

10 December 2013		ITEM: 7
Children's Services Overview & Scrutiny Committee		
Looked After Children and Care Leavers		
Report of: Barbara Foster, Head of Care and Targeted Outcomes		
Wards and communities affected: All	Key Decision: Non-Key	
Accountable Head of Service: Barbara Foster, Head of Care and Targeted Outcomes		
Accountable Director: Carmel Littleton, Director of Children's Services		
This report is Public		
Purpose of Report: To provide members with an overview of the service for looked after children and care leavers and provide information as to statutory and legislative changes that may have an impact on the service.		

EXECUTIVE SUMMARY

This report summarises the information about Thurrock's looked after children and care leavers. The report to Overview and Scrutiny Committee in December 2012, provided members with an overview of the service for looked after children and care leavers. It also provided information as to the statutory and legislative changes that may have an impact on the service.

Attached is also a report that provides an overview of the progress in respect to the Looked After Children Strategy (See Appendix 1) which was presented to the Corporate Parenting Committee on 5 December 2013.

1. RECOMMENDATIONS:

- 1.1 Members are asked to note the content of the report and to consider further support to the council's fostering service.**

2. INTRODUCTION AND BACKGROUND:

- 2.1** Children who come into care of the local authority are those who are the most vulnerable and at risk of harm when all other interventions have been unable to generate sufficient positive change in their immediate and wider family. Wherever possible, children who come into care are placed with their own relatives if the parents are unable to provide a home. This approach is expected by all legislation and court processes.

- 2.2 There is no single reason for children being in care. Disabled children may be looked after because their disability requires such a high level of support that their needs can only be met in a highly specialist residential resource. Otherwise, a range of social problems including poverty, poor parenting, poor mental health and drug and alcohol misuse and Unaccompanied Asylum Seeking Children are common background features.
- 2.3 The national and local trend for the looked after children population is that it continues to rise.
- 2.4 The Statistical First Release from the DFE, dated the 26 September 2013 has made the following key points:
‘Although the number of looked after children adopted fell between both 2009 and 2010, and 2010 and 2011, the number of these adoptions has since increased and is now at its highest point since the start of the current data collection in 1992’
‘There were 68,110 looked after children at 31 March 2013, an increase of 2% compared to 31 March 2012 and an increase of 12% compared to 31 March 2009’.
- 2.5 At the time of writing this report, the Department is currently awaiting the national statistics and data from the DFE, in respect to outcomes, which will enable senior managers to compare data with our statistical neighbours and look at the different trends. This is due out in December 2013.
- 2.6 A hypothesis that continues to be discussed and explored is that, in Thurrock the majority of cases where children have become looked after are from families that are known to the Department previously and have had a history of involvement from us and other agencies, that we are now seeing second and third generation family members coming to the attention of the local authority and ultimately their children coming into local authority care.

3. THURROCK’S LOOKED AFTER CHILDREN AND CARE LEAVERS

- 3.1 As of October 2013, there were 282 looked after children, compared to 255 in October 2012.
- 3.2 There are currently 104 open cases to the After Care Team compared to 106 in November 2012. the After Care Team are now becoming more involved with young people at the ages between 16-18, and are attending Looked After Children Reviews at 16.
- 3.3 The current profile in respect to our looked after children population as of October 2013 is as follows:-

Age Groups:

0-4	– 21%
5-11	– 28%
12-16	– 41%
17	– 10%

Legal Status:
Interim Care Order - 22%
Care Order – 45%
Single period of accommodation – 32%

- 3.4 This profile compared to November 2012, suggests that the Department has concluded a number of care proceedings, as the number of children/young people who are subject to care orders has increased from 31% in Nov 2012 to 45% in Nov 2013. Thurrock has seen a particularly high rise in terms of care proceedings which is costly but a more effective planning approach than informal “voluntary” care under Section 20 of the 1989 Children’s Act.
- 3.5 Both the report for looked after children and health, and education are due to be presented to Corporate Parenting Committee in March 2014.
- 3.6 The government has continued to promote the use of adoption as an outcome for looked after children and Thurrock figures demonstrate increased activity.

2013

No. of Children placed	14
No. of Children adopted	13
No. of Placement Orders granted	18
Currently on Placement Order awaiting placement	11

2012

Children placed	12
Children adopted	8
Placement Orders granted	11

- 3.7 The department is currently supporting 10 care leavers through university and 13 young people through further education.
- 3.8 The current data in respect to our 18+ 21 care leavers and those not in employment, education and training is as follows:-
 - 43% - NEET (not in employment, education or training)
 - 47% - EET (in employment, education or training)
 - 5% - whereabouts unknown
 - 4% - young people who do not want a service
- 3.9 The current data in respect to our care leavers and accommodation is as follows:-
 - 75% - suitable accommodation
 - 12.5% - non-engagement and whereabouts unknown
 - 8.5% - other institutions (i.e. custody, hospital)
 - 4% - unsuitable accommodation

- 3.10 The Children in Care Council continue to be involved in the development of the service through consultation. They have been involved in the work of the Health Policy and the new Pathway Plan, but further work needs to be done in encouraging other sections and Departments to be use the CICC as part of their consultation process.
- 3.11 The CICC has met with senior Officers and Council members, but also acknowledges the need for them to provide an opportunity for other Council Members to meet with them along with the Mayor.
- 3.12 The advocacy service run by Open Door is currently supporting 41 young people in respect to advocacy. The main issues are, court support, immigration, placement, contact and education issues. They also support children and young people in attending their Statutory Reviews. Edward Timpson, Parliamentary Under Secretary of State for Children and Families has written to every local authority to emphasis the importance of Children In Care Councils and advocacy for Looked after Children. Whilst both these measures are required in legislation, he emphasises that the views of looked after young people can improve services and that being able to be assertive is a very important attribute for young people who have to cope alone at an early stage. The CICC have had an attendance of at least 12-17 young people to their monthly meetings.
- 3.13 This rise in numbers has also meant a significant increase in the use of independent fostering agency placements and residential homes and heightened expenditure on children’s placements overall.
- 3.14 It can be shown that there is substantial benefit to Thurrock children to be placed with the in-house fostering service which works closely (and is co-located) with the social workers. Available placements are likely to be near children’s schools, families and friends and all travelling and contact arrangements can easily be made. For the council, the costs of this service are substantially less that the cost of purchased placements.
- 3.15 For in-house foster-carers, the following advice is on the intranet.

Fostering payments and allowances

There are 2 main payments you will receive as a foster carer, one is for you as a carer, and the other is to cover the cost of the child in placement.

Weekly payments

Amount the foster carer earns for their skills.

Carer level	Amount per week
General carers	£130.00
Advanced carers	£280.00
Therapeutic foster carers	£300.00

Weekly fostering allowances

This allowance is often referred to as the ‘boarding out allowance’, and is reviewed annually. The allowance should cover the full cost of looking after each child.

Age range	Scale	Amount
Under 5 years	A	£137.18
5 to 10 years	B	£156.26
11 to 15 years	C	£194.53
16+ years	D	£232.00

- 3.16 Therefore, a general carer with an under 5 would receive £267.18 per week, the lowest Thurrock payment and a Therapeutic carer with a 16 year old would receive £532.00.
- 3.17 The average cost of all the IFA placements currently being used by Thurrock is £790.05 per week per child. The lowest cost placement for a child under 5 years old is £707 per week. The lowest cost placement for a child aged 15 years plus is £685.02 per week. The most expensive placement for a child aged 15 years is £1170 per week; this is for a young person who has complex and challenging behaviours.
- 3.18 Opinions and research vary as to how much foster carers and potential foster carers are influenced by financial matters as opposed to other motivations. It is often said that those who choose to foster for councils are more motivated by a wish to help local children and families and to contribute to the community in which they live. Whatever is uppermost in local applications, it is a priority for the council to maximise the number of foster carers directly registered, both for child care and financial reasons. The Fostering Service recruitment plan (previously presented to the Corporate Parenting Committee) is attached as Appendix 2.
- 3.19 Different councils try to maximise the recruitment and retentions factors for their own foster carers. Examples include subsidised or preferential parking and libraries, enhanced access to leisure facilities, local discount shopping opportunities, subsidising of council tax payments. These measures carry financial benefits but also convey that local foster carers are recognised and appreciated for their service.

4. LEGISLATIVE AND STATUTORY CHANGES

- 4.1 There are significant new standards from Ofsted and from central government, which set out improved targets mostly for care leavers but also for all looked after children.

- 4.2 On 29 October 2013, the government published 'Care Leaver Strategy; A cross departmental strategy for young people leaving care' which summarises all best practice in the areas of education, employment, financial assistance, health, housing, the justice system and ongoing support, plus inspection requirements and data collection. In summary, higher standards are expected and an audit will take place in Thurrock so that continued quality can be planned.
- 4.3 On 7 November, Ofsted published their new 'Inspection framework and evaluation schedule for the inspections of children in need of help and protection, children looked after and care leavers'. Alongside these inspections, the Local Safeguarding Children Board will be concurrently inspected and there has been national guidance issued which emphasises the vulnerability of looked after children and the necessity for the LSCB to include the welfare of these children in their considerations and activities.
- 4.4 These new inspections will make judgements on:
- The experiences and progress of children who need help and protection.
 - The experiences and progress of children looked after and achieving permanence including graded judgements on both adoption performance and the experiences and progress of care leavers.
 - Leadership, management and governance.
- 4.5 The DFE are also amending the Guidance to Volume 2: Care Planning, Placement and Case Review, where they will be defining more clearly the local authority's delegation of authority.

The DFE will also be amending the statutory guidance to Volume 4; Fostering Services in respect to the assessment and approval of foster carers.

- 4.6 The Department has now begun the implementation of the MOJ Review through the change in its statements and care plans, plus the recent case law that has addressed adoption. These changes will be in the new Children and Families Bill 2013.
- 4.7 As people are aware, changes within the Welfare Reform have already begun, in terms of housing benefit and Council tax. Next to be rolled out will be Universal Credit. These changes will have an impact on care leavers and also on families who may move to Thurrock in search of competitive rents on housing costs.

5. **CONSULTATION (including Overview and Scrutiny, if applicable)**

- 5.1 None

6. **IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

6.1 The Council's responsibilities for children in care and care leavers are unique and sit at the heart of all priorities.

7. IMPLICATIONS

7.1 Financial

Implications verified by: Kay Goodacre
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An additional £3m growth was made available this year in the Council's medium term financial strategy in order to address the financial shortfall within the Children's placements budget. This increase was not sufficient to cover continued increased need.

Any further financial implications arising as a result of legislative changes will need to be considered as part of this process.

7.2 Legal

Implications verified by: Lindsey Marks
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The Children (Leaving Care) Act 2000 provides that every child who has been looked after for 13 weeks or more and part of that period is on or after their 16th birthday is entitled to leaving care services. The Children and Young Persons Act 2008 impose a duty upon the Local Authority to undertake an assessment and prepare a pathway plan for any child who is a relevant child, that is someone who has been looked after for 13 weeks or more and part of that period is on or after their 16th birthday.

The Local Authority has a duty to support such a young person in pursuing education and training up until the age of 25 if that is something that the young person wishes to pursue.

There are a number of changes that have been introduced to minimise delay for children. The new Public Law Outline is currently being operated as a pilot, throughout the country. It is the expectation that all care proceedings for children should be concluded within 26 weeks. Social Workers and Children's Guardians are now recognised as the experts in a case and the Court will only give permission for another expert to be instructed if it is absolutely necessary. More reliance is placed upon the statements and assessments of social worker and the reports of the Children Guardians which are now expected to be more succinct and contain much more analysis and less narrative.

It is expected that the Children and Families Bill will become law April 2014.

7.3 **Diversity and Equality**

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Looked after children and care leavers by their very nature are a vulnerable group which also within it has children and young people who are from different cultures, races, some will have disabilities, English will not be their first language and sexuality may be an issue.

7.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

Not applicable.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Thurrock Looked After Children Profile for November 2011 and 2012.
- Education Committee, 4th Report, Children first: the child protection system in England

APPENDICES TO THIS REPORT:

- Appendix 1 – Looked After Children Strategy
- Appendix 2 – Thurrock Fostering Recruitment Strategy

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