

Looked After Children Working Group



To be presented to Children's and Young People Scrutiny
and Performance Panel on 29 April, 2014



Walsall Council

Foreword

As Corporate Parents, ensuring that Children's Services in Walsall are effective for the children and young people of Walsall is fundamental for all elected members. This task is even more crucial for Members of the Children's and Young People Scrutiny and Performance Panel which continually monitors and challenges the work being undertaken to address the weaknesses, identified in the Ofsted inspection report in June, 2012.

Members, whilst reassured by regular performance and monitoring reports, were keen to drill down and hear 'first – hand' from frontline staff as to how the 'Improvement Journey' is progressing, from their perspective; how it is improving services for the children and young people of Walsall and how the child's voice is heard and placed at the heart of decision making.

Members are under no illusions that the task to improve services is straightforward, not least as it is hampered by increasing budgetary pressures. That said, progress continues to be positive and thanks to the efforts of staff at all levels within Children's Services, it is hoped that the improvement notice imposed by the Department for Education following the inspection in June, 2012, will soon be lifted.



Councillor E. Hughes

**Lead Member, Looked After Children
Working group**

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Introduction

The Children's and Young People Scrutiny and Performance Panel (the Panel) identified the opportunity to investigate services for 'Looked After Children' at its meeting on 17 July, 2013.

To complete this task a small working group was established.

Terms of Reference

Draft terms of reference were discussed and agreed by a meeting of the working group that took place on 24 September, 2013. These were subsequently agreed by the Panel at its meeting on 26 November, 2013.

The full version of the Working Groups terms of reference can be found at Appendix 1 to this report.

The Working Group was supported predominantly by three Officers:

Sue Butcher	Interim Assistant Director (Specialist Services)
Carol Boughton	Head of Quality and Improvement
Neil Picken	Senior Committee Business and Governance Manager

Membership

The working group was made up of the following Councillors:



Councillor E. Hughes
Lead Member



Councillor T. Jukes



Councillor G. Perry



Councillor R. Martin

Methodology

The Working Group held a number of meetings which took into account the views of numerous officers – all of whom play a key role in Walsall’s service provision. The group decided to follow the journey of four ‘virtual’ looked after children to provide real insight into the breadth and depth of services provided, together with an understanding of just how real this journey is for vulnerable children and young people within Walsall.

Witnesses

The Working Group met and discussed issues or received evidence relating to looked after children with the following witnesses:

Rose Collinson	Interim Executive Director (Children’s Services)
Sue Butcher	Interim Assistant Director (Specialist Services)
Carol Boughton	Head of Quality and Improvement
Errol Edwards	Social Worker - Corporate Parenting - Transition & Leaving Care
Ravi Sharma	Senior Practitioner - Vulnerable Children Safeguarding & Family Support Team 5
Uzma Kauser	Senior Practitioner - Vulnerable Children Safeguarding & Family Support Team 3
Penny Nicola	Senior Practitioner - Family Placements - Adoption Team
Jacqueline Bennett	Social Worker - Fostering team
Viv Sales	Independent Reviewing Officer
Lorraine Thompson	Virtual school

Report Format

The report sets out the working groups findings along with supporting evidence.

Part 1 - Context

Overview

Few children or young people choose to become looked after. A high percentage enter the care system as a result of abuse or neglect, but even these children and young people usually continue to be attached to their families and want to remain with them or have a significant amount of contact with them. Whilst many remain in the care system only for brief periods, a considerable number spend a significant proportion of their childhood in care. It is the looked after children and young people in this category who are at the greatest risk in terms of a range of poor outcomes, many of which are interdependent.

Members of the working group met with a range of Officers who were able to reassure them that whilst they recognise that there remains work to be done every effort is being made to improve outcomes for all looked after children and young people in Walsall.

What exactly does being 'Looked After' Mean?

A child is 'looked after' by a local authority if:

- a court has granted a care order to place a child in care;
Or
- a child has been in the care of the Local Authority for more than 24 hours (The Children Act 1989).

Looked after children fall into four main groups:

- Children who are accommodated under voluntary agreement with their parents (section 20);
- Children who are the subject of a full care order (section 31) or interim care order (section 38);
- Children who are the subject of emergency orders for their protection (section 44 and 46);
- Children who are compulsorily accommodated. This includes children remanded to the local authority or subject to a criminal justice supervision order with a residence requirement (section 21).

Further details regarding the legal framework are attached as appendix 2 to this report.

What happens in Walsall?

Walsall has approximately 67,000 children and young people under the age of 19 years. This amounts to 25% of the total population. The proportion entitled to free school meals is above the national average. Children and young people from minority ethnic groups account for 32% of the total population, compared with 25% in the country as a whole. The largest minority ethnic groups are Asian: Pakistani, Indian and Bangladeshi. The proportion of pupils with English as an additional language is above the national figure.

In Walsall, as of the 22 April, 2014, there were:-

- **333** Children on a Child Protection Plan;
- **633** Looked After Children
- **5** Children's Homes
- **18** Children's Centres

It is important to recognise that the number of children on a child protection plan and the number of children 'looked after' fluctuates and are rarely static. It is true, however, to say that the numbers of looked after children and children on a Child Protection Plan have increased year on year since 2012 – a phenomena common across many local authorities in the UK. There has also been a recent review of Children's Centres in Walsall and reports on this matter have been considered by Children's and Young People Scrutiny and Performance Panel.

How much does it cost to run Children's Services?

The net budget for 2014/15 for the Children's Services portfolio is £66.47m, a reduction of £3.11m from 2013/14. This change includes service and contractual cost pressures, new savings and the full year impact of previous year's savings where applicable.

Members noted with concern that improved services need to be delivered with less resource available but accepted that this was a time of budgetary pressures for all services within the council. Members were pleased that the budget included:-

- A temporary budget increase of £512,622 to strengthen the children's social care workforce through the addition of 12 social worker posts.

Members support the increase as stability in terms of social workers was of the utmost importance, not just for looked after children, but the service as a whole.

- Ongoing work to reduce the number of LAC where appropriate and also work is ongoing to reduce the cost of placements through more effective and efficient purchasing arrangements. Placement costs are driven principally by a budget based on looked after children (LAC) numbers of 541, current numbers are 633.

Members recommend that this matter be closely monitored by the Children's and Young People Scrutiny and Performance Panel.

- £550,000 for Social IT Systems Review & Enhancement - Case recording and reporting issues were highlighted in the Ofsted inspection conducted in June 2012. The lack of fitness for purpose of the social care IT system was referenced in subsequent Ofsted inspections in 2013 and 2014. The council has been systematically undertaking a review of both the processes and systems in use in

Social Care (specifically Children's), in order to help enable the organisation to customise deliverable outcomes that are client centred. This is supported and driven by key IT systems that are implemented to ensure that staff provide the best possible services and to drive efficiency across the organisation. The current system in use in Adults and Children's is provided by Civica, the name of the software solution is PARIS and this was procured 9 years ago. Since the procurement of PARIS it has not had any further supplier developments or updates in that time. Options are needed to find a solution that is fit for purpose, part of that solution will be the right system that fits with the business need and differing customer demand. Soft market testing has recently been finalised.

