

## Improving the mental health of looked after children and care leavers

**The Alliance for Children in Care and Care Leavers** is the pre-eminent sector-wide organisation that works to support children in care and care leavers. We share a commitment to improving the care system and outcomes of children and young people who spend time in care. A full list of members is available in the appendix.

The Alliance's calls to improve the mental health of children in care are supported by **the Royal College of Nursing, the Royal College of Paediatrics and Child Health, the Royal College of Psychiatrists and the Royal College of Speech and Language Therapists**, representing healthcare professionals with an understanding of the needs of children in care.

### Amendment

NC19

*“Duty to promote physical and mental health and emotional well-being*

*(1) In Section 22 of the Children Act 1989, in subsection (3)(a) at end insert –*

*“(3D) The duty of a local authority under subsection (3)(a) to safeguard and promote the welfare of a child looked after by them includes a particular duty to promote the child’s physical and mental health and emotional wellbeing.*

*(3E) For the purpose of supporting a local authority in discharging its duty under subsection (3D), each clinical commissioning group must appoint –*

- (a) at least one registered medical practitioner and,*
- (b) at least one registered nurse,*

*for each local authority with which any part of the clinical commissioning group overlaps.”*

### Explanatory statement

This amendment will ensure that local authorities, supported by Clinical Commissioning Groups, promote the physical and mental health and emotional wellbeing of looked after children. It specifically provides for a stronger requirement for the role of designated doctors and nurses for looked after children, providing strategic oversight in local areas to meet physical and mental health and emotional wellbeing needs. Children in care and care leavers need to have a strategic champion who ensures that health and social care services can understand and meet their mental health and wellbeing needs.

### Why is this necessary?

- **The role of the designated doctor and nurse for looked after children is not working effectively.** Designated professionals currently assist commissioners in efforts to meet the health needs of local looked after populations. However, their exact responsibilities are unclear. Evidence provided by the Royal College of Nursing (RCN) and the Royal College of Paediatrics and Child Health (RCPCH), representing designated professionals, and the Care Quality Commission (CQC) shows that:
  - Many local areas have unfilled posts.
  - Where posts are filled, designated professionals report not having the capacity or opportunity to influence strategic planning, despite having the required understanding of looked after children’s needs.

- Commissioners consequently are not as informed of their responsibilities towards looked after children as they should be, particularly those placed 'out of area' who have been known to be denied services due to arguments about funding.
  - RCN's evidence suggests that, in some areas, the role of the designated nurse has incorporated additional responsibilities such as infection control. This splits the intended focus, potentially undermining the role's impact in providing a strategic focus on the needs of vulnerable children and young people.
- **Health professionals would like to see stronger requirements as the role of the designated doctor and nurse for looked after children is not currently underpinned by primary or secondary legislation.** The Royal Colleges agree with Alliance members that stronger requirements would be helpful. Children's mental health and wellbeing needs are clearly not being addressed at a strategic level, and this impacts upon the level of expertise and resource dedicated to children in care and care leavers in the health system.
  - **Stronger requirements on health would mirror those in education which have been effective in improving the education of children in care.**<sup>1</sup> Based on evidence demonstrating that looked after children's educational outcomes were lower than that of their peers in the general population, the Government introduced legislation to promote the educational achievement of looked after children. Local authorities have a particular duty to promote looked after children's educational achievement, and must appoint Virtual School Heads to provide local leadership on this. The amendment in question would do the same for looked after children's mental health, as poor mental health also disproportionately affects looked after children, and indeed impacts upon their education.
  - **Designated professionals would play a key role in ensuring the recently announced integrated health assessment pilots are a success.** During the Bill's Third Reading in the House of Lords, the Government promised to deliver pilots testing a holistic approach to mental and physical health assessments for looked after children. This was a welcome step in the right direction, as mental health and emotional wellbeing are not routinely assessed as part of children's health assessments upon entry into care.
  - **Change is urgently needed because looked after children are four to five times more likely to have a mental health problem than children in the general population.**<sup>2</sup> Yet they are not accessing the mental health services they need. Children and Adolescent Mental Health Services (CAMHS) often turn children away if they are not considered to be in a stable placement – despite complex needs and emotional challenges that might be associated with and contribute to placement instability.<sup>3</sup>

### What difference will this change make?

- **Improved understanding and recognition of need at a strategic level and on the frontline.** Designated professionals would be supported to use their understanding of looked after children's health needs to drive improvements in practice and to ensure doctors and nurses on the frontline are equipped to identify and meet those needs.
- **Improved identification of need resulting in strategic investment and the development of services to meet those needs.** The designated doctor and nurse for looked after children would then be in a position to ensure data on looked after children's mental health needs informs commissioning and service planning.

---

<sup>1</sup> Ofsted (2012) The impact of virtual schools on the educational progress of looked after children

<sup>2</sup> Meltzer, H., Corbin, T., Gatward, R., Goodman, R., and Ford, T. (2003a) The mental health of young people looked-after by local authorities in England. Office for National Statistics, London: HMSO.

<sup>3</sup> Education Select Committee (2016) Mental health and well-being of looked-after children [Online] Available from: <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmeduc/481/481.pdf>

- **Increased stability for children in care and better overall outcomes.** Good emotional wellbeing and mental health underpins stability.<sup>4</sup> We know that care leavers are far more likely than their peers to suffer poor outcomes. 40 per cent of care leavers are not in education, employment or training (NEET) at age 19 compared with just 14 per cent of 19-year-olds overall. Access to specialist mental health support whilst in care and after leaving care is essential in order for young people to fulfil their potential move successfully into adulthood.

**For more information about this briefing please contact:**

Kate Maher, Action for Children, on 07720 339957 or via [Kate.Maher@actionforchildren.org.uk](mailto:Kate.Maher@actionforchildren.org.uk).

**Members of the Alliance for Children in Care and Care Leavers:**

A National Voice, Action for Children, Article 39, Barnardo's, Become, British Association of Social Workers (BASW), Catch22, Children's Commissioner for England, Children England, CoramBAAF, Coram Voice, Family Rights Group, Fostering Through Social Enterprise (FtSE), Institute of Recovery from Childhood Trauma, National Association of Independent Reviewing Officers (NAIRO), National Children's Bureau (NCB), NSPCC, National Youth Advocacy Service (NYAS), TACT, The Care Leavers' Association, The Children's Society, The Fostering Network, The Prince's Trust, Together Trust.

---

<sup>4</sup> Alliance for Children in Care and Care Leavers (2016) Promoting looked after children's emotional wellbeing and recovery from trauma through a child-centred outcomes framework [Online] Available from: <https://www.actionforchildren.org.uk/media/6903/promoting-emotional-wellbeing.pdf>