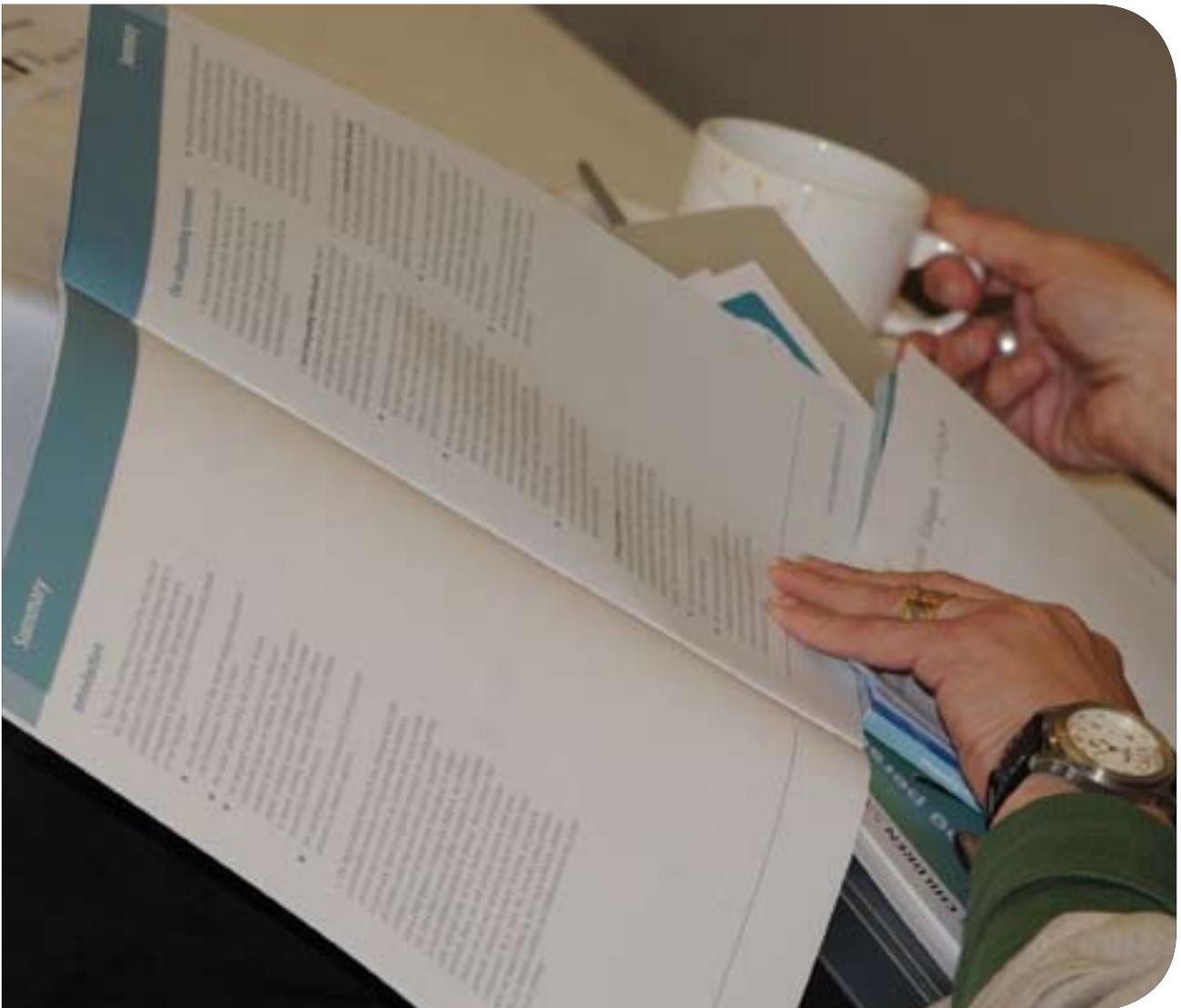
What would make it OK for a young person of 15 or 16 to move to a new placement?