Members are particularly pleased that the out dated IT system is going to be replaced in late 2014. It is hoped that the new system, once fully implemented, will improve and support the work of all staff within Children's Services and enable better case management and performance monitoring as well as providing social workers with detailed information relating to the child's journey through the social care system.

What services are in place to support Looked After Children?

To respond to the improvement notice issued by Ofsted in 2012, the Council has taken steps, at all levels of the organisation and across the wider partnership, to create the right conditions for long term and sustainable change, improvement and success. As part of this a new organisational model for Children's Services is being implemented on a phased basis to minimise adverse impact on the delivery of services to children. The new arrangements provide a stronger focus on the journey of children and young people through the support, help, care and protection that they need. Improvements include:-

- A multi agency front door to children's social care (The Multi Agency Screening Team);
- A distinct early help offer;
- The integration of education into the Council following the transition from an outsourced model.

From the initial contact stage, the following are services which LAC are likely to have contact with:-

Multi Agency Screening Team - From 8th April 2013 these 'Contacts' have been dealt with by members of a Multi Agency Screening Team (MAST) who will gather basic information and decide on the most appropriate 'next steps'. These contacts are received from professionals, family members, including self referral and members of the public.

Initial Response Service (IRS) - If it is determined that a statutory assessment of need is required following the MAST contact then IRS will undertake an 'Initial Assessment'. IRS also undertakes all newly arising child protection enquiries. Due to the volume of work a fourth team was created in

IRS towards the end of September 2013 to deal with the backlog of referrals and create sufficient capacity over a 3 week cycle for each team to deal with newly presenting cases in a timely way before going back on duty again.

Safeguarding and Family Support (SFS) Teams - There are seven SFS teams. They work with children and young people who are:-

- In need i.e. subject to a Child in Need plan;
- Subject to a Child Protection Plan;
- Subject to care proceedings;
- Looked After as a result of being in court proceedings (s38 or s31 of the Children Act);
- Privately Fostered.

Looked After Children (LAC) Teams - These three teams work with long term looked after children and young people in accordance with their care plans. The teams receive casework from the SFS teams and undertake work in relation to adoptions.

Transition and Leaving Care (TLC) Team - The TLC team works with Care Leavers in accordance with their Pathway Plans.

Children with Disabilities (CWD) Team - The CWD team works with children and young people who have disabilities. These children and young people will be subject to Child in Need plans or 'looked after'. Children and Young people may receive respite care and short breaks.

Family Placement Service which consists of the Fostering and Adoption Services, as follows:-

Fostering Service - The Fostering Service has three teams:

- Recruitment – Responsible for recruiting and assessing new carers and supporting them through their first year as carers;
- Placements – Responsible for supporting carers and managing placements – receiving referrals for children and young people needing placements and matching them with carers;
- Family and Friends – Responsible for assessing and supporting Family and Friends carers (assessments are usually contracted out).

Adoption Service (one team) - The Adoption Team is responsible for recruiting prospective adopters and matching prospective adopters with children needing adoption. It also provides an adoption support service - supporting families where children have been placed for adoption pre and post the making of an adoption order.

Safeguarding and Review Service - The Independent Reviewing Officers (IROs) chair Child Protection Conferences and Looked After Children Statutory Reviews ensuring that the plans are progressing in an appropriate and timely way. They also hold a quality assurance role.

Together, these services provide a comprehensive and supportive social care service to looked after children throughout Walsall.

Members of the Working Group recognised and acknowledged the positive impact of the introduction of the MAST and remained hopeful that the new organisational model, once fully implemented, would improve services for looked after children.

It is recommended that that once fully implemented, details of the new organisational model be circulated to all elected Members (in their role as corporate parents) so that they are fully aware of the systems in place, together with key contact details. The matter should also be reviewed by the Children's and Young People Scrutiny and Performance Panel in the 2014/15 municipal year. Further, the Working Group would like to see the timely appointment to vacant senior positions, including appointments to those currently interim, which will provide the leadership stability to continue to drive forward sustainable improvements for children and young people.

During its investigations the Working Group noted that the Interim Executive Director (Children's Services), at a meeting of the Children's and Young Peoples Scrutiny and Performance Panel, assured Members that:-

- We will continue to fully embed the new organisational arrangements and key senior appointments for Children and Young People's Services. We will work with our partners at a strategic and operational level to secure the most effective partnership engagement and joint working arrangements to maximize the impact for children from the new structure.
- We will continue to strengthen the children's social care workforce and will work across the Council and with our partners to implement multi-agency models of frontline services that offer timely and high quality support for children and young people in Walsall.
- In November 2014 we will implement a new children's information system to replace the current PARIS ICS system. The new system will be more effectively configured to reflect the journey of the child, to support best practice and multi-agency working.

How is Walsall performing?

Referrals – via 'The Front Door'

Making a referral involves giving Children's Services sensitive information about concerns relating to a child or their family.

Professionals, employees, managers, helpers, carers and volunteers in all agencies **must** make a referral to Children's Social Care Services if it is believed or suspected that:

- A child is suffering or is likely to suffer Significant Harm; or
- With the agreement of the person who has Parental Responsibility multi-agency input is required where the consequence of non intervention could result in risk or serious harm to the child or young person.

Any such referral must be made as soon as possible or in any event within 24 hours when any concern of Significant Harm becomes known - the greater the level of perceived risk, the more urgent the action should be.

From 8th April 2013 these 'Contacts' have been dealt with by the MAST who gather basic information and decide on the most appropriate 'next steps' to take. The IRS is responsible for screening and accepting referrals, carrying out Initial Assessments and Child Protection enquiries work with its associated Core Assessment. Core Assessments for other reasons are carried out mainly within the Safeguarding and Family Support Teams, and for children admitted to public care by the Corporate Parenting (Fieldwork) Teams. These teams may also carry out Child Protection enquiries on the cases for which they have responsibility. Core Assessments are explained further on page 11.

Table 1

Front Door		Mar-13 Eng	Mar-13	Feb-14
Number of referrals received		593500	4454	5559
Referral rate per 10,000		520.7	703.4	953.5
□	% re-referrals in 12 months (SB)	24.9	13.8	15.7
CiN rate per 10,000 CYP (excluding LAC and CPP)		332.2	294.5	tba

CiN – Children in Need
CPP – Child Protection Plan
LAC – Looked after children

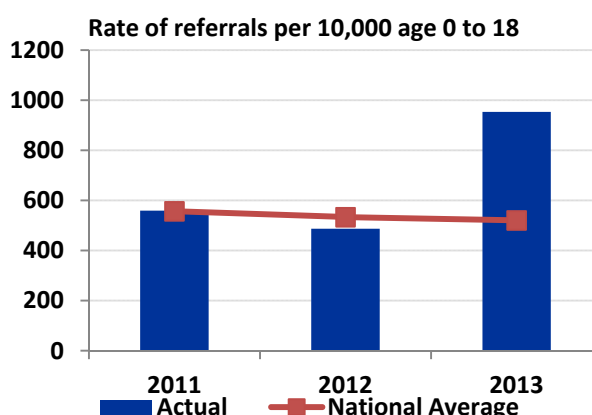


Table 1 shows that Walsall has a much higher rate of referrals (953.5 per 10,000) compared to the National Average (520.7). Some of this increase can be attributed to the outcome of the 2012 inspection with the result that both partners and Children's Services may have been more risk averse. Some of this higher rate is attributable to the incremental development of early help which has started from a relatively low base; this provision is critical in ensuring the safe provision of support for families before referral to statutory Children's Services. Finally, this rate of referral reflects the relatively high levels of deprivation within Walsall. The 2010 Income Deprivation Affecting Children Index (IDACI) placed Walsall as the 36th most deprived out of the 152 council areas with social care responsibilities with almost 30% of children living in poverty. Subsequent changes to the benefits system have had a further negative impact.

What can be seen from the table is that the correct action is being taken for children and young people as Walsall has a lower rate of re-referrals within a 12 month period.

Members of the Working Group accept that the number of referrals is high but acknowledge that it is not feasible, safe or acceptable to simply 'close the front door'. It was encouraging that whilst the number of referrals is much higher than the national average, the low number of re-referrals gives confidence that the service is providing the right help, at the right time, in the right way.

Assessment Timeliness

Initial assessments – An Initial Assessment is a brief assessment of a Child in Need referred to Children's Services with a request for services to be provided where the child may have Level 3 vulnerability as contained in the Early Help Assessment.

The Initial Assessment should be completed within a maximum of 10 working days of the referral into the IRS, but it may be very brief depending on the child's circumstances.

The purpose of the assessment is to determine whether the child is a Child in Need, the nature of any services required, from where and within what timescales, and whether a Core Assessment should be undertaken.

Core Assessments - A Core Assessment is carried out if deemed necessary following the Initial Assessment. It is an in-depth assessment which addresses the central or most important aspects of the needs of the child, and the capacity of his or her parents or caregivers to respond appropriately to these needs within the wider family and community context.

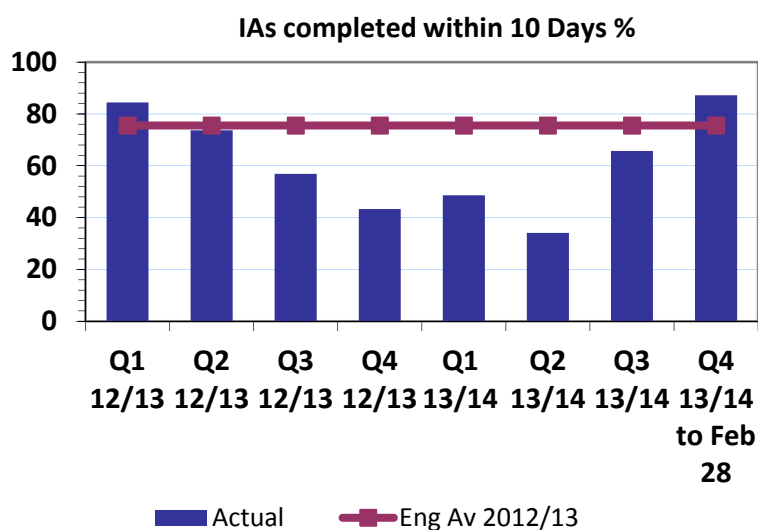
There are two types of Core Assessment:

1. Core Assessments with a Child Protection Enquiry, where there are Child Protection Concerns;
2. Core Assessments without a Child Protection Enquiry, where there are no Child Protection Concerns.

As previously mentioned, the Initial Response Service is responsible for screening and accepting referrals, carrying out Initial Assessments and Child Protection Enquiries work with its associated Core Assessment. Core Assessments for other reasons are carried out mainly within the Safeguarding and Family Support Teams, and for children admitted to public care by the Corporate Parenting (Fieldwork) Teams. These teams may also carry out Child Protection Enquiries on the cases for which they have responsibility.

Table 2

Assessment Timeliness		Mar-13 Eng	Mar-13	Yr to end Feb 14
□	% Initial Assessments (IA) completed < 10 days (BB)	75.5	64.9	55.5
□	% Core Assessments (CAs) completed < 35 days (BB)	76.7	64.7	81.6
In the month of February, 2014 85% of initial assessments have been completed within 10 working days progressing towards back in-line with the national average for March 2013.				



The Working Group identified that the percentage of initial assessments completed within 10 days had fallen behind the national average (75.5%) with just 55.5% being completed within timescales year to end of February, 2014. There had been a dip in performance during quarters 3 and 4 of 12/13 and quarters 1 and 2 of 2014. The dip in performance was due to consistently high referral rates, including an unprecedented spike of activity during late July and throughout August 2013 which resulted in high caseloads, further impacted by workers taking a summer break. Focusing on individual performance and the creation of the fourth team has enabled Children's Services to address the backlog and the high caseloads thus increasing the completion rate within timescales. Members were encouraged to see that this had been rectified with 85% being completed within 10 days in February, 2014. The Working Group is keen to see this performance maintained.

Children on a Child Protection Plan

When a child protection conference decides a child or young person is at risk of abuse they are known as a 'child subject of a child protection plan'. Children who have a Child Protection Plan are considered to be in need of protection. This includes protection from physical abuse, sexual abuse, emotional abuse and neglect. The plan will detail the main areas of concern, what action will be taken to reduce those concerns, how the child will be kept safe, and how we will know when progress is being made. Children's Services in every Local Authority keep a record of children's names who have a Child Protection Plan. Every child who has a Child Protection Plan stays at home. This is often with the support of Early Help Services.

It is worth noting that once a child becomes 'Looked After' they are no longer deemed 'at risk' and so are no longer subject to a Child Protection Plan. Table 3 shown on page 13 sets out further detail in relation to Child Protection Plans in Walsall.

Table 3

Child Protection Plans	Mar-12	Mar-13	Feb-14
No. Child Protection Plans (CPP) at the end of year (in line is best)	230	249	310
No. de-listed during the year	248	336	343
No listed during the year	255	355	404
The number of CPPlans is in line with (within +/- 10%) the level expected for income deprivation.			
CPP Rate per 10,000 (England March 2013 = 37.9)	36.2	39.6	49.2
Repeat CPPs	Mar-13 Eng	Mar-13	Feb-14
% of CPP subject to a second or subsequent CPP	14.9	10.4	11.4
10-15% is considered as ideal. Walsall's rate has remained good, indicating appropriate caution levels.			

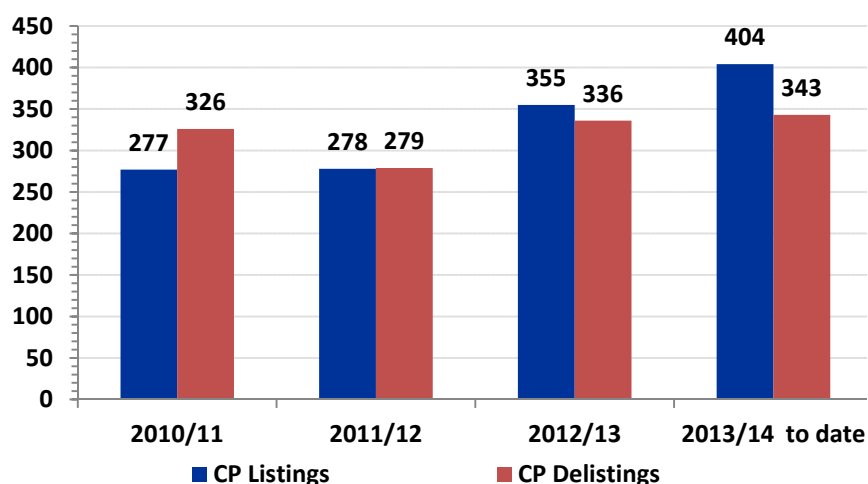
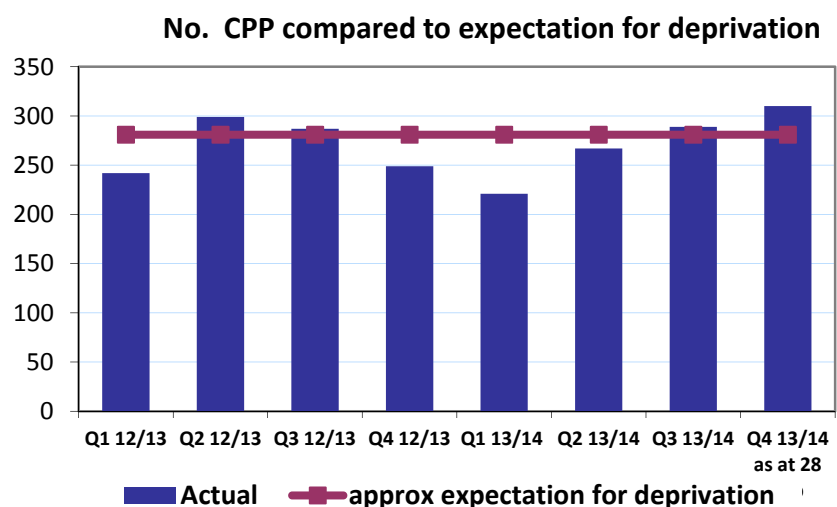


Table 3, above, shows that the number of people with a Child Protection Plan has steadily increased since March 2012. This has to be seen in context of an increase in referrals made which has also increased over the same period.

Child Protection Plans can be de-listed as and when it is deemed safe to do so i.e. the child is no longer at risk of harm. The number delisted as of February 2014 was 343 which was higher than the previous year. There are times when a second or subsequent Child Protection Plan is required for the same child that has been delisted. This can be for a number of reasons. The rate of repeat Child Protection Plans is 11.4%.

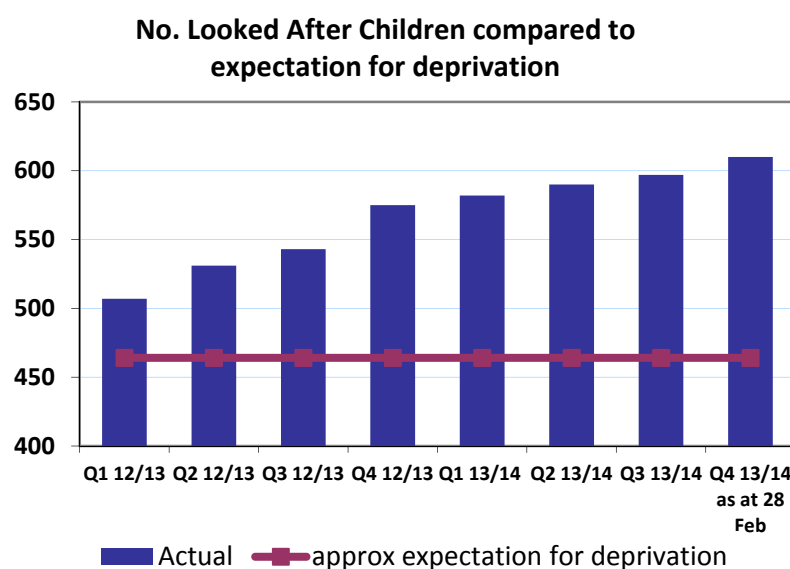
Members acknowledged that circumstances can change which will result in a CPP being de-listed and subsequently receiving a second or subsequent CPP. Whilst the rate of 11.4% is good and shows that appropriate caution is taken, a reduction in this figure, wherever possible would be welcomed.

Number of Looked After Children

This is the number of Children being looked after by the local authority as detailed on page 6 of this report.

Table 4

	Mar-13 Eng	Mar-13	YTD Feb-14
Numbers of Looked After Children (in line is best)	68110	575	610
LAC Rate per 10,000 CYP (in line is best)	60.0	90.8	95.9
⇄ Long Term Stability of LAC (% in care 2.5 years in same placement 2 years) (BB)	67%	65.7%	66.3%
↗ Average time from Entering Care to being adopted (Days) (SB)	647	1196	785



Members were concerned, given the reduction in budget, that the number of Looked After Children was increasing. It is quite right that the safety of children and young people is paramount and Members acknowledge that work is being undertaken to address this, however, the working group would urge the Children's and Young People Scrutiny and Performance Panel to monitor progress to ensure that all children are in the right place, at the right time with the right level of support.

Part 2 - Understanding the journey of the child or young person.

The Children's and Young People Scrutiny and Performance Panel rightly considers a range of matters in relation to children and young people maintaining a strategic oversight and providing challenge to senior officers. Whilst this role is important and valuable Members wanted to really understand the term 'looked after' from children and young people's perspective. In order to do this each Member of the working group took on the role of a 'virtual' child or young person as follows:-

- Under 12 months – Councillor Martin
- Primary Age – Councillor Hughes
- Secondary Age – Councillor Jukes
- Care Leaver – Councillor Perry

What is the same for all children and young people who are Looked After by the Council?

There are a number of matters which apply to all children and young people looked after by the Council.

Permanency

Walsall has an overarching Permanency Strategy which requires the Council to consider permanency planning from the very first contact with a child or young person and their family. The goal of permanency planning should be to provide a child with a safe, stable environment in which to grow up. Permanence is a framework of physical, emotional and legal circumstances that give a child a sense of identity, security and commitment.

There are many different options for permanency which include:-

- Staying at home;
- Staying at home supported by the Local Authority;
- Returning Home;
- Private Fostering Arrangements;
- Permanence Away from Home;
- Connected Persons' Foster Care placement (Regulation 24);
- Permanent Foster Care;
- Residential Care;
- Special Guardianship Order;
- Residence Order;
- Adoption.

Members were encouraged that a clear theme arose from each witness that the key driver upon initial contact was to work with children in need and their families to support them to stay together. This option offers the best chance of stability but was balanced against the risk of harm to the child and only pursued where safe to do so.

Permanence was also a strong theme during discussions with each witness clear that permanence was instrumental in providing stability for each child or young person.

Regular Reviews by an Independent Reviewing Officer

An Independent Reviewing Officer (IRO) chairs reviews for children living in children's homes or foster care and for children on care orders placed at home. Every looked after child has to have a named IRO who is appointed when they come into care. Once appointed they MUST speak in private with each child before their review (unless this is inappropriate or the child says that they do not want this).

The primary focus of the IRO is to quality assure the care planning process for each child, monitor the plan, and to ensure that his/her current wishes and feelings are given full consideration.

The IRO also has to give the child information about their rights to challenge the local authority where the child disagrees with what the local authority is trying to do. They must explain to the child about taking their own case to court, talking to an advocate or making a complaint. The IRO must also consider whether any change to the child's legal status would be better for them.

Members held a discussion at a meeting which consisted of staff who supported children across the spectrum of looked after children from under 12 months of age to leaving care. An IRO was present and it was clear to Members that this was an integral role to ensure that the voice, wishes and feelings of each child are heard and supported.

Statutory Visits

The purpose of the statutory visit is to ensure that the child's welfare is both protected and promoted in his /her current placement and that the standards in the placement, including the child's bedroom, are acceptable. It must be ensured that the child has a clean and appropriate bedroom, furniture suitable for their needs and where necessary has privacy. For older children permission should be sought before going into their bedroom.

In particular the statutory visit is intended:

- To give the child the opportunity to express his or her wishes, feelings and views;
- To advise, assist and befriend the child;
- To observe the child with the staff/foster carer/parent;
- To monitor the standard of care offered by the placement;
- To monitor how the contact arrangements are working;
- To provide support to the placement;
- To identify any areas where additional support is required;
- To evaluate whether the placement is helping to achieve the objectives of the child's Care Plan.

How often do visits take place?

Normally, social workers must visit LAC at the following intervals:

- Within one week of the start of any placement;
- Then at intervals of no more than six weeks during the first year of any placement;
- Thereafter, at intervals of not more than 6 weeks (or 3 months if the placement is intended to last until the child is 18).

This applies to all new placements where, for example, a child moves from one placement to another.

Frequency of visiting must be consistent with the duty to safeguard and promote the child's welfare, so the actual level of visiting could sometimes be well above the statutory minimum. In particular, where children and young people are not in "settled placements". it is expected that visits will take place more frequently.

Visits to a child in any placement should be made more frequently if circumstances require and whenever reasonably requested by the child or the staff/carer.

Virtual School for Looked After Children

The Virtual School is involved for children aged 2 years plus. It is not a school in the traditional sense, but Walsall's Virtual School provides all the same nurturing, support and opportunities for children to develop as any other school.

The Virtual School provides support to looked after children as well as training for their foster carers, social workers and teachers to ensure that looked after children are able to make the most of their education. It does not exist in real terms as a building; pupils attend their school while getting extra support from the Virtual School in the form of various projects and activities based around the needs of the children.

The school is led by a Head teacher who is responsible for planning projects, developing the work of the school and making sure the school is delivering the projects they've been asked to set up. The Virtual School works together in partnership with schools and other agencies such as Children Social Care, Family Placements and Health as well as out of borough schools to support the education of looked after children and vulnerable children. Key workers in the Virtual School are responsible for monitoring the progress and attainment of LAC in specific year groups. The Virtual School has specific targets to reach around supporting children's achievements and their attendance.

An early year's programme has been developed in partnership with foster carers which is designed to encourage learning at home and to involve carers in learning with the children. Selected books along with project worksheets and materials are sent out at intervals of between six to eight weeks to LAC in nursery and reception.

The Virtual School is supported by a number of Walsall schools to provide a range of other additional projects to support LAC.

Court Timescales

If a case is in the court system there are very strict deadlines within which to adhere.

Healthcheck

When a child first becomes looked after, they have a health check performed by the designated doctor at the hospital. They are then provided with a 'health plan' that states whether they need any help to keep healthy. A health reassessment is a chance to look at the health plan again and bring it up to date. Most importantly – it is time when a child or young person can talk about his or her health with someone who can help.

A health visitor, school nurse or designated nurse for LAC, as well as the designated doctor may perform the health reassessment and in the case of it being a nurse they will arrange to see the child or young person in a place they feel comfortable with. This could be at home, at school or somewhere else that suits them and the nurse, e.g. a clinic.

The health professional will discuss with the child or young person how they feel and if they have any problems or worries about their health. They might both weigh and check the child's height, depending on their age.

The child and the health professional will together look at the health plan and make sure it is up to date. The child or young person might need to be referred to another doctor, dentist or agency. This will be written in their health plan so it can be arranged as soon as possible. The child and carer will receive a copy of their health plan to keep.

An initial referral is made by the child's social worker to the secretary for LAC for the initial health check performed by the designated doctor. Thereafter, health assessments usually happen once or twice yearly depending on age. The designated doctor or nurse will see the child or young person more often if they have health problems that they can help with.

What did we do as a Working Group to try to understand the journey of looked after children and young people?

Members of the Working Group met numerous times with staff at all levels within Children's Services. Each Member took on the role a child/young person to question officers about various issues.

Questions included:-

- Will I have contact with my mum or dad?
- What are the plans for me?
- Who will decide if it is safe for me to go home?
- Who will talk to me about what I want?
- What can I do if I disagree with what is being suggested by professionals about my future?
- If I can't go home, who will decide where I will live?
- What about School?
- What will I know about my birth family if I am adopted?
- If I am fostered what will my contact with birth family be like?
- I am due to leave care – what happens to me?
- How can I get help to support my transition?
- What will I know about my early life if I am adopted?

These are but a few questions which were discussed with relevant professionals. It helped Members develop a much better understanding of the various journeys of children and young people. The sessions involved staff from across the social care spectrum including social workers, an Independent Reviewing Officer, representatives from the Virtual School and the Agency Decision Maker. Full discussions were held which really helped Members navigate the various aspects of what can be a complicated system and network to understand from a child or young persons' perspective.

The Working Group would like to thank all officers that helped them navigate what can be a complex system in order to better understand the experiences of a child or young person that becomes looked after.

Councillor Martin – Under 12 months

Councillor Martin explains:-

"I discovered that a child under the age of 12 months would come into care in one of two ways, either the parent(s) decide that they do not wish or are unable to care for the infant (Section 20) or if the child was subject to a legal order (Section 31) which means that the Local Authority have concerns about the child. I learnt that permanence for a child under 12 months would most likely mean either adoption or returning home".

Key Facts:

- 2 routes into care
 - Relinquished – the parent(s) have decided that they do not wish or are unable to care for the infant (Section 20);
 - Subject to a legal order (Section 31)
- Permanence is likely to be adoption or return home.

The Working Group noted there was a national shortage of adoptive parents as this meant that individuals took full responsibility, legally and financially for life. It was explained that the Agency Decision Maker (currently the Interim Assistant Director - Specialist Services) would make the decision as to whether a child is suitable for adoption. In Walsall efforts are being made to increase the number of adopters and also the speed in which adoptions take place. At present, from when the child is placed for adoption it can take 6-8 months to place the child. Once the child is assessed as being placed for adoption and adoption order must be obtained in 26 weeks. One issue is that the courts schedule is oversubscribed, meaning that there can be delays of up to 4 months.

Members were pleased that should a child be adopted they are provided with age appropriate life story books that explain what decisions have been made for the child. A 'later in life' letter is also prepared by the allocated social worker that is tailored towards teenagers. This was important so that children and young people could understand and learn about the decisions that had been taken for them and why.

Stability

When a court order for a child to be adopted is issued his/her contact with his/her original social worker ceases. The Working Group were advised that this could be detrimental and that it may be more positive for the social worker to remain the same for the child until the end. To this end, arrangements were being revisited to ensure that consistency of social worker was maintained.

The Working Group were pleased to note that the agency decision maker now had authority to make the decision as to whether a child should be placed for adoption. This was previously taken by the Adoption Panel.

During discussion with an officer it was suggested that social worker case loads should be equal and complex cases should be balanced out as best as it can be. The consistency of the same social worker was important. It was suggested that agency staff should not have LAC, and that only permanent workers should deal with these cases. This would leave agency staff to deal with children in need and child protection cases.

Members of the Working Group recommend that this matter be looked into further to establish whether it is viable given the pressures on service and present levels of agency staff.

Councillor Hughes – Primary Age (5 – 10).

Councillor Hughes explains:-

“I was keen to understand and learn more about the journey of a child between the age of 5 – 10. I learnt that children of this age are more likely to have come into care via a Section 31 – care order as they are younger and more vulnerable. It was soon apparent through discussions with various officers that the decisions, particularly if there are siblings, about the best permanence option become more complex. As children grow older the chances of adoption reduce and so other options will need to be considered. I also became aware that contact with parents, siblings and others can be difficult, especially if one child is adopted and siblings remain in care. The background of children of this age also means that early building blocks of education will most likely have been missed. It was encouraging to know that Personal Education Plans will be in place to help children achieve in education”.

Key points

- Children between the age of 5 – 10 are more likely to enter the system through a Section 31 – a care order.
- Permanence is likely to be one of the following:-
 - Return home – if safe to do so;
 - Friends & Family Carers;
 - **Residence Order;**
 - **Special Guardianship Order**
 - Foster Carers;
 - Adoption;
- Often children will have missed early building blocks in education;
- Significant numbers have an additional learning need;
- All will have a Personal Education Plan;
- Those aged 2 years will have opportunity to access high quality early years provision;
- Contact with parents, siblings and significant others can be complex;
- Risks with attachment and re-attachment to new carers,
- There can be changes with placements, social workers and schools.

Issued by the Courts and means the child is no longer looked after by the local authority. Available to family members and foster carers.

What became clear during discussions was that the wishes and feelings of the child is paramount. Each child is kept fully informed about the decisions that are being made for them along with justification for making those recommendations. It was common practice to ‘parallel plan’ to ensure that plans were in place dependant on the outcome of the particular child for example: adoption, fostering and relationships with siblings. The ‘life story’ was again noted as being of importance to each and every child or young person.

Education needs become more apparent in this age range and each child has a Personal Education Plan (PEP). It was acknowledged by all professionals that Head teachers within the Borough were good at understanding the priority of LAC and are welcoming and understanding should a child need to be moved into their schools.

Members were pleased that looked after children, if required to change schools, are placed, wherever possible, in good or better schools and encouraged this practice to continue.

Councillor Jukes – Secondary (11 – 15)

Councillor Jukes, explains:-

“I chose to learn and understand more about what it’s like for a child between 11 and 15 years old who is looked after. It was clear that by this age children and young people are not only more self aware and independent, but also naturally more challenging in terms of their behaviour. This explains to some extent why children and young people of this age are more likely to enter the system through a Section 20 voluntary arrangement. Those with parental responsibility can at any time remove the child from accommodation provided by or on behalf of the local authority. If the young person is 16 or 17 years old, they can leave the accommodation without parental consent. Section 20 is based on co-operative working between the local authority, the young person and his or her parents because the court is not forcing the child or young person to be looked after.”

Key points

- Young people between the age of 11 – 15 are more likely to enter the system through a Section 20 – voluntary arrangement;
- Permanence is likely to be one of the following:-
 - Return home – if safe to do so;
 - More likely to be in residential;
 - More likely to remain in our care until they reach 18 years of age;
 - Chance of adoption is very slim.
- Often disengaged from education – and difficult to re-engage;
- Significant number have previously unrecognised additional education needs;
- Family relationships have broken down and they have often exhausted support from the wider family;
- Entrenched patterns of behaviour from parents and young person;
- Risk taking and perceptions of risky behaviour:-
 - Missing education and/or absent;
 - Sex and drugs;
 - Offending behaviours;
- More likely to have multiple placements;
- Outcomes are much poorer – in 2013 none of those with 3 or more moves achieved 5 or more A* - C although previous attainment predicted they would.

It became apparent that, at this age, discussions can be more challenging about what is deemed to be the right course of action for a child or young person. In relation to contact this was also more challenging as increasing use of social media and a growing sense of independence meant that it was

possible for young people to arrange visits to siblings or parents on their own behalf. Again, the importance of having an advocate, the IRO, in place to hear any concerns a young person has was important. ***The Working Group feel satisfied that there are sufficient checks and balances in place to ensure that children and young people's voices are heard.***

Education during the age of 11 – 15 can be challenging. Personal Education Plans were important and a number of alternatives are available – such as attending Walsall College which now provides courses for children aged 14 and above. The Working Group were advised that there were strong links with the College.

Councillor Perry - Care Leaver (15 ½ - 21)

Councillor Perry explains:-

“Taking time to understand the journey of a care leaver was important to me. I have realised that there is a great deal of support available for care leavers, in particular the use of Pathway Plans to help young people into education, training or employment. It was also encouraging to learn that young people continue to be supported in day to day issues such as budgeting, finding housing as well as supporting emotional wellbeing. It was also encouraging to hear that Walsall are one of only 9 Councils to trial New Belongings - a new project aiming to improve the lives of vulnerable young people leaving care.”

Key Points

- Young people between 15 ½ and 21 years old;
- Planning begins at 15 ½;
- Consider 'staying put' for those with foster carers (to remain with foster carers);
- Supported by transition & leaving care team from the age of 16 up to at least 21;
- Each individual will have a tailored Pathway Plan with a particular emphasis on helping the young person into education, training or employment;
- The 'New Belongings' project - sponsored by the Care Leavers' Foundation and promoted by the Department for Education - aims to create the gold standard in supporting care leavers, which can be replicated in other areas.

Members were pleased to hear that advance planning took place with young people to listen to their wishes and feelings for their future before any decisions were reached. This could mean remaining with foster carers, applying for university or applying for a home of their own. As with each stage of the journey for LAC, it was established that there is a great deal of support available to smooth the transition. This includes the appointment of a personal advisor who is available to assist young people in all aspects of their emotional and psychological needs together with advice on day to day leaving such as finances – this forms

part of the Pathway Plan. Personal advisers maintain contact with the young person on a regular basis up to the age of 21 (and up to the age of 24 or beyond if in a planned programme of education). The level and nature of the contact will be specified in the young person's pathway plan.

Conclusion

The Working Group found throughout their investigations that there was a clear cohesive approach by all staff at all levels, together with a commitment and passion to improve and deliver all services to improve outcomes for Looked After Children in Walsall.

Members noted that the recent Ofsted inspection states that Children's Services now has a clear vision, the right priorities and a better awareness of the work that is required to continue to improve. This was evident during group discussions with each participant displaying a clear awareness of their own roles and relationship with other teams and individuals such as the Independent Reviewing Officer.

It is with confidence that the Working Group state that, in their view, services for Looked After Children are in a much better position than previous years. It is now a service which knows itself and knows what it is required to improve further. However, there is more work to be done. The implementation of the new caseload management system, to replace the PARIS system will be instrumental in continuing and building upon improvements already made. Areas such as complaints, caseload management, dependence on agency staff, better quality data and sustainability of change all need to continue to improve to ensure that services for Looked After Children in Walsall are delivering the best possible outcomes for the children and young people of Walsall.

Recommendations

- 1. That the Interim Executive Director continue to review all Looked After Children to ensure that the level of support proffered is appropriate to their needs;**
- 2. That the Children's and Young People Scrutiny and Performance Panel closely monitor:-**
 - i. the ongoing work to reduce the number of Looked After Children where appropriate;**
 - ii. the work to reduce the cost of placements through more effective and efficient purchasing arrangements;**
- 3. That the Interim Executive Director (Children's Services) be requested to establish whether it would be feasible to tailor the role of agency staff to deal with children in need and child protection cases which would enable permanent workers to work with Looked After Children, to ensure consistency for children and young people;**
- 4. That, once fully implemented, details of the new organisational model be circulated to all Members of the Council so that they are fully aware of systems in place, together with key contact details which will assist them in their role as Corporate Parents;**
- 5. That the Children and Young People Scrutiny and Performance Panel consider adding a review of the new organisational model for children's services to the work programme for the 2014/15 municipal year;**
- 6. That the Interim Executive Director continues to take all possible action to ensure the timely appointments to vacant senior positions, including appointments to those currently interim, which will provide the leadership stability to continue to drive forward sustainable improvements for children and young people.**

TERMS OF REFERENCE

Work Group Name:	Looked After Children Working Group
Panel:	Children's and Young Peoples
Municipal Year:	2013/14
Lead Member:	Councillor Eddie Hughes
Lead Officer:	Sue Butcher
Scrutiny Officer:	Neil Picken
Membership:	Councillor Eddie Hughes Councillor Gary Perry Councillor Tina Jukes Councillor Rose Martin

1. Context	Walsall Council's Children's Services is on a continuing improvement journey. Members of the Working Group are keen to develop their understanding of services for Looked After Children (LAC) and Care Leavers and assure themselves that they are effective and efficient whilst delivering the best outcomes for these vulnerable children and young people. .
2. Objectives	<p>For Members to:-</p> <ul style="list-style-type: none"> • Develop an understanding of Looked After Children's and Care Leaving service and statutory obligations; <ul style="list-style-type: none"> ○ The legal context; ○ Staffing – <ul style="list-style-type: none"> ▪ agency levels; ▪ Staff turnover; ▪ Workloads. ○ Budget – short/medium/long term; ○ Structure in place to address need; <ul style="list-style-type: none"> ▪ Safeguarding procedures; ▪ Thresholds; ▪ Application of Care Planning Regulations; ▪ The role of the Independent Reviewing Officer (IRO). ○ Permanency; <ul style="list-style-type: none"> ▪ Adoption; ▪ Family and Friends Fostering; ▪ Long term fostering; ▪ Special Guardianship; ▪ Residence Orders; ▪ Return home; ○ Profile of Looked After Children – reasons for becoming looked after, ages, cultural and ethnic profiles; ○ Risks – availability and stability of placements; ○ Transition and leaving care. • Understand and experience the journey of looked after children; <ul style="list-style-type: none"> ○ Does our current structure support the child's journey?; ○ Listen to looked after children and young people – spend time in their shoes; how do their views and opinions shape the services they receive?; ○ What happens when processes fail and what impact does this have?

	<p>How does the authority mitigate risks including financial risks?</p> <ul style="list-style-type: none"> • Seek assurance that the overall service is effective and efficient delivering the best outcome for young people, including; <ul style="list-style-type: none"> ○ Core Assessments; ○ Pathway plans; ○ Education including Personal Education Plans; ○ Personal Health Plans and information sharing, frequency and access to CAMHS if children placed outside borough; ○ Are children and young people seen and seen alone at the appropriate frequencies and are their views and opinions gained and evidenced on PARIS; ○ Quality assurance processes; ○ Partnership working particularly for looked after children and young people with disabilities. • Identify potential areas for improvement;
3.	Scope
	<p>Members to spend time with the social work teams working with Looked After Children Residential Services, the Family Placements service together with children and young people, foster carers and partners agencies to develop their awareness of the service to looked after children.</p> <p>To consider frontline practices meeting with senior officers to gain a strategic overview and a detailed operational understanding of how a child enters and works through the system.</p> <p>To request information as necessary to better understand the legal framework, key processes, governance arrangements and policies and procedures in place.</p> <p>To take into account all information both quantitative and qualitative to make recommendations for improvement where necessary.</p>
4.	Equalities Implications
	<p>When considering each area Members will consider whether each area adequately delivers towards the six strands of equalities, namely:</p> <ul style="list-style-type: none"> • Age • Disability • Gender • Race • Religion or belief • Sexual orientation
5.	Who else will you want to take part?
	<ul style="list-style-type: none"> • Children and Young Peoples Staff; • Children & Young People; • Foster carers; • Families; • Partners; • Education Services – virtual school;

	<ul style="list-style-type: none">• Council for kids (Children in Care Council).												
6.	Timescales & Reporting Schedule												
	<p>To report to the Children’s & Young People Scrutiny and Performance Panel on:</p> <p>Terms of reference – 26th November, 2013</p> <p>Final report – 8th April, 2014</p> <p>To report to – Cabinet – 14th May, 2014</p>												
7.	Risk factors												
	<table><tr><th>Risk</th><th>Likelihood</th><th>Measure to Resolve</th></tr><tr><td>Difficulties engaging with vulnerable groups</td><td>Medium</td><td>Engage with teams early to make necessary arrangements</td></tr><tr><td>Completing all work in a timely manner</td><td>High</td><td>Advance schedule of meetings arranged. Consider interim report if necessary.</td></tr><tr><td>Possible transition of senior management during review</td><td>Medium</td><td>Open discussion with senior managers to ensure consistency of review.</td></tr></table>	Risk	Likelihood	Measure to Resolve	Difficulties engaging with vulnerable groups	Medium	Engage with teams early to make necessary arrangements	Completing all work in a timely manner	High	Advance schedule of meetings arranged. Consider interim report if necessary.	Possible transition of senior management during review	Medium	Open discussion with senior managers to ensure consistency of review.
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Possible transition of senior management during review	Medium	Open discussion with senior managers to ensure consistency of review.											

