

***Stronger Families,
Brighter Futures***

Policy Paper 72



The proposals in this paper build upon those set out in policy paper 62 *Fair Foundations* (2004) and relate to ongoing policy development in other areas including:

Child Poverty: Child poverty is inseparable from family poverty and must be tackled within the framework of a strategy to deal with general poverty and inequality.

Housing: The quality of family life is critically affected by housing conditions. The Local Authority planning process should take account of support for families in the community.

Education: Education is the key tool for delivering a policy of social justice based on equal opportunity for every child.

Health: High quality accessible healthcare is imperative for ensuring that children have the best chance of a healthy and productive life.

Employment and economic opportunity: A stable family life requires a sustainable work life balance.

Sustainable communities: Families are an important part of community life. The well being of a family is interlinked with the well being of the community in which they live including tackling crime and supporting the local environment.

Three important policy areas developed in this paper:

High quality parenting - Parenting is a skilled job and preparation and support is vital. This will be made available through the school curriculum and local family support networks.

High quality childcare and early education - Requires qualified staff and stimulating settings to create the best environment for the development of a child; a new qualification, improved inspection and quality assurance processes.

Real choice for parents - Parents should be enabled to spend more time at home with their children if they wish facilitated by flexible working and the options for shared parental leave.

Contents

EXECUTIVE SUMMARY	7
INTRODUCTION	9
1.1 A CHILD-CENTRED FAMILY POLICY	9
1.2 SUPPORTING FAMILIES - THE LIBERAL DEMOCRAT APPROACH	10
1.3 THE RIGHTS OF CHILDREN	10
FOUNDATIONS FOR PARENTHOOD	12
2.1 PREPARING YOUNG PEOPLE FOR PARENTHOOD	12
2.2 SUPPORTING STRONG RELATIONSHIPS	12
2.3 MAKING THE BEST USE OF FUNDS	14
SUPPORTING FAMILIES	15
3.1 WORK-LIFE BALANCE - CULTURE IN THE WORKPLACE	15
3.2 WORK-LIFE BALANCE - PARENTAL LEAVE	16
3.3 ACCESSIBLE COMMUNITY-LED CHILDCARE	16
3.4 AFFORDABLE CHILDCARE	18
3.5 QUALITY CHILDCARE THAT PARENTS CAN TRUST	18
<i>Qualifications and Training</i>	18
3.6 INSPECTION AND REGISTRATION	19
SEPARATION AND DIVORCE	20
4.1 THE PRESENT LAW	20
4.2 THE BEST INTERESTS OF THE CHILD	20
4.3 A LESS ADVERSARIAL SYSTEM	21
4.4 MEDIATION	22
4.5 ENFORCEMENT	22
4.6 THE SAFETY OF THE CHILD	22
4.7 COSTS AND LEGAL AID	23
FOSTERING AND ADOPTION	24
5.1 BEST PRACTICE IN FOSTERING AND SUPPORT FOR CARERS	24
5.2 FAMILIES FOR LIFE	25
5.3 INTENSIVE FOSTERING	25
5.4 EDUCATING CHILDREN IN CARE	25
5.5 PRIVATE FOSTER CARERS	26
5.6 FACILITATING ADOPTION	26

Executive summary

Liberal Democrats believe that the health, well-being and creative development of Britain's children are vitally important for our society. As vulnerable members of society we believe the state has a role in protecting and promoting their safety and welfare, and encouraging their personal development at home and in nurseries and schools.

The well-being of children cannot be separated from that of their family. Family stability leads to a more secure upbringing for the child. In the 21st century, the modern British family comes in many different shapes and sizes. We are no longer a nation that has one universal family structure. But all families share common concerns.

We have always been at the forefront of support for initiatives to define children's rights just as we have with those of every British citizen. We believe the state has an obligation to safeguard and promote the rights of children and provide the opportunities for them to develop to their full potential and make the best of their talents. We would redefine the remit of the Children's Commissioner for England.

This paper focuses on three facets of family life:

- Helping to prepare people for the responsibilities of parenthood.
- Supporting families in maintaining financial and emotional stability, focusing particularly on the early years of a child's life which have such a powerful formative influence on later life chances.
- Supporting families in crisis, including the consequences of breakdown, and looking for ways of making any transition smoother, particularly for the children who may suffer most.

Foundations for parenthood

Our proposals include:

- Making age appropriate sex and relationship education a statutory part of the National Curriculum with provision made by schools for any relevant cultural or religious considerations of pupils.
- Setting up Local Family Support Networks to pull together all the programmes in the community, state-provided, voluntary and private sectors so that people know where they can go to get appropriate support in the community.
- Engaging trusted professionals such as midwives and health visitors to recognise problems and offer support during their contact with families, pointing them in the direction of appropriate help.

Supporting families

Our proposals include:

- Breaking down institutional barriers in the workforce and encouraging flexible working practices with predictability at the centre of arrangements, such as the use of time account schemes.
- Removing the administrative burden on small businesses by arranging for parental pay to be paid directly from Revenue and Customs.
- Introducing a Maternity Income Guarantee for the first child equivalent to the current minimum wage at £170 for the first 6 months. We would aim to extend the Maternity Income Guarantee to 12 months as statutory parental leave timescales are increased.
- Investigating the option of introducing parental leave to share between mothers and fathers as families wish and one month's paternity leave.
- Community childcare and support services through Children's Centres and other settings run by the community for the community including the parents themselves.

- A professional body to cover all early years professionals, enhancing their skills by requiring a minimum of NVQ level 3 qualifications from all staff directly involved with the care of the child.
- Robust and regular childcare inspection regimes in order to reassure families that local provision is trustworthy.

Divorce and separation

Our proposals include:

- Maintaining the best interest of the child as paramount, but that the courts should have regard to the desirability of a child maintaining contact with both parents.
- In the absence of a threat to the safety of the child or agreed arrangements between parents, a Default Contact Arrangement to take effect on parents separation providing reasonable contact, including staying contact, with the non-resident parent.
- A less adversarial family courts system, with judicial continuity and a stronger voice for the child.
- A compulsory meeting to hear options for mediation before the application to the courts is permitted to proceed.
- An incremental approach to enforcement with escalation to more penal measures should previous approaches fail.
- Urgent risk assessments where there are suggestions of a threat to the safety of the child.
- Scrapping the CSA and transferring its functions to HM Revenue and Customs (HMRC). As HMRC already holds information about family incomes and children it would be far more effective than the CSA at collecting maintenance from source.

