

Written evidence submitted by Pause (CWSB37)

Public Bill Committee on the Children’s Wellbeing and Schools Bill

About Pause

1. Pause is a national charity working to improve the lives of women who have had - or are at risk of having - more than one child removed from their care, and the services and systems that affect them and their families. Pause’s vision is of a society where families who experience the removal of a child are given the best possible support, so that it never happens more than once.
2. We deliver the Pause Programme: a trauma-informed model of support centred around an intensive, supportive and trusting relationship between a woman and their Pause Practitioner, who work together to build strong foundations for the future. Since 2013, nearly 2,000 women have completed the Pause Programme, who – prior to working with Pause – collectively had over 5,750 children removed from their care. As of December 2024, the Pause Programme is delivered by 20 Pause Practices covering 24 local authorities across England.

Executive Summary

3. Our response will focus on Part 1 of the Bill. We welcome the Children’s Wellbeing and Schools Bill (“the Bill”), presenting an opportunity to deliver change to children’s social care. We share the government’s commitment to prioritise helping families and building on what is proven to work well so that children can be kept safe and supported to thrive.
4. However, the Bill currently misses a crucial opportunity to improve outcomes for children and families by breaking the cycle of recurrent care proceedings and ensuring that children who cannot live with their parents are able to maintain relationships with those important to them. To do this, the Bill should:
 - Introduce a duty on all local authorities to offer evidence-informed specialist support following the removal of a child to parents at risk of repeat removal.
 - Recognise the complexity of kinship families as a whole – children, carers and birth parents – and introduce measures to improve support to kinship families to enable positive relationships and contact.
 - Introduce a duty on all professionals to consider, on an ongoing basis, the right of children who have been removed from their parents’ care to have relationships with important people in their lives.

1. Support for parents after child removal

Importance of consistent support proven to help families and reduce care entrants

5. Clause 1 of the Bill introduces a duty on local authorities to offer all parents a family group decision-making meeting before an application for an order in relation to the child is made. We welcome this duty and know it is critical to ensure that, regardless of where they live, families can access this support, which is proven to improve the wellbeing of families and reduce the number of children entering care. We also welcome the intention (in the Bill's explanatory notes) for statutory guidance that local authorities should consider using the well-evidenced Family Group Conferencing model.
6. The Bill should apply these same principles and introduce an urgently needed duty to offer support following the removal of a child to parents who are at risk of repeat removal. This duty would end the current postcode lottery of support and ensure families get the support they need to end recurrent cycles of care.

Importance of ending the cycle of recurrent care proceedings

7. Removing a child from their family is one of the most serious and costly interventions the state can make. Unfortunately, far too many families are caught up in the recurrent cycle of care, experiencing recurrent care proceeds and repeat removals. This not only has a devastating impact on families, but it also contributes to the record high levels of children entering care in England and rising costs of children's social care for local authorities.
8. One in five care proceedings are recurrent proceedings¹, and almost half (47%) of all newborns subject to care proceedings are born to mothers who had previously gone through care proceedings with an older sibling². Whilst no data is collected on the number of children entering care from families who have previously had a child removed, wider evidence shows thousands of families are affected. In addition, whilst reunification is the most common reason for children leaving care³, rates of re-entry into care following reunification are also high, with over one in three children (35%) re-entering care after six years⁴.
9. Recurrent care proceedings and repeat removals have a traumatic impact on children and families, impacting their wellbeing and outcomes over the course of their lives. In addition, they also contribute to the record high levels of children entering care in England and the rising costs of children's social care for the public purse. In 2019/20, central and local

¹ Nuffield Family Justice Observatory (2022) Mothers in recurrent care proceedings: New evidence for England and Wales (2022) (percentage calculated using raw data in table 1, p.15)

² Nuffield Family Justice Observatory (2018) Born into Care: Newborns in care proceedings in England

³ Department for Education (2024) Children looked after in England including adoptions

⁴ Goldacre et al (2002) Reunification and re-entry to care

government spent £1.2 billion on care proceedings alone⁵. As 20% of care proceedings are recurrent, we can estimate that £240 million is spent annually on care proceedings for families that have already had a child removed. This is in addition to the significant ongoing costs associated with a child's care, and wider social and financial costs associated with removing a child.

