

## **Motions Submitted to Council**

### **In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution**

#### **Motion 3**

##### **Submitted by Councillor Spillman**

Thurrock Council can place families in temporary accommodation outside the borough. In cases of families with children, who are subsequently found to be intentionally homeless, the Council would not then have a statutory duty under the Children's Act to process a social care assessment for such children.

That statutory duty would instead reside with the Council in which they have been placed. This is the case no matter how long the families may have previously lived within the borough.

This Chamber calls on Thurrock Council Children Services to accept a non-statutory duty to such children whose family have been placed in temporary accommodation outside the borough.

#### **Monitoring Officer Comments:**

A notice of Motion must relate to a matter which affects the Authority or the Authority's Area and must relate to a matter in respect of which the Authority has a relevant function. This motion *calls on* Children Services, who are discharging an executive function in this matter, to consider undertaking social care assessments for children of families found to be intentionally homeless and who are not residing in the borough.

A duty to undertake such social care assessment lies with the Authority in which the child resides rather than the placement housing Authority. Therefore Thurrock Council would not be under any statutory duty to conduct assessments for non-resident children where the responsibility lies with another Authority.

This being an executive function and decision it is therefore not a decision within the remit of Full Council but Full Council can request or call on the Children Services to consider such an operational and voluntary option, although before doing so Children Services would need to give very serious consideration to any the financial or practical impact of covering another Authority duties.

#### **Section 151 Officer Comments:**

National legislation requires councils to assess vulnerable families that reside within their area. Thurrock Council's Children's Services already provide this duty of care to any family placed into Thurrock from another authority.

Should this motion be passed and actioned, it would be against national policy and could significantly increase the cost to the council.

**Is the above motion within the remit of Council to approve?**

Yes