

Families Together Regardless of Borders: International Kinship

Briefing from Children and Families Across Borders (CFAB)

Overview

Children and Families Across Borders (CFAB) has welcomed the Department for Education's focus on kinship care within their Stable Homes, Built on Love Implementation Strategy. However, a necessary part of ensuring that all children can maintain meaningful relationships with their families, and maximise the cost savings to the state, is the consideration and inclusion of family relationships that extend across borders. We advise that kinship care placements are considered, regardless of location and in the case of international kinship care, a good practice guide should be included in the wider kinship strategy.

- In 2021 there were 80,850 children in care in the UK, an increase of 1% since 2020. We estimate that of these children, approximately 20,000 have family members abroad who are often not considered as potential carers. While the cost to the state to look after each child (roughly £56,000 a year and even more for those with complex needs), is startling, this figure does not take into account the long-term costs to society ensuing from the fact that children in care are more vulnerable to poor outcomes than children who grow up in a family and kinship environment.
- Research conducted in 2021 by CFAB found that half of all Local Authorities who responded had not explored family members overseas for the care of a looked after child.¹
- There are no statutory organisations that analyse or report on the number of Looked After Children who have been placed overseas in aggregate or the outcomes of these placements. Nor is there any published research or analysis on the viability of overseas kinship placements or how best to support these families.
- In 2018, an assessment of 78 international kinship care placements by CFAB found that, in 38 cases, we were not able to obtain information about the outcome for the children in these placements.
- There is a worrying discrepancy in practice across England and Wales in the level of post-placement support offered and whether placements across borders are monitored, considering the complexities of these placements.
- There is minimal support and training offered to social workers and prospective carers overseas when compared with intra-country placements.

¹Children and Families Across Borders, International Kinship Care Guide, http://cfab-cms.bitmachine.co.uk/sites/default/files/2020-11/IKC%20Guide%20Nov%202020-min_0.pdf

What is kinship care across borders?

In 2021, 34.2% of all children born in England and Wales had either one or both parents born outside the UK.² When a child cannot be cared for by their parents, the first choice of alternative care, if appropriate, should be with extended family and those with a kinship bond.

A child's right to preserve his or her identity, to be provided with appropriate alternative care, and for all actions to take account the child's best interests are enshrined in the UN Convention on the Rights of the Child (Article 3, Article 8, and Article 20) and the UN Guidelines for the Alternative Care of Children (2009). When a child is deprived of parental care but has extended family members residing in another country, the same principles apply, even if this means that the placement must be coordinated across international borders. When we refer to cross-border kinship care, we mean children in England being placed into the care of family members, and those with kinship bonds, in another country, as an alternative to the child remaining in the care system. This may include children who enter the UK with parents but whose parents lose the capacity to care for them, children abducted and taken to the UK, children who are the victims of modern slavery or British nationals who have no family able to care for them in the UK.

The majority of studies report that children in kinship care are more likely to report positive emotional health and are less likely to be using formal mental health services than children in non-kinship foster care. Authors account for better mental health in terms of the stability of kinship care, established attachment and cultural connections between relatives and children which support mental health functioning. Children in kinship care are also less likely to suffer institutional abuse.³

What are the challenges?

Case Study: Amelia

By the age of six, Amelia's home life had significantly deteriorated. Her father, suffering from poor mental health and drinking too much alcohol, had become violent. Authorities removed Amelia from her home and placed her with unknown foster carers. Sadly, it did not seem possible for the father's health to improve enough for him to care for Amelia. With such a traumatic disruption in her life, Amelia's social worker was keen to find other family members to care for her.

With the help of Children and Families Across Borders (CFAB), Amelia's mother was located over 10,000 miles away in New Zealand. Given the distance, the mother had little contact with Amelia and had started a new family. After a thorough investigation of the mother, her mother's mental and physical health, the disposition of her new family to accepting Amelia, their overall financial situation and more, CFAB recommended Amelia join her mother, new step-father and new half-brother. We also recommended the UK social worker regularly follow up with young Amelia, given her distressing history and her new environment. Such follow-up can identify early signs of strain and help prevent family break-down.

While we hope and believe that Amelia is living safely and happily with her new family, we are greatly concerned that the UK social worker did not follow through with their planned follow-up visits to ensure Amelia's well-being.

² [Births by parents' country of birth, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/people-population/births-deaths/marriages-divorces-remarriages/births-by-parents-country-of-birth-england-and-wales)

³ https://www.nuffieldfjo.org.uk/wp-content/uploads/2021/05/Nuffield-FJO_Special-guardianship_international-kinship-care_final.pdf

Data and analyses:

CFAB has welcomed the 6th Pillar of the Stables Homes, Built on Love implementation strategy, to commit to a “*system that continuously learns and improves, and makes better use of evidence and data*”.⁴ CFAB has advocated for increased data collection on local authority cross-border casework and international child protection. Data is currently inconsistently collected on international kinship placements. Statutory data collection must be implemented to support good practice when a child is placed with family overseas. This lack of data can cause significant delays in identifying suitable and stable placement options. CFAB has outlined in our consultation response to the Stables Homes implementation strategy recommendations for data sets to collect on children placed outside of the UK and the safeguards that should exist to protect and support a healthy cross-border placement.

We know local authorities record the number of Looked After Children placed overseas each year, and that Local Authorities must report these outcomes to the Department for Education.⁵ However, no one body – statutory or otherwise – publishes or analyses this data, including the courts, Cafcass, and the Department for Education. Without the ability to access and analyse this data, we do not know how many cross-border placements occur, what countries they are placed in and what orders are used. This also inhibits the possibility of further research to understand how many placements break down, what are consistent features in those placements that do break down, the viability of cross-border kinship, and what the long-term impacts are on the child. Our asks therefore are that:

- *The Department for Education publish data on cross-border placements reported from local authorities and ensure such data is publicly available for research and analysis.*
- *Child protection agencies should work in collaboration to share relevant data to improve safeguarding process and ensure the best outcomes for Looked After Children placed overseas.*

Post-placement support and monitoring:

In our work with local authorities, we observe the inconsistent practice of what post-placement support is offered and what contingency plans are in place. While this is not uncommon in many kinship care cases, there are additional risks when the child is being placed across a border (such as lack of placement testing) which can only be addressed through placement support and monitoring.

Some local authorities provide continuing support to carers abroad; some make no further check on a child once placed and some even refuse responsibility for the child if the placement breaks down and returns to the UK. Many local authorities have reported that they are unclear on their actual legal obligations to a child once the child leaves their care and is placed in the care of someone in another country. We therefore ask that:

- *Statutory guidance is issued to clarify the responsibility of England local authorities after a child is placed abroad. This can include good practice guidance about how local authorities can arrange post-placement visits and support*
- *A responsibility on English local authorities to agree with the receiving authority a period for which the local authority will monitor the placement.*

⁴ [Children's social care stable homes built on love consultation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/consultations/stables-homes-built-on-love)

⁵ Department for Education, Children looked after by local authorities in England 2020, [Department for Education \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/statistics/children-looked-after-by-local-authorities-in-england-2020)

- *Professionals, such as Cafcass, the Department for Education, and other third sector partners, collaborate and share data to understand the long-term outcomes of kinship placements for formerly Looked After Children placed with family overseas.*

Contingency planning:

For the monitoring of placements to be effective, there needs to be strong contingency and post-placement planning by local authorities placing children across borders. If an arrangement were to break down, the child could be left at risk of neglect, abuse, and exploitation; or forced to make a dangerous journey back to the UK, with no guarantee that their previous local authority will take responsibility for them. Post-placement planning should be undertaken and considered part of the placement plan itself, conducted before the child is placed. We therefore ask that:

- *All post-placement support planning contains contingency planning on what steps need to be taken if the placement breaks down or becomes unsafe within a specified timeframe.*
- *If a child returns to England after a cross-border placement breaks down, the local authority that facilitated the initial placement should ensure that the child is safe, either directly or through liaison with the local authority where the child is living.*

Training and support for carers and social workers:

Social work training:

Although the UK has always been an 'international' country, this has increased exponentially in the last decade with an influx of immigration both from Commonwealth nations and from the European Union. Social work degree courses struggle to cover the entirety of regional and international regulations and conventions which govern how social services should manage cases which cross borders. As such, social workers require training at regular intervals to keep up with new laws, to identify new partner agencies abroad and to maintain their knowledge of emerging risks for children in other countries.

Kinship carer training and workshops:

CFAB's research into the outcomes of international kinship placements found that the primary reason for placement breakdown in the cases where it occurred was that the child's carer could not cope with the child's psychological and behavioural challenges. Support exists for a child transitioning from one home to another within England, and it exists for a child adopted from England to another country. Before a child is placed with family overseas using a Special Guardianship Order, there should also be an adequate Special Guardianship support plan in place.⁶ This should include an offer of training before placement, so Special Guardians are equipped to care for the child's welfare and developmental needs. Special Guardians in England are rightly given preparation and training. However, no such support is available to Special Guardians overseas, regardless of the child's needs and history. Overseas carers ought to be afforded a similar level of support, we therefore ask that:

- *National and local governments should commit to creating parity between the support offered for Special Guardians overseas with the offer available to Special Guardians in England.*

⁶ Family Law Working Group - Family Justice Council, Recommendations to achieve best practice in the child protection and family justice systems: Special guardianship orders [Microsoft Word - 10 June 2020, final SGO report.docx \(judiciary.uk\)](#)

About Children and Families Across Borders

Founded in 1955, CFAB is a registered charity and the UK member of the International Social Services. Working with partners in 130 countries, we are experts in social work in an international context, cross-border child protection cases, care proceedings requiring cross-border cooperation and overseas placements. As well as offering a wide range of case management services to local authorities, we run a free national Advice Line to provide guidance on international child protection issues and we operate legal advice services to bridge the gap between UK family law and child protection proceedings with an international element. We also deliver specialised training in the field of international social work.

Thank you for reading; if you have any further questions, please contact: Maria Brul, Policy and Public Affairs Manager, Children and Families Across Borders – maria.brul@cfab.org.uk