Fostering and adopting

Our proposals include:

- A choice of placement for fostering so that contact with family and friends can continue.
- On-going support and training for foster carers.
- 'Families for Life' which includes a presumption in favour of kinship care if in the best interest of the child and post-16 fostering if mutually agreeable.
- Intensive fostering for children at risk of custodial sentence.
- Extra support for educating children in care, including personalised learning plans.
- A compulsory registration scheme for all fostering arrangements.
- Concurrent planning and Adoption Support Services Advisors to facilitate the best interests of the child during the adoption process.

Introduction

1.0.1 Liberal Democrats believe that the health, well-being and creative development of Britain's children are vitally important for our society. As vulnerable members of that society we believe that the state has a role in protecting and promoting their safety and welfare, and encouraging their personal development at home and in nurseries and schools.

1.0.2 We have always been at the forefront of initiatives to define children's rights just as we have with every British citizen. We believe the state has an obligation to safeguard and promote the rights of children and provide the opportunities for them to develop to their full potential and make the best of their talents.

1.0.3 The well-being of children cannot be separated from that of their family. Family stability leads to a more secure upbringing for the child. In the 21st century, the modern British family comes in many different shapes and sizes. We are no longer a nation that has one universal family structure. But all families share common concerns. How can we give our children the best start in life? How can we balance the needs of home and work? How can we ensure our financial security?

1.0.4 Liberal Democrats consider that a proper family policy needs to support the role of the family in providing stable, high quality care for children, acknowledging that families will be of different forms and that the family context for a particular child may change over a period of time.

1.0.5 The following principles guide our thinking:

- Children are our nation's heritage and its future. We believe they have a right to develop to their full potential and to have their voices heard.
- Families should be as independent and self-determining as possible, and individual parents should be free to raise their children as they see fit, within a framework that puts children's interests at the centre.

- The state has a role in helping to support families through local communities with services built by and for the people they aim to help in order to empower, educate and support parents and children, as needed, at different points in their lives.
- Inequalities due to socio-economic circumstances, class, gender, disability or ethnicity can and should be addressed through support in children's earliest years, when intervention and investment can be most effective.
- Ideally parents should have a genuine choice in finding the right work-life balance for their family particularly in the important first year after the birth of a baby.
- Parents are their child's first educators. Parenting skills and knowledge about child development should be available for parents and professionals at appropriate stages.
- Suitable high quality provision for integrated day care and early education, and out of school care, should be accessible to all.
- Social, health, legal and other services should be accessible to all families in ways that welcome them and are not stigmatising.

1.1 A child-centred family policy

1.1.1 A child-centred policy means ensuring the best start in life for every child. It requires establishing what children need to thrive and develop in order to fulfil their potential as well-balanced, healthy individuals, and for the state to provide the means to ensure that as many children as possible have the opportunity to grow up in such an environment.

1.1.2 The most important factor influencing the development of a child, particularly in the early years, is the love and nurture provided by his or her primary care-givers: parents, relatives or

guardians. Together these primary carers form the family unit and many different structures exist in modern Britain. Others who care for children for significant periods of time, including nannies, child-minders and teachers, also provide formative influence which is why Liberal Democrats believe their role in a child-centred family policy is important.

1.1.3 If we are to provide for the welfare of children, supporting families must be a top priority.

1.1.4 Most families in Britain succeed, through thick and thin, in providing children with a decent loving start in life. But some struggle to provide the stable environment that children need. Families are under increasing pressure as today's working culture demands longer and less family friendly hours, and many families are headed by lone parents working hard to make ends meet. This can mean time with children and partners is squeezed and relationships may suffer.

1.1.5 Research suggests that up to one in five children and adolescents experience mental health problems at some time in their lives, and that difficulties in family life and relationships are a major contributor. Also there are a small minority of children who suffer severely from neglect and abuse.

1.1.6 There were almost 26,000 children on Child Protection Registers in March 2005. Almost half of registrations related to children considered being at risk of neglect. Most of the balance is made up of children at risk of emotional, physical and sexual abuse. 4,500 children call ChildLine every day, although nearly half do not get through.

1.2 Supporting families - the Liberal Democrat approach

1.2.1 Liberal Democrats are wary of state intervention in individuals' lives. However, where children might lack elements of a secure environment that enables them to develop to their full potential, and where government assistance could make a difference, there is a role for state action.

1.2.2 Liberal Democrats therefore believe the state has a duty to provide help and support, not just for these children at risk or suffering abuse,

but in helping families to fulfil their responsibility to create a stable and secure environment for their children.

1.2.3 In order to achieve this we need a different approach to how we respond to current trends in family life and how we assess available services:

- **Prevention first:** We should not wait until problems arise before offering support. With children we are looking at a lifetime investment. The long term benefits of funding preventative programmes outweigh shorter term costs.
- **Mainstream support:** Support should be non-stigmatised, and not just aimed at problem families. Seeking support for partnering or parenting skills should be no different from going to the GP to seek advice on a physical ailment. There are other contact points where families interact with public bodies and can be engaged, such as at registry offices and with health visitors, even when they have not actively sought advice. Targeting beyond mainstream support for all should be to engage those who are hard to reach such as those in rural communities, in poverty, or who do not speak English; or those who require specialised support such as families where a parent or child has a disability, or the children of asylum seekers. It is important that such targeting does not have the effect of stigmatising.
- **Community centred support:** Locally run services are best placed to serve the needs of local families. There are huge resources available in the local community through local voluntary, community and faith groups; through team working by local professionals and through peer support among parents. A local approach still requires clear national frameworks and the sharing of best practice, to ensure that standards are maintained and improved.

1.3 The rights of children

1.3.1 Every child deserves to have his or her rights protected and promoted. Liberal Democrats believe the best interests of children can only be

assured if their rights are enshrined in the law. In government we would ensure that new legislation is fully compatible with the UN Convention on the Rights of the Child (UNCRC).

1.3.2 The role of the Children's Commissioner for England is central to this rights-based approach. At present the function of the Commissioner for England is one of the weakest in Europe and is not in line with international standards. We would redefine the remit of the Children's Commissioner for England so that the role is charged with both promoting and protecting children's rights in accordance with the

UNCRC. This would bring the remit of the Commissioner into line with counterparts in the devolved administrations of the UK and across Europe.

1.3.3 This rights-based focus will increase the role's moral authority and credibility. The Commissioner should remain completely independent of government. The Commissioner should be able to set up and lead inquiries on his or her own initiative and should report to Parliament at regular intervals through the select committees which deal with children's issues.

