

Committee Name and Date of Committee Meeting

Improving Lives Select Commission – 14 January 2020

Report Title

Implementation of Looked After Children Sufficiency Strategy

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

No

Strategic Director Approving Submission of the Report

Sally Hodges, Interim Strategic Director of Children and Young People's Services

Report Author(s)

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

Ward(s) Affected

Borough-Wide

Report Summary

The Rotherham Looked After Children (LAC) Sufficiency Strategy 2019-2022 identifies the challenges that the borough faces in relation to providing care and accommodation to our Looked After Children that is high quality, enables children to achieve the best outcomes and provides value for money.

The Strategy was approved by Cabinet in June 2019. The key priorities identified in the LAC Sufficiency Strategy are:

- To increase the number of in-house foster carers;
- To develop in-borough residential provision;
- To maintain a clear understanding of sufficiency needs and value for money;
- To explore opportunities for regional collaborative working arrangements;
- To review the Rotherham Fostering Framework to ensure that it continues to deliver high quality placements and value for money;
- To implement a Dynamic Purchasing Framework to achieve sufficiency for Rotherham care leavers;
- To work in partnership with Adult Care & Housing to ensure that sufficiency is achieved for vulnerable 16- and 17-year olds.

The purpose of this report is to provide an update on progress for each of the priorities.

Recommendations

1. Note progress on the implementation of the LAC Sufficiency Strategy 2019-2021
2. Considers future arrangements to scrutinise implementation and impact of the LAC Sufficiency Strategy

Background Papers

Looked After Children's Sufficiency Strategy 2019-2021

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Cabinet – 10 June 2019

Cabinet – 17 February 2020

Council Approval Required

No

Exempt from the Press and Public

No

Implementation of LAC Sufficiency Strategy

1. Background

- 1.1 The Rotherham Looked After Children (LAC) Sufficiency Strategy 2019-2022 identifies the challenges that the borough faces in relation to providing care and accommodation to our Looked After Children that is high quality, enables children to achieve the best outcomes and provides value for money.
- 1.2 The underpinning principle of Rotherham's approach is that every child has the right to a family life. Where this is not possible the Council will seek to ensure that a child lives with a supportive and nurturing family. In the event that living in a family home is not an option, the Council will make every effort to ensure that a child lives in a children's home that replicates family life as closely as possible. Once in care, every effort is made to either plan for the safe return of children to their families or have a permanent alternative family as soon as possible.
- 1.2 The data set that was published with the strategy was to the end of 2018. Data up to the end of December 2019 will now be prepared but was not available at the time of finalising this report.
- 1.3 The number of Looked After Children in Rotherham has declined steadily over the last 12 months and was 614 on 31st December 2019. Of these children, 153 are placed with in-house foster carers, 260 are placed through Independent Fostering Agencies and 71 are placed in Residential Care. The proportion of children placed in Residential Care has increased in the last 12 months.
- 1.4 The key priorities set out in the LAC Sufficiency Strategy remain the same and progress has been made against all areas. The activity to support each priority is summarised within this report. The key priorities identified in the LAC Sufficiency Strategy are to (1) increase the number of in-house foster carers, (2) develop in-borough residential provision, (3) maintain a clear understanding of sufficiency needs and value for money, (4) explore options for regional collaborative arrangements, (5) review the Rotherham Fostering Framework to ensure that it continues to deliver high quality placements and value for money, (6) implement a dynamic purchasing framework to achieve sufficiency for Rotherham care leavers and (7) work in partnership with Adult Care & Housing to ensure that sufficiency is achieved for vulnerable 16- and 17-year olds.
- 1.5 The timescales associated with delivering key areas of work, including the recruitment of additional in house foster carers, and the development of in-borough residential provision that offers value for money, has meant that the children's sufficiency budget remains significantly overspent. The work outlined in this report will continue to require urgent attention to bring spending back in line with the projected budget during 2020.

2. Key Issues

2.1 Increase the number of in-house foster carers

- 2.1.1 The previous recruitment strategy for in-house foster carers did not generate the level of interest that was required. In 2018, 14 new foster carers were approved and 24 foster carers were de-registered leading to a net reduction of 10. Up to the end of September 2019, 9 new foster carers were approved and 15 foster carers were de-registered, leading to a net reduction of 6.
- 2.1.2 In September 2019, Rotherham entered into an agreement with Bright Sparks to fundamentally change the way that the foster carer recruitment strategy. Bright Sparks is a creative communications and business development agency that works exclusively with social purpose organisations to help them start up, grow and improve services they provide

that make a difference to people's lives and society.

