

March 2021

8.

The Black Country Family Drug and Alcohol Courts (FDAC) Programme: The First Five Months

Ward(s): All wards

Portfolios: Councillor Wilson, Children's Services

1. Aim

The Black Country Family Drug and Alcohol Courts (FDAC) programme is an alternative approach to working with families to support them to keep their children within their care. The programme works exclusively with parents who have alcohol or substance misuse issues, which are affecting their ability to provide good enough parenting for their children and are going to be subject of public court proceedings. .

The parents have often had a number children previously removed from their care. FDAC utilises a multidisciplinary team, to provide a range of holistic interventions to support parents to achieve abstinence from drugs or alcohol and improve their ability to care for their children.

The FDAC programme was derived from Family Treatment Courts in California, USA and was first piloted in the UK in London by District Judge Nicholas Crichton in 2008.

The Black Country FDAC programme works across the areas of Walsall, Sandwell and Dudley and is a collaborative programme between all the local authorities with 32 support places available across each year. Walsall Council is the lead authority on the programme.

2. Reason for Scrutiny

This report provides an update on the FDAC programme over its first five months of service for Members of the Children's Overview and Scrutiny Committee to enable them to fulfil their key responsibilities and duties in holding the council to account for its work in preventing and protecting children and young people from harm in Walsall.

This funded model needs to develop evidence to support its sustainability past the initial three-year pilot.

3. Recommendations

The Scrutiny Committee are invited to:

- I. To note the implementation of The Black Country Family Drug and Alcohol Courts (FDAC) Programme

The Walsall Right for Children (WR4C) Transformation Programme, launched in September 2018, driving forward our Children's Services vision to ensure that the right children are in the right place with the right support for as long as needed to ensure that they are safe from harm, are happy and learning well. FDAC is an important part of delivering this transformation.

The FDAC Model was launched in Walsall on the 28th September 2020 and brings an alternative approach in Children's Social Care to tackling the impact of the 'Trio of Vulnerabilities' on children's lives, addressing substance misuse as the primary issue and domestic abuse and mental ill-health as related secondary issues.

A specialist multi-disciplinary team works with parents during court proceedings, to provide holistic support to parents including support with alcohol and substance misuse recovery, mental health interventions, parenting skills support and even support with domestic abuse issues. This intensive support of parents provides better outcomes for children with the intent of keeping families together and addressing a range of issues and their root causes. There is a wealth of evidence available externally which supports this.

Where it is not possible for families to stay together FDAC supports more timely permanency outcomes for children.

Walsall, as the lead authority, along with Sandwell and Dudley local authorities provided a combined initial investment of £1.007m for the programme. An additional investment of £1.094m was applied for and successfully awarded by the Department for Education over three years, as part of its Strengthening Families, Protecting Children Initiative.

To support the programme during the postponement of the programme from April – September 2020 due to the COVID-19 pandemic, a supplementary £0.165m was secured from the emergency COVID -19 funds from all three local authorities.

- II. To note the adaptations made to launch and facilitate the FDAC programme during the COVID-19 pandemic

During the project postponement from April - September 2020 due to the unpredictable climate of the COVID-19 pandemic a business continuity plan was drawn from the programme to be able to launch and operate during the restrictions and lockdowns.

There were a number of adaptations made to start and operate the programme in a safe way; supporting families in a safe manner, as well as keeping the FDAC Team, local authority staff and the judiciary safe.

The business continuity plan remains a live document and is updated regularly and formally reviewed on a quarterly basis. There was a vast amount of learning from these adaptations, which can be transferred into future practice.

- III. To have oversight of work undertaken to embed the FDAC Model and work to make this model sustainable

A communication plan had been drawn up for the programme and a range of communication has been utilised to embed the programme across the social work teams of all three authorities to give them a comprehensive understanding of the programme and give social workers the confidence to refer parents & families onto the programme. Meetings were arranged to make contact with senior managers, presentations were delivered to team managers and social work teams, leaflets were emailed to teams along with pathways diagrams for referrals and links to a webinar. This work is ongoing.

In addition to this a range of communication methods has been utilised to embed the programme within the local community to increase awareness and give stakeholders a good understanding of the programme. Meetings were arranged to make contact with senior managers from a range of organisations including the NHS, probation services and domestic violence organisations like Black Country Women's' Aid. Presentations were delivered to teams, leaflets and links to a webinar emailed out. This work is ongoing.

There are plans for case studies to be sent to social workers and stakeholders once the first cases complete the programme after the 31st March 2021, as well as a press release and some promotional videos to be made once the pandemic restrictions ease.

Work has already begun on the case for sustainability of the FDAC programme after the initial 3-year pilot. Links have been made with more established FDAC programmes for some joint working on cost-benefit analysis and performance data collation for sustainability.

A cost-benefit analysis exercise is being planned to identify secondary savings for other state services including mental health and substance misuse recovery services in the NHS, the Police through via reduction of incident call outs and education in the reduction in truancy levels and alternative educational when children are taken into care. The piece of work will follow a family through the FDAC programme to identify the organisations which interact with the family and the different interventions they receive.

Underpinning the sustainability will be a clear use of data to evidence improvements in outcomes for families and reduction in costs across the system, such as the cost avoidance of foster or residential care placements if children are reunified with their parents and savings in social worker time, money and travel costs.

Additional to this will be the secondary savings to other state services identified above such as the Police due to reduced incident call outs.

- IV. To consider how Children's Overview and Scrutiny Committee can support in making the model sustainable through support and challenge

The FDAC programme has been funded as three-year pilot with 32 place allocations for each year, totalling in 96 cases across the three years.

