

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Corporate Parenting Panel
2.	Date:	10 th April 2014
3.	Title:	The Entitlements Inquiry
4.	Directorate:	Children and Young People's Services

5. Summary

This report aims to inform Corporate Parenting Panel Members about the contents of 'The Entitlements Inquiry' – a report into the extent to which looked after children and care leavers nationally understand what services and support they are entitled to.

6. Recommendations

That Corporate Parenting Panel Members:

6.1. Note the contents of the report

6.2. Consider the recommendations of the Inquiry and their relevance to the position in Rotherham.

7. Proposals and Details

7.1. Background

This is an information report. It aims to inform and advise Corporate Parenting Panel Members on the contents of The Entitlements Inquiry – a report commissioned by the All Party Parliamentary Group for Looked After Children and Care Leavers and produced by the Who Cares Trust?

The authors of the report asked looked after children and care leavers about ten specific entitlements that they have as looked after children or care leavers. They asked looked after children about five of the entitlements and care leavers about the remaining five.

Each entitlement was written as a statement and the children and young people were asked if they knew that each statement was something they were entitled to and whether they were receiving it.

7.2. The Ten Entitlements

The ten entitlements were as follows:

Looked after Children:

1. You must have a care plan that says what your needs are now, what will be done to meet those needs and what your plans are for the future.
2. The care plan must include your views, and when deciding what to do people must take those views into consideration.
3. No important decisions about you, for example a placement move, should be taken without a review meeting being held unless it is an emergency.
4. Looked after young people age 16 to 19 should get a £1,200 bursary if they stay in full time education.
5. When a social worker visits you they must speak to you alone unless you refuse, it is not appropriate at that time, or the social worker is unable to.

Care Leavers:

6. You can ask your authority for £2,000 for the setting up home allowance. This was the amount that young people agreed, at the regional meetings for Chairs of Children in Care Councils, to ask their local authorities for.
7. Your local authority must provide you with help with costs of being in education or training up until you are 21 (or 25 if you are still in education).
8. Your local authority must provide you with help with the costs of getting and keeping a job (up until the age of 21 if you are in education, employment or training).
9. You must be given a copy, and a full explanation, of your assessment and pathway plan.
10. If you are in higher education, your local authority must provide you with vacation accommodation (or money towards it).

In Rotherham we have since undertaken our own very small scale survey of a group of 12 looked after children and care leavers, putting the exact same statements to them as used in The Entitlements Inquiry to get some indication of the extent to which our children and young people know about their entitlements and receive them.

The following section details the Entitlement Inquiry survey outcomes and the responses of the small group of Rotherham looked after children and care leavers.

7.3. Entitlements Inquiry and Rotherham Survey Outcomes

Looked After Children:

1. Each looked after child must have a care plan:

- Inquiry Survey – 67% knew this - 61% had one
- In Rotherham – 7 out of 7 knew - 7 out of 7 had one

2. Each care plan must contain young person's needs and must take account of those when deciding what to do:

- Inquiry Survey – 63% knew - 51% of 10 to 15yr olds and 74% of over 16's said this happened
- In Rotherham – 7/7 knew - 6/7 said it happened and 1 didn't know

3. No important decision (e.g. placement move) should occur without a review unless an emergency:

- Inquiry Survey – 58% knew this - 75% (5-10yrs), 70% (10-15yrs) and 79% (over 16's) said this happened
- In Rotherham – 7/7 knew – 5/7 said this happened

4. Young people who stay in education between 16-19 years should receive a £1200 bursary:

- Inquiry Survey – 37% knew this
- In Rotherham – 4/7 knew, 3 had received it, 2 had not and for 2 it was not applicable

In Rotherham this is applied for by the young person's personal advisor and the £1,200 paid via the college/education provider.

5. When a social worker visits they must speak to young person alone unless young person refuses, it is not appropriate or SW is unable to:

- Inquiry Survey – 75% knew – 71% (5-10yr) and 76% (over 16's) said this happened
- In Rotherham – 5/7 knew this – 5/7 said this happened – 2/7 said it sometimes happened

Care leavers:

6. Care leavers can ask the local authority for a £2,000 setting up home allowance:

- Inquiry Survey – 50% knew this – 34% has received it
- In Rotherham – 5/12 knew this – 7/12 knew what the allowance in Rotherham is, 7/12 had received it

In Rotherham we pay a setting up grant of up to £1,500. It is not a legal requirement to pay £2,000 but this has been suggested as the appropriate amount by the Minister, Edward Timpson.

7. Local Authorities must support young people financially in education until 21 years old and up to 25 years old if still in education:

- Inquiry Survey – 67% knew this – 46% had received help
- In Rotherham – 10/12 knew this – 10/12 had received help

In Rotherham care leavers at university are provided with a £2,000 bursary over 3 years, have 52 week accommodation paid for by the local authority, and the local authority pay them the equivalent of the Income Support payment for the 12 period between university years.

8. Local Authorities must provide help with the costs of getting and keeping a job until the age of 21:

- Inquiry Survey – 49% knew this
- In Rotherham – 10/12 knew this, 7/12 had received help, 3/12 had not and for 2 it was not applicable.

In Rotherham care leavers are supported with travel and work clothing costs.

9. Must have a copy and full explanation for your assessment and pathway plan:

- Inquiry Survey – 69% knew this – 50% had received it
- In Rotherham – 10/12 knew this – 10/12 had received it

10. If in higher education the local authority must provide vacation accommodation or pay for it:

- Inquiry Survey – 44% knew this – 31% had received it
- In Rotherham – 7/12 knew this – 3/12 had received it – 2/12 said they had not – for 7/12 it was not applicable

In Rotherham we pay for 52 week accommodation for care leavers in higher education.

7.4. Key Findings of The Entitlements Inquiry

- LAC and Care leavers do not always know rights. 29% of LAC and 17% of Care Leavers said they had all the information they need.
- Not always told in the right way-by their SW or PA in person rather than having to find out about it. Want to have it written down as well.
- Some groups of LAC/CL are particularly vulnerable and have difficulty accessing information.
- Where and when LAC/CL are told is important-eg length of time in care and placement stability effect this.
- Those who work with LAC/CLs do not always have enough information to work with their client group. (18% of professionals said that)
- Some CLs aren't getting their entitlements (50% of CLs said they had a care plan).

7.5. The Entitlements Inquiry Recommendations:

- Government should set realistic and manageable caseloads for social workers and personal advisors
- Care planning regulations should require social workers to explicitly share information with children and young people
- Statutory agencies should work together to showcase best practice to support Children in Care councils, lead members and LAs to seek views of young people about best way to provide information about entitlements
- Voluntary agencies should work together to help LAs to communicate properly with young people with communication difficulties, learning difficulties and produce best practice guide
- IROs should report on whether young people know their rights and should produce annuals report to Corporate Parenting Boards/Panels
- Lead members should review with the Children in Council whether there is enough information about entitlements

- DfE to provide information on its website about entitlements to frontline workers
- Young people who are “care experienced” should be involved in training for frontline staff on communication and relationships.
- Children in care should be given contact details of their advocacy agency at every review
- Ofsted to consider how information and evidence about LAC/CL could be retrieved and aggregated from the first year of inspections.

8. Finance

8.1. This is an information report. There are no direct financial implications.

8.2. Any proposed changes to arrangements for support of looked after children and care leavers in Rotherham that result from consideration of this report may have financial implications and will need to be considered and accounted for within the context of the whole CYPS budget.

9. Risks and Uncertainties

9.1. This is an information report which informs and advises Corporate Parenting Panel members about the Entitlements Inquiry and about the responses of a small group of looked after young people and care leavers in Rotherham.

9.2. Where the Local Authority neglects to inform looked after children and care leavers about their entitlements, or to ensure that they receive them, we will be failing in our duty as corporate parents. This has the potential risk of young people taking legal action now and in the future against the Local Authority.

9.3. Failure to inform children and young people about their entitlements and ensure they receive them risks damaging their chance to succeed to their full potential.

9.4. Such failure presents reputational risk to the Local Authority from external scrutiny and in particular Ofsted inspection outcomes.

10. Policy and Performance Agenda Implications

10.1. All of the above relates to the Looked After Children Strategy and in particular to the priority objective, Priority Objective 5, which focuses on the way in which young people are consulted about and influence their own plans and service delivery and development. We will not succeed on this objective if we cannot ensure that young people are advised of and understand what support and services they are entitled to.

11. Background Papers and Consultation

11.1. The Entitlements Inquiry Report

11.2. The Looked After Children Strategy

Contact Name :

Paul Dempsey,
Service Manager, Family Placements and Residential Services,
01709 823444

Paul.dempsey@rotherham.gov.uk

Phil Bradley,
Service Manager,
Phil.bradley@rotherham.gov.uk