It is very clear that children consider that it can be right for a young person to move to a new placement, even when they are in an examination year at school, if that will make them safer, happier, get them better services, or move them from problems where they are. The Regulations need to cover this.

Some groups put different reasons at the top of their list. Moving if the placement has broken down came top for foster children and for boys. Moving if the child is unhappy and wants to move came top for girls and for younger children, aged under 15.

Some of the reasons for moving placements at 15 or 16 given by children and young people were: 'any child protection arises'; 'if I'm unhappy'; 'if they have social problems'; 'had any big rows/arguments'; or 'for a life away from crime'. Some stressed that **children and young people should not be moved unless there is a good reason for the move**. Two quotations are typical of many: one person said that anyone should be able to move 'if reasonable and sensible', and another said, 'I think anyone can move placement it does not matter about age.'



Independent Reviewing Officers (IROs)

The new Act says that every child in care must have an Independent Reviewing Officer (someone different from their social worker). The new law gives more responsibilities to Independent Reviewing Officers in the future than they have had before. They will have to check that the council is doing what it should be doing for the child, to go to the child's reviews, and to make sure that the council takes proper notice of the child's wishes and feelings.

Extra jobs for Independent Reviewing Officers can be added in the new Regulations. We asked children and young people what other things an Independent Reviewing Officer should have to do for each child in care. We had answers from 119 children. Here are all the answers that came from at least one in 10 of those who answered this question (numbers are the numbers of children giving each answer):

What extra jobs should an Independent Reviewing Officer have to do for each child in care?

Make sure the child's views are being listened to, and do something about it if they aren't
 46

Keep in touch with the child, not just in meetings
 45

Make sure the placement is OK
 22

Make sure the child is happy
 21

Keep in touch with other people working with the child
 16

Make sure there are education and career plans
 16

Make sure that plans, recommendations and decisions are kept to
 13

Meet the child one-to-one
 12

Boys and girls, children and young people of all age groups, and children from children's homes all put the same two things top of the list. Foster children also put making sure the child's views are listened to at the top of their list, but after that they put making sure plans are kept to.

These answers are of two very different sorts. Some are about **particular jobs children want Independent Reviewing Officers to do for them – to make sure that the child's views are being listened to, to do something about it if they are not, and to make sure that the plans and decisions made for the child (including plans for their education and future career) are being kept to.** These are not new extra jobs that children want their Independent Reviewing Officers to do in the future. **They are already in the new Act, they are the basic jobs of Independent Reviewing Officers in the future, and children are here saying that these are the most important jobs to get done.**

Other answers are about exactly **how Independent Reviewing Officers should go about doing their job in the future. They should keep in touch with each child by visits, calls, letters and emails between meetings. When they meet the child they should do this one-to-one so the child can talk freely, and they must keep getting information about whether the child is OK where they are living, and is happy, from both the child and from other people working with the child. These requests from children themselves deserve to be put in the Regulations about how Independent Reviewing Officers should work in the future under the new Act.**

Children wrote about how they wanted their Independent Reviewing Officer to do the job: 'be there for them and take an interest ... otherwise there is no point them being there at all'; 'be there when the child needs you'; 'meet with the child before the meeting to build up a relationship'; 'meet up with the young person outside of the meetings (review meetings) so that the young person gets to know them'. Some wanted them to help **explain things to them when important decisions were made:** 'make sure you understand decision made about you'.