How to end the cycle of recurrent care proceedings

10. Recurrent care proceedings and repeat removals are usually the result of a combination of issues, including domestic abuse, adverse childhood experiences (ACEs) and substance misuse. It is also an intergenerational cycle: one third of children in care have a parent who is a care leaver⁶, and care leavers are at greater risk of repeat removals (the risk of returning to court for subsequent care proceedings increases from one in four to one in three for care leavers⁷).
11. Without support and stabilisation for parents following the removal of their child(ren), they are left struggling to cope with existing difficulties while facing the additional trauma, grief and stigma of losing a child. Again, these challenges are associated with significant ongoing costs.
12. Evidence shows that the right support for parents following removal improves outcomes for families and breaks the cycle of repeat removals. Pause is the largest provider of post-removal support in England, delivering an intensive, trauma-informed model of support to mothers at risk of repeat removals. The Pause Programme enables women to take a pause in order to focus and prioritise the goals they want to achieve to sustain lasting, positive change. An independent evaluation of the Pause Programme found that long-term support that is intensive, trauma-informed and delivered by skilled practitioners with small caseloads, not only improves outcomes for the mothers but also reduces the rates of infant care entry for local authorities⁸. Each area with a Pause Practice saw an average of 14 fewer infants entering the care system per year. This led to significant savings to children's social care: the evaluation found that every £1 spent on the Pause Programme resulted in a saving to children's social care of £4.50 over four years, and £7.61 over 18 years⁹.
13. In addition, this support also has a positive impact on the wellbeing of children who have been removed from their parents' care. Evidence shows that – where in the child's best interests and safe to do so – contact with birth parents improves children's wellbeing, helping them develop a strong sense of identity, stability and belonging. Specialist support

⁵ Alma Economics (2021) Paying the Price - The social and financial costs of children's social care

⁶ Ibid 5

⁷ Alrouh et al. (2022). Mothers in recurrent care proceedings: new evidence for England and Wales

⁸ Department for Education (2020) Evaluation of Pause

⁹ Ibid 8

for birth parents after their children are removed helps parents to recover from trauma and improve their stability, as well as helping parents address the difficulties that led to the children being removed from their care in the first place. This enables children to have contact with their birth parents that is positive, meaningful and consistent. It also can alleviate a child's worry about their parents and help them to see their parents in a positive light, which are important for children's wellbeing and sense of identity.

14. In addition, we know that – whilst not the purpose of the Pause programme – a number of women who are supported by Pause make such considerable progress that reunification is possible when, prior to this support, it was not being considered. Whilst reunification is complex and wide-ranging support is needed (for both children and parents), post-removal support can play a key role in enabling successful reunification: it helps parents stabilise, address the trauma of removal and build their confidence and trust to engage with children's social care and other services, which are all necessary for successful reunification.

The need for a statutory duty for post-removal support for parents

15. Despite the positive impact that post-removal support has on families and reducing the number of children entering care, there is a significant postcode lottery. More than half of local areas offer no support to parents following removal of their children, leaving parents struggling to cope with existing difficulties which are compounded by the trauma of child removal. This drives the cycle of repeat removals. Worryingly, the number of areas with no support is increasing, as local authorities are forced to make difficult funding decisions and prioritise statutory services to accommodate rising costs. Between October 2023 and December 2024, the number of local authorities offering no support to parents following removal rose from 51% to 54%. Without a statutory duty to provide post-removal support, this situation is likely to worsen as pressures on budgets increase.
16. There is an urgent need for parents at risk of repeat removals to be able to access evidence-informed specialist support following removal of a child. This support should be available nationwide, so families can benefit from it regardless of where they live. The Bill should introduce the much-needed duty on all local authorities to offer evidence-informed specialist support following removal of a child to parents who are at risk of repeat removal.

2. Kinship Care

Support for kinship families

17. We believe that that when children and young people cannot remain home with their birth parents, they are best placed with family and friends (where it is in the child's best interests and safe to do so). We also believe that more must be done to support kinship families, so that children can thrive in safe and loving homes within the family network.

18. We welcome the steps the Bill takes to improve support for kinship care in Clauses 5 and 6. However, the current focus is only on “children in kinship care and their carers”, rather than kinship families as a whole. This overlooks the crucial role that birth parents often continue to play in a child’s life: research shows 88% of children in kinship care continue to have contact with at least one parent¹⁰.
19. Thinking about a child’s needs requires a holistic approach to consider those who play a role in the child’s life: as identified by the Family Justice Observatory, “to determine the ‘best interests’ of the child, it is necessary to acknowledge the fluidity and complexity of family relationships¹¹”. Therefore, when considering kinship care, it is important that the needs and experiences of all members of kinship families – including birth parents – are considered. We recommend using the term “kinship families” rather than “children in kinship care and their carers”. For children to have a safe and loving home, we need to ensure that all members of the kinship family are considered and able to access the support they need.

Measures to improve support for relationships and contact

20. We are pleased that Clause 5 (Information: children in kinship care and their carers) states that the information must include services relating to relationships, which includes services promoting contact between a child and their parents or relatives. The majority of children in kinship care remain in contact with their birth parents. Research shows - where in the child’s best interests and safe to do so - this contact improves children’s wellbeing, helping them develop a strong sense of identity, stability and belonging.
21. However, the current Bill lacks introducing measures to support relationships across kinship families to help them navigate the new family dynamic that kinship care creates. By the nature of kinship care, relationships between the kinship carer and birth parents are (typically) preexisting. This can cause unique challenges, as families adjust to the new dynamic of kinship care. For example, the kinship placement may bring up complex feelings for families to overcome, and relationships between the kinship carer and birth parents may have been damaged by the circumstances that led to the child needing to be taken into care in the first place. As a result, specialist support is particularly important to help kinship families navigate these complex, new dynamics.
22. Without support to navigate the new family dynamic of kinship care, relationships between kinship carers and birth parents can become challenging or break down, which can ultimately negatively impact the child. The breakdown may result in children being unable

¹⁰ Kinship (2024) Forgotten: Support for kinship children’s education and mental health

¹¹ Iyer, P. et al. (2020). Contact following placement in care, adoption, or special guardianship: implications for children and young people’s well-being

to have meaningful contact with their birth parents. It can harm the child's wellbeing if they feel they have to 'choose' between their kinship carer and parent; and it poses risks to a child's sense of identity if kinship carers speak negatively about birth parents in front of the child.

23. Kinship carers, birth parents and children must have support to navigate the new family dynamics that kinship care creates, so that they can work together to build a loving and stable environment for children. This support will look different for every family but might include mediation, a Family Group Conference or emotional support to repair relationships.

3. Children's rights to relationships

24. Research shows that it is critical for the wellbeing of children who cannot live with their parents to have and maintain loving relationships with people who are important to them. In addition, when children are removed from their parents' care, the role of birth parents in a child's life does not stop. The majority remain in contact with their parents and their parents play a critical role in understanding their identity as they grow up.
25. Despite the importance of these relationships, current provisions do not recognise the ongoing right to relationships for children who have been removed from their parents' care. Currently, legislation and statutory guidance highlights the importance of relationships only in relation to placements for children in local authority care – stating local authorities allow reasonable contact with parents¹² and prioritise (amongst other things) lifelong loving relationships¹³. Whilst these provisions are welcome, they are too narrow, applying only to children in local authority care (therefore excluding children who have been adopted or are placed under a Special Guardianship Order), and applying only when considering a child's placement.
26. It is critical that a child's right to have relationships with those important to them is an ongoing right throughout their life. Children's needs may change over time - as they grow older or due to changing circumstances of them and their family. We share the view of the Public Law Working Group that "[t]he issue of contact needs to be actively considered throughout the child's minority (in fact throughout their lifetime...)"¹⁴. It therefore is critical all professionals consider a child's right to relationships on an ongoing basis so their needs are considered over time, as children grow up and circumstances change. It would also enable any necessary support to facilitate these relationships to be put in place.

¹² Children Act 1989, s34

¹³ Department for Education (2023) Children's Social Care National Framework

¹⁴ Public Law Working Group: Adoption sub-group (2024) Recommendations for best practice in respect of adoption

27. We therefore recommend that the Bill introduces a duty on all professionals to consider - on an ongoing basis – the right of children who have been removed from their parents’ care to have relationships with important people in their lives.

Recommendations

28. Our four recommendations for the Bill are:

1. **Introduce a duty on all local authorities to provide evidence-informed specialist support following removal of a child to all parents at risk of repeat removal.** This would remove the current postcode lottery and ensure all parents, regardless of where they live, can access the support they need. Doing so would improve outcomes for families and break the cycle of repeat removals, thereby reducing the number of children entering care and making significant savings to the public purse.
2. **Use the term “kinship families” rather than “children in kinship care and their carers”.** This would ensure the needs and experiences of all members of kinship families are considered and able to access the support they need, so children can thrive in safe, loving homes within their family network.
3. **Introduce measures to improve support for kinship families to navigate complex family relationships and promote contact between children and important people in their lives.** There is an urgent need for support for kinship families to navigate the new family dynamics that kinship care creates, so everyone involved can work together to build a loving and stable environment for children.
4. **Introduce a duty on all professionals to consider, on an ongoing basis, the right of children who have been removed from their parents’ care to have relationships with important people in their lives.** This would ensure that a child’s changing needs are considered throughout their life and enable any necessary support to facilitate these relationships.

January 2025