

Committee Name and Date of Committee Meeting

Cabinet – 10 June 2019

Report Title

Looked After Children and Care Leavers Sufficiency Strategy 2019-2022

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Jon Stonehouse, Strategic Director of Children and Young People's Services

Report Author(s)

Jenny Lingrell, Assistant Director, Commissioning, Performance & Inclusion
01709 254836 or jenny.lingrell@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The Looked After Children and Care Leavers Sufficiency Strategy has been developed in line with the duty to provide or procure placements for Children Looked After (CLA) by the Local Authority. The legislation and guidance includes Children Act 1989, Sufficiency Statutory Guidance 2010, Care Planning, Placement and Case Review Regulations 2011). The duty of 'sufficiency' requires Local Authorities and Children's Trust partners to ensure that there is a range of sufficient placements which meet the needs of children and young people in care. There is also a responsibility to take steps to develop and shape service provision to meet the needs of all children and young people in care at a local level, as far as is reasonably possible.

The Strategy sets out how Rotherham Children and Young People's Services will fulfil its role as a Corporate Parent and meet its statutory sufficiency duty by providing good quality care, effective parenting and support to children and young people in and leaving care. It describes the principles that are applied when seeking to commission the provision of secure, safe and appropriate accommodation and support to children in care and care leavers over the next three years.

The LAC Sufficiency Strategy provides the underpinning needs analysis that will inform market management work, seeking to ensure that there is the right mix of provision available to meet the needs of children and young people and that this provision mix provides positive outcomes and value for money. Whilst this Strategy is not primarily a financial one, it is expected that the commissioning and strategic intentions set out will provide significant cost avoidance and savings opportunities and are essential to the sustainability of improved outcomes and the Local Authority budget.

Recommendations

1. That approval be given to the publication of the Looked After Children's Sufficiency Strategy.

List of Appendices Included

Appendix 1 Looked After Children and Care Leavers Sufficiency Strategy 2019-2022

Appendix 2 Equalities Impact Assessment

Background Papers

No

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Presentation to Improving Lives Select Committee – February 2019

Council Approval Required

No

Exempt from the Press and Public

No

Looked After Children and Care Leavers Sufficiency Strategy 2019-2021

1. Background

- 1.1 The previous LAC Sufficiency Strategy was approved by Cabinet in February 2017.
- 1.2 Whilst this Strategy was intended to run for four years until 2021, the recent increase in number of Looked After Children, in Rotherham and across the region, has significantly altered the market conditions for placing Looked After Children in provision that will meet their needs and conform to the principles set out in the strategy.
- 1.3 Effective demand management and market management are key areas of focus for Children and Young People's Services. This work must be underpinned by a clear understanding of current sufficiency arrangements.
- 1.4 A new Looked After Children and Care Leavers Sufficiency Strategy has therefore been prepared to provide up to date analysis of current demand and placement mix for Rotherham children.
- 1.5 The Looked After Children and Care Leavers Sufficiency Strategy uses data to provide a snapshot of the position at the end of December 2018. It will be necessary to review the strategy on an annual basis to take account of changes to demand and to represent any changes to the mix of provision.

2. Key Issues

- 2.1 Rotherham is committed to improving the outcomes and life chances of the children and young people who are in the care of the Local Authority. The Looked After Children's Sufficiency Strategy focuses on placement data and market factors which will inform the market management activity that is required.
- 2.2 Within Yorkshire & Humber, Rotherham has seen the largest increase in its population of Looked After Children over the last 4 years, with a 30% increase between 2016 and 2018 and 37% between 2014 and 2018.
- 2.3 In-house foster placements make up 29.8% of the total LAC population. Overall, at the end of December 2018, there were 464 children in fostering placements (all-types); this is 73% of the total LAC population. However, of these, only 41% of children are placed with in-house foster carers, compared to 59% with independent fostering agencies (IFAs). This balance has shifted further in favour of IFAs in the past 12 months.
- 2.4 Regional sufficiency work indicates that Rotherham has one of the highest proportions of IFA placements in comparison to in-house placements in the region. This means that Rotherham is currently substantially exposed to the IFA market; this, in-turn has an impact on the local ability to achieve value for money when managing LAC sufficiency.