Foundations for parenthood

2.0.1 For most people the creation of a stable family and bringing up children is learned from their own experience of family life, and from the advice and support of others, traditionally their parents, extended family and friends. Some communities, particularly ethnic minority and religious groups, have strong kinship and friendship networks for support.

2.0.2 Liberal Democrats believe that helping to prepare people for parenthood and providing them with the tools to put their knowledge into practice, especially in the early years of a child's life, would help to ensure that, as problems arise, families have a better chance to succeed.

2.1 Preparing young people for parenthood

2.1.1 Teenage pregnancy rates in Britain are among the highest in the western world. Education should be a central part of any strategy to address this. As children grow to maturity they should understand fully the consequences of sexual activity and the responsibilities of parenthood.

2.1.2 There is also great value in laying the foundations for healthy relationships in young people before they start to think about forming adult commitments and starting families themselves. The most important influence comes from their own parents, but schools can help to prepare young people for family life by providing non-judgmental guidance on relationships and parenthood, and informing them about the importance of the early years of a child's life.

2.1.3 We would make age appropriate Personal, Social and Health Education a statutory part of the National Curriculum with provision made by schools for any relevant cultural or religious considerations of pupils. At relevant stages, dependent on maturity and understanding, there would be an emphasis on:

- A broad overarching education about relationships including encouraging young people to understand that relationships with and between parents are important to the wellbeing of children.

- The responsibilities of parenthood including the commitment involved in raising a child, learning about children's development and needs.
- Age relevant sex education including impartial information on contraception and information on health issues such as HIV.
- Information on dangers such as alcohol abuse, drugs and tobacco.
- Training staff involved in teaching these classes.

2.2 Supporting strong relationships

2.2.1 Government support concentrates mainly on the relationship between parent and child. However, in families with more than one adult the relationship between those adults whether married, cohabiting or living apart, natural, non-biological or step families, clearly has a profound effect on the wellbeing of the children within that family.

2.2.2 Being a good partner helps someone to be a good parent. A child-centred policy that encourages children to thrive and develop to their full potential must, therefore, also support the key relationships contributing to the environment in which the child is growing up.

2.2.3 In modern Britain many parents perceive that they have no-one to turn to if they are experiencing particular difficulties in their relationships with partners or children, or managing the difficulties of everyday life.

2.2.4 There are many effective local initiatives running across the country, but they are often fragmented and poorly funded. Currently there is no obligation, when making a funding bid, to prove that other groups are not doing the same thing in the same area. Some services are duplicated whilst there are gaps elsewhere.

2.2.5 We would set up Local Family Support Networks to pull together the best parts of these initiatives. Each local authority, in consultation with local parents and professionals, would put together a strategic plan on family support, building upon existing services, including Sure

Start projects and Children's Trusts. This would require mapping local services to find out what is available, what is duplicated, what is effective, and analysis of who is accessing the services. This would enable efficient choices for local funding and best practice to be shared nationwide.

2.2.6 Each Local Family Support Network would produce information offering a menu of local support easily accessible to local families. This would be given to couples and new parents at registry offices, churches and mosques; and advertised through schools, doctors' surgeries, local post offices, supermarkets, other local community centres and the Internet.

2.2.7 Local Family Support Networks could build upon the models established by Community Family Trusts, a network of voluntary sector groups that educate people in the essentials of lasting relationships. Their programmes are delivered in schools, health centres, churches, registry offices and workplaces and give adults and children the opportunity to learn relationship skills at key life stages.

LOCAL FAMILY SUPPORT NETWORKS

Examples of Best Practice Home and Abroad

Information packs: offering support to families through leaflets, booklets and information delivered to their doors. A scheme in Germany sends out information to families every month of their child's life from birth to 8 years old. Parents are asked to pay about 9 Euros per year for the packs. Business sponsorship is also an option for such schemes.

Classes and one-to-one support on marriage preparation, parenting, conflict resolution.

Telephone helplines to direct people towards local services. This could mean expanding the Children's Information Services network, for which every local authority has a dedicated office, into a Family Information Service to include support for the whole family.

Family group conferencing: a programme from New Zealand where the wider family is brought together and supported to talk through and resolve issues themselves.

Fathers' groups: where dads can bring their children to join in activities and form friendships.

Therapeutic women's groups: where women support one another to come to terms with past issues and understand their current relationships, in a secure, trusting environment. Group co-ordinators direct them to counsellors if necessary.

Community incentives and rewards: In the state of Michigan parents are provided with a loyalty card in return for attending classes. They receive points that they can spend at the local department store.

Peer Support: Local networks of parents who support one another can prevent situations becoming more stressful and can even help to avoid family breakdown or child abuse, and are less threatening than counselling or classes may be. Home-Start UK trains parent-volunteers and is run in 330 communities across Britain.

2.2.8 The network of valued and trusted professionals who have unique access to children and families should be used to engage parents as part of mainstream services. There are many contact points in people's lives where they meet professionals who can become trusted and non-threatening means of support. These professionals should be trained to recognise strains within families, to ask the right questions, to offer support and point people towards groups that could address their particular needs. Such contact points include:

- **School Nurses:** there are about 2,500 school nurses for over 25,000 schools in the UK, compared with 40,000 children's social workers and 440,000 teachers and numbers are declining. School nurses are in a position to assess the health and well being of children in their care. We would like to see every school have regular access to a school nurse.
- **Midwives and Health Visitors:** these professionals are assigned to every young family with a new baby, and provide a listening ear to mothers and fathers in

their own home. Research group One Plus One has already piloted a successful training programme for midwives and health visitors, upon which we would build.

2.3.2 The Liberal Democrats believe that stable funding streams for core projects that prove successful in their communities should be provided, as supported and evaluated by the Local Family Support Networks (see 2.2.5).

2.3 Making the best use of funds

2.3.1 Grants for particular initiatives are often time-limited and highly conditional. Organisations have to reapply on a regular basis and the continuity of good work can be threatened.

Supporting families

3.0.1 In Chapter 2 we made proposals to prepare people for parenthood and to maintain support networks in the community to assist families as they raise their children. The role of the state in such circumstances is to act as an enabler, rather than as intervener, through education and through access to information and support.

3.0.2 The state does have a direct role in supporting families. Taking action to address those issues that are too large for individuals or families to affect, even through local communities (although communities may have a central role in delivering on behalf of the state). For instance, in ensuring access to high quality education at all levels, maintaining a stable economy and buoyant job market, ensuring employment law provides for a high level of flexibility in the working environment, especially for new parents, and through the benefit system, addressing child poverty. Many of these issues are dealt with elsewhere in Liberal Democrat policy. This chapter concentrates on a number of issues such work life balance, parental leave, and childcare.

