

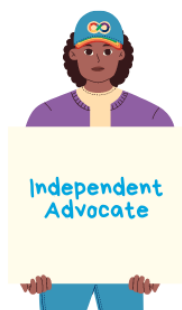
Pre-Budget Submission 2024

Summary of Measures

① Address the Shortage in Social Work Numbers



- Ensure Tusla has the additional investment necessary to further attract and retain a range of child protection and welfare specialists to supplement its current Social Work team and fill gaps in service provision.
- Provide funding to scope and implement the recommendations identified in the Irish Association of Social Workers report 'Training, Recruiting and Retaining Social Workers in Ireland'.



② Invest in Independent Advocacy for Children in State Care

Increase public funding directed to independent advocacy for children in state care and young people with care experience where the level of need is high and where Advocates can resolve many issues confronting over-stretched social work and aftercare teams.



③ Take Action on Care Leaver Homelessness and Housing Options

Expand the CAS for Care Leavers Scheme to allow for Tusla, AHBs and local authorities to meet the demand of the scheme.



④ Invest in State Operated Residential Care

Support Tusla with additional funding to deliver an increased number of publicly run residential units for children in care to achieve a ratio of 50:50 public:private provision by 2025, as identified as a priority in Tusla's Strategic Plan on Residential Care.

⑤ Support Foster Carers



- Increase the Foster Care Allowance to reflect increasing cost-of-living expenses.
- Address the anomaly whereby foster carers are ineligible for the contributory state retirement pension.

About EPIC (Empowering People in Care)

EPIC Empowering People in Care (EPIC) is an independent organisation that works with and for children who are currently living in state care and young people who have care experience. This includes those in relative care, foster care, and residential care (including high support and special care) as well as children accommodated by the State under section 5 of the Child Care Act 1991, and those sentenced or remanded by the Courts. EPIC also works with young people who are preparing to leave care and in aftercare services, and with adults with care experience.

EPIC's Advocacy Service works to enable these children and young people to have their views and concerns heard and taken seriously, to empower them to speak for themselves, to help to resolve the issues and challenges they experience in care, to assist them in accessing the services and resources they need, and to bring about positive change in their experience of care and their lives generally.

EPIC makes this submission to Government in both our capacity as a children rights organisation, and on behalf of the children in care and young people leaving care with whom we work.

Our submission is informed by policy development undertaken by EPIC, which seeks to create positive change in the care system at a systemic level, using the evidence base from our National Advocacy Service caseload.

Introduction

The care system in Ireland plays a pivotal role in safeguarding the rights and promoting the welfare of children who, for various reasons, are unable to live with their birth families. Investing in the care system can have a transformative impact on children and young people, many of whom have experienced early childhood adversity and trauma. By providing comprehensive support and care and investing to that end, we can demonstrate our dedication to upholding the rights of every child in care and care-experienced young person, ensuring they have equal opportunities to thrive and achieve the best possible outcomes.

In order to do so, we must recognise that care-experienced children and young people are often particularly affected by many broader societal issues, such as the escalating housing and cost of living crises in Ireland, as they often have less resources and family and community supports to rely on. This can result in their quickly falling into precarious circumstances which can have a lasting impact.

Over the last 12 months, EPIC has seen an increased demand on its Advocacy Service and a distinct rise in care-experienced young people who are facing difficulties reflecting these crises and demonstrating the increasing difficulties that these young people face particularly in accessing social supports or services upon which they may rely.^{1 2}

For example, the number of young people requesting assistance from EPIC's National Advocacy Service in relation to homelessness has more than doubled in the past year.³

¹ The 12-month period examined for the purpose of this section is 1/6/2022 to 31/5/2023. These statistics are collated from our case database and further statistics will be made available across forthcoming Advocacy Service Reports 2022 and 2023.

² During this period, EPIC has seen a 15% increase in advocacy cases. 893 cases from 777 from the previous 12-month period.

³ Increase to 49 cases from 22 cases in the above period.

The number of individuals seeking advocacy support in relation to access to services has risen by 37%, revealing a pressure on their ability to receive critical interventions in a timely manner. These supports, which often encompass social, therapeutic, or health services, are particularly crucial for children in care and care-experienced young people.⁴

Additionally, there has also been an increase in the percentage of children who have not been allocated a Social Worker from 12% (679 children) in January 2022 to 16% (873 children) in January 2023 reflecting an immediate need for government attention.^{5 6}

Each of these issues, as well as issues described further in this submission, can impact the development, welfare and protection of children and young people. The State is acting *in loco parentis* for children in care and therefore, bears significant responsibility for their wellbeing and socio-economic outcomes, including their transition to adulthood. The State should consider how to respond and invest in positive measures that ensure the best possible outcomes. EPIC believe this response cannot simply be limited to one Department or one state agency.

EPIC believe that the issues highlighted in our submission and the measures we propose in Budget 2024 to address these could result in timely, effective, and quality investments to ensure children in care and care-experienced young people are protected and supported.

Address the Shortage in Social Work Numbers

Tusla has a duty to allocate a Social Worker to a child as soon as the need for an admission to care is identified and for as long as they remain in care. At the end of January 2023, a total of 873 (16%) of children in care did not have an allocated Social Worker, an increase of 194 children from January 2022.^{7 8}

EPIC understands the difficulties in recruiting and retaining Social Workers. However, these difficulties can often culminate in negative outcomes for children awaiting allocation - children may have multiple Social Workers coming in and out of their lives over a brief period and may experience delayed or reduced attention to their care.

The difficulties in recruiting and retaining adequate Social Workers has impacted Tusla who have stated that this is impeding the Agency in meeting its statutory obligations.⁹

Tusla has undertaken various actions to rectify this situation and to improve its staffing generally, including converting temporary agency staff to Tusla contracts, offering employment to all final-year social work students in recent years, and engaging with the Department of Further and Higher Education, Research, Innovation and Science to increase the number of student placements.¹⁰

EPIC welcomes these actions and recognises that child protection social work is amongst the most difficult and challenging environments in which to recruit and retain staff. However, we believe Tusla alone cannot resolve this issue.

⁴ Increase to 100 cases from 77 cases in the above period.

⁵ Tusla, Monthly Service Performance and Activity Report, January 2022, pg.10

⁶ Tusla, Monthly Service Performance and Activity Report, January 2023, pg.12

⁷ *Ibid.*

⁸ *Ibid.*

⁹ Committee of Public Accounts, Tusla, the Child and Family Agency – Financial Statements 2020. 21 October 2021.

¹⁰ Minister for Children, Equality, Disability, Integration and Youth, Joint Committee on Children, Equality, Disability, Integration and Youth, Foster Care Issues: Discussion. 28 March 2023

The Irish Association of Social Workers (IASW) have highlighted several systematic challenges related to training, recruiting, and retaining Social Workers in Ireland and recommendations to address these issues.¹¹

These recommendations include increasing investment in social work education and training, improving working conditions and support systems for professionals, and enhancing career development opportunities. The report also suggests strengthening collaboration between Government, academia, and professional bodies to address the identified challenges effectively.

The IASW particularly note the fragmented approach across government departments relating to effective workforce planning, with Social Workers being employed across a range of government initiatives such as child welfare and protection, disability services, mental health, primary and secondary healthcare, social care, adult safeguarding, the criminal justice system, local authorities and the community and voluntary sector. This reflects a need for cross-departmental coordination to effectively address these challenges.

EPIC urges the Government in Budget 2024 to:

- Ensure Tusla has the additional investment necessary to further attract and retain a range of child protection and welfare specialists to supplement its current Social Work team and fill gaps in service provision.
- Provide funding to scope and implement the recommendations identified in the Irish Association of Social Workers report 'Training, Recruiting and Retaining Social Workers in Ireland'.

Invest in Independent Advocacy for Children in State Care

EPIC provides a direct 1:1 advocacy service to enable children in care and young people with care experience to have their views and concerns heard, to empower them to speak for themselves, to resolve the issues and challenges they raise, to help them to obtain the services and resources they need and bring about positive change in their lives.

The demand on EPIC's National Advocacy Service has grown significantly, with an increase of 39% in our caseload over the last 5 years.¹² Over the last twelve months, EPIC's caseload totalled 893 cases. This increase should be noted in the context of Tusla's statistics that show 5,597 children are currently in care and around 1,000 young people leave care every year. It is also of note that EPIC generally works with especially vulnerable children and young people when their care (or transition out of care) is at a critical juncture and require an elevated level of support.^{13 14} This is additionally significant due to the duration of individual cases increasing because of changes in social work departments, insufficient Social Worker numbers and lengthy waiting times for legal proceedings and state services. Hence, the increased demand on the Advocacy Service underscores not only that a sizeable portion of Ireland's care community are seeking support, but also, the importance and urgency of EPIC's Advocacy Service.

¹¹ O'Meara, K. & Kelleher C. (2022) Training, Recruiting and Retaining Social Workers in Ireland: A Scoping Exercise to Assess and Respond to Significant Challenges Report.

¹² The 12-month periods examined for the purpose of this section is 1/6/2022-31/5/2023 and 1/6/2017-31/5/2018.

¹³ Tusla, Monthly Service Performance and Activity Report, January 2023, pg.10.

¹⁴ Tusla, Annual Review on the Adequacy of Child Care and Family Support Services Available 2021, pg. 83.

Tusla have recognised the importance of independent advocacy in ensuring a child's right to be heard is upheld in relation to decisions that affect them and to enable a child to be represented by an independent professional when required.

In April, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) published the General Scheme of the Child Care (Amendment) Bill 2023 confirming their intention to legislate for the voice of the child to be strengthened in decisions taken outside the court setting and in relation to their care by introducing a legal principle that children should be able to participate in the decision-making process.¹⁵

Given that an Independent Advocate works to uphold a child's right to be heard and to ensure that their views are given due consideration in their care arrangement, the need to invest appropriate funding to ensure the objectives of this legislation are met and more broadly, the rights of the child are upheld, is ever more necessary.

EPIC urges the Government in Budget 2024 to:

- Increase public funding directed to independent advocacy for children in care and young care-leavers where the level of need is high and where Advocates can resolve many issues confronting over-stretched social work and aftercare teams.

Take Action on Care Leaver Homelessness and Housing Options

The ongoing crisis in the housing sector is particularly impacting young people leaving care as there are a lack of sufficient housing options for young people as they transition from the care system to independent living. This acutely impact young care leavers, who often have less resources, family, and community supports to fall back on, and they can quickly fall into precarious resources as a result.

Through EPIC's National Advocacy Service, we have seen the number of cases where young people are presenting as homeless double in the last year, with 49 cases in the last twelve months.

Homeless charities have also noted the increases in care leavers accessing their services with Focus Ireland noting that one in ten of the care leavers whom they work with in Dublin are homeless, while another 18% are in insecure accommodation and at risk of homelessness.¹⁶

This is also recognised by Government who have acknowledged young care leavers as a priority group in the 'Youth Homelessness Strategy 2023-2025' due to their being particularly at risk of becoming homeless and disproportionately represented in the young homeless population.¹⁷

In EPIC's experience of working with care leavers affected by this crisis, we can attest to the very positive but limited successes of the Capital Assistance Scheme (CAS), a programme that provides funding to Approved Housing Bodies (AHB) to provide housing for people with specific categories of need which is funded by the Department of Housing, Planning and Local Government.

The CAS for Care Leavers Scheme has allowed AHBs, Tusla and local authorities to collaborate and acquire numerous properties for care leavers at risk of homelessness. In the context of the Youth

¹⁵ General Scheme of the Child Care (Amendment) Bill 2023, Head 4.

¹⁶ Holland, K. (19 April 2019) Young people leaving State care face 'real risk' of homelessness. The Irish Times.

<https://www.irishtimes.com/news/social-affairs/young-people-leaving-state-care-face-real-risk-of-homelessness-1.3861335>

¹⁷ Government of Ireland, Youth Homelessness Strategy 2023-2025, pg.25.

Homelessness Strategy, DCEDIY commissioned University College Dublin to review the CAS for Care Leavers Scheme, which was published in February.¹⁸ The review stated the scheme had significant success in reaching its objectives and “should be expanded to meet the levels of projected need for this type of accommodation among young people leaving care.” The Housing for All strategy further commits Government to provide capital funding for further development of housing for specified vulnerable cohorts under the Capital Assistance Scheme.¹⁹

As mentioned, approximately 1,000 young people per year leave the care system.²⁰ It is worth noting that not all care leavers are at risk of homelessness, as some receive support from foster carers during their transition to adulthood or have access to aftercare services that can assist them to secure stable housing. It is eminently possible to monitor and forward plan the housing need of care leavers through effective and timely care and aftercare and planning which links with local authorities. The housing requirement for those exiting the care system amounts to what would likely be a few hundred individuals per year across the state; it is very achievable to effectively prevent homelessness among care leavers.

Therefore, in order to achieve the objectives of the Youth Homelessness Strategy, the CAS for Care Leavers Scheme should be expanded and resourced to meet its objectives.

EPIC urges the Government in Budget 2024 to:

Expand the CAS for Care Leavers Scheme to allow for Tusla, AHBs and local authorities to meet the demand of the scheme.

Invest in State Operated Residential Care

In March 2022, Tusla published the ‘Strategic Plan for Residential Care Services for Children and Young People 2022-2025’ which noted the increasing growth of privately operated residential centres and the decreasing number of Tusla-operated care homes.²¹

Currently, EPIC are anecdotally aware of 126 private residential care centres operating within the state. This is an increase from 112 centres in March 2022, and the cost of this provision was €129.7m. In comparison, there are 40 Tusla-operated centres and 28 centres operated by the community and voluntary sector.²²

A major disparity between Tusla-led and privately operated residential services is the requirement of HIQA to monitor Tusla’s performance against the National Standards for Children’s Residential Centres and to reports its findings to the Minister for Health. Private providers and Community and Voluntary sector providers are not inspected by HIQA, but instead by the Tusla Alternative Care Inspection & Monitoring Service (ACIMS).²³ This is of concern to EPIC, as evidence from other jurisdictions has documented significant gaps in oversight, regulation, standards, and child protection practice in privately operated services and therefore, the need for independent oversight is critical. It

¹⁸ Norris, M., Palmer A. & Kelleher J. (May 2022) Preventing Homelessness among Care Leavers: Review of the Capital Assistance Scheme for Care Leavers. UCD. <https://www.gov.ie/en/publication/75071-preventing-homelessness-among-care-leavers-review-of-the-capital-assistance-scheme-cas-for-care-leavers-a-ucd-report-commissioned-by-dcediy/>

¹⁹ Government of Ireland, Housing for All - a new Housing Plan for Ireland, pg.72.

²⁰ Tusla, Annual Review on the Adequacy of Child Care and Family Support Services Available 2021, pg. 83

²¹ Tusla, Strategic Plan for Residential Care Services for Children and Young People 2022-2025. pg. 2.

²² *Ibid.* pg.17.

²³ *Ibid.* pg.35

is important to note that both Tusla and HIQA are in favour of HIQA taking the responsibility of inspecting privately-operated residential care settings.^{24 25}

There is also a danger that if a privately run service is not deemed profitable, the service may be closed at short notice. This leads to further disruption for the children living there who will have to be relocated on an emergency basis and who have already experienced destabilisation and anxiety as a result of needing to be taken into care. Additionally, some private facilities have issues with high staff turnover causing a similar disruption in children's lives.²⁶

Interim CEO of Tusla, Kate Duggan stated in May 2023 that since the initiation of the plan in 2022, Tusla has purchased an additional nine properties to open as residential units, which are at various levels of development. She further stated that "the most significant challenge for us [Tusla] will be to be able to resource those units and identify the staffing for them."²⁷

Tusla have stated their ambition is to increase public residential capacity by an additional 110 beds to ensure a ratio of 50:50 public:private provision by 2025.²⁸ The remaining years of this plan are currently costed at €50.64 million in capital expenditure required.

EPIC urges the Government in Budget 2024 to:

Support Tusla with additional funding to deliver an increased number of publicly run residential units for children in care to achieve a ratio of 50:50 public:private provision by 2025, as identified as a priority in Tusla's Strategic Plan on Residential Care.

Support Foster Carers

Research on child protection and welfare in Ireland and overseas has long established that the most appropriate place for a child in care to live is with a loving, supportive foster family. Ireland has one of the highest rates of children in care in foster placements globally. In January 2023, Tusla recorded that over 90% of children in care were in foster placements.²⁹

However, recruitment and retention of foster carers is slowing. During the period from 2017 to Q2 2022, Tusla approved 1,397 foster carers while 1,500 Tusla foster carers ceased fostering.³⁰ This has a detrimental effect on the lives and wellbeing of children who could be placed in a stable family home, but are instead housed in institutional environments, sometimes with frequent residential placement moves based on availability. Lack of available foster care placements is also resulting in children under 12 being placed in residential care in contradiction to Tusla's own policy.³¹

²⁴ Baker, N. (27 September 2021). Tusla chief says level of private residential care companies for children is a worry. Irish Examiner. <https://www.irishexaminer.com/news/arid-40706966.html>

²⁵ Health Information and Quality Authority, Annual Report 2022. pg.41.

²⁶ Power, J. (4 January 2023). Children younger than 12 living in State residential care homes. The Irish Times. <https://www.irishtimes.com/ireland/social-affairs/2023/01/04/children-younger-than-12-living-in-state-residential-care-homes/>

²⁷ Joint Committee on Children, Equality, Disability, Integration and Youth, *General Scheme of the Child Care (Amendment) Bill 2023: Discussion*, 9 May 2023.

²⁸ Tusla, Strategic Plan for Residential Care Services for Children and Young People 2022-2025. pg.40.

²⁹ Tusla, Monthly Service Performance and Activity Report, January 2023, pg.10.

³⁰ Tusla, Strategic Plan for Foster Care Services for Children and Young People 2022-2025. p.28.

³¹ Power, J. (4 January 2023). Children younger than 12 living in State residential care homes. The Irish Times.

An ongoing issue for foster carers has been that the foster care allowance has not increased since 2009 despite the significant increase in cost-of-living expenses. Currently, foster carers are paid an allowance of €325 for each child of 12 years and under, and €352 for each child of 12 years and older.

In May 2023, Minister Roderic O’Gorman stated that increase to the foster care allowance in Budget 2024 will be “a priority of mine”.³²

A further issue that has been highlighted by foster carers has been entitlement to State pensions, where they do not have adequate social welfare credits for eligibility for the contributory State retirement pension. We endorse the position of our colleagues in both the Irish Foster Care Association (IFCA) and the Movement for Change in Foster Care’s that this be examined as part of Budget 2024.³³

EPIC urges the Government in Budget 2024 to:

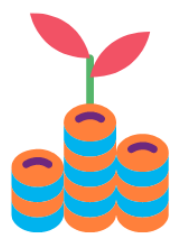
- Increase the Foster Care Allowance to reflect increasing cost-of-living expenses.
- Address the anomaly whereby foster carers are ineligible for the contributory State retirement pension.

³² Minister for Children, Equality, Disability, Integration and Youth, Dáil Éireann, 23 May 2023.

<https://www.oireachtas.ie/en/debates/question/2023-05-23/650/>

³³ Movement for Change in Foster Care Pre-Budget Submission 2024. Available at

https://docs.google.com/document/d/1pDlvm8g7NKqoEE4lafa8LUwl61fy6hmCd9zbCkwl_Qw/edit?usp=sharing



Pre-Budget Submission 2024



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