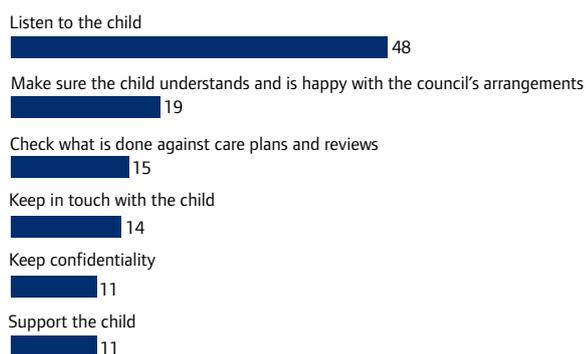
They wrote about keeping in touch: 'they should have to see the young person more than once in 6 months because so much could have happened in those months'; 'make phone calls between meetings to see how we are'. They also wrote about meeting one-to-one with their Independent Reviewing Officer: 'have a private meeting with the child ... because sometime if they just ask you in front of everyone you end up feeling intimidated and you do not talk'.

Some children and young people put the job of the Independent Reviewing Officer in their own words: ‘make sure everyone does what meant to’; ‘make sure the child gets there say’; ‘make sure things get done’.

The new Act also says **there can be Regulations which set the rules for how an Independent Reviewing Officer must do their job. Some of the answers children gave to our last question need to go into those Regulations.**

Here are the answers, from 107 children who answered an extra question about how Independent Reviewing Officers should do their work, each of which came as usual from at least one in ten people (numbers are the numbers of children giving each answer):

What rules should Independent Reviewing Officers have to follow when checking the council is doing what it should for a child and taking proper notice of their wishes and feelings?



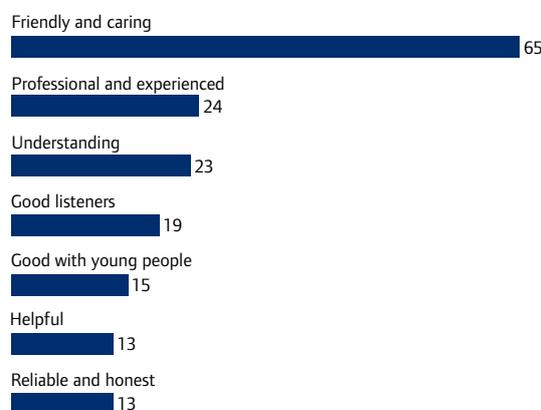
These answers say again how important it is that the **future Regulations for Independent Reviewing Officers must stress that they ask each child and listen to their views on whether they are happy with how things are being done for them, that they should keep in close touch with each child, and that they must keep checking what is happening against the child's plans and review decisions.** One person added a new point – that part of checking what the council is doing should be to ‘**make sure social worker is coming to see us**’.

From their answers to this question, it is clear that **children and young people do see the Independent Reviewing Officer as someone who will have the power to make sure things are done properly:** ‘The IRO has the power to make people listen.’

It was also clear from what children wrote in to us that it is **important that the Independent Reviewing Officer should go with the concerns and views of the child, not their own:** ‘do what the child thinks is best not your opinion’; ‘they should take word for word and not twist what the child is saying’. One wrote that it is also important that the Independent Reviewing Officer **reports back to the child on what is happening:** ‘need to report to me about what is going on with my wishes’.

We asked one final question about Independent Reviewing Officers, for the Regulations about what sorts of people IROs should be. We had 119 answers to this question. Here are the ones that came from at least one in 10 of those 119 people (numbers are the numbers of children giving each answer):

What sorts of people should Independent Reviewing Officers be?



Most of these answers show **the personal qualities that children believe a good Independent Reviewing Officer should have.** It is important, though, that the second answer on the list is about **the need for Independent Reviewing Officers to be professional and experienced people.** This links with the points made on the last question about Independent Reviewing Officers being people who can make things happen and having the power to make people listen.

One young person added the very different point that children and young people should have **some choice in the person who becomes their Independent Reviewing Officer**: 'someone of your own choice'.

Some direct quotes from what children and young people wrote underline what Independent Reviewing Officers should be like.