3.1 Work life balance - culture in the workplace

3.1.1 Institutional barriers in the workplace, including gender inequality, still persist. These create disadvantages for women in the workplace in terms of pay, job status and security, and also discourage them from staying at home to care for their children.

3.1.2 Providing statutory rights for flexible working, through the UK or European Parliaments, is not sufficient on its own to tackle these institutional barriers, nor is legislation always desirable. In many circumstances it is not possible to legislate or regulate for employers to exercise corporate social responsibility. Rigid legislation can weigh down employers and tie them up in red tape. A culture of social responsibility would be far more effective in ensuring a quality working environment. Key to this is engagement producing positive consent with businesses and employers which is necessary if we are going to transform the culture of working life.

3.1.3 Many employers already see the merits of flexible policies to allow employees to adjust their work - family balance as life situations change, such as improving productivity and job retention. However some, particularly small businesses, are understandably concerned at the impact of having personnel absent for long periods of time.

3.1.4 Liberal Democrats recognise that the implementation of flexible working can be difficult for many small businesses, which rely on the stability of their small workforce. Predictability should be at the centre of flexible working arrangements. Communication and planning are essential for all parties to have a solid stake in arrangements. Liberal Democrat proposals for employment are set out in policy paper 70 (2005), *Rights & Responsibilities at Work*. Further proposals include:

- For the take up of parental leave, the notice period should not be less than the current notice period for early return from maternity leave (28 days).
- Removing the administrative burden on small businesses by arranging for parental pay to be paid directly from Revenue and Customs.
- Encouraging the use of time account schemes. Under such schemes employers and employees work together to come up with an arrangement based on flexible working to suit them. The total annual leave that can be taken is pooled under a time account agreement, and the combination of work and leave must be agreed upon with the employer in advance. Employees in countries such as Germany have found them a good way to establish a framework for flexible working patterns with their workplace.
- Extending the right to request flexible working to parents of children up to age 18. The extension of this right would be of particular benefit to lone parents and to parents of children during transitions, for example between primary and secondary school.

3.2 Work-life balance - parental leave

3.2.1 Given the option many parents would like to stay at home to look after their children. Most would like a real choice so that they can balance work and family commitments as their families grow and children's needs change with age.

3.2.2 Studies show that children can benefit from more individualised quality care in the first 2 years of life such as that provided by stay at home parental care. Government policy has focused almost exclusively on getting parents back to work through the expansion of formal childcare schemes and work related tax credits. Such initiatives are an important part of tackling child poverty and promoting parents' place in the labour market. But there has been far less done to provide parents with the choice or option to remain the primary care giver at home in the early years of a child's life.

3.2.3 Surveys of new parents find that mothers tend to take as much leave as they can, with lower-income mothers returning to work when paid leave ends, and higher income mothers returning later when job-protected leave ends. This suggests that the option of taking up to a year away from work on the birth of a child is an option only for those who can afford it.

3.2.4 Recent reforms to extend maternity leave time have done little to make the crucial first year more affordable. Liberal Democrats recognise that the needs of parents and children for practical and financial support change over the first few years, particularly on the birth of a family's first child. The first 12 months after the birth of the first child require more financial support for parents in terms of start up costs such as clothes, cots and making the living environment baby-friendly. At present, statutory maternity pay of 90% of salary for six weeks and £108 for another 20 weeks can mean a real struggle for working women on low incomes.

3.2.5 Liberal Democrats would, on the birth of a first child, increase statutory maternity pay to an amount equivalent to the current minimum wage at £170 per week for 6 months that is our Maternity Income Guarantee. However, as the current statutory arrangements are increased, as the Government has indicated, to first 9 months

and then 12 months, we would aim to extend our Maternity Income Guarantee for the first child over these time scales. For the birth of further children the current statutory arrangements would apply.

3.2.6 The Liberal Democrat Inequality, Poverty and Opportunity working group, commissioned by the party to report in autumn 2007, will investigate new systems to encourage both mothers and fathers to spend time at home with new born children, including:

- Replacing maternity leave and pay with parental leave and pay for parents to share between mothers and fathers as families wish.
- The establishment of a one month period of paid paternity leave assigned to men on a use it or lose it basis. Such a 'daddy month' has proved very successful in Norway, where the take up in 2003 was 80%. Men may be more likely to take it up after the first 6 months of a child's life when fathers can be involved in all aspects of childcare including feeding. Therefore such a 'daddy month' could be taken at any time during the period of parental leave up to 12 months after the birth of the child.

3.3 Accessible community-led childcare

3.3.1 In order for parents to remain within the workforce and maintain their careers if they wish, affordable and accessible child care is essential. But this is not simply a matter of convenience for parents. Liberal Democrats believe that high quality early years care and education is a cost-effective way of acting on the principles we hold of social justice, social mobility and equality of opportunity. Acting early to improve opportunity for children, particularly those from disadvantaged backgrounds can improve social mobility. It is also a vital weapon in the war against child poverty by improving parental choice in their working lives and more control over their own finances.

3.3.2 Liberal Democrats have supported the Government's 10 Year Child Care Strategy. This envisages the roll out of 3,500 Children's Centres by 2010. The Liberal Democrats are fully

committed to achieving this. We believe that Children's Centres should provide integrated childcare; early education and family services supported by qualified staff for families with children under 5. Our long-term objective would be for Children's Centres to be accessible to all communities in the UK, including satellite centres for remote communities, particularly in rural areas. Further we would:

- Extend free part-time early education places for three and four year-olds to four hours a day for 38 weeks of the year and increase flexibility for parents to use these hours.
- Offer before and after school care to all school-age children including by opening participating schools from 8.00am to 6.00pm building a 'team around the school' ethos. We would make sure that responsibility to coordinate this remained with LEAs, without adding to the workload of individual head teachers.

3.3.3 But many families are still unable to take up what opportunities are currently available to them. Early Sure Start evaluations show that the poorest families are not benefiting from the integrated family services in their areas due to a limited awareness of what is on offer and a feeling that the services are not relevant to them.

3.3.4 Liberal Democrats believe that in order to create high quality, fully integrated family service provision that fulfils local needs and involves parents and professionals; the local authority should undertake strategic management. National targets are not a flexible management tool to ensure the right provision in the right places. Local management allows for more immediate democratic accountability and provides local mechanisms for best practice to be spread.

