

### **“The Gap between Legislation and Practice”.**

Foster Support represent and support foster carers around the UK. It is clear to us from our research and extensive experience that the crisis for our most vulnerable children growing up in care can be reversed. Using targeted intervention and taking appropriate (yet achievable) steps to improve foster carer retention, the burdens faced by local authorities can be eased. Ensuring the duty of care required to protect and nurture our most vulnerable children is upheld to the highest of standards.

The purpose of this report, voiced by Foster Carers around the country, is to highlight and help resolve key components from the National Minimum Standards and legislation which are sometimes not robustly adhered to by Local Authorities. This was openly acknowledged by the Children’s Minister, Vicky Ford MP in an email to our director on (17/9/20) wherein she stated “there is often a gap between legislation and practice that you have pointed out”.

Foster Support has tangible evidence which indicates Foster Carers are subjected to baseless and unexpected allegations when the following issues are raised with an authority:

- **Concerns about poor practice: misconduct and/or gross misconduct**
- **Advocate for the child by challenging the ‘standard of duty and care’**
- **Whistle blow**
- **Announce an intention to transfer to another fostering service provider.**

The lack of regard for National Minimum Standards for Fostering creates an unfair and unjust treatment towards Foster Carers, impacting greatly on the stable and nurturing environment every child has the right to experience.

Our aims and objectives of this report are simple and endeavour to create the following opportunities for everyone:

- **An end to blacklisting**
- **Fairer treatment**
- **Compliance with legislation**
- **Accountability**
- **Children’s voices heard.**

## Profit above Provision..?

The Children’s Commissioner for England, Anne Longfield, has published a set of reports on residential children’s care which have confirmed what we already know:

- **The system is broken.**
- **Vast sums of money are being wasted.**
- **Children are being let down all over the country. Every day.**
- **The system is standing on the ‘edge of a precipice’**

In a report published in the guardian (Nov 2020), Longfield has been quoted to say “The truth is while the state can be a great parent, it can also be a really bad one. In fact, sometimes so negligent that it would risk having its children taken into care if it was an actual parent.”

The table below portrays some of Longfield’s shocking findings. Longfield states the number of children in homes provided by the private sector has grown by almost a half (42 per cent) between 2011 and 2019, while council run provision has declined. She continues to highlight that care firms are charging fees with 17 percent profit margins, equating to a charge of £200 million pounds a year!

Findings from the Children’s Commissioner’s reports	Further Context	Source
<b>12800</b> children placed in unregulated homes.	Many of these private providers are owned by private equity firms with high levels of debt, sparking fears from Longfield around their long-term stability.	CYPNOW
<b>8,098</b> children were placed in three different homes	Longfield found that these rates had “generally not improved” over the last five years.	<a href="https://www.cypnow.co.uk/news/article/c-hildren-s-commissioner-broken-residential-care-system-failing-vulnerable-children?fbclid=IwAR2-Qx6FO09PYLr1TgWqHkeUeaXD6AGzxLpsMUbQqRsslj3kgXhL-e1JXT4">https://www.cypnow.co.uk/news/article/c-hildren-s-commissioner-broken-residential-care-system-failing-vulnerable-children?fbclid=IwAR2-Qx6FO09PYLr1TgWqHkeUeaXD6AGzxLpsMUbQqRsslj3kgXhL-e1JXT4</a>
Lack of secure children’s home places for <b>200</b> young people in need of specialist support.		
<b>One in 10</b> children moved home at last twice in 2018/19; One in four moved home at least twice in two years.		
Around <b>one in ten (11 per cent)</b> of children had to change school in 2019.		Published from the fourth annual study: Instability of Children in Residential Care (2020 Stability Index)
<b>6,5000</b> children in care had lived in three or more homes over two years	Older children are most likely to face instability, especially those aged between 12 and 15 years old. One in five of this group moved home two or more times in 2018/19.	

