

CORPORATE PARENTING PANEL
Tuesday, 8th May, 2018

Present:- Councillor Watson (in the Chair); Councillors Cusworth and M. Elliott.

Also present were Tracey Arnold, Steve Fisher, Catherine Hall, Karen Holgate, Deborah Johnson, Peter McNamara and Mel Meggs.

Apologies for absence were received from Councillors Clark and Elliot.

62. DECLARATIONS OF INTEREST

Catherine Hall made a Personal Declaration of Interest in the items to be discussed (Director of Lexus Academy which had some schools in the Authority).

63. MINUTES OF THE PREVIOUS MEETING HELD ON 6TH MARCH, 2018

Resolved:- That the minutes of the previous meeting held on 6th March, 2018, be approved as a correct record of proceedings subject to the following clerical correction:-

Minute No. 58 (Elected Member Champions), it should read "... for IHAs continued to meet" and not HIAs as printed.

Arising from Minute No. 54 (Assistant Chief Executive – Looked After Children Promises) Councillor M. Elliott reported that he was to meet with Shokat Lal, Assistant Chief Executive, on 24th May, 2018.

64. LACC UPDATE

Representatives of the LAC Council had submitted their apologies.

In their absence, the Panel noted their update report March-April, 2018 which highlighted some of the LACC's work during the period including:-

- Improving fostering in Rotherham
- Improving contact with families
- LACC Away Day
- Lil LAC Club activities

65. CORPORATE PARENTING PERFORMANCE REPORT - MARCH 2018

Consideration was given to the report presented by Deborah Johnson, Performance Assurance Manager, Social Care, which provided a summary of performance for key performance indicators across Looked After Children Services for March, 2018. This was read in conjunction with the accompanying performance data report at Appendix A detailing trend data, graphical analysis and benchmarking data against national

and statistical neighbour averages where possible.

A Service overview and context was provided which indicated a continual increase in the Looked After Children profile. Between March 2016 and March 2017 the number of LAC had increased by 13% (432 to 488). During 2017/18 there had been a further 320 admissions to care with 184 children discharged resulting in an overall year end cohort figure of 624 (a further 28% increase on March 2017). This increase in LAC numbers and the consequential shortage in available placements, had had an increase in the number of young people placed outside of the local area which in turn had had a negative impact on Social Work capacity. However, despite the additional capacity pressures, in general performance remained sustained across a number of areas.

Rotherham continued to have an increasing Looked After Children profile; there were 488 LAC at the end of 2016/17 which had risen to 624 at the end of 2017/18 (110.3 per 10,000 population).

An underlying factor for the significant increase in demand was that, whilst the average number of admissions to care had increased from 24 over the first 6 months of 2017/18 to an average of 39 over the most recent 4 months, the discharges from care had also reduced from an average of 19 to 12 over the same period. The significant decline in discharge activity could be attributed to increased average caseloads, greater travelling times to placements due to market saturation and a lack of contact service capacity. This in turn reduced Social Worker resources needed to progress children out of care. To help tackle the demand, the "Right Child Right Care" (RCRC) project had been created to review the ongoing need for children to remain looked after on a long term basis and, where appropriate, apply targeted discharge activity to achieve permanence outside of care.

Despite the continuing high demand levels, compliance on plans had remained relatively consistent for the last 3 months at 90% (89.7% at the end of March). This was lower than last year's position (91.2%). This area still remained under close management scrutiny in performance meetings.

A decline in performance in respect of LAC Statutory Reviews in earlier months had been a concern for the Service but was linked to IRO sickness levels, high demand and Social Workers not completing their pre-review reports within timescales. However, March's performance had improved to 95.5%, giving a full year's performance of 90.4 (2016/17 91.3%).

Despite the overall increase in numbers, the proportion of children placed in a family based setting remained stable at 92.4%, an improvement on last year's outturn position (81.1%). In the last 3 months there had been an increase in the number of children experiencing multiple placement moves. The provisional outturn position of 13.1% (81 out of 618 children)

was an increase on 2016/17 (11.9%). This was part of a national trend and as a result the placement market was increasingly saturated making appropriate matching decisions an increasing challenge.

The Panel sought clarification on a number of points including:-

- Right Child Right Care - so far this year there was potentially 23 children to find permanence elsewhere – so far 16 had been achieved
- That future performance reports include information re the above bullet point
- The desire to change the wording of “did not attends” to “was not brought”

Resolved:- That the contents of the report and accompanying dataset (Appendix A) be received and noted.

66. CORPORATE PARENTING PANEL - REVISED TERMS OF REFERENCE

The Panel considered the proposed revised Terms of Reference for the Corporate Parenting Panel in light of the Children and Social Work Act 2017.