3.3.5 Local authority strategic planning, through bodies like Children's Trusts who promote collaboration between schools, must also incorporate private and voluntary sector provision, to ensure that all sides of the market work together, sharing innovation and best practice and increasing the sustainability of a diverse range of childcare provision (including nurseries, children's centres and childminding).

3.3.6 Children's Trusts can be one of the main vehicles for achieving change in frontline services. GP surgeries and other health services are currently not under a statutory duty to collaborate in Children's Trust agreements and may choose, for one reason or another, not to participate. We would promote closer partnership working between the health, education and childcare sectors.

3.3.7 In working with Children's Trusts, we believe that each local authority should take its own decisions on what works best for their communities, but would promote a number of best practice guidelines. In line with our principles these would focus particularly on early intervention and prevention.

3.3.8 Below the level of strategic management we believe that the provision of childcare should be led by the needs of the communities and parents who use it and the professionals who run it. We would encourage participative governance through the significant inclusions of professionals, parents and wider community representatives.

3.3.9 Parent forums are powerful tools in helping management boards tailor their service to the needs of the community they serve. Such forums could be tasked with feeding information to the governing body on how effectively the services are being run and what they want changed. As well as increasing a sense of ownership over the setting, parent forums can provide opportunities for parents to be trained as volunteers or even encouraged to take up training to become a childcare professional.

3.3.9 Provision by local authorities should not discourage parents, communities and voluntary bodies from making additional services available in the communities they live tailored to the needs of specific groups. We favour a community mutual model under which partnerships of interested parties can bid for funding from a variety of public, charitable, and private sources to provide family services in the community. This would be particularly attractive to minority groups with specific needs or in remote communities where the nearest Children's Centre may be inaccessible. Under such a scheme, those who can often feel alienated by formal provision or find it inflexible, such as ethnic minority

families, lone parents, and families with disabled children or parents, could create culturally-specific or tailored services within the mutual model.

3.3.10 Children's Centres and other family support provision must be backed up by outreach and information services to ensure that all families have the access to services and the tools to make choices that suit their individual needs. Under our plans, local authorities would compile regular updates of the availability of local childcare (both state registered and private) and feed them into Local Family Support Networks (see 2.2.5) to distribute to parents under their local procedures. As part of a system of regular visits to families most in need centre-based health visitors could advise families on options for and availability of childcare in their area.

3.4 Affordable childcare

3.4.1 The tax credit system, now comprising the Child Tax Credit and the Working Tax Credit (which includes a Childcare Tax Credit element) is regularly means tested and intended to be responsive to any changes in income. The intention of the Childcare Tax Credit is to provide parents with a choice of childcare provision, by putting much of the money to buy it in their hands.

3.4.2 Liberal Democrats support the aims of the tax credits system for childcare but believe that there are severe problems with the way the system operates. As currently constituted it does not always help the poorest families. As it is part of the Working Tax Credit, it does go some way to helping mothers back to work if they wish, but it is extremely complicated for parents and for Revenue & Customs to operate. Parents often struggle to make their claim in time, which can mean families missing out altogether. It can also be difficult to understand the circumstances under which their entitlements change, which can lead to serious cash flow problems as the recent tax credits over-payments scandal has illustrated.

3.4.3 The current system also does little to keep up with the spiralling costs of childcare or to increase the quality of formal childcare. Childcare costs have risen by over a quarter in the last 5 years, making formal care unaffordable to many parents. Some childcare centres and nurseries are

being forced to close as their places lie empty and there is little resource to dedicate to staff training, which is essential to a quality care environment.

3.4.4 Liberal Democrats recognise the benefits system has an essential role to play as part of the battle against poverty and inequality and in order to extend opportunity and life chances for children and parents and we recognise that this needs to be looked at in detail with other systems of state support and responsibility. Proposals to reform the benefits system and to tackle the wider issues of inequality and lack of opportunity will be part of the remit of the Inequality, Poverty and Opportunity working group commissioned by the party to report in autumn 2007.

3.4.5 The London Development Association has been piloting a mixture of supply and demand child care funding in London with the Child Care Affordability Programme (CAP), where subsidies paid directly to child care providers are mixed in with the tax credit system to boost care sustainability and affordability particularly for low income families. This £33 million programme will subsidise 10,000 child care places in London over a 3 year period. Initial reports are very positive, with over 3000 childcare places already made more affordable to low-income families. If this pilot programme proves to be successful we would plan to extend it to other Local Authorities in the country with high childcare costs.

3.5 Quality childcare that parents can trust

3.5.1 Even within a system of community-led childcare, families need to be assured that any local variations in provision meet robust national standards for quality.

Qualifications and Training

3.5.2 Liberal Democrats are determined to improve staff training and qualifications to establish a more professional childcare workforce. We would establish common standards across the maintained and non-maintained sectors, ensuring that expertise is shared. This means increasing training capacity to give staff access to relevant qualifications. Over time we would require all staff directly involved in the care of the child to gain at least NVQ level 3 qualifications. Teachers for the Foundation Stage

will have initial training that equips them to work effectively with children from the age of two to seven.

3.5.3 To enhance the specialist skills of the workforce Liberal Democrats would introduce a new qualification of Qualified Early Years Teacher, which would be offered at the same level as existing teaching qualifications (Level 6).

3.5.4 Parents and other members of the community with time to spare will be encouraged to volunteer their help, and would have access to training to enhance their skills.

3.5.5 We would establish a professional body to cover all early years professionals, from those in permanent employment working towards NVQ Level 2, to those with postgraduate qualifications, and covering all sectors of the workforce.

3.6 Inspection and registration

3.6.1 It is essential that families have recourse to redress in the rare occasion that something goes wrong. Inspection regimes are an essential part of this accountability process and should be robust and regular in order to reassure families that local provision is trustworthy. Inspection could also contribute to improvement in provision, and

should be seen as part of a professional appraisal and service development system. Inspection standards should pay greater attention to young children's emotional needs and the importance of a consistent relationship with the same key person over time.

3.6.2 We would aim to ensure that all managers of bodies educating children under five should become accredited nursery education inspectors. Part of their contract would require them to become an unpaid member of an inspection team, and they would be expected to participate in at least one inspection each year. This would offer them valuable professional development in the skills of monitoring and assessing quality coupled with the benefits of observing other settings.

3.6.3 In addition to the lead inspector with professional colleagues, individuals such as a manager or a governor with a direct interest and detailed local knowledge could be voluntarily involved in the inspection of their own setting. This could form part of their professional development. By taking part in the inspection, they would understand the basis of judgments made, and thus be in a position to contribute in an informed way to planning for the future after the inspection is over.