The Children's Commissioner's report underlined that the cost to public money for unregulated provision fell at £200 million pounds a year. Reviewing analysis into the 'Unit Costs of Health and Social Care', conducted by the Personal Social Services Research Unit (PSSRU), on average it costs the following to use the provision of foster care:

**£621 per child per week**

*This figure excludes social care support directly related to fostered children but including additional educational services.*

If we compare the above figure with the funds allocated for unregulated placements (£200 million), authorities would be able to use the services of an additional 6193 foster carers, which would absorb the need for unregulated provision for the 12800 children in these placements (based upon a foster care placement for two children).

However, the thirst for profit does not solely lie at the voluntary or private sector homes for children, where establishment (only) costs fall at £ 3, 582 per resident each week (Source: Unit costs of H&SC 2019 PSSRU), compared to the £621 per child per week using foster carers. A Review for the Department for Education by Sir Martin Narey and Mark Owers (Feb 2018), stated in the last 5 years, larger IFS's (Independent Fostering Services) have grown on average by 7.7% per year. This growth is significantly higher than the overall growth in the numbers of children being fostered. Which over an equivalent period has grown annually by 1%.

Reviewing 53 Local Authorities the fees paid to IFA's ranged between the following:

Local Authority Fees Paid to IFA's	
Child Age Group	Cost per Week (£)
> 4	668 - 776
11 - 15	822 - 988

## The 'Ever Revolving Door' of Foster Carers.

Despite some foster carers being openly acknowledged for their excellent levels of care, Foster Support's evidence shows these foster carers have been bullied out of fostering by their authority. Our research shows that 55.7 percent of our foster carer members have been subject to one or more allegations, and 85.1 percent felt they were unfairly treated during this process.

Unlike any other role, where leaving on 'poor terms' does not prevent you from obtaining a similar job elsewhere, it is practically impossible to continue fostering if a service seeks to tarnish reputations. This is black listing and this leads to an 'ever revolving door' of foster carers, constant expensive recruitment drives, a sufficiency crisis and a workforce which is often lacking in the higher level training and experience needed to meet the needs of the traumatised children coming into care. Resulting in children being placed far from home in costly unregulated placements and their needs being failed.

Foster Support have gained priority access to significant data, conducted by a high profiling journalist, which uncovers the significant number of foster carer deregistration in the last year, which were not linked with transfers to other agencies. The number is comparable to the funds required to allocate unregulated provision for our most vulnerable children. Due to confidentiality clauses we are unable to share this data as of yet but it will be presented to the public domain in conjunction with a major news channel the near future.

National Minimum Standards (NMS) are designed to be:

- **Applicable to the wide variety of different types of fostering service.**  
*They aim to enable, rather than prevent, individual providers to develop their own particular ethos and approach based on evidence that this is the most appropriate way to meet the child's needs. Many providers will aspire to exceed these standards and develop their service in order to achieve excellence.*
- **Issued for use by Ofsted**  
*Ofsted should take standards into account in the inspection of fostering services but these are not necessarily embedded fully into their framework, and there is evidence which suggest authorities are not challenged to account.*
- **Used by providers and staff in self-assessment of their services**  
*Standards can provide a basis for the induction and training of staff and carers; they can be used by parents, children and young people as a guide to what they should expect a fostering service to provide and to do as a minimum; and they can provide guidance on what is required when setting up a fostering service."*

It is important to highlight that National Minimum Standards are stated to be "issued for use by Ofsted who take them into account in the inspection of fostering services." At Foster Support, we feel that there needs to be a greater onus for the inspection to include compliance with the above standards, in addition to a new recognition of foster carers as knowledgeable individuals permitted to whistle blow to Ofsted. This is not currently the case and foster carers who attempt to report valid and serious concerns to Ofsted are told that "members of the public cannot raise concerns directly with Ofsted and they will not investigate".