The Act introduced corporate parenting principles which comprised of 7 needs that local authorities in England must have regard to whenever they exercised a function in relation to Looked After Children or care leavers:-

- i. to act in the best interest and promote the physical and mental health and wellbeing of those children and care leavers
- ii. to encourage those children and care leavers to express their views, wishes and feelings
- iii. to take into account the views, wishes and feelings of those children and care leavers
- iv. to help those children and care leavers gain access to, and make the best use of, services provided by the local authority and its relevant partners
- v. to promote high aspirations and seek to secure the best outcomes for those children and care leavers
- vi. for those children and care leavers to be safe and for the stability in their homes lives, relationships and education or work and
- vii to prepare those children and care leavers for adulthood and

independent living

Discussion ensued on the draft Terms of Reference with the following points raised:-

- The reference to “Corporate Parenting Board” should be amended to read “Corporate Parenting Panel”
- Emphasise that all Directorates/Services were Corporate Parents and not just Children and Young People’s Services
- The need to ensure the Terms of Reference were Care Act compliant

Resolved:- (1) That the Terms of Reference as suggested be updated and circulated to the Panel for final sign off.

(4) That arrangements be made for Councillors Cusworth and M. Elliott to be included in Regulation 44 visits.

(3) That refresher training for all Elected Members be included as part of the Member Development Programme.

(4) That renewed efforts be made for representation on the Panel from Housing and South Yorkshire Police.

(5) That Sharon Sandall, Service Manager Leaving Care, ensure that the Terms of Reference were Care Act compliant in particular with regard to the additional duties around care leavers.

(6) That Sharon Sandall, Service Manager, Leaving Care, discuss with the Care Leavers’ Forum a representative to attend the Panel.

67. CHILDREN AND SOCIAL WORK ACT 2017 - IMPLICATIONS FOR PRACTICE

Mel Meggs, Acting Strategic Director, presented a report outlining the main legislative changes in the Children and Social Work Act 2017 and how the Council aimed to implement those changes locally to ensure that its care leavers had the brightest future.

The Act set out corporate parenting principles for the Council as a whole to be the best parent it could be for the children in its care. These were largely a collation of existing duties local authorities had towards its Looked After Children and those leaving care. Local authorities would be required to publish their support offer to care leavers and to promote the educational attainment of children who had been adopted or placed in other long term arrangements. The Legislation extended the current considerations of the Court when making decisions about the long term placement of children to include an assessment of current and future needs and of any relationship with the prospective adopter.

As corporate parents, it was every Councillor's responsibility to make sure that the Council was meeting these duties towards children in care and care leavers. Every Councillor and Officer within the Council had a responsibility to act for those children and young people as a parent would for their own child.

Section 1 introduced the 7 principles of Corporate Parenting which local authorities must give due regard to for both LAC and Care Leavers whether or not they were the local authority who looked after the child (Minute No. 66 refers).

The Panel would need to review and formally adopt the principles and benchmark current practice against them. The Panel may then need to agree and implement an action plan in order to ensure that any shortfalls were reviewed and addressed.

Section 2 required local authorities to publish information about the services it offered to care leavers which may assist them in preparing for adulthood and independent living. Rotherham had a formal offer to its care leavers (approved by the Panel in February 2017), entitled Guide to Financial Support for Young People Leaving Care in Rotherham. One year after its launch the Guide would benefit from a review as the focus on the health and wellbeing of care leavers and their participation in society was not as well developed as it could. In addition the Leaving Care Team had instigated further developments including a formal offer for care leavers who were pregnant/young parents.

Section 3 required local authorities, as from 1st April, 2018, to appoint a personal adviser for care leavers who request one up until the age of 25 regardless of whether the young person intended to pursue education or training. The Leaving Care Team had recently had approval to increase the number of Personal Advisers, therefore, it was anticipated that the additional function would be assimilated within existing staff resources.

Section 4 placed a duty on local authorities to make advice and information available to parents, designated teachers in maintained schools and academies to promote the educational achievement of previously Looked After Children. Under Section 23ZZA of the Children Act 1989 (inserted by Section 4 of the Children and Social Worker act 2017), local authorities had a duty to promote the educational achievement of providing such information.

Section 5 placed a duty on the governing body of a maintained school to designate a member of school staff to have responsibility for promoting the educational achievement of previously Looked After Children, including those who were now the subject of an adoption, special guardianship or Child Arrangements Order. Although the responsibility did not commence until September, 2018, meetings had taken place between the Virtual School, Head of LAC Service, the Therapeutic Team

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Manager, Post-Adoption Team, post-SGO Social Worker and the post-Adoption Therapeutic Intervention Worker to consider how they could work in collaboration in discharging the new statutory responsibilities of the Virtual School. It had been estimated that there would be approximately 200 active post-adoption cases and 150 active post-SGO cases. However, many involved sporadic support/signposting and only approximately 20 acute post-adoption and 15 acute post-SGO cases that currently received more intensive support. At the meeting a number of actions had been agreed as set out in the report submitted.

Section 6 imposed a provision on all existing and new academy agreements requiring the proprietor of an academy to designate a member of staff to have responsibility for promoting the educational achievement of relevant children and young people having undertaken training and having regard to guidance issued by the Secretary of State. Within Rotherham the Virtual School would ensure that all academies in the Borough were made aware of the new legal requirement.

Section 7 amended the Children and Young Persons Act 2008 requiring the governing body of a maintained school to ensure that the designated teacher for Looked After pupils had regard to any guidance from the Secretary of State. The Virtual School would ensure that maintained schools were made aware of the new legal requirement.

Section 8 extended the definition of the permanence provisions in the Children Act 1989 and included kinship care, adoption and other long term types of care. Social Workers would have to give full consideration to these issues in the child's Care Plan and, as a result, they may require some additional guidance from the Public Law Outline Care Manager to ensure they abided by the additional expectation.

Section 9 amended the Adoption and Children Act 2002 and requiring courts and adoption agencies to consider the child's relationship with their prospective adopters in decisions relating to the adoption if the child had been placed with those prospective adopters.

Section 10 amended Legislation to allow local authorities in England and Wales to place children in secure accommodation in Scotland.

Discussion ensued with the following issues raised/clarified:-

- Proposals to extend the remit of the Virtual School to meet the new duties under the Act
- The need for the corporate parent approach that Looked After Children were the Authority's children for life whilst acknowledging that the level of support would decline over a period of time but there would be some exceptionally vulnerable young people because of the abuse they had experienced
- The Legislation needed to be seen in conjunction with the Homeless Reduction Act

- National Test for Social Workers – further information awaited
- Was there a children’s version of the document?

Resolved:- (1) That the changes in practice as required by the Children and Social Work Act 2017 together with the specific implications for the Children and Young People’s Service be noted.

(2) That Ailsa Barr, Acting Deputy Director, submit the action plan relating to the implementation of the 7 principles of Corporate Parenting to the Panel for oversight.

(3) That the Ian Walker, Head of Service Leaving Care, discuss the production of a child friendly version of the document with the LACC.

68. PROPOSED CHARGING POLICY FOR CHILDREN LOOKED AFTER AND CARED FOR IN RESIDENTIAL PLACEMENTS (INCLUDING FOSTER PLACEMENTS) UNDER SECTION 20 OF THE CHILDREN ACT 1989

Mel Meggs, Acting Strategic Director, submitted for consideration proposals for a charge to be levied on parents who placed their child into the care of the Local Authority under Section 20 of the Children Act 1989.

The proposal was not designed to be a revenue raising process but intended to reinforce to parents the costs incurred by the Local Authority in caring for their child and hopefully gain greater co-operation and engagement with the Edge of Care Plan.

It was noted that a ‘parent’ was any person who held parental responsibility for a child including adoptive parents and other adults who held parental responsibility by virtue of having a Special Guardianship Order or Child Arrangements Order.

During the past 12 months 45 young people (over the age of 14 years) had been accommodated under Section 20 by the Service. Whilst many of the 45 young people had subsequently been made subject of a Care Order, it remained unclear how many of them could have been supported by rehabilitation with birth/extended family members.

Section 20 admissions to care should preferably only be used as a short term measures in which families were supported in reaching a point where they felt able to maintain their child safely at home again. However, within Rotherham it appeared that local practice was for adolescents to be accommodated on a longer term basis often with little or no active consideration being given to a rehabilitation plan. This could be due to the parents refusing to engage with any offers of support to enable the child to be retrained to/remain in their care. This was despite the fact that all available performance measures indicated that, where such accommodation was offered to young people over the age of 14, generally had a negative impact on the young person’s outcomes. Short

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term intervention was the key.

While there was no cost to an admission to care under Section 20 it could act as a disincentive for parents to co-operate with professionals in trying to support a child to continue to live at home or to resident/undermine the efforts of Social Work professionals to return children home. Whilst the introduction of the policy may generate some income towards maintenance costs, the main purpose of the proposal was to act as an alert to parents of the cost of the service they were requesting and encourage them to reconsider other forms of family support that provided alternatives to care.

Charges would not be levied in the following circumstances:-

- Parents who were in receipt of benefits including Income Support, Working Tax Credit, Income based Jobseekers Allowance, any element of Child Tax Credit other than the family element or any income related employment and support allowance
- Parents whose children were accommodated for 75 or more days as part of respite care provision
- Services provided as 'After Care' under Section 117 of the Mental Health Act 1983
- Where parents who agreed to Section 20 admission as an alternative to Care Proceedings being initiated
- Where parents agreed to Section 20 until the Local Authority could make an application or an Interim Care Order
- Parents who agreed to Section 20 admission as a result of their child's significant and complex disability
- A person was also not liable to contribute towards maintenance costs in respect of any period during which the child is allowed by the Local Authority to live with their parents
- For children over the age of 16 who were requesting to be accommodated of their own volition

Where a child was accommodated, parents would also need to be informed that HM Revenue and Customs would be routinely informed of the change in circumstances and Child Benefit would stop being paid after the child had been looked after for 8 weeks.

Once identified that a parent was liable for charging, a financial assessment would be completed and formally reviewed annually or until the young person was discharged from care.

It was proposed that the base line payment should be in line with the charge for in-house foster care i.e. £189.37 for 11-15 year olds and £230.30 for 16-17 year olds.

There would be no charge for any leaving care support or accommodation provided once the young person reached 18 as they would be eligible to claim benefits in their own right. However, there would be charges due

for any semi-independent/supported accommodation provided to a Looked After young person aged between 16-17 whilst they remained subject of Section 20 care.

It was clarified that the children concerned would be non-Safeguarding cases and where it was thought that the family were more than able to care for the child.

Resolved:- That the proposed Charging Policy for Children Looked After and cared for in residential placements (including foster placements) under Section 20 the Children Act 1989 be supported.

69. ROTHERHAM LOOKED AFTER CHILDREN (LAC) NEEDS ASSESSMENT

Catherine Hall, Rotherham CCG, reported on the outcome of an assessment undertaken by Catherine Homer (Rotherham Public Health Team) in partnership with Sheffield Hallam University, to identify the key health needs for LAC and identify potential areas of improvement in respect of the support offered by the Health and Social Care agencies.

The aim of the assessment was to provide a systematic analysis of the unmet health care needs of LAC within Rotherham and to review and challenge the current systems so as to improve the physical and emotional health of children and young people looked after by the Authority.

Catherine highlighted:-

- Focus groups held with young people with the questions asked what made them emotionally stable. The young people wanted to be happy
- However, when the same question was asked of the staff they spoke about monetary issues
- The young people did not want to have to tell Health staff that they were LAC because they felt they were scrutinised more than anyone else particularly if the male was with a non-LAC partner
- A report back had been provided to all the young people that took place

The draft action plan was to be discussed at the Task and Finish Group on 21st May and monitored by the LAC Physical and Emotional Health Workstream.

Peter McNamara, Virtual School, stressed the need for discussions to take place as so much of the proposals for the new phase of the Virtual School promoted the emotionally wellbeing of young people

Resolved:- (1) That the report be noted.

(2) That the revised action plan be submitted to the next meeting of the Panel.

(3) That clarification be sought with regard to the number of Looked After Children with a Statement of Educational Needs who did not have an Education Health Care Plan.

70. LOOKED AFTER CHILDREN – PHYSICAL AND EMOTIONAL HEALTH CARE

Catherine Hall, Rotherham CCG, presented a report on the ongoing commitment of the NHS Rotherham Clinical Commissioning Group to Looked After Children and Care Leavers in and from the Borough.

Catherine highlighted:-

- The CCG was responsible for all the residents of Rotherham's children which included those children that had moved out of the area
- NHS England expected the CCG (as commissioners) to work together with schools, Local Authority, Health and Social Care to support all its LAC
- LAC had very similar health needs to all children but needed a bespoke service offer
- The Service Specification was frequently reviewed to ensure the most effective services were provided
- The Looked After Children and Care Leaver Health Team was very small – due to the number of children admitted the CCG had commissioned extra health workers to ensure the children who came into care had a timely Initial Health Assessment
- Conversations taking place regarding possible bespoke LAC Nursing Team
- It was difficult to put pressure on services if a child was placed out of area to give them urgent access

Resolved:- (1) That the report be noted.

(2) That Councillor J. Elliot, Health (including Mental Health) Champion, continue to provide regular updates to the Panel.

(3) That the health needs of Looked After Children, including the drive to improve IHAs timeliness and quality, be pursued.

(4) That work continue on developing best practice for Review Health Assessments using an evidence base developed in other area.

(5) That an active interest in the roll out of health passports be maintained ensuring that any delays were minimised.

(6) That the use of CP-IS (Child Protection Information System) as a tool to support services in their duty to care for LAC be supported.

(7) That the issue of LAC children receiving priority access to CAMHS when placed out of their natural area be raised at the ADC Group with a report back to this Panel.

71. DATES OF MEETING FOR THE 2018/19 MUNICIPAL YEAR

Resolved:- That meetings of the Corporate Parenting Panel be held in 2018/19 as follows:-

3rd July, 2018

28th August

16th October

18th December

12th February, 2019

9th April

All commencing at 5.00 p.m. and held in the Town Hall, Rotherham.

72. DATE AND TIME OF THE NEXT MEETING: -

Resolved:- That the next meeting be held on Tuesday, 3rd July, 2018, commencing at 5.00 p.m.