'The young person can connect with them on a young persons level'

'Good knowledge of your rights'

'Kind hearted and special'

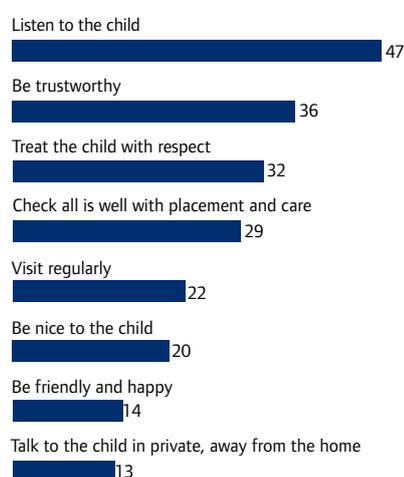
'Someone you know and trust'

'Knows if something isn't right'

Rules for when social workers visit

There will be new Regulations about what social workers (or other people visiting from the council) must do when they visit each child in care to make sure that child is getting the advice or help they need. We asked children and young people what rules those Regulations should set for social workers and other visitors. As always, we did not make any suggestions, and here is the list of all the rules proposed by at least one in 10 of the 126 people who answered this question (numbers are the numbers of children giving each answer):

What rules should there be about social workers visiting children and young people in care?



As with the answers to some other questions, this list is a mixture of the sort of person a social worker should be, and how they must visit. Children want their social workers (or other visitors from the council) to be people they can trust, who are nice, friendly and happy people, and who treat them with respect. Children want the **Regulations to say that social workers or other council visitors must first of all listen to what the child has to say to them, must always check on whether the placement and the care the child is getting are both right for the child, must visit the child regularly, and must talk to the child in private away from the home and their carers so that they can talk freely.** That last point is one that we have already heard about Independent Reviewing Officers, and is therefore something children want from whoever is checking on whether things are all right for them.

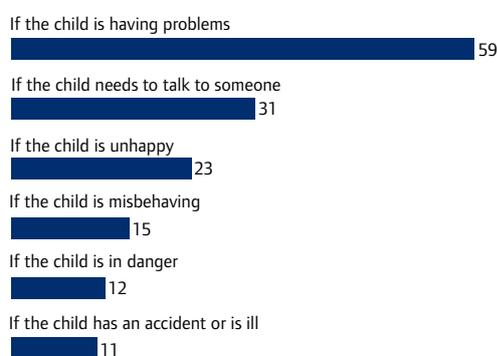
Boys and girls, children from children's homes and foster children, and older children and young people all gave much the same answers about what should be high on the list, except that younger children (aged under 12) were more likely to want their social workers to be friendly and happy people.

One young person summed up the views of many others about the main job of the visiting social worker: 'ask whether they are happy or do they want to be moved'. Many wrote about how important it is that their social worker or other visitor should make them feel able to talk to them, alone whenever they wanted: 'treated the same way as a human being'; 'don't swear'; 'don't shout'; 'don't talk down to us'; 'make me feel comfortable so I can talk to them'; 'no laughing at the yp'; 'listen to what we say more'; 'only make decisions about you after speaking to you'.

Confidentiality is important: 'if the SW is told something by the child ... should not always have to tell foster carer'. Many also wrote about **how important it is that social workers do actually visit on time when they say they will:** 'turn up when they say they are going to'; 'be on time'; 'not to cancel at the last minute'.

We also asked when a social worker or someone else from the council should have to make an extra visit to a child in care. Again, this is something that there will need to be Regulations about. A total of 113 people answered this question, and here are all the answers that came from at least one in 10 of them (numbers are the numbers of children giving each answer):

When should a social worker make an extra visit to a child in care?



