

Joint Committee
on Human Rights

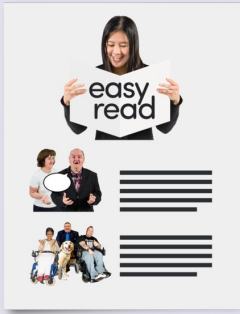


The rights of children in social care

Our report



Easy read booklet



This is an Easy Read version of some information. It has words and pictures.



You might want help to read this booklet. You can ask someone to help you.

words

Some words are **black and bold**. This means we think they are difficult words.



Black and bold words are thicker and darker. We explain what they mean in a box like this.

The pictures are from Photosymbols.

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Who we are and what we do

Joint Committee
on Human Rights



We are the **Joint Committee on Human Rights** for the **House of Lords** and the **House of Commons**.

The House of Lords and the House of Commons are called **Parliament**.



Our committee makes sure the **Government** think about and protects everyone's **human rights**.



The **Government** decides how to run the country.



Human rights are things that every person should have, like being safe and treated fairly.

About this booklet



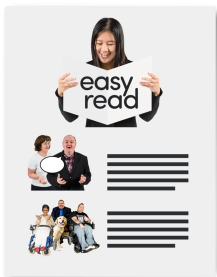
We did an **inquiry** to find out how children are treated in **children's social care**.



An **inquiry** is when you find out about something by looking at information or asking questions.



Children's social care are services run by local authorities to support and help children and young people.



This booklet is about children's social care in England.



It tells you what we think the Government should do to help protect the human rights of children in social care.

About our inquiry



We looked at the problems with children's social care and how these problems affect the human rights of children.



We found that the human rights of children in social care are not always protected.



This means they are not kept safe or always have a safe place to live.

How to protect disabled children



Disabled children's social care

Around 10% of children in social care are disabled.



There are many laws that local authorities must follow to protect disabled children.



These laws explain how local authorities must

- support and listen to disabled children and their families.
- keep information about the disabled children they support.
- give people information about the support they can get.

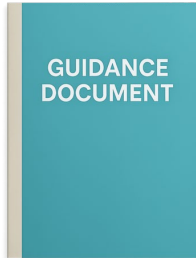


These laws are hard to understand and work out.

What we recommend



Recommend means what we think would make things better.



We recommend 1 clear guide for everyone to follow on disabled children's social care law.



Families could read this guide to understand the support local authorities must give them.



Families, carers, disabled children and local authorities should help write this guide.

What we call disabled children



The way the law describes what it means to be disabled was written a long time ago.



What we recommend

We think the Government should change the way the law describes what it means to be disabled.



It should use the same words as in the Equality Act 2010.

Assessments for disabled children



Assessments are questions social care services ask to work out what support a child needs.



Local authorities must give disabled children assessments.



The law does not make it clear that local authorities must do this, so some families do not get an assessment.



Some assessments do not show the support that **neurodivergent** children need.



Neurodivergent means your brain works in a different way to other people and this affects their day to day life.

What we recommend



Local authorities should give disabled children assessments as soon as they think a child is disabled and may need support.



The law should make this clear.



They should check if a child is neurodivergent and make sure they get the right support.



Safeguarding

Safeguarding is work done to keep people safe from harm.



Disabled children can also have assessments to make sure they are safe at home.



People who do assessments can look too much into how safe children are when there is no reason to worry about their safety.



This can make families feel bad.



What we recommend

People who do assessments should think about the support children need as well as their safety.



Eligibility criteria

Eligibility criteria is a list of things people must meet or do to be allowed to have something.



Eligibility criteria can be different for different local authorities and are not always in places other people can read them.



It is hard to know how local authorities decide what support to give children.



What we recommend

All local authorities in England should follow the same eligibility criteria.

Kinship care



Kinship care is when you live with family or friends but not your mum or dad.

Kinship carers

People who give kinship care are called **kinship carers**.



Children who have kinship care are often happier and stay close to their kinship carers for the rest of their life.



Sometimes families or friends agree to look after a child, and local authorities are not involved.



This makes it hard for local authorities to give kinship carers support.



Many kinship carers do not get support from their local authority. They are treated differently to other carers.



The Law Commission is writing a report about kinship care and the law.

The Law Commission is a group that looks at laws and suggests updates to them.

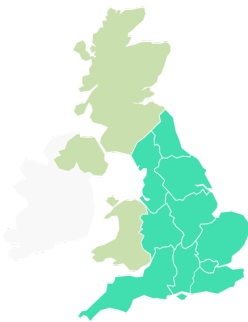


What we recommend

The Government should think about the ideas in the Law Commission's report.