## The Amendments for Positive Change.

In recent years the crisis in children's social care and poor treatment of foster carers have gained increased media and parliamentary attention and some very sweeping suggestions for change have been proposed including: worker's status; a central register or a central licensing body. Foster Support have identified that there are a number of smaller, targeted changes, aimed at improving accountability and oversight in the National Minimum Standards.

Ensuring fairer treatment could achieve most of the aims of larger more sweeping proposals for change. This entails amending sections of National Minimum Standards for fostering which can be actioned by the appropriate Minister in accordance with;

Section 23 (2) of the Care Standards Act 2000;

*"The appropriate Minister shall keep the standards set out in the statements under review and may publish amended statements whenever he considers it appropriate to do so."*

Foster Support are seeking to secure a number of amendments to National Minimum Standards to bring in real accountability and new protections for children. These amendments will ensure that children's voices are heard and their wishes considered when decisions are being made on their behalf.

It is documented that standards are applicable to fostering services. Where a standard places an expectation on a foster carer, this should be interpreted as an expectation on their fostering service to support the foster carer to meet the standard. This "support" is often lacking between the authority and foster carer.

Using the National Minimum Standards (NMS) applicable to the provision of fostering service, Foster Support have witnessed how the values statement (which explains the important principles which underpin these standards) have been invariably ignored and abused by some local authorities and IFAs across the country. Below highlights the 'values' which can be consistently ignored using the results found by the Nationwide Association of Fostering Providers (NAFP) 'Placement Disruption Report', conducted in May 2015.

The Nationwide Association of Fostering Providers (NAFP) is the not for profit organisation that campaigns for independent and voluntary sector fostering providers (IFPs), and the children they care for. Over the last several years, members of NAFP have reported cases where, on the face of it, stable placements for children are being disrupted (or that disruption is threatened) for reasons which are not to do with promoting the welfare of the child but appear to be to do with cost saving. NAFP have been in contact with the Offices of the Children's Commissioners for England and for Wales. They were advised by these offices that, while they are not currently able to share case material with us, cases of this nature are well known to their advice services and form a significant part of their caseloads. In June 2014, NAFP launched a survey to examine the issue. Our support team deal with distraught foster carers losing heartbroken foster children on a regular basis.

**National Minimum Standards (NMS) applicable to the provision of fostering services:  
‘Values’ which are *sometimes* ignored and abused by *Fostering Service Providers***

Each child should be valued as an individual and given personalised support in line with their individual needs and background in order to develop their identity, self-confidence and self-worth.

The particular needs of disabled children and children with complex needs will be fully recognised and taken into account

Children in foster care deserve to be treated as a good parent would treat their own children and to have the opportunity for as full an experience of family life and childhood as possible, without unnecessary restrictions.

The central importance of the child’s relationship with their foster carer should be acknowledged and foster carers should be recognised as core members of the team working with the child.

Foster carers have a right to full information about the child.

It is essential that foster carers receive relevant support services and development opportunities in order to provide the best care for children.

Genuine partnership between all those involved in fostering children is essential for the NMS to deliver the best outcomes for children; this includes the Government, local government, other statutory agencies, fostering service providers and foster carers.

**Supporting Evidence:**

Nationwide Association of Fostering Providers (NAFP) ‘Placement Disruption Report’ conducted in May 2015

Three cases highlighted settled children who had made good attachments were moved to in-house placements.

NAFP were told in the various cases:

- “there was no justification except it was cheaper”
- “the child was extremely traumatised, and had no time to prepare... it was horrific for us all”
- “...the social worker and IRO deemed the placement too expensive, and informed the young person of this...the young person was devastated”

A case highlighted a local authority was pressing a foster family to seek a Special Guardianship Order (SGO) for a child (who was settled with a loving family), or otherwise they would place her for adoption. The intervention of the Ombudsman prevented the move and enabled the child to stay with the carers.