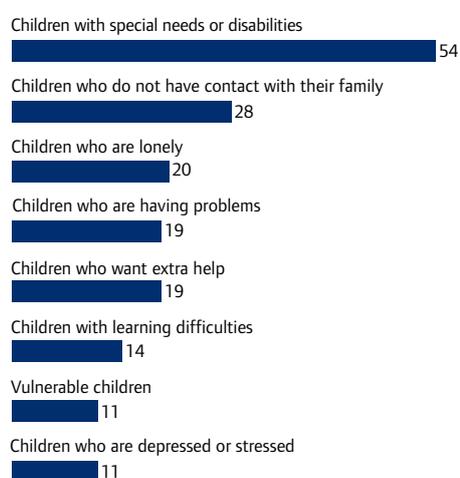
The clear message for the people writing these particular Regulations is that social workers should have to make an extra visit to any child if that child needs their help or there is a possible change in plans – if there are problems, if the child needs to talk, is unhappy, is misbehaving where they are, or is in danger. To do this, children would need to be able to get in touch with their social worker easily between regular visits if they were unhappy or wanted to talk to them. They should also have to visit if something major has happened, like a serious illness or accident.

Other people gave other examples of what might be a big enough event to mean the social worker should visit. Some of these examples were: 'if something big has happened in the child's birth family'; 'if there are changes coming up which affect the child'; 'before the child's review'; or 'if there is a complaint to sort out'. Other examples children and young people wrote to us were: 'if difficulties have occurred in placement'; 'if someone have lots of problems in their foster home'; 'if the child is under stress or depressed and might cause harm to him/herself or others'; 'if they are being bullied'; 'if they have an argument with a carer'. One spoke for many others when they said a social worker should always visit 'when you are struggling and need help'.

Independent visitors

The new law says that councils should arrange for an extra person to visit some children in care, as well as their social worker and apart from their Independent Reviewing Officer, to be their personal friend and adviser. We asked children who they thought should have an extra visitor as a friend and adviser. We had answers from 112 people, and here are the answers that came back from at least one in 10 of them (numbers are the numbers of children giving each answer):

Which children should have an independent visitor as their personal friend and adviser?



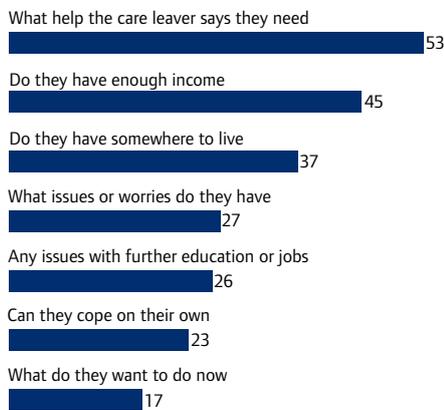
This is a very **definite list to pass on to the people writing the new Regulations. Children thought that ‘somebody who don’t have anyone else’ or ‘children who have no family’ needed an extra visitor, as did ‘ones living under a lot of pressure’ and ‘sad, depressed lonely kids’.** One of the people who said that children who want extra help should be able to have an extra visitor wrote: **‘If the young person says they want an extra worker they should get one.’**

Different age groups, girls and boys, and children in foster care all put children with special needs or disabilities at the top of the list of people who should have an extra visitor, but children living in children’s homes put children who do not have contact with their family at the top, followed very closely by those with special needs or a disability. Children and young people who told us they had a disability themselves also put children with special needs and disabilities top of the list, followed by those who do not have contact with their family.

Helping care leavers

The new Act says that councils must find out what sort of help care leavers need. The Government can make Regulations setting out the rules for this. Our last question was to find out what young people thought councils should ask about each care leaver in order to make sure they get the right help. We had answers to this question from 118 children and young people, and here are the answers that each came from at least one in 10 of them (numbers are the numbers of children giving each answer):

What should councils ask about each care leaver to make sure they get the right help?



This list too gives very clear messages from young people about what should go in the future Regulations. **Children and young people want these Regulations, as with other Regulations, to say that they should themselves be asked about their concerns and what they need, and what they want to happen in their future. They also want the Regulations to make sure that care leavers' needs for education or work, money and accommodation, are assessed, along with the bigger question of whether the care leaver is generally able to cope on their own.**

This time there were some differences between groups of children and young people. The older age group, aged over 15 and therefore nearer to leaving care themselves, were far more concerned about care leavers being able to cope on their own, and put this top of their list of what councils should assess. Children living in children's homes also put checking that care leavers can cope on their own higher on their list than others. For foster children, checking that care leavers had somewhere to live came top of the list.