The Government should then tell us what it thinks of the ideas.



Support for kinship carers

Local authorities across England give different support to kinship carers.



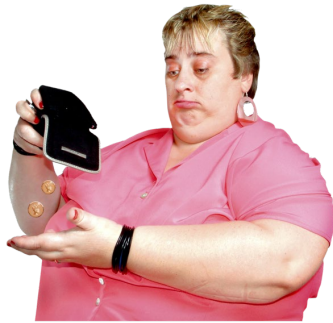
Many kinship carers do not have enough money to help them with caring.



Some local authorities give kinship carers money, but many do not.



The Government is trying out giving extra money to some local authorities for more support to kinship carers.



We think this is a good idea but most kinship carers in England will not get this money.



What we recommend

The Government should support children who can have kinship care.



They should think about supporting all kinship carers by giving them money to help with caring.

A place to live



The law says that local authorities must find a place for a child to live if they do not have a home or someone to look after them.



Many local authorities struggle to find children places that are right for them and give them enough support.



They are often far away from their family and friends.



Some children are not safe where they live, and some are hurt by the people they live with.



Local authorities often pay a lot of money to companies that give children a place to live.



These companies charge too much money.



The Government has agreed to create more **Regional Care Co-operatives**.



Regional Care Co-operatives are made up of local authorities, health services and groups that work with young people.



They were created to help make sure children in care get the right support and live in places that are right for them.



What we recommend

The Government needs to do more to fix this problem now.



The Government should think about letting local authorities buy and run homes for children in care.



They would work with Regional Care Co-operatives to do this.



Splitting up siblings

Sibling is another word for brothers and sisters.



Sometimes siblings are put in different houses, far away from friends, family and each other.



Children have **the human right to private and family life.**



The human right to private and family life gives people the right to have and keep family relationships, like with siblings.



A law called the Human Rights Act says that everyone must have this human right.



There is a new law that says local authorities must let children in care and their siblings have **reasonable contact.**



Reasonable contact means an amount of contact that is right for each child. This might include phone or video calls or meeting in person.



The law does not say how much contact this is, so some might not allow much or any contact.



What we recommend

Local authorities should try harder to keep siblings together.



Children should have support to keep in touch with their family and friends if it is safe and good for them.



The Government could make a guide for local authorities to follow about how to keep siblings in contact.

Housing that is unregistered



Unregistered means the houses are not on a special list kept by the Government.



Unregistered houses are places like caravans or holiday homes.



They are not always safe homes for children in care because they are not checked like registered homes.



Sometimes children are put in unregistered houses because it is very hard for local authorities to find somewhere else.



This is wrong and needs to be stopped as soon as possible. It also costs a lot of money.



The Government has a plan to create more places for children to live in **foster care**.



Foster care is when you live with a family that is not your own.



What we recommend

All children in unregistered houses should be moved to registered houses as soon as possible.



We agree that the Government should think about

- giving enough money to local authorities to buy and run more registered houses.
- carrying out stricter inspections.
- sorting out why it takes so long for houses to be registered.



Supported housing



Supported housing is housing for people who want to look after themselves but still need support.



Supported housing is for older children in care, older children leaving care and some adults.



Supported housing can help people to learn skills like cooking, cleaning and washing.



Some people are put in supported housing when they should not be. They need more support instead.



This is wrong but it is sometimes done so there is more space for other children in children's homes.



In 2022 the Government made new laws to make supported housing better.



Every house can now be checked to make sure they are good enough.



Problems with supported housing

Sometimes adults live together with children in supported housing.



Sometimes these adults drink too much or take drugs.



Many children told us

- they do not feel safe in supported housing.
- they do not have the right support.
- they are not getting the day to day care that the law says they should have.



What we recommend

There should be the same **standards** across all the different types of places where children in care live.



Standards are like rules you should follow to do something in the best way.



Children should not live in supported housing with adults.

Deprivation of liberty



Deprivation of liberty is when you are not allowed to leave a place. This might be to keep you safe.



The law says that in most cases no one should be stopped from leaving a place if they want to.



Sometimes deprivation of liberty must happen to keep people safe.



Sometimes children in care need to be stopped from leaving their home so they are safe.

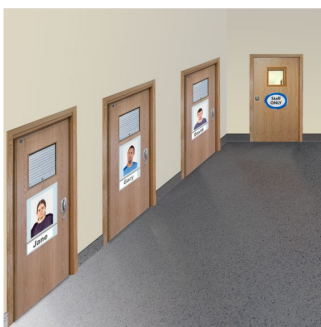


What we recommend

All kinds of support should be looked at before a child is made to stay somewhere.



It should not last any longer than is needed and the law must be followed.



It is important that children who are made to stay somewhere are kept safe.

Missing asylum seeking children



An **asylum seeker** is someone who had to leave their own country because they were not safe. They are now asking to live in a safer country.



Many children come to the UK alone as asylum seekers.



It is the job of local authorities to look after these children.



It is wrong to put children who are alone and asylum seekers in hotels.



There are some children who came to the UK on their own who have gone missing.



Most have been found but some have not.



They may have left to find friends or family, so they are not found, or because someone has hurt them.



We have asked the Government what they are doing to make sure no more children go missing.



They talked to the police to make sure they keep looking for the children who are still missing.

What we recommend



The Government should give out information about the missing children.



The Government should say what it is doing to

- find the children.
- find out why they went missing.
- stop children going missing in the future.



Local authorities have to find housing for asylum seeking children in their area.

Leaving care



When children in care become adults they have to leave care. They are called **care leavers**.



Local authorities can help care leavers to find housing, education and jobs.



But often there is less support than before and important relationships end.



We are happy the Government has said there will be more support for care leavers.

What we recommend



The Government should let local authorities support care leavers for longer if they need more help.



The Government should work with local authorities on services for care leavers.



These services could offer advice, sports and courses to learn new skills.

Not being treated fairly



Lots of people said that children who had been in care were not treated fairly as adults.



This made us very worried.



We thought about if it was a good idea to make being in care or being a care leaver a **protected characteristic**.



A **protected characteristic** is something about you that the law says people must not treat you differently for.

What we recommend



If this idea is looked into, children in care, care leavers and people who work in social care should be asked what they think.



The Government should look at the ways it can stop care leavers being treated unfairly.



Local authorities and social services could have training on human rights.



The Government should do more to make sure organisations cannot get away with treating care leavers unfairly.

Complaints about social care



There are different ways to complain about children's social care.



We heard that the ways children can complain about care and support

- are hard to understand.
- are slow.
- do not work very well.



People who need children's social care often do not know how to get advice about the law and about **advocates**.



An **advocate** is someone who speaks for someone else and helps them say what they think.



People are often scared they will get into trouble if they complain.

What we recommend



The Government should work with

- children.
- families.
- care leavers.
- local authorities.
- complaints organisations.



They should make sure they know about children's human rights.



If someone complains to the wrong complaints organisation they should be sent to the right one or told how to complain properly.



This should be done quickly.

The **Local Government and Social Care Ombudsman** looks at complaints about local authorities and social care.



They asked if it could start looking into issues before a complaint was made.



They want to have agreed rules about complaints so they can check that local authorities are doing what they ask them to do.

What we recommend



The Government should think about if this will make dealing with complaints better.

The IRO



The **independent reviewing officer** or **IRO** is a social worker who checks that children's care plans are working.



They speak up for children and make sure they have their human rights.



We heard that IROs find it hard to speak up for children and their human rights because they are part of the local authority.



Sometimes IROs get treated badly at work if they say a child's human rights have not been looked after. This is wrong.



What we recommend

The Government should make sure that local authorities know why IROs must speak up.



When other organisations check how local authorities deal with complaints, they should also check their IROs work well.



Advocate

The law says that children in social care have the right to an advocate.



Many children do not know they have the right to an advocate or do not get an advocate in time.

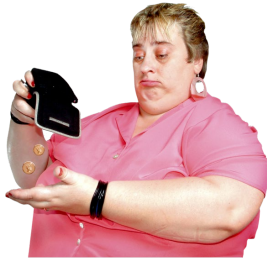


Children should be given an advocate and not have to wait to be told they could have one.

Legal aid



Legal aid helps pay for advice about the law and for help in court if you cannot afford it.



Children in social care and people who grew up in social care often do not have much money.



Legal aid is very important to help them pay for legal costs.



In some parts of the UK there are no legal aid lawyers, even if the law says people can get legal aid.

What we recommend



The Government should act quickly to make sure children in care and people who have been in care can have legal aid where the law says they can have legal aid.

The full version of this document is called

**Joint Committee on Human Rights
The Human Rights of Children in the
Social Care System in England**