Separation and divorce

4.0.1 Liberal Democrat policy for families focuses on putting in place mechanisms to enable families to thrive, to support them through the good times and the bad, so that children have every chance of growing up in a stable and secure environment. But in modern Britain the breakdown of marriages and partnerships ending in formal divorce or separation has become increasingly common. Many families manage to keep separations amicable and forge arrangements outside of the courts but inevitably some families find this process exceptionally difficult.

4.0.2 Two thirds of marriages which end in divorce, and a substantial number of separations of couples who have been living together, involve children under 16. Family breakdown can have lasting emotional effects on all parties, particularly children, and comes with a substantial financial cost to the state.

4.0.3 Children are most vulnerable during these periods of transition with an increased risk of financial hardship and emotional instability. A minority of children experience acrimonious parental disputes and battles over contact and residence. The negative effect of family breakdown can continue to impact on the children involved well into adulthood.

4.0.4 There is always the danger that separation and divorce will be a difficult experience for children. But there is evidence to suggest that a careful and considerate approach to children during the process can help to mitigate any immediate distress and enable children to maintain strong relationships with their parents. This can be of enormous benefit in their emotional development.

4.1 The present law

4.1.1 The 1989 Children Act sets out the current legal process for children upon separation and divorce. The Act gives the courts wide powers to make orders for residence or contact or on specific issues relating to a child's upbringing or education, subject to the overriding requirement that in any dispute before the courts the interests of the child concerned are to be paramount. That

means that where there is a conflict, priority should be given to the interests of children over the interests of the parents.

4.1.2 While the system works well for many, the Courts' approach to the implementation of the Children Act has been the subject of widespread criticism. Fathers' groups in particular have argued that the system in practice is inherently biased in favour of mothers and against fathers.

4.1.3 Some argue that the starting point in determining any dispute concerning residence or contact should be a 50/50 division of the child's time between its two parents. Others argue that contact forced on unwilling mothers, especially in cases where there is a history of domestic violence, can be damaging for both mother and children.

4.1.4 It is also the case that the complexities of any legal system can be daunting, unpredictable and opaque to all except those in the legal profession. This makes approaching residence and contact proceedings very difficult for those taking part.

4.2 The best interests of the child

4.2.1 Liberal Democrats have always believed that the interests of children should be paramount. They are the innocent parties when parents separate or divorce. We believe the state has an obligation to safeguard and promote the rights of children in such situations as it is they who most require the state's consideration and protection.

4.2.2 We maintain that the diversity of family structure and circumstances within our society means that it is wrong in principle and unworkable in practice to impose a uniform arrangement on all families. For those reasons we do not believe that it would be acceptable to move to a system where there was a presumption prescribed for the courts to use as a starting point when approaching these issues, beyond that of the best interests of the child.

4.2.3 However, there is some justification for the criticism that the law does not give sufficient guidance to people as to what they might expect

from the courts or as to what their rights are in these circumstances. The lack of clearer guidance can encourage resident parents to withhold or unduly restrict contact and can deter some non-resident parents from pursuing contact issues in the face of intransigence on the part of the resident parent.

4.2.4 Within the framework of a system where the presumption is that the best interests of the child are paramount, we propose:

- A legislative statement to the effect that in the absence of strong reasons for withholding contact, the courts should have regard to the general desirability of a child maintaining a strong relationship with both parents and that this will generally entail reasonable contact. The purpose of such a statement of principle is to inform parents and public of the law's view that reasonable contact is generally in the best interests of children, in the hope that more parents will be able to agree contact arrangements without needing legal advice or the courts' intervention.
- The introduction of a Default Contact Arrangement, applicable only in cases where there is no threat to the safety of the child, to take effect on parents' separation unless and until the parents agree some other arrangement or the court otherwise determines. The Default Contact Arrangement would apply to all children and would provide for all children between 1 and 14 staying contact every other weekend and for a reasonable proportion of each school holiday together with weekday contact one afternoon every week. Infants under 1 would have visiting contact on one day every weekend. Parents would also be free and indeed encouraged to make their own agreed arrangements to suit their family circumstances in place of the Default Contact Arrangement. Children of 14 and over are generally expected to make their own decisions about contact.

4.2.5 This would enable the parties to have a set of arrangements in place from the date of separation, without either party being dependent

on the agreement of the other, at a time when agreeing anything is often very difficult. Under such a system the trauma of parental separation would not be exacerbated for children by lack of immediate contact with the non-resident parent as parents would be under an obligation either to implement the default arrangement or make alternative arrangements by agreement with each other. Only if that proved impossible would application to a court be necessary. There would also be a duty on any court to treat with great urgency any cases where the resident parent opposed contact on the ground that it would pose a threat to the safety of the child concerned. There would be no departure from the principle of the paramount interests of the child, because when the court came to decide any case it would not be constrained by a preordained starting point, but concerned only to determine the best interests of the child.

4.3 A less adversarial system

4.3.1 Despite the advances made in recent years under successive Presidents of the Family Division to make the courts more approachable, the current family law system remains adversarial in nature.

4.3.2 We advocate moving to a much more informal court system for residence and contact disputes. We favour hearings with the judge encouraged to seek advice from a variety of professionals, the Children and Family Court Advisory and Support Service (CAFCASS), those involved in the child's upbringing and witnesses whom the parties choose to call.

4.3.3 It is undesirable for different judges to be hearing different stages of cases such as these. Cases should be arranged with strong regard to the need for judicial continuity. We would also like to see the introduction of a protocol similar to that in public law children's cases setting a firm timetable for the resolution of residence and contact disputes.

4.3.4 We also believe that the child's voice is still too seldom heard. CAFCASS, set up as an independent body for England and Wales in 2001, has the function of informing the Court of the child's views. The rights based approach of CAFCASS and its principles of good practice are to be commended but experience of how well

CAFCASS is functioning in practice across the country is varied. It is important to involve children directly where possible and keep them fully informed about the process to minimise confusion and help prevent children becoming too unsettled.

4.3.5 In a new informal system it should be possible for the court to hear from older children directly in more cases. In such a system there must always be regard to the undesirability of requiring children to appear to take sides in disputes between their parents. In cases where this makes it impractical for the court to hear directly from the child the CAFCASS officer should be required to spend time alone with the child in an attempt to ascertain the child's views as effectively as possible.

4.4 Mediation

4.4.1 Mediation has been found to be an effective way to help couples to reach agreements without the stress, hostility and expense that accompany contested court proceedings. Liberal Democrats believe that while it is the right of every citizen to have disputes resolved by a court if necessary, contested court hearings should be seen as a last resort. This is particularly true of disputes involving children.