- 2.1.3 Bright Sparks have developed a social media campaign, built on the Rotherham brand and values, and promoting key messages to potential foster carers. They also manage a media buying strategy that promotes the Rotherham message via Google, Facebook and Instagram.
- 2.1.4 Bright Sparks have developed a purpose-built website to promote the Rotherham offer. The website has the necessary technical functionality to capture interest from the social media campaign. The Customer Relationship Management tools ensure that media buying is targeted to encourage repeat visits to the Rotherham website, and would make use of tools such as a live web chat, blog posts and email.
- 2.1.5 Since the campaign was launched, there have been 2 million page impressions and 1.5k unique visitors to www.fosteringrotherham.com. 603 direct enquiries have been received via live chat, website forms, email and social media. 54 face to face information visits have been booked.
- 2.1.6 If 50% of the current enquiries progress to become approved foster carers, this would be 6.5 new foster carers by the end of March 2020. If the rate of conversion increases to 75% this would be 9 new foster carers. It is planned that this level of activity will continue throughout 2020.

2.2 Develop in-borough residential provision

- 2.2.1 In line with the LAC Sufficiency Strategy, Rotherham issued a market position statement to encourage private providers to set up small residential homes in the borough. Happy Group set up a three-bed home in the borough in August 2018. Rotherham has a contractual arrangement to block-book all three beds at a preferential rate and these have remained fully occupied since the provision opened.
- 2.2.2 Other providers have leased or purchased property in the borough with the intention of establishing additional three-bed residential homes. The CYPS commissioning team have worked closely with providers with the aim of negotiating similar contractual arrangements to block-book placements in the new provision.
- 2.2.3 Flourish, Happy Group and Rainbows all currently have properties in the borough and have established a staffing team. The CYPS commissioning team are working with the providers and the Ofsted regulatory regional manager and it is likely that new provision will become available early in 2020. This is later than the anticipated timescale.
- 2.2.4 When new provision is Ofsted registered, commissioning and social care teams will work closely together to plan for children to move into suitable placements within the borough.
- 2.2.5 In order to reduce Rotherham's reliance on the private market, and increase local sufficiency, it is also proposed that new in-house residential homes are opened. In-house provision will reduce pressure on the placements budget. It can also be designed to meet the needs of children with more complex needs as there will be the opportunity to offer places in local schools and provide support from the local child and adolescent mental health system.
- 2.2.6 In February 2020, Cabinet is due to receive a full business cases proposing the development of new in-house residential provision, including registered emergency placements, residential provision to support step-down to foster care and additional 3-bed residential provision.

2.3 Maintain a clear understanding of sufficiency needs and value for money

- 2.3.1 Maintaining a clear understanding of sufficiency needs and value for money requires relies on joint work between commissioning, social care, performance and finance teams.

2.3.2 Sufficiency data is currently managed manually through use of spreadsheets. There is now a process in place to ensure that finance and commissioning information is cross-referenced on a regular basis to retain an accurate picture of the current position.

2.3.3 There has been approval to purchase the Controcc module for LiquidLogic. This will enable payments to providers to be made via the LiquidLogic system and will also provide timely and detailed performance information.

2.3.4 A joint working group will be established to oversee the implementation of the new module.

2.4 Explore opportunities for regional collaborative working arrangements

2.4.1. Rotherham continues to work with other authorities in Yorkshire and Humber as part of the White Rose Framework. The framework supports Rotherham to make placements for children with Special Educational Needs and Disabilities and for residential provision.

2.4.2 Placement sufficiency is an area of concern for all local authorities in the region and sub-region. The regional meetings of Directors of Children's Services commissioned work to understand local sufficiency challenges and this work informed Rotherham's own LAC Sufficiency Strategy.

2.4.3 In January 2019, a meeting will be hosted by North Yorkshire County Council to discuss options for delivering residential care in the region. Rotherham is engaging in all regional work to inform local planning arrangements.

2.5 To review the Rotherham Fostering Framework to ensure that it continues to deliver high quality placements and value for money

2.5.1 Rotherham's own Fostering Framework has been in place since April 2016. Initially the tender ran for three years; this was extended by a further year. There are 18 providers on the Rotherham Framework and the commissioning team manage the relationship with providers through quarterly partnership meetings.

2.5.2 In 2015 / 16, the rationale to develop a local framework was that it provided opportunities to performance manage delivery through relationship based and child-centred commissioning arrangements at the same time as delivering cost savings equivalent to, or in excess of those being generated by the White Rose Framework despite Rotherham not having the purchasing power of combined authorities.

2.5.3 This strategy has proved successful and prices of placements made through the framework have been lower than those on the White Rose Framework. This is affected by the timing of tendering processes, with Rotherham prices negotiated in April 2016, whilst the White Rose process concluded in 2018.

2.5.2 However, as Rotherham seeks to re-negotiate the local framework, it is likely that providers will align their pricing with that offered through the White Rose Framework. Evidence of this is that the five providers who have requested inflation on Rotherham's framework suggests all agencies will ask for an increase to WRFF prices when re-tendering. The collective arrangements of the White Rose Framework provide additional buying power and a stronger negotiating position that it will be possible to have locally.

2.5.3 A further factor is that it is increasingly difficult to keep pace with the demand for foster care placements. An increase in the number of foster carers will reduce pressure on the independent fostering agencies, however, local sufficiency arrangements remain reliant on the private market.

- 2.5.4 To ensure that Rotherham is in a position to work through a formal procurement route that offers choice, quality and value for money, it has been agreed that the authority will join the White Rose Framework from 1st April 2020. This will provide Rotherham with further placement stability and increase the number of agencies with a wider pool of foster carers whilst allowing us to continue our strong working relationship with local providers.
- 2.5.5 Other advantages of re-joining the Framework are that it will:
- Have an earlier indication of placements costs over the next 3 years, providing more financial stability with regards to future price increase request and value for money.
 - Reduce non-compliant spend. We only have young people placed with one agency who is not currently on the White Rose Framework. There is a strong possibility this provider will apply to be part of the framework.
 - The framework allows for local authorities to make arrangements with providers, for example block bookings and emergency beds. This means that we should still be able to work with providers to meet our local needs. It will allow time to develop initiatives such as step down and edge of care services within the existing White Rose arrangements.
 - The monitoring arrangements would compliment the existing quality assurance framework.
 - We already know from existing contracting arrangements that the White Rose Consortium are already moving to more flexible and dynamic ways of working.
- 2.6 Implement a Dynamic Purchasing Framework to achieve sufficiency for Rotherham care leavers**
- 2.6.1 Rotherham previously commissioned places for Care Leavers over the age of 16 via the White Rose Framework. A consortium decision was taken in May 2018 by all Local Authority Assistant Directors that the existing Accommodation and Support Framework for 16+ Care Leavers provision would not be renewed. The White Rose Framework expired in December 2018 and since that date all 16+ Accommodation and Support placements have been made without a contract in place.
- 2.6.2 The new Dynamic Purchasing Framework will put in place a compliant route to market for commissioners without limiting choice and flexibility by allowing the option to directly award work or the provision for a mini competition.
- 2.6.3 The Framework allows work to be awarded based on identified needs and matching by the social worker and provider. Where two or more provisions can equally meet the needs of the young person, a decision will be made on cost. The top tier of providers will have the opportunity to offer a placement first – although if a provider on the second tier can offer something specific that meets the young person’s needs a direct placement can be made.
- 2.6.4 Following consultation with young people and providers, a specification was developed and put out to tender. There was a higher than expected response with over 40 providers submitting applications. The Invitation to Tender contained over 20 questions and it has taken longer than anticipated to prepare feedback to each question for each provider. The Procurement Team have advised that awards will be finalised in January 2020.
- 2.7 Work in partnership with Adult Care & Housing to ensure that sufficiency is achieved for vulnerable 16- and 17-year olds**
- 2.7.1 Children’s commissioning worked in partnership with Adult commissioning to re-tender the supported accommodation offer for young people aged 16-25 who are experiencing

homelessness or who are vulnerably housed.

- 2.7.2 The contract was awarded to Roundabout who began delivery in Rotherham in August 2019. The Roundabout offer is made up of:
- 4 assessment beds which are available to young people in an emergency for up to 28 days.
 - 12 hostel beds, offered by Rush House working in partnership with Roundabout Semi-supported accommodation for 12 young people, which is made up of shared houses and self-contained flats.
 - Tenancy Support for up to 50 young people who are in their own tenancies in Rotherham. This floating support can be for up to 6 months to support young people to get settled into their own accommodation.
- 2.7.3 There are further opportunities to work with Adult Care & Housing to ensure that vulnerable young people are supported to live independently as adults. Initial scoping work to identify the most vulnerable cohorts will begin in January 2020.

3. **Options considered and recommended proposal**

All seven priorities identified in the LAC Sufficiency Strategy need to be developed in order to provide the right balance of placements for Looked After Children that are both high quality and value for money.

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.
- 4.2 Some components of the work will require more detailed consultation and engagement plans that will be delivered in line with the Council's Consultation and Engagement Strategy.

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. All work is reported to the Children's Directorate Leadership Team and highlight reports are received directly by the Council's Strategic Leadership Team.
- 5.2 Some components of work to deliver the LAC Sufficiency Strategy may require different levels of governance and accountability and officers will take advice from the Directorate Leadership Team to follow the correct process.

6. **Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)**

- 6.1 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. The chosen delivery vehicles for the provision of commissioned services are outlined within this report. These are The White Rose Framework and the Rotherham Dynamic Purchasing Framework for Care Leavers Accommodation. A tender waiver was completed prior to awarding the contract to

Bright Sparks to support the recruitment of foster carers.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

7.1 The LAC Sufficiency Strategy underpins 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 human resources implications arising from this report. Some components of the work may have human resources implications (for example, if Rotherham opens its own in-house residential provision) and these will be addressed through specific project level reports.

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 Ward Priorities

11.1 Where new provision is developed within the borough this may have implications for ward councillors and ward priorities. This will be considered as part of the governance process for each project.

12. Implications for Partners

12.1 The LAC Sufficiency Strategy describes 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.

13. Risks and Mitigation

13.1. 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.

- 13.2 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.
- 13.3 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.
- 14. Accountable Officers**
Sally Hodges, Interim Director of Children's Services

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Head of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.

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