As identified previously the programme was initially funded by three Black Country local authorities – Walsall, as the lead authority which commissioned 15 places per year (45 across the three years), Sandwell which commissioned 12 places per year (36 across the three years) and Dudley which commissioned 5 places per year (15 across the three years).

The initial investment from the three local authorities funded the FDAC multi-disciplinary support team. The additional Department for Education funding which was successful awarded funded supplementary costs for the programme such as a programme and implementation manager for the programme, COVID-19 resource costs, childcare and travel costs for parents during the support sessions, training and resources for the delivery team etc.

Some local authority areas that have previously implemented the model have achieved sustainability through sharing ongoing costs with stakeholders and partners. In others, the costs have been entirely borne by the local authority from the savings released.

4. Report detail – Know

4.1 Overall

On the 28th September 2020 the FDAC model formally launched. The launch was carried out virtually and was successfully attended by over 40 professionals. Councillor Wilson gave an introduction as part of the launch.

The delivery of the programme was out sourced to the charity Change, Grow, Live who are established specialists in alcohol and drug misuse recovery with the Black Country region with support delivery sites across the Black Country.

The FDAC Delivery team is a multi-disciplinary team recruited to provide a holistic range of interventions to families. The structure of the team is below:

| Type of worker | Number in post | Full Time/Part Time |
|------------------------------------|-----------------------|----------------------------|
| Senior Management Team | | |
| Service Manager | 1 | Full Time |
| Clinical Lead/Senior Social Worker | 1 | Full Time |
| Psychologist | 1 | Part Time |
| FDAC Delivery Team | | |
| Social Worker (Parent) | 1 | Full Time |
| Recovery Co-ordinator | 1 | Part Time |

| | | |
|-----------------------------------|---|-----------|
| Recovery & Volunteer Co-ordinator | 1 | Part Time |
| Domestic Abuse Worker | 1 | Full Time |
| Family Support Worker | 2 | Part Time |
| Administration Apprentice | 1 | Part Time |

The FDAC team have been trained in and utilise a range of approaches in line with the National FDAC guidelines including:

- Motivational Interviewing
- Trauma-Informed Care
- Cognitive Behavioural Therapy
- Family Therapy
- Mentalisation
- Delivering anxiety management groups
- Domestic Abuse interventions for those who abuse or experience abuse

Programme Structure

Parents are supported across the 26 weeks of the programme utilising a range of interventions from different members of the team. Alcohol or substance misuse recovery is addressed as the primary issue but there is also mental health support on the programme as well as support with improving parenting skills and addressing issues of domestic abuse when they are present in families.

Supplementary to the support, FDAC Judges have fortnightly non-lawyer reviews with families to support them and track their progress. At the core of the programme is the strong relationship the judge builds with the families, which improves their trust in the state and judiciary systems. This is in contrast to the more formal courtroom relationships with between judges, parents and their solicitors during standard care proceedings cases.

There are only 3 exceptions from working with parents on the programme:

- 1.) Parents who have a history of sexual and physical abuse of children.
- 2.) Parents who have significant mental health difficulties that will impact their cognitive functioning (understanding and retention) and therefore the success of the support
- 3.) Parents who have current domestic violence issues occurring but are refusing to engage with support for the issue

The aim of the programme is for parents to achieve abstinence from alcohol or drugs and improve their parenting skills, so they are good enough for their children to remain in their care. The FDAC team acts as expert court witnesses on the programmes and at the end of the 26 weeks they make a recommendation to the court regarding whether the parents should be reunified with their children.

During and after the programme parents are sign-posted and referred for scaffolding support from other local agencies to support them with matters which may trigger their misuse such as debt or housing issues.

The Current Context

Of the 32 available places on the programme per year, Walsall's investment in the programme was for 15 places, Sandwell's was for 12 places and Dudley's was for 5 places. Therefore of the 16 places allocated for this half-financial year, 7 were allocated for Walsall, 6 were allocated for Sandwell and 3 allocated for Dudley.

The current sign up of cases on to the programme are:

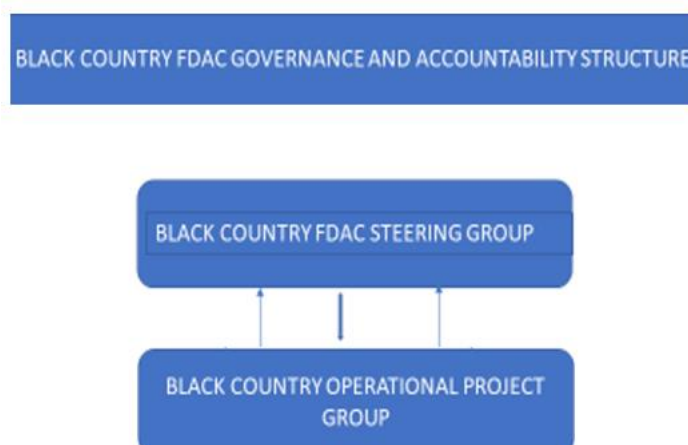
| Local Authority | Number of cases allocated | Number of cases signed up | Number of cases remaining |
|-----------------|---------------------------|---------------------------|---------------------------|
| Walsall | 7 | 5 | 2 |
| | | | |
| Sandwell | 6 | 2 | 4 |
| | | | |
| Dudley | 3 | 3 | 0 |
| | | | |
| Total | 16 | 10 | 6 |

As the FDAC programme duration is 26 weeks the first case will not complete until the 31st March 2021. Outcomes from the programme will only begin to be realised after this date.

4.2 Board and Workstream Arrangements

Governance of the programme is through a fully established FDAC Steering Group. The FDAC Steering Group meets monthly for strategic debates assuring the programme activities, collaboration working, risks and issues.

Underpinning the FDAC Steering Group is the FDAC Operations Group.



4.3 Operational Development

The Operational Group meets monthly and acