

An investigation of
legislation, services
and provision
involved in a selected
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Case study three addresses the problems of a child of mixed race named Sam. His family suffer the effects of many issues including neglect from inability to provide Sam with basic needs like food, warmth and short-term foster care, in which Sam has been in since the age of five due to his mother's long term depressive illness.

Separation from siblings and ethnicity is a large issue for Sam and his family as he has been separated throughout his life and may possibly be living in foster care with others who are not his brothers and sisters. Ethnicity may become a problem in foster care also, as carers may need to provide personal requisites, leading to greater cost. Legislation has provided frameworks to integrate services and providers from official and voluntary sectors to co-ordinate support to families in these situations. Short-term foster care is designed for parents who haven't signed release forms for a child to be adopted. The aim is to return the child or young person to their own family as soon as possible. It can last from a few weeks to several months.

While the child is with the foster family, they and their social worker may resolve any problems so they are able to return home. However sometimes the Court decides that the child cannot return home and must stay until other arrangements are being met (<http://www.nch.org.uk/fostercare/showquestion.asp?faq=3&fldAuto=17>).

As he becomes older various problems may arise, as the chance of him being fostered reduces.

When Sam reaches sixteen he is legally allowed to leave his foster home.

However those that do leave at such an early stage often suffer from

difficulties of poverty, isolation and depression. Teenagers should have three main factors from their carers.

They should have a feeling of belonging and trust. They should have autonomy e. g. to suit themselves when they come in and when they leave.

Carers should also help them to change if there are any problems, e. g. return to school or bring the children off drugs. (Triseliotis et al.

1995). Neglect, also known as 'omission', was the reason for taking Sam into care. This is defined as adults who fail to meet the basic needs of the child, such as food, warm clothing, being left alone, lack of medical care and so on. Sometimes adults fail to give their children love and affection, this is known as emotional abuse. If neglect is effecting a child an Emergency Protection Order under Section 44 of the Children Act 1989 can take place. This is implemented in situations of crisis when a child needs immediate protection.

Under Section 44 social services can assume the role of the parent for the duration of the order, initially 8 days, which can be extended to 15 days. Section 46 of the Children's Act 1989 states that if children are likely to suffer harm they may be removed or steps taken to ensure that they are in a safe place. Legislation was passed which gave penalties for ill treatment and authorised removal of children as a result of it. (Hendrick 1994) The police and Social Services have the power to intervene in family life, however they should not do so unless there is clear evidence of harm or possible harm to the child.

The Police and Criminal Evidence Act 1984 restates the common law power of the police to enter and search any premises for the purpose of saving ' life or limb'. The Law gives local authorities the primary role for taking action, however they should be in close contact with health and other professionals. Article 19 of The Convention on the Rights of the Child says " State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent (s), legal guardian (s) or any other person who has care of the child. " Hill, M; Tisdall, K. (1997) Local authorities provide services that aid all children who are in a vulnerable position or at risk, they provide protection, safety, foster care and advice. In March 2002 just over 11, 200 children were looked after by the local authorities compared to the 10, 900 the previous year resulting in a 3% increase.

Agencies providing foster care should use the National Standards to audit their service. A statement of values and principles which complies with the UN Convention on the Rights of the child and UK child care legislation informs these National Standards. Their key objectives are to improve children's outcomes in life from care outside of the home. Foster carers will be assessed to ensure that the standard of services are being met and to devise strategies to improve services in any area that is not of a good standard. Sam being separated from his both his parents is an important issue.

He has to adapt to two parental figures and other children who are not his brothers or sisters. However a Parental Responsibility order will allow an unmarried father e. g. Sam's father to be a parent for the purposes of the Children Act 1989 whether he has parental responsibility or not but then becomes liable for support.

In Sam's mother's case a social worker may undertake the assessment. They may take information from those who know her to devise a written plan. This may include working with the parents and families together, support for the family at a family centre, weight and health checks for the child and reports on the child's progress, (Williams, K. & Gardner, R. 1993) Voluntary agencies e.

g. Save the Children relates newly identified needs or innovative ways of providing services. Their work provides health care, education and saving children from harm. Societies such as the National Society for the Prevention of Cruelty to Children (NSPCC) were established in New York, London and Glasgow. It is one of the UK's leading charities and has statutory powers to take action if a child is being suspected of abuse. The NSPCC values are based upon the UN Convention of the Rights of the Child.

They include children being protected from violence or any form of exploitation. Every child must have someone to turn to, children are encouraged to fulfil their potential and responsibility must be taken to support, care and respect the children. <http://www.nspcc.org.uk/html/home/aboutus/aboutus.htm>

uk/html/home/aboutus/aboutus.htm). NCH is one of the most UK's leading charities. More than 480 projects are worked on at any time with over 98, <https://assignbuster.com/an-investigation-of-legislation-services-and-provision-involved-in-a-selected-case-study-essay/>

000 vulnerable children, young people and their families to ensure that they reach their full potential.

(<http://www.nch.org.uk/default.asp>).

Thorpe (1995) stated that child abuse should not be applied to neglect cases involving impoverished and stressed parents. Indicators of neglect include the growth and development of the child. E. g.

is the child too small for their age or the general appearance? Do the children have ill fitting clothes? Are there eating problems? Is the child always hungry or relationships with parents like fear? There are also indicators of violence e. g. bruising in strange places that would not usually occur with a fall like the upper arm or ear lobe. Emotional behaviour e.

g. becoming aggressive, withdrawn or bed wetting However one of the most important factors is the child's own statement as a child is very unlikely to lie about abuse. Sam's mother is suffering from a long-term depressive illness, which may be a factor in his neglect. The World Health Organisation refers to health as " a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. " (Downie et al.

1990). Poverty may be another issue arising from this illness. In the case study there is no mention of Sam's biological father, his mother may be finding it difficult to work with her illness and look after Sam at the same time. Poverty itself produces stress and causes frustration, which in turn may lead to violence or in Sam's case neglect. (Browne 1995). The depression and poverty then becomes a viscous cycle.

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Poor families are also less able to pay for support such as a childminder. Unfortunately according to the Agency for Health Care Policy and Research depression is under diagnosed and under treated by primary care and other non-mental health practitioners. High levels of depressive symptoms are most common among those with lower socioeconomic status. In addition those who are undereducated and unemployed are at a higher risk of depression, (Trowler, P.

1991). The study does not mention the ethnicity of Sam's mother. Women of colour are more likely than Caucasian women to suffer from depression due to factors such as racial/ethnic, discrimination, poor health, larger family sizes and single parenthood. Women's risk of depressive symptoms is of a higher level with these mothers of young children and increases with the number of children in the house. (<http://www.teacherline.org.uk/index.cfm?p=2173>).

Sam is of mixed race and identifies himself as Black British. The Foster Care Adjustment (FCA) looks at fostering ethnic minority groups and the increase in costs that is experienced.

The Children In Need survey (December 200) shows that the population of ethnic minority groups in care is 16%-18%, which is higher than the ethnic minority group population of 9%-11%. There is a shortage of ethnic minority adopters, which results in a limitation of options for children out of care. A reduction in suitable carers may be due to ethnic minority groups having additional needs that the local authorities have to provide for. There have been a number of publications that illustrated the fact that there is an additional need of foster care for ethnic minority children.

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