Date Agreed:		Date Updated:	
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Timetable:

Date	Purpose
w/c 4 November, 2013	<p>Key focus to follow the journey of four virtual children:-</p> <ul style="list-style-type: none"> • Under 1; (Cllr Martin) • Primary age; (Cllr Hughes) • Secondary age; (Cllr Jukes) • Care Leaver. (Cllr Perry) <p>The presentation should:-</p> <ul style="list-style-type: none"> • highlight key areas of the legal framework; • Show 'risk points' which could have a detrimental impact on the individuals outcome; • LAC profile (as posters).
11 November – 20 December, 2013 (6 weeks)	<p>Organised visits to services: –</p> <p>To follow the child's journey, receive information that the child (or parents/guardian of child) would receive and visit locations that they would visit....'walk in their shoes' to understand the experience of children and young people.</p>
w/c 6 January, 2014	<ul style="list-style-type: none"> • Presentation on the overall service to ensure that it's efficient and effective. Given members visits, this should be much clearer and real enabling them to knit together various strands more easily; • Discuss initial findings from visits; • Identify any other areas which may require further attention. • Discussion with Housing providers regarding strategies and challenges for providing supporting housing for young people.
13 January, 2014 - 24 January, 2014 (2 weeks)	Pick up any additional visits requested at the meeting on w/c 9 th December, 2013.
w/c 3 February, 2014	Pull together conclusions and identify areas for improvement.
w/c 3 rd March, 2014	Consider draft report
w/c 17 March, 2014	Consider final report (if necessary)
8 th April, 2014 or special meeting in March, 2014	Present to Panel
14 May, 2014	Submit final report to Cabinet

The legal framework for Looked After Children

The legal framework by which children come into care is The Children Act 1989. Children under the age of 18 may be looked after by Walsall under a number of different legal arrangements and children who are in public care are placed with foster carers, in residential homes or with parents or other relatives.

Children in public care are either subject to some form of legal order or accommodated.

Looked after children subject to some form of legal order:

- all children who are subject to a care order (Children Act 1989, section 31), and interim care order (Children Act 1989, section 38) or an emergency protection order (Children Act 1989, section 44) where the local authority has acquired parental responsibility by virtue of the order being made)
- children under a (criminal law) supervision order with a residence need to live in local authority accommodation
- children who have appeared in court and have been bailed to reside where the local authority directs and have been provided with a local authority funded placement
- children who are remanded to the local authority where release on bail has not been granted
- children under a court ordered secure remand and held in council accommodation
- children who are subject to a secure accommodation order where the local authority is funding the cost of the placement. These are not children in secure accommodation due to their offending behaviour; children in secure accommodation in these circumstances are not deemed to be looked after
- children that have been taken away from home under a child assessment order (**section 43 of the Children Act 1989**) and then potentially subject to an interim care order and care proceedings
- where a child has been removed to suitable accommodation under police protection (**section 46 of the Children Act 1989**) and then potentially subject to an interim care order and care proceedings

Accommodated children:

- children accommodated under the Children Act 1989, section 20. In these arrangements the birth parent(s) retain all parental responsibility
- children who are unaccompanied asylum seekers
- young people aged 16 & 17 who are homeless must be assessed and given information that enables them to make an informed choice about the option of coming into care as an accommodated child

Children accommodated in Health Authority, NHS Trust or Education Placements:

If a child is provided with accommodation by a health authority, NHS Trust or local authority for more than 3 consecutive months, the Children Act 1989, section 85 applies and the health authority, NHS Trust or LA must notify the responsible Social Services directorate. Following assessment, it may be appropriate for the child to become looked after under the Children Act 1989, section 20 or under a court order if necessary to promote and safeguard their welfare.

Section 20 of the Children Act 1989 (Accommodation):

Under **section 20 of the Children Act 1989**, children and young people can be accommodated with the consent of those with parental responsibility. Any person who has parental responsibility for a child may at any time remove the child from accommodation provided by or on behalf of the local authority. If the young person is 16 or 17 years old, they can leave the accommodation without parental consent. Section 20 is based on co-operative working between the local authority, the young person and his or her parents because the court is not forcing the child or young person to be looked after.

If a child or young person is being accommodated by the local authority, then the local authority must have regard to his or her views. Before making any decision with respect to a child whom they are looking after, or proposing to look after, a local authority shall, so far as is reasonably practicable, ascertain the wishes and feelings of the child. The local authority must ascertain the wishes and feelings of the child or young person and must give due regard to their views.

The local authority must also seek the views of any other important people in the child's life including:

- the parents
- any person who is not a parent but has parental responsibility
- any other person whose wishes and feelings the authority consider to be relevant

In making any decision the local authority must give due consideration to:

- the child or young person's wishes and feeling, having regard to his or her age and understanding
- the wishes and feelings of any person mentioned above and
- to the child's religious persuasion, racial origin and cultural and linguistic background.

Section 31 of the Children Act 1989 (Care Order):

Under **section 31 of the Children Act 1989**, the local authority or any authorised person can apply to the court for a child or young person to become the subject of a care order.

Authorised person means the National Society for the Prevention of Cruelty to Children and any of its officers and any person authorised by order of the Secretary of State to bring proceedings under this section and any officer of a body which is so authorised ~ local authorities. Care orders can only be made by the court and the court will only make a care order if it believes that it is better for the child or young person than not making an order.

To make a care order, the court must be satisfied that the child concerned is suffering or is likely to suffer significant harm **and** that the harm, or likelihood of harm is attributable to:

- the care given to the child, or
- likely to be given to him if the order were not made, or
- the care not being reasonable or if
- the child is beyond parental control

A care order can only be made on young people below the age of 17 and cannot be made on a young person who is 16 years old and married. Once a care order is made, the local authority obtains parental responsibility in addition to the other parental responsibility holders. A care order can only be discharged by the court on the application of any person who has parental responsibility for the child the child or the local authority designated by the order or when the child reaches the age of 18 years.

Care Leavers:

The Children Act 1989 remains the general legal framework for young people in and leaving care. Most subsequent legislation has been amended and supplemented its provision.

The Children (Leaving Care) Act 2000 came into force in October 2001 extended the types of services and the upper age limits of the young people local authorities were responsible for as corporate parents.

Key provisions of the act are:

- local authorities (LAs) have a duty to assess and meet the needs of young people aged 16 and 17 who are in care or care leavers. Wherever the young person lives the duty will rest with the LAs to keep in touch with care leavers until they are at least 21.
- every eligible young person in care should receive a comprehensive pathway plan when they turn 16. This plan should map out a clear route to independence.
- each young person should have an adviser who will coordinate the provision of support and assistance to meet the needs of the young

person. Particular emphasis will be placed on helping the young person into education, training or employment.

- a financial regime will be provided for care leavers to ensure they have comprehensive financial support.
- continuing assistance for care leavers aged 18 to 21, especially with education and employment, will be provided.
- care leavers up to the age of 25 who tell their local authority that they have returned, or want to return, to education or training, can be supported.