4.4.2 Liberal Democrats have been reluctant to require parents to attend mediation and have argued that it is for parents to decide whether they wish to go to mediation. Since mediation cannot oblige any party to agree to any particular outcome, forcing parties into mediation against their will can be counterproductive.

4.4.3 However, every attempt should be made to get couples to accept mediation. We would insist, except in unusual circumstances, that before the courts heard an application for residence or contact, the parties should be required to meet with a mediator who would explain the options for mediation and how it would proceed if they agreed. If the parties insisted that they would not take the process further the mediator would certify this and the application to the courts would be permitted to proceed.

4.5 Enforcement

4.5.1 Contact orders can be difficult to enforce. Judges hearing proceedings to deal with contempt of court have had the options of fining or imprisoning the parent in breach of the order, usually the resident parent. Since it can rarely be in the child's best interest to have the resident parent deprived of money or liberty, judges have been reluctant to use these powers and have been left without an effective sanction.

4.5.2 We would wish to ensure that the courts took an incremental approach to enforcement in contact cases, starting with measures that encouraged the reluctant parent to comply such as information sessions, classes and counselling. Escalation to more penal measures would only be necessary if previous approaches failed.

4.5.3 The Child Support Agency was set up in 1993 to assess and enforce child support payments by absent parents but has been in crisis ever since. It has proven itself to be the worst performing Child Support Agency in the developed world, and its performance continues to be totally unacceptable. Billions of pounds of outstanding payments are owed much of which the CSA has admitted is unlikely to be paid. Families and children have suffered for too long, as successive governments have failed to get a grip on the CSA.

4.5.4 The Liberal Democrats have long advocated that the CSA should be scrapped and its functions transferred to HM Revenue and Customs (HMRC). As HMRC already holds information about family incomes and children it would be far more effective than the CSA at collecting maintenance from source.

4.6 The safety of the child

4.6.1 It is only a relatively small number of cases about residence or contact that involve allegations that there is a risk to the safety of the child such as fear of physical abuse. In such cases the Default Contact Arrangement we have proposed (see 4.2.4) would not apply. We regard it as crucial both that such cases are dealt with urgently in order that the facts can be determined quickly.

4.6.2 In any case where allegations of physical abuse suggest that there might be a threat to the safety of the child an independent professional as a matter of urgency should carry out a risk assessment for the court. The degree and manner of contact allowed, if any, would be made on the basis of the risk assessment report to the court.

4.7 Costs and legal aid

4.7.1 Liberal Democrats are committed to retaining the availability of legal aid for all residence cases and for those contact cases where either the issue of contact in principle or the issue of staying contact is in dispute.

4.7.2 We are, however, unconvinced that legal aid should be available for disputes about the timing or arrangements for contact in ordinary cases. Such cases do not raise issues of principle and are generally amenable to a decision by a judge who hears the parties informally without the assistance of lawyers.

4.7.3 We also believe that the courts should be less reluctant to make orders for costs against parties who are found to be deliberately obstructive or unreasonable in their approach to contact or residence cases.

Fostering and adoption

5.0.1 Among the most vulnerable children in society are those who find themselves in residential care or being fostered. Some children are placed in care or fostered as a first step to formal adoption. In these areas, as throughout our policies for children and families, the safety and best interest of the child should always come first.

5.0.2 Research by the Social Exclusion Unit has found that compared with the general population offenders receiving custodial sentences are thirteen times as likely to have been in care as a child, and 27% of the prison population has spent time in care. The average cost of a prison place is £37,500 per year.

5.0.3 Teenagers in care who become parents are known to experience greater educational, health, social and economic difficulties than young people who are not parents, and their children may be exposed to the consequences of greater social deprivation and disadvantage. In fact, looked after children are 66 times more likely have their own children taken into care than the population as a whole.

5.0.4 When considering the costs of care and relevant support we must consider the costs to society as a whole where the care system fails to provide sufficient support for children. Many children's social services departments are overstretched. Problems facing the profession include low morale due to large caseloads, lack of relevant development and training and poor management and supervision. Measures set out in the Children Act 2004 should make some improvements but the situation must be monitored to make sure resources are adequate and are being used efficiently. Equally the Government claims to have provided CAF/CASS with adequate funding to reform its way of working, again the outcomes must be monitored.

5.1 Best practice in fostering and support for carers

5.1.1 We believe that foster care is a better option for most children than residential care. While still difficult for children, fostering gives children the opportunity to continue to experience family life and can offer children and young

people a secure home while their own parents are unable to look after them.

5.1.2 Fostering is often a temporary arrangement, and many fostered children return to their own families. Children who cannot return home but still want to stay in touch with their families often live with a long-term foster carer.

5.1.3 Liberal Democrats recognise the importance of developing commissioning strategies that are based on the needs of children. We believe that wherever possible as stated in the Children Act (1989), children should be placed close to home. The reality is that many children are placed far from their home, are separated from their communities, and isolated from their schools and friends. Where possible, choice of placement should be provided so that children and carers are as well matched as possible. This would help to avoid frequent moves and the instability that causes.

5.1.4 Recruitment of foster carers often lags behind need. We would increase co-operation between local authorities and the independent foster care providers to ensure that competition does not get in the way of the best interests of the child. Sharing best practice across local authorities on recruitment methods could increase greatly the pool of foster carers, at minimal cost.

5.1.5 Foster carers require special skills and experience to look after young people with complex behavioural and emotional needs. Carers of older children in particular may also need particular training to cope with their complex emotional needs. Foster carers need on going training that helps them to cope and importantly they need sufficient financial support to provide for children, and to attract new carers into the system.

5.1.6 The Liberal Democrats will consider the recommendations of the 2005 report from the British Association for Adoption and the Fostering and the Fostering Network '*The Cost of Foster Care*' which outlines the financial implications of fostering as a career option, with a view to introducing pay scales, training and promotion into the fostering system.

5.2 Families for life

5.2.1 Currently many local authorities transfer young people to leaving care teams when they reach age 16 and make plans for independence in flats or bed-sits. Liberal Democrats believe that where successful placements with foster families can be found they can provide families for life and should continue post 16, and sometimes even post 18 if mutually agreeable. It can be beneficial for a young person to continue living with the support of a family, rather than pursuing independent living if on benefits and outside full-time education.

