

Joint Submission to Tusla on National Aftercare Policy for Alternative Care Review

Epic, Empowering People in care

Irish Foster Care Association

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Introduction and Background

Tusla's *National Aftercare Policy for Alternative Care, 2017*¹ ("the Policy") is now in its fifth year of delivery. There has been much learning accrued regarding the delivery of aftercare services since 2017, including from the perspective of care-experienced young people, foster carers, and organisations working with these cohorts. In this submission, EPIC and IFCA have sought to collate our joint learning to assist Tusla's current review of the Policy.

At the end of May 2022, there were approximately 5,860 children in care in Ireland, of which 90% were in foster care.² The role of the foster carer is significant as almost half the number of young people aged 18-22 years that are in receipt of an aftercare service continued to live with foster families.³

The Policy outlines the legislation which places a statutory duty on Tusla to form a view on whether or not each young person leaving care needs an aftercare service, the eligibility criteria for aftercare and the principles and best practice which are guaranteed under national and international law. It further details Tusla's mission statement and statement of purpose on the delivery of aftercare.

The authors acknowledge the positive developments that the Policy has brought to aftercare services on foot of the previous *National Policy and Procedure Document for Leaving and Aftercare Services 2011*⁴. We also welcome Tusla's *Business Plan for 2021*⁵ which makes further commitments on improving aftercare provision, including in relation to the availability and quality of aftercare services.

Since the 2017 Policy⁶ was published, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) published *The National Framework for Children and Young People's Participation in Decision-making*⁷ which is underpinned by the United Nations Convention on the Rights of the Child (UNCRC)⁸ and the United Nations Convention on the Rights of Persons with Disabilities (UNCPD).⁹ This framework obliges all state agencies, state-funded organisations and organisations that work with children and young people to seek children's views under Article 12 of the UNCRC¹⁰ to uphold their rights and facilitate informed policy making. This allows for children and young people to both express their views and have their views given due weight.

¹ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf

² Tusla Monthly Service Performance and Activity Report, May 2022:
https://www.tusla.ie/uploads/content/Monthly_Service_Performance_and_Activity_Report_May_2022_V1.0.pdf

³ *Ibid.* p.45.

⁴ HSE. *National Policy and Procedure Document for Leaving and Aftercare Service*. 2011.

⁵ Tusla, *Business Plan 2021*. https://www.tusla.ie/uploads/content/Tusla_Business_Plan_-_English_-_2021.pdf

⁶ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf

⁷ DCEDIY, *The National Framework for Children and Young People's Participation in Decision-making*. Dublin, 2021. https://hubnanog.ie/wp-content/uploads/2021/04/5587-Child-Participation-Framework_report_LR_FINAL_Rev.pdf

⁸ <https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

⁹ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

¹⁰ <https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf> Article 12.

In this respect, the authors conducted a consultation with care-experienced young people on their experience of aftercare services, including members of the EPIC Youth Council, to inform this submission.¹¹ Their feedback and recommendations are reflected throughout the paper.

In addition, the authors consulted other key stakeholders including foster carers and frontline staff working with care-experienced young people in both organisations.

1: Legislation and Eligibility

1.1 Legislation

Section 45 of *The Child Care Act 1991*¹² places a statutory duty on Tusla to form a view in relation to whether each child leaving care requires assistance, and where it forms such a view, to provide services in accordance with the legislation and subject to resources.

This legislative provision is further strengthened by the *Child Care Amendment Act 2015*¹³ which provides that an assessment of need will be carried out to identify the support and services appropriate to an aftercare plan and sets out the domains to be considered in such an assessment.

1.2 Eligibility

*The Child Care Amendment Act 2015*¹⁴ provides criteria which govern the eligibility of a young person for an aftercare plan and an aftercare service as follows:

*“A child who has spent 12 months in the care of the State (with either the Child and Family Agency or the HSE) in the 5 years between the ages of 13 and (up to) 18 years old will be eligible for a statutory aftercare plan”.*¹⁵

Eligibility for aftercare is also provided for children accommodated under Section V of the *Child Care Act 1991* between the ages of 13 and 18,¹⁶ in special care under Part IVA of the *Child Care Act 1991*¹⁷ and for young people in detention within the 12-month criteria.