Many young people wrote about the need for councils to be sure that care leavers can cope on their own: 'are you ready to live in the BIG WORLD'; 'do they feel able to look after themselves'; 'do you feel ready to leave care'; 'if they are able to look after themselves decently'; 'if the young person can cope with the life alone'.

Appendix

What children and young people thought about how we consulted them for this report

It is very important that I and my team consult children and young people well, according to the children and young people themselves. So we gave out forms to the children and young people who came to the conference, asking them what they thought of the way we had consulted them. Altogether, 25 children and young people sent these forms back to tell us what they thought of the conference itself.

The venue

All but one (24 children) said the venue (the National Space Centre) was 'good' or 'very good' (the other one said it was just 'OK'). It was liked because it was educational, somewhere they could learn new things: 'because we learnt a lot about space we didn't already know'; 'because it had a lot of information on different things'; 'Good stuff to learn'. Some liked being at an event which was just for people in care: 'I enjoyed the whole day because it was fun to be around other people in care to make you more comfortable and not the odd one out.'

Filling in question cards

Fourteen of the 25 thought filling in their views on our sets of question cards was 'good' or 'very good'. Seven thought it was 'OK', three that it was 'poor' and one that it was 'very poor'. Sixteen thought the idea of handing in their completed cards to us at 'bases' around the Space Centre was 'good' or 'very good'; the other eight thought it was 'OK'. Twenty-two thought getting vouchers in return for giving their views was 'good' or 'very good'.

We knew that asking children about future rules and Regulations was a difficult subject, and two children wrote that they found the questions hard. Another wrote that they liked this, because it: 'made the young people think'. Some wrote about why they liked handing their cards in to our 'bases' in different parts of the Space Centre: 'explored the space centre as you went around the bases', 'the volunteers interacted well with the yp and listened to them'. One liked filling in and handing in the cards 'because it got us thinking and moving'.

Electronic voting

This was the first time we had used electronic voting pads for children and young people to give their views together in a consultation. We did this in the Planetarium at the Space Centre, putting questions on the huge wraparound screen so that each person could enter their answer by pressing a button on a hand held electronic voting pad. The votes were then projected on to the screen for everyone to see. The voting session was followed by an exciting educational space video with special 3D effects.

Twenty-four people gave their views about this new way of feeding in their views. Nineteen said it was 'good' or 'very good' (13 of those said 'very good'), three that it was 'OK', and two that it was 'poor' or 'very poor'.

People gave three main reasons for liking the electronic voting. Firstly, it was easy to do and you didn't have to write anything down: 'It was easy way of answering'; 'because its an easier and more accurate way of getting to know what we thought'. Secondly, it was confidential and nobody could see how you were voting: 'because you have your privacy and don't have to tell anybody your answer'; 'because we got to choose by ourselves without being seen what we chose'. Thirdly, electronic voting was seen as a way of us getting very clear children's views to send straight to the Government: 'because all of our votes went straight to government and they know what we like and don't and also what we want whilst we are in care'. One person summed up their view as: 'I like the movie – having my say about things – our views are very important'.

The people who thought the voting idea was 'poor' or 'very poor' said that they found the questions hard, and one that they had just tried 'pressing all the buttons'.

Making consultation events better

We asked for ideas to make our future consultation events better. Apart from two comments that 'nothing' needed to be done better in the future, the full list of suggestions was: having a more exciting space film; having more information about space; having more consultation events and using different sorts of venues; having more activities at events; being able to bring friends to events; having easier questions; giving gifts like iPods rather than vouchers; having more time to spend at events; having celebrities present; and having better choices of food.

Staff of the Children's Rights Director

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