5.2.2 Kinship care, where a member of the child's extended family cares for a child or group of siblings on a long-term basis can increase the prospect of better outcomes for children, and also reduces the burden upon the state. Grandparents are currently the largest group offering a significant amount of kinship care, but are not entitled to the same fostering rates as local authority carers. As many grandparents are either on low incomes, pensions or in full-time work, looking after grandchildren leads to financial difficulty. Kinship care is a distinctive form of care arrangement and should have its own model of assessment, in line with standards currently in place for registered foster care.

5.2.3 We would publish principles governing placements, which would require the state, the courts and relevant professionals to give full consideration to a child's entitlement to grow up in the care of their family network. This requirement would ensure that any alternative placement plan could only proceed once it was demonstrated that kinship care would not promote and safeguard the child's best interests.

5.3 Intensive fostering

5.3.1 Many children's social services departments face a real crisis in recruitment and retention of social workers often having to resort to agency staff that cannot provide the valuable continuity necessary in building strong relationships with young people and foster families. This means that support services often fail to acknowledge, or are unable to act swiftly, when foster carers face the most difficult range of behaviours they are not trained to handle. Carers are often left for considerable amounts of time

unsupervised with little support, therefore setting the carers and the children up to fail.

5.3.2 In such circumstances Liberal Democrats believe that there is a strong case for intensive fostering. Introduced in the Anti-Social Behaviour Act 2003 intensive fostering pilot schemes were established as part of a Supervision Order targeting the most disaffected and excluded young people, where their home life is felt to contribute to their offending behaviour and when they might otherwise face custody. Specialised and highly intensive care from experienced and trained foster parents is given to young people and their families with the aim of working to improve relationships and ensure that birth parents are in a better position to supervise and support their children when they return home.

5.3.3 Liberal Democrats supported the introduction of pilot intensive fostering schemes believing that for serious and persistent offenders and those with the most challenging behaviour, a period living in a stable, secure home with people who could manage their behaviour and set boundaries, was far better than a custodial sentence.

5.3.4 We are encouraged by some successes of the pilots, and would like to see more monitoring and research into the outcomes for such vulnerable and socially excluded young people who receive intensive fostering. Given the cost to the taxpayer of custodial sentences in secure units or young offending institutions, as well as the many other negative effects on young vulnerable people of custody, we believe the first action should be to deal with this challenging behaviour from within a family.

5.4 Educating children in care

5.4.1 Children leaving care are often in the lowest group for academic achievement. Indicators from the Department for Education and Skills show that in 2004 while 95% of all children obtained at least one GCSE or GNVQ only 53% of looked after children did. Only 9% of looked after children obtained at least 5 GCSEs or equivalent at grades A* to C. In addition, in England 27% of looked after children had statements of Special Educational Needs (SEN) compared with 3% of all schoolchildren.

5.4.2 Liberal Democrats believe that all people should have the opportunity to reach their potential and when one group is disadvantaged by the system it is the duty of the state to seek to address those deficiencies. For children to thrive and reach their full potential they need encouragement, stability, and security from a very young age.

5.4.3 A child's ability to learn is affected by a number of factors many of which, such as stability of care arrangements, occur outside the school setting. However, schools working with the local authority have an important role in supporting young people in public care. Stability within school helps to preserve stable care placements, and we therefore recommend that schools have a duty placed on them to promote the educational attainment of looked after children.

5.4.4 The Education and Inspections Bill, published in February 2006 proposes personalised learning to focus on the needs of the individual child. Special consideration should be given to intensive support for looked after children where appropriate, including small group tuition in numeracy and literacy.

5.5 Private foster carers

5.5.1 Every report that the Government has commissioned in the past five years confirms that privately fostered children can be especially vulnerable. Sir William Utting's review of safeguards for children living away from home commissioned by the Prime Minister in 1997 referred to private fostering as a potential honey pot for abusers. This has been supported by subsequent studies.

5.5.2 The Children Act 2004 proposed a notification scheme for private foster carers under which private foster carers are required only to notify local authorities about arrangements. We believe a compulsory registration scheme for private fostering arrangements involving the approval of private foster carers would protect the interests of children far better than the current situation.

5.6 Facilitating adoption

5.6.1 Adopted children and their families face similar problems to other reconstituted families. Stability and continuity is particularly crucial in the adoptive process, where the needs of birth and adoptive parents need to be balanced to facilitate the best interests of the child. The impact of the Adoption and Children Act 2002 and, in particular, Placement Orders has still yet to be fully tested.

5.6.2 Adoption plans place a duty on the local authority to provide support for the family relationship in the longer term, as families need ongoing support for many years. To promote this we would introduce Adoption Support Services Advisors in all local authorities who have responsibility for the overall health, education and social welfare of all adoptive children and families including ensuring access to specialised mental health services and educational assistance, if necessary. It is particularly desirable that looked after children and adopted children are aware of the health history of their birth families and we strongly support the need for clear guidance to be developed on information sharing in this sphere.

5.6.3 Liberal Democrats believe that the best method of approaching adoption is through concurrent planning where, in cases where adoption may prove necessary, children are placed on an interim basis with carers who, if the need arises, can become permanent carers and move towards adoption. This can help to ensure continuity of care while permanent familial or adoption arrangements are worked out.

5.6.4 The voluntary sector has traditionally played an important role in facilitating the process of adoption. A highly trained and specialised group of over 30 voluntary approved adoption agencies, including Barnardo's and NCH, currently undertakes the assessment of prospective families, resulting in around 15% of child placements. We would improve the funding mechanisms between local authorities and voluntary organisations to enable them to provide a continuous pool of assessed adoptive families for children in care, particularly to address the recouping of the costs of finding adoptive families.

This paper has been approved for debate by the Federal Conference by the Federal Policy Committee under the terms of Article 5.4 of the Federal Constitution. Within the policy-making procedure of the Liberal Democrats, the Federal Party determines the policy of the Party in those areas which might reasonably be expected to fall within the remit of the federal institutions in the context of a federal United Kingdom. The Party in England, the Scottish Liberal Democrats, the Welsh Liberal Democrats and the Northern Ireland Local Party determine the policy of the Party on all other issues, except that any or all of them may confer this power upon the Federal Party in any specified area or areas. If approved by Conference, this paper will form the policy of the Federal Party, except in appropriate areas where any national party policy would take precedence.

Many of the policy papers published by the Liberal Democrats imply modifications to existing government public expenditure priorities. We recognise that it may not be possible to achieve all these proposals in the lifetime of one Parliament. We intend to publish a costings programme, setting out our priorities across all policy areas, closer to the next general election.

Working group on children and families

Note: Membership of the working group should not be taken to indicate that every member necessarily agrees with every statement or every proposal in this paper.

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