It is the view of the authors that the criteria as currently set out in legislation and policy are overly restrictive and often prevent vulnerable young people from receiving vital supports.

As well as the overall time spent by a child in the care system, it is our position that the length of time that the child and their family is known to and involved with social services should be included in the criteria. Some young people enter foster care following their 17th birthday with limited family or community supports and as they are not eligible for a statutory assessment of need and aftercare services, they often fall into precarious situations when they turn 18. Eligibility for aftercare has been a major presenting issue in EPIC's Advocacy Service over the past three years, with one Advocate noting, *“If a young person is taken into care past their 17th birthday, they are not eligible for this*

¹¹ EPIC Youth Council Consultation on TUSLA Aftercare Plan (April 2021)

¹² <https://revisedacts.lawreform.ie/eli/1991/act/17/revised/en/html> Section 45.

¹³ <https://www.irishstatutebook.ie/eli/2015/act/45/section/5/enacted/en/html#sec5>

¹⁴ <https://www.irishstatutebook.ie/eli/2015/act/45/enacted/en/html>

¹⁵ *Ibid.*

¹⁶ <https://revisedacts.lawreform.ie/eli/1991/act/17/revised/en/html>

¹⁷ *Ibid.*

[aftercare] allowance. This is a very unfair situation as Tusla has assessed the need of the young person as being serious enough to bring them into care ... there is an acknowledgement that the young person does not have any other supports around them ... On top of this, despite their recognised needs, they are also not eligible for the full rate of Job Seekers Allowance at 18”.

Cases have also been recorded in EPIC’s Advocacy Service whereby young people who are in care under a Voluntary Care Agreement have not been provided with a robust or detailed statutory assessment of need or aftercare plan when compared with their peers who are in care under a Full Care Order.

Section 45 of the *Child Care Act 1991* outlines; *“The core eligible age range for aftercare is from 18 years up to 21 years. This can be extended until the completion of a course of education in which a young person is engaged, up to the age of 23 years”.*¹⁸

It is the view of both EPIC and IFCA that the age for aftercare eligibility should be raised to 26 years based on an assessment of need when a young person is turning 21. This was also the view of the majority of young people consulted during the development of this submission. One young person interviewed stated that leaving care should happen at the point where *“the person is happy to leave it and feel like they have everything they need and are ready to go out into the world alone.”* This was echoed by foster carers, with one respondent noting *“you support your own until they are ready, so the same applies to the young person in care”.*

In the existing provision of aftercare, greater flexibility is required for eligibility to extend aftercare services from 21 to 23 years of age. This is currently dependant on whether a young person is completing education. Young people who may not be able to continuously progress in their chosen course or who may require a gap in their studies for a range of reasons should be accommodated. EPIC’s Advocacy Service caseload demonstrates that those most in need of an extended aftercare service are often those who are unable to access and stay in higher education. While education should be incentivised, it should not dictate eligibility for an aftercare service, and there are other means to support access and retention in further and higher education and training.

The 2021 Eurostat statistics¹⁹ found that the average age for young people to leave their parental home in the EU was 26.5 years, while in Ireland, the average age for young people to leave home was almost 28 years of age due to a range of factors including the lack of available and affordable accommodation. This is further cause to reassess the upper limit for aftercare provision given care-experienced young people are made independent at 18 and often lack family and community supports in relation to housing.

As aftercare is not a right for all children leaving care, there is a variance in practice across the country. In its 2016 Submission to Tusla on the Review of the National Leaving and Aftercare Policy, 2011, the Ombudsman for Children’s Office²⁰ recommended that the Government ensure all children leaving care or leaving emergency accommodation provided by Tusla access appropriate transition supports and aftercare services, in line with the best interest of the child. Further, the Ombudsman recommended that eligibility criteria should be expanded to include young people who have been in care for less than 12 months, particularly where the young people are specifically at risk or vulnerable,

¹⁸ <https://revisedacts.lawreform.ie/eli/1991/act/17/revised/en/html> Section 45.

¹⁹ https://ec.europa.eu/eurostat/databrowser/view/YTH_DEMO_030_custom_3098521/default/table?lang=en

²⁰ <https://www.oco.ie/app/uploads/2018/02/OCO-Recommendations-to-Tusla-on-Review-of-National-Leaving-and-Aftercare-Policy-2011-Nov2016.pdf>, pg. 1

and that supports should extend beyond the age of 24 where appropriate, regardless of whether the young person is in full-time education.

The Ombudsman reiterated these recommendations in the August 2022 *Report of the Ombudsman for Children's Office to the UN Committee on the Rights of the Child pursuant to the combined fifth and sixth reports submitted by Ireland under the simplified reporting procedure*²¹, specifically recommending that the state:

- allocate sufficient resources to support appropriate levels of aftercare planning for all young people requiring aftercare; and
- make aftercare supports and services available to all young people who need them.
- The State should extend full eligibility for aftercare to separated children who have not received a decision on their international protection application when they reach 18 years of age²²

The authors support the recommendations made by the Ombudsman for Children's Office and believe these should be considered and acted upon in the current review of the Policy.

Recommendations

- 1. The current review of the *Child Care Act, 1991* being undertaken by DCEDIY should address the legislative barriers to appropriate and adequate aftercare provision and ensure that:**
 - Aftercare is placed on a statutory footing for every child leaving state care;
 - Aftercare supports are extended to 26 years of age based on an assessment of need;
 - Discrimination in the allocation of aftercare services based on progression in further and higher education should be removed.
- 2. The human and financial resources necessary to ensure timely and robust assessments of needs should be estimated and budgeted for annually and included in DCEDIY's budgetary allocation to Tusla.**
- 3. The eligibility criteria for aftercare should be widened to allow flexibility for consideration of individual circumstances and the impact of these on a young person's need for aftercare. Circumstances to be considered should include:**
 - The length of time the child and their family were known to or involved with social services;
 - The length of time a child spent in care before the age of 13;
 - Whether a child was taken into care after their 17th birthday.

²¹ Report of the Ombudsman for Children's Office to the UN Committee on the Rights of the Child pursuant to the combined fifth and sixth reports submitted by Ireland under the simplified reporting procedure, August 2022: [Report-of-the-Ombudsman-for-Childrens-Office-to-the-UN-Committee-on-the-Rights-of-the-Child.pdf \(oco.ie\)](#)

²² Report of the Ombudsman for Children's Office to the UN Committee on the Rights of the Child pursuant to the combined fifth and sixth reports submitted by Ireland under the simplified reporting procedure, August 2022: [Report-of-the-Ombudsman-for-Childrens-Office-to-the-UN-Committee-on-the-Rights-of-the-Child.pdf \(oco.ie\)](#), pages 36 and 37

The level of vulnerability and risk experienced by a young person should be considered, as should the waiving of the criteria requiring a young person to have spent 12 cumulative months in care.

4. Tusla should ensure that young people under Voluntary Care Agreements have the same access to any necessary supports and services as young people under Care Orders that are reviewed by the Court – including, for example, in relation to accommodation, disability and mental health.

2: Assessment of Need

While it is welcome that the delivery of an assessment of need has been placed on a statutory footing, the authors believe that the assessment of need process requires further strengthening. The provision of aftercare services is designed to support a transitional stage in a young person's life and the Policy outlines that planning for aftercare should be a process rather than an event.

Specifically, the policy notes that:

*"It is important that all professionals ensure that the leaving and aftercare process is broached in a sensitive manner with young people in care and their carers so as not to invoke feelings of anxiety, insecurity and rejection. The process for aftercare must be child centred and full participation is paramount"*²³

This is in line with Tusla's National Participation Strategy 2019-2023²⁴ which articulates how Tusla will ensure children and young people's participation in decision-making, and which supports *"ongoing processes, which include information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes."*²⁵

Many young people consulted during the development of this submission did not feel that the aftercare planning process sufficiently took their views into account, and reported feeling rushed to move out of the foster home before they were ready. Some reported that their statutory assessment of need was completed after one meeting with a duty Aftercare Worker and that this informed their aftercare plan. Young people also reported a lack of effective consideration of their individual and personal needs and circumstances, and that this in turn contributed to inadequate assessments and planning.

Foster carers who were surveyed pointed to the need for a young person to feel trust in their Aftercare Worker, that time is needed for a relationship to be built with a young person, and that a lack of understanding of aftercare provisions often leads to confusion and uncertainty for the young person.

Both foster carers and young people noted that where foster carers were involved in the process, young people were better able to articulate their views, and this allowed the aftercare plan to be more representative of their needs. The lack of clarity regarding the role of foster carers, and their exclusion

²³ *Ibid.* p.11.

²⁴ Tusla, *Child and Youth Participation Strategy 2019-2023*. Dublin, 2019.

https://www.tusla.ie/uploads/content/tusla_child_and_youth_participation_strategy-2019-2023_1.pdf

²⁵ *Ibid.*

at times from the assessment of needs process, reflects a broader concern for foster carers in terms of policy provision being silent on their role. It is felt that this renders them invisible when it comes to informing planning processes for young people in their care.

Some foster carers highlighted the variance in practices across the country, with resources and the availability of Aftercare Workers impacting assessments. Of particular concern was a lack of understanding regarding the difficulties children with disabilities, those experiencing mental health issues, and those with a mental health diagnosis can encounter when engaging in the assessment of need process. The experience of many foster carers was that the assessment of need is not completed in the timeframe advised and interdisciplinary consultation is often poorly executed, which results in a failure to effectively determine and address need.

For children with additional needs, such as a diagnosed intellectual disability, the capacity to engage is complicated and requires Aftercare Workers to work closely with foster carers to build a relationship, support the child to voice their feelings and ensure their views are heard and accounted for. Young people must be afforded the time necessary to fully engage in their aftercare planning, and this planning must continue to be assessed and reviewed to ensure it is flexible in meeting the changing needs of young people. A 'one size fits all' approach is neither acceptable, nor effective.

The assessment of need is a crucial step in informing a robust, holistic aftercare plan. The assessment of need should focus on a range of socio-economic areas vital to development and wellbeing, including further and higher education and training, mental health, housing, disability services, and community welfare. In turn, these should inform the development of the aftercare plan.

Recommendations

- 1. Referrals to aftercare services must be made upon the young person's 16th birthday, and their statutory assessment of need must be undertaken in an appropriate timeframe.**
- 2. The assessment of need process should include their foster carer/s and other identified supports where appropriate. This would help ensure the assessment is representative of the multidimensional needs of the young person.**
- 3. The assessment of need should be reviewed over time in line with the young person's changing circumstances, development, transition to adulthood and independence.**
- 4. Tusla's current review of the Policy should include a focus on participation of care-experienced young people, in line with the provisions of Tusla's *Children and Young People's Participation Toolkit*.**

3: Appeals Process

Section 8²⁶ of the Policy outlines the appeals process whereby:

“If any young adult or young person is dissatisfied with any aspect of the aftercare plan this can be appealed through the Aftercare Manager either in writing or verbally or through an advocate on their behalf. If they remain unhappy this can be referred to the Area Manager for further appeal.”

Feedback from EPIC’s Advocacy Service found that the Policy’s appeals process can be ineffective at times, which creates further anxiety for the young person.

“...In one case, despite formally writing to the Area Manager on behalf of the young person, and sending follow up letters, I never received a reply (a decision on the appeal) and as a result the young person needed legal advice.”

Section 8 of the Policy states:

“If a young adult is dissatisfied with any aspect of the aftercare service, they can make a complaint through ‘Tell Us’: Tusla’s feedback and complaints Policy.”²⁷

EPIC Advocates have assisted young people to submit complaints where the young person was unhappy with their aftercare planning and service. However, the Tusla ‘Tell Us’ Complaint System²⁸ has proven problematic, with some young people failing to receive any response to their complaint. One young person reported receiving a response to their complaint from the same after care team they had submitted their complaint against, without input from Tusla Management as oversight.

Recommendations

- 1. Tusla local aftercare management structures should be fully aware of the Policy’s appeal process and act on appeals in a timely manner.**
- 2. When a ‘Tell Us’ complaint is submitted by a young person in relation to the management of their case by an Aftercare Worker or service, the investigation and response should be managed by the Aftercare Manager or Area Manager, to ensure that the complaint is handled independently and at senior level, in line with best practice.**
- 3. Greater transparency of the appeals process and the level of management oversight is necessary to ensure young people have faith in the complaints process.**

²⁶ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf p.17

²⁷ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf p.17

²⁸ <https://www.tusla.ie/about/feedback-and-complaints/>

4: Preparation for Leaving Care

The Policy states that:

“Statutory planning for children in care is the function and responsibility of the child’s Social Worker ... During the process of formal preparation for leaving care, the Aftercare Worker plays a secondary and supportive role whilst holding primary responsibility for ensuring a needs assessment for preparation for leaving care is carried out.”²⁹

While the statutory planning for a child in care up until their 18th birthday is the responsibility of their Social Worker, it is EPIC and IFCA’s experience that aftercare planning may only begin to be discussed once the young person is referred to an aftercare service, who then assume full responsibility for the aftercare planning.

The Policy states that *“The care plan should reflect the work to be undertaken to support the young person commence the transition to adulthood from the age of 16 years. Preparation for adulthood is part of childhood development from the stage of admission and the child in care review process and care planning should consider these developing needs.”³⁰*

Feedback received during the consultation undertaken to inform this submission highlighted that aftercare planning was often neither covered nor consistently addressed in a young person’s Child in Care Reviews and subsequent Care Plans. This also resulted in aftercare planning becoming the sole responsibility of the Aftercare Worker, which in turn meant that aftercare planning did not take place in a timely manner in line with the young person’s transition to adulthood.

The Policy states that *“Foster carers and residential staff have key roles in supporting young people in their preparation and transition for adult life.”³¹* As mentioned previously, foster carers have reported being excluded from a young person’s statutory assessment of need and aftercare planning, both of which are fundamental to preparing for the transition to adult life.

Recommendations

- 1. Preparations for aftercare should be included as a section in the child’s Care Plan as soon as the child comes into care, to ensure that preparation for aftercare is part of the care continuum and viewed as a natural transition to independence. Consideration should be given to a return to the practice of using Preparation for Leaving Care Plans as part of the child or young person’s on-going care planning process.**
- 2. Young people and foster carers need to be aware of the entitlement to aftercare and should be provided with copies of the Policy and signposted to it digitally by Social Workers. Proactive communications to ensure young people and their foster carers are aware of where and how to access this information is critical to helping them prepare for aftercare planning and to know their rights.**

²⁹ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf p.18

³⁰ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf p.18

³¹ *Ibid.*

5: Aftercare Plans and Review

Members of the EPIC Youth Council consulted for this submission put forward several key issues based on their own lived experience of turning 18 and transitioning out of care. They highlighted many issues which should be addressed during the current review of the policy, including accommodation, access to mental health services and trauma informed therapeutic supports, and the pressure experienced by young people when their continued aftercare allowance is dependent on being in fulltime education or training upon turning 21.

“Many young people have gap years, many young people drop out of a course they hate and start again, many young people choose to go into education later in life. For care experienced people, they cannot do this, or they will lose some of the only support they may have.”

~ EPIC Youth Council Member

In addition to these issues, Youth Council members also talked about setting out in life as a young adult with little or no savings or knowledge about managing their finances and budgeting.

“Expectations of financial management at such a young age is unrealistic, with young people’s homes and mental health being compromised .”

~ EPIC Youth Council Member

The lack of support networks available to care-experienced young people was also raised, with one Council Member referring to aftercare as “an incredibly isolating time.” Others flagged the impact on their emotional wellbeing of feelings including not really knowing who you are, or where you came from, to not accepting or loving yourself because of your life experiences. These feelings can often be exacerbated when transitioning to adulthood with limited support and place care-experienced young people in situations of added vulnerability.

Council members also drew attention to the role of Tusla as their “corporate parent” when family reunification has not been possible, and how they feel this role and Tusla’s duty of care, much like that of a parent, should not end abruptly.

“Reunification with families is prioritised while in care ... if reunification with family does not happen, the corporate parent should remain the parent after care. The supports, the wellbeing, the values, the interest in the young people, should be important to the corporate parent just as much as it would be to the parent...”

~ EPIC Youth Council Member

The Council Members pointed to a need for greater consistency in aftercare services nationally, with some viewing aftercare as a geographical lottery. It was also felt that all young people leaving care should have access to an Aftercare Worker and that it should be the responsibility of the Aftercare Worker to continue to link in with the young person to ascertain their needs regularly.

Aftercare plans must outline who is involved in the review of the plan, their roles, how they will consult with the young person, and how the review will be assessed. During the consultation undertaken to inform this submission, 18 of 37 young people surveyed have had a review of their aftercare plan, but 19 - almost half of all respondents - said they did not have a review of their aftercare plan.

It is recognised that young people’s needs, and circumstances may change or develop over time, and a review of their aftercare plan ensures that their views are considered and that their needs are being.

The continuum of care is particularly imperative for young people with complex needs leaving care as those with additional needs, mental health issues, and disabilities will often require long-term support. Foster carers may be the young person’s only family and the Policy should reflect that aftercare in these cases should be a long-term process which does not end once the young person formally exits aftercare.

Recommendations

- 1. Tusla should increase its investment and capacity in aftercare to ensure all young people leaving care receive a quality and timely service.**
- 2. Young people leaving care should have their PPS Number, formal ID, Birth Certificate, Medical Card, and a letter proving that they were in care and are in receipt of aftercare. Further, these young people should be advised of their rights and entitlements and have the contact information of services that can support them.**
- 3. All aftercare plans should be reviewed at agreed intervals in line with the changing needs and circumstances of a young adult. Reviews should be conducted in a holistic manner and informed by the perspectives of the young person’s foster carer and other professionals.**

4. Aftercare plans should include and prioritise provision of access to trauma informed therapeutic supports for young people where applicable.
5. A clear process should be instated to allow young people and foster carers to initiate a review should circumstances or needs change.
6. A final review is required as the young person leaves aftercare which is easy to access and engage in for both the young person, the professionals supporting them and their foster carers.

6: Young people who are placed out of area³² or who choose to move outside of their area of origin

The Policy directs that all services provided to a young person comes from their area of origin. However, young people may move from their area of origin for a variety of reasons. They may be placed out of their area by Tusla, or move area for college, employment, or training or to be closer to family members or friends. The provision of an Aftercare Worker in the young person's new area is unusual due to lack of capacity, so the Aftercare Worker from the area of origin remains responsible. The difficulties that young people experience in engaging with aftercare services is exacerbated by the fact that the source of support is sometimes located far away from the young person. Given the geographical distance, there is potential for young people to disengage as they feel disconnected from the source of support.

The benefits of having an Aftercare Worker based in the area in which the young person resides include:

- Greater access to the Aftercare Worker.
- Development of a relationship with the Aftercare Worker, and provision of in-person support which is deemed beneficial.
- Better sign posting of the young person to services and supports in their area given that the Aftercare Worker will have local knowledge and links to different community resources.

The Policy states that young people can engage in drop-in services in the area they live, even if it is not their area of origin. EPIC has worked with young people who have faced significant challenges because they are living outside their area of origin but continue to require high levels of individualised support. In addition, half of the young people surveyed as part of the consultation for this submission were not aware of the drop-in service in their area. Those who did avail of drop-in services found them difficult to access, which places a strain on a young person's ability to stay connected with aftercare and receive appropriate support.

³² https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf p.23

Recommendations

1. Young people who are placed in long-term foster placements outside of their area of origin should be referred to the aftercare service within the new area.
2. Equal priority must be given to allocation of an Aftercare Worker to young people placed in their area of origin and those that are placed outside the area.
3. Clear and concise information should be provided to young people, foster carers and local organisations that support young people on the availability of drop-in services.
4. Aftercare plans should be reviewed when a young person moves area and should include a needs assessment to ascertain whether an Aftercare Worker should be allocated in the area the young person is residing.
5. The National Transfer Policy 2016 should be reviewed to ensure it is line with the best interests of the young person and is consistent with the provisions of any update of the aftercare policy published following the current review.

9: Case Closure

The Policy states that:

“The aftercare plan should reflect the young adult’s participation and view on service provision.... the decision to close a case can be reviewed following engagement by the young adult or at the request of the young adult. Young adults can self-refer or be referred to the aftercare service through the aftercare drop-in service or the aftercare steering committee.”³³

Developmentally, children do not become adults overnight on their 18th birthday, or subsequently on their 21st birthday. For care leavers, transition to adulthood is often accompanied by the experience of coping with the trauma and the instability of their childhood.

Aftercare Workers have submitted referrals to EPIC’s Advocacy Service for young people who they identify as requiring continued support past their 21st birthday which they can no longer provide. It has also been witnessed that in exceptional cases and with an Aftercare Manager’s approval, Aftercare Workers do continue to support a young person past their 21st birthday, regardless of the young person’s education status.

The upper age ranges for aftercare services at 21 and 23 respectively, necessitate that cases are closed based on age, rather than at the point when a young adult is ready for aftercare support to end, or to be transferred to the drop-in service.

In feedback from young people that were consulted in the development of this submission, foster carers, and EPIC and IFCA frontline staff, it was highlighted that aftercare cases are sometimes closed without consultation with, or communication to the young person. This can occur frequently in cases

³³ https://www.tusla.ie/uploads/content/4248-TUSLA_National_Policy_for_Aftercare_v2.pdf p.25

where there has been changes in Aftercare Workers in an area, or when a young person is not residing in the same area as their Aftercare Worker.

“It stopped at 22 because my Aftercare Worker believed I didn't need the support anymore without asking before closing my case.”

~ EPIC Youth Council Member

Foster carers often observe that lack of engagement on the part of the young person can be the reason aftercare supports are stopped and the case closed. As mentioned previously in this submission, the ability of the young person to engage with their Aftercare Worker is influenced by many factors and cases should never be closed without input from, and communication with, the young person, their foster carer/s and other professionals.

Recommendations

- 1. The individual young person, their foster carer/s and other professionals should always be consulted in advance of the closing of an aftercare case.**
- 2. Aftercare Workers should actively seek to maintain contact with the young people assigned to them throughout the young person's aftercare journey.**
- 3. When a case is closed, this should be communicated to the young person, along with information on any supports and services they may need.**

Conclusion

Since the publication of the National Aftercare Policy for Alternative Care, great progress has been made in the provision of aftercare services. However, it is the view of the authors that more needs to be done to ensure children in the care of the state transition to independent adulthood and leave care enjoying the same opportunities as their non-care experienced peers. We welcome Tusla's review of the policy, we trust this submission is useful and we will gladly engage in any further consultations planned around the review. As always, we stand ready to support young people leaving care, Tusla as their corporate parent, foster carers and other professionals working with them to ensure care-leavers live happy, healthy, and successful adult lives.

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