- 2.5 As at 31 December 2018 there were 59 Looked after Children in Residential Placements. This equates to 9.3% of the total LAC population. Of the 59 children placed in a residential placement at the end of December 2018, 74.6% (44 children) were between the ages 11-16yrs. Of the 59 children placed in a residential placement 35 (59.3%) of them were placed over twenty miles away. The average distance for all of the 59 children is 43.6 miles.
- 2.6 Rotherham does not have any in-house residential provision. This means that the majority of placements are made with private providers via the White Rose Framework. Rotherham is a partner in the White Rose Consortium which consists of 15 local authorities within the Yorkshire and Humber region; this offers assurance in relation to both price and quality when procuring placements with contracted providers.
- 2.7 Rotherham is working to build relationships with private providers who are based in the borough in order to be in a position to place according to the principles of this strategy, within or close to the local area, and to achieve best value for money.
- 2.8 The key priorities identified in the LAC Sufficiency Strategy are:-
- 2.8.1 To increase the number of in-house foster carers;
 - 2.8.2 To develop in-borough residential provision;
 - 2.8.3 To maintain a clear understanding of sufficiency needs and value for money;
 - 2.8.4 To explore opportunities for regional collaborative working arrangements. LAC Sufficiency is a priority across the region (and the country) and Rotherham will fully engage with innovative practice that will support the principles and challenges set out in this strategy;
 - 2.8.5 To review the Rotherham Fostering Framework to ensure that it continues to deliver high quality placements and value for money;
 - 2.8.6 To implement a Dynamic Purchasing Framework to achieve sufficiency for Rotherham care leavers; a Dynamic Purchasing Framework is a mechanism that ensures that the Council adheres to the Public Contracts Regulations 2015 whilst maintaining flexibility and continuity of provision;
 - 2.8.7 To work in partnership with Adult Care & Housing to ensure that sufficiency is achieved for vulnerable 16 and 17 year olds.

3. Recommendations

- 3.1 To approve the Looked After Children's Sufficiency Strategy for publication.

4. Consultation on proposal

- 4.1 There is an ongoing programme of consultation that takes place with in-house foster carers and Independent Fostering Agencies. The Looked After Children's Council meet regularly and choose areas of interest and focus. Officers will seek the engagement of Looked After Children in market management work.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Approval of the LAC Sufficiency Strategy will inform ongoing work to manage the market in Rotherham.

The implementation of the LAC Sufficiency Strategy will be achieved through market management and demand management activity which will contribute to delivering budget savings in 2019/20 and 2020/21.

6. Financial and Procurement Advice and Implications

- 6.1 Whilst there are no direct procurement implications arising from the recommendation to publish the LAC Sufficiency Strategy, indirectly the Council must ensure that where commissioned services are utilised with third party organisations, this is done in compliance with the Council's own Financial and Procurement Procedure Rules and the Public Contracts Regulations 2015. Early consideration needs to be given in the development of any commissioned services to ensure the chosen delivery vehicle includes the flexibility to meet the requirements of the Strategy.

7. Legal Advice and Implications

- 7.1 The Strategy proposed by this report will underpin the Council's compliance with the statutory duties it owes towards Looked After Children, including the duties under the Children Act 1989 (as amended by the Children and Families Act 2014) to provide accommodation for and to safeguard and promote the welfare of Looked After Children.

8. Human Resources Advice and Implications

- 8.1 There are no direct employee implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The understanding of sufficiency is essential to inform work to meet the needs of Rotherham's Looked After Children and Care Leavers.

10. Equalities and Human Rights Advice and Implications

10.1 Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to:

- i. eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act,
- ii. advance equality of opportunity and
- iii. foster good relations between persons who share a protected characteristic and persons who do not share it.

10.2 The purpose of the LAC Sufficiency Strategy is to understand the needs of all Looked After Children, considering protective characteristics, and ensure that there is a range of provision in place to address their needs.

11. Implications for Partners

11.1 The LAC Sufficiency Strategy describes, in Section 14, the market management approach. This includes the aspiration of meeting the needs of more Rotherham children within the borough. Where children are placed within Rotherham, partners can ensure that their needs are supported comprehensively through robust packages of support including health and education.

12. Risks and Mitigation

12.1 If the activity recommended in the LAC Sufficiency Strategy is not implemented, there is a risk that we will not be able to fulfil our statutory duty to secure sufficient accommodation for Looked After Children due to an increase in demand in Rotherham and across the local area.

12.2 Market conditions are also making it more difficult to find high quality placements that provide value for money and this places significant pressure on the CYPS budget.

12.3 The Market Management and Demand Management projects set out the delivery plans which are required to fulfil the aspirations of the LAC Sufficiency Strategy and mitigate these risks.

13. Accountable Officer

Jon Stonehouse – Strategic Director of Children and Young People’s Services

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive		
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	22/05/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	20/05/19
Assistant Director of Human Resources (if appropriate)	Amy Leech	13/05/19
Head of Procurement (if appropriate)	Karen Middlebrook	13/05/19

*Report Author: Jenny Lingrell, Joint Assistant Director, Commissioning, Performance and Inclusion
01709 254836 or jenny.lingrell@rotherham.gov.uk*

This report is published on the Council's [website](#).