In one of the cases NAFP were told:

- “ the LA said he needed the stability and permanence of an SGO” but
- “the child had spent a third of his life (2 years) with us, and thinks of us as his family”.
- He says “he wishes I was his real mummy and he could stay with me forever”
- The carer said “... if they can guarantee the same package as my IFA I will take on SG, but.... I will lose out on training, support, respite ...from my agency”

In the other case NAFP were told:

- “the carers have been told to take an SGO... or adopt them” If they don’t, “the children may have to be moved to in house foster carers”

The abuse and ignorance to National Minimum Standards does not solely fall on values. It also extends to additional standards but with particular neglect towards Standard 22. This standard is one of the **most ignored and abused standards in the statutory framework** leading to some shocking examples of bad practice and injustice, and is one of the biggest drivers for the loss of experienced foster carers. This loss is extremely costly as children are placed in unregulated placements, receiving dubious levels of care and support costing thousands of pounds per week due to a shortage of foster carers.

The following tables highlight the standards flagrantly disregarded (but not exhaustive) by some local authorities and IFAs. The information is evidenced based by Foster Support's extensive research, derived from many foster carers across the country, and accompanied by suggestions to amend the National Minimum Standards framework to close any gaps for a fairer standards framework and infrastructure.

National Minimum Standard: Breaches to Standard 11		
<b>Preparation for a Placement</b>		
Children are welcomed into the foster home and leave the foster home in a planned and sensitive manner which makes them feel loved and valued. Children feel part of the family. They are not treated differently to the foster carer's own children living in the household. The child's needs are met and they benefit from a stable placement.		
NMS	Foster Support Evidence	Our Recommendations with the amendments to NMS wording
11.5) Where children are leaving the foster family, they are helped to understand the reasons why they are leaving. Children are supported during the transition to their new placement, to independent living or to their parental home.	NAPF have provide their own evidence as detailed above and the Children's Commissioner has also stated that it is an area of concern.  Our own research and experience in supporting foster carers confirms that looked after children are moved without just cause and without notice causing lasting trauma and emotional harm.	Where a decision is made to move a child in circumstances where the child is not considered at serious risk of harm, an independent advocate is automatically allocated who will actively offer advocacy support to the young person.

**National Minimum Standard: Breaches to Standard 12**

**Promoting independence and moves to adulthood and leaving care**

Children are prepared for, and supported into, adulthood so that they can reach their potential and achieve economic wellbeing.

<b>NMS</b>	<b>Foster Support Evidence</b>	<b>Our Recommendations with the amendments to NMS wording</b>
<p>12.2) Foster carers contribute to the development of each child’s care plan, in collaboration with the child, including the pathway plan for an “eligible” child, and work collaboratively with the young person’s social worker or personal adviser in implementing the plan.</p> <p>12.3) The fostering service ensures there are comprehensive arrangements for preparing and supporting young people to make the transition to independence. This includes appropriate training and support to foster carers caring for young people who are approaching adulthood. Arrangements are consistent with the young person’s care plan, including their placement plan, pathway plan and transition plan for children with disabilities and special educational needs</p>	<p>Our members have informed us of many occasions where their young people feel pressured, ignored and unfairly forced into decisions which they do not accept.</p> <p>Disabled children are not always referred to the correct team and appropriate transition care planning for the foster child, including the foster carer, is not carried out within correct time frames.</p>	<p>The voice of the young person to be fully evidenced in the pathway plan, especially when they indicate their reluctance to agree to proposed steps.</p> <p>Reasons for ignoring the young person’s wishes must be fully explained, justified and documented.</p> <p>Transition planning in accordance with the Care Act 2014 to be undertaken in a timely manner for all looked after children identified as having additional needs.</p>



**National Minimum Standard: Breaches to Standard 15**

**Matching the child with a placement that meets their assessed needs**

The responsible authority has information and support from the fostering service which it needs to facilitate an appropriate match between the carer and child, capable of meeting the child's needs and consistent with the wishes and feelings of the child, so maximising the likelihood of a stable placement.

NMS	Foster Support Evidence	Our Recommendations with the amendments to NMS wording
<p>15.2) Prior to the placement of each child, the foster carer is provided with all the information held by the fostering service that they need to carry out their role effectively. The information is provided in a clear, comprehensive written form and includes the support that will be available to the foster carer. The fostering service follows up with the responsible authority any gaps in the information provided to them on the child or the child's family, which may hinder the foster carer in providing a safe caring environment that meets the child's needs and enables them to keep the child, other children in the fostering household and the foster carer him/herself safe.</p> <p>15.3) Once placed, a child is not removed from a foster carer who is willing and able to continue caring for the child, unless that is in their best interests, taking the child's current wishes and feelings into account, and decided (other than in an emergency) through the child's care planning process. If a placement move occurs in an emergency the fostering service informs the responsible authority within one working day.</p>	<p>Many foster carers have been forced to offer 'emergency' placement despite not being 'emergency carers', whilst others have offered placement based on factually inaccurate and misleading information provided by the fostering service. This not only caused risk to the foster carers but also to the child and other children in the household as well.</p> <p>This is not adhered to as detailed in NMS 11.5 above</p>	<p>Each foster carer is provided with all necessary information available to the fostering service about a child's circumstances, including any significant recent events, to help the foster carer understand and predict the child's needs and behaviours and support the child within their household.</p> <p>The fostering service provides a written declaration about the information shared to the foster carer to enable the carer(s) to make an informed judgement to offer placement.</p> <p>A robust and independent recording system to review sudden and unannounced placement moves and "active advocacy" as detailed in 11.5</p>

**National Minimum Standard: Breaches to Standard 21**

**Supervision and support of foster carers**

Foster carers receive the support and supervision they need in order to care properly for children placed with them.

<b>NMS</b>	<b>Foster Support Evidence</b>	<b>Our Recommendations with the amendments to NMS wording</b>
<p>21.5) Foster carers are provided with breaks from caring as appropriate. These are planned to take account of the needs of any children placed.</p>	<p>Some foster carers, after a difficult and challenging placement, have requested a period of time to rest and reflect before embarking upon a new child placement. Some authorities have denied the foster carer any type of respite, and in some cases have deregistered a carer due to them requiring a period of rest.</p> <p>There are no laws that deal specifically with taking a career break – it is only an agreement between the employer and the employee but we need to be mindful that foster carers are classed as self-employed.</p>	<p>A foster carer can apply for an “On Hold” fostering status within their fostering agency, allowing the carer(s) an agreed period of time to not provide a fostering placement. The following must be considered for when applying for the “On Hold” status:</p> <ul style="list-style-type: none"> <li>• Eligibility and notice periods</li> <li>• How to apply and how long is allowed</li> <li>• Arrangements to return to fostering after the “On Hold” period of time but these agreements are not legally binding.</li> </ul>

**National Minimum Standard: Breaches to Standard 22**

**Handling allegations and suspicions of harm**

Allegations and suspicions of harm are handled in a way that provides effective protection and support for children and the person making the allegation, and at the same time supports the person who is the subject of the allegation.

NMS	Foster Support Evidence	Our Recommendations with the amendments to NMS wording
<p>22.8) As soon as possible after an investigation into a foster carer is concluded, their approval as suitable to foster is reviewed. There is a clear policy framework which outlines the circumstances in which a foster carer should be removed as one of the fostering service provider’s approved foster carers, in the interests of the safety or welfare of children. This is available to foster carers.</p>	<p>Policies are not standard practice and the “review” frequently looks to find fault even after and unfounded/unsubstantiated outcome.</p> <p>Internal failings are invariably not acknowledged and all fault sits with the foster carer.</p> <p>Foster Support’s data shows 75.7 percent of foster carers think that compulsory mediation would be helpful when relationships falter between foster carers and their fostering service provider?</p>	<p>A national policy framework to be established and followed. Where there is a breakdown in the relationship between a foster carer and the fostering service the fostering service <u>must not</u> use this as a grounds to deregister the foster carer and they must enter into compulsory mediation.</p> <p>When a foster carer seeks to move fostering service provider and this move is blocked, the same compulsory mediation service must carry out an investigation into potential backlisting.</p>
<p>22.9) Investigations into allegations or suspicions of harm are handled fairly, quickly, and consistently in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation. Fostering services follow the framework for managing cases of allegations of abuse against people who work with children as set out in Working Together to Safeguard Children.</p>	<p>Evidence gathered shows a lack of compliance with this section; some investigations last years and are extremely unfair. We are able to provide case studies.</p> <p>Foster Support’s data shows 55.7 percent of foster carers have been subject to one or more allegations, where 85.1 per cent of foster carers felt that they were not treated fairly during this process.</p>	<p>Where consideration is being given to removing a child, an independent children’s advocate must be appointed to support the child and ensure that their voice is heard. This <u>must be</u> a compulsory appointment and the advocate must make contact with the child to offer their support in the same manner as after a ‘missing from care’ incident.</p>
<p>22.10) Fostering services ensure that a clear distinction is made between investigation into allegations of harm and discussions over standards of care. Investigations which find no evidence of harm should not become procedures looking into poor standards of care - these should be treated separately.</p>	<p>This section is completely ignored and unfounded/unsubstantiated allegations invariably turn into a standards of care “fault finding “expedition.</p> <p>We can provide case studies.</p>	<p>Panel, the Agency Decision Maker and Independent Reviewing Mechanism can only hear and decide upon the allegations of harm investigation and additional procedures looking into standards of care <u>cannot</u> be addressed in the same review.</p>

**National Minimum Standard: Breaches to Standard 22**

**Handling allegations and suspicions of harm**

Allegations and suspicions of harm are handled in a way that provides effective protection and support for children and the person making the allegation, and at the same time supports the person who is the subject of the allegation.

NMS	Foster Support Evidence	Our Recommendations with the amendments to NMS wording
<p>22.11) There is written guidance for foster carers and staff, which makes clear how they will be supported during an investigation into an allegation including payment of allowance and any fee to foster carers while investigations are ongoing.</p>	<p>Evidence illustrates minimum compliance with this section.</p>	<p>Clear written guidance, outlining how the foster carer will be supported during an investigation into an allegation, <u>must be</u> given to the foster carer as soon as an allegation is made.</p>
<p>22.12) During an investigation the fostering service makes support, which is independent of the fostering service, available to the person subject to the allegation and, where this is a foster carer, to their household, in order to provide:</p> <ul style="list-style-type: none"> <li>a. information and advice about the process;</li> <li>b. emotional support; and,</li> <li>c. if needed, mediation between the foster carer and the fostering service and/or advocacy (including attendance at meetings and panel hearings).</li> </ul>	<p>This section is widely ignored and misinterpreted. “Advocacy” is not permitted only silent “impartial” support and “independent of the fostering service” is usually restricted to “independent” support chosen and funded by the fostering service. This is a clear conflict of interest, as the ‘paid advocacy’ invariably do not wish to upset their “paymaster”. This is extremely unfair and leads to abuse of process.</p> <p>Recently, a decision was upheld by the Local Government and Social Care Ombudsman (13/08/20) against Wirral Metropolitan Borough Council, regarding them failing to inform a foster carer about allegations made against them, alongside the council failing to allow the foster carer to respond.</p>	<p>Fostering service providers <u>must allow</u> “advocacy” in accordance with NMS 22.12</p> <p>Foster carers are free to <u>choose</u> their own independent support and <u>must not</u> be forced to use organisations funded by their fostering service providers.</p> <p>Fostering service providers <u>must be</u> mindful of the conflict of interests which arises from their contractual arrangements with “independent support services” and <u>cannot</u> prevent a foster carer from using their own independent support service.</p>

**National Minimum Standard: Breaches to Standard 26**

**Records**

Records are clear, up to date, stored securely and contribute to an understanding of the child's life.

<b>NMS</b>	<b>Foster Support Evidence</b>	<b>Our Recommendations with the amendments to NMS wording</b>
<p>26.3) Children and their parents understand the nature of records maintained and how to access them.</p> <p>26.4) Information about individual children is kept confidential and only shared with those who have a legitimate and current need to know the information, and to those parts of a child's record or other information that they need to know.</p> <p>26.5) Entries in records, decisions and reasons for them, are legible, clearly expressed, non-stigmatising, distinguish between fact, opinion and third party information and are signed and dated.</p> <p>26.6) Information about the child is recorded clearly and in a way which will be helpful to the child when they access their files now or in the future. Children are actively encouraged to read their files, other than necessarily confidential or third party information, and to correct errors and add personal statements.</p>	<p>Many foster carers have been subjected to report writing which does not distinguish between fact, opinion and third party.</p> <p>Through the use of a 'Subject Access Request' (SAR) under Article 16 GDPR, these reports were found to be withheld from foster carer's knowledge (no date) and lacked any validation of accuracy (signature) from the foster carer.</p>	<p>These sections (26.3; 26.4; 26.5; 26.6) <u>should</u> cover foster carers, and requests for data rectification under Article 16 GDPR, are correctly compiled within a timely manner.</p> <p>Foster carers' personal health and medical records are securely stored and kept highly confidential. Access is restricted and information is only shared with those who have a legitimate need to know.</p>
<p>26.9) When a foster carer seeks to move to a new provider, the new provider seeks information from the previous provider about the prospective foster carer, and the previous provider complies with such a request within one month of receipt of the written request.</p>	<p>Foster carers who have an intent to transfer to an alternative fostering agency have experienced either refusal or significant delays obtaining their Form F.</p> <p>A large number of foster carers have also been subjected to allegations after they have raised an intent to transfer.</p>	<p>Form F to be provided to the foster carer and new provider with a 14 days of request.</p> <p>Where a foster carer is refused a transfer to another provider and unable to continue fostering they have a right to request an investigation into blacklisting.</p>

## Stepping Away From the 'Cliff Edge'

The acknowledgement by the Children's Minister, Vicky Ford MP, wherein she stated "there is often a gap between legislation and practice", cannot be ignored any longer. The increasing use of unregulated provision for our most vulnerable children (12800), and the epic burden this imposes on public money (£200M), emphasises a crisis happening with the supply and demand of experienced foster carers.

Foster carers do not have worker status, and so do not have the protection of employment law. Authorities can use and dispose of foster carers services without question or consequence, leaving the care system on whole failing to effectively support the basic human needs of a child. Foster Support's evidence proves that highly qualified and knowledgeable foster carers are being 'dissolved from the system' due to gaps in National Minimum Standards. These 'loopholes' allow authorities to be unaccountable for their actions when they neglect to follow policy, procedure and/or legislation. Any foster carer who has challenged such abuse of power have faced dire consequences ranging from false allegations through to deregistration. This creates a fostering 'cliff edge', created by the relationship breakdown between the service and foster carer, where the continuation of skilled carers becomes highly improbable. In the end, these outcomes only generate additional trauma for our most vulnerable children with yet another missed opportunity to experience a family life.

If our children are failed then our future as a society will fail. The Small changes to the National Minimum Standards which Foster Support have outlined within this report (alongside an agreement with the appropriate Minister in accordance with Section 23 (2) of the Care Standards Act 2000), will make a significant and optimistic step forward. It will not only reduce the haemorrhage of public money to profit making (unregulated) organisations, but encourage the growth, security and stability of the country's fostering resource. Making positive impact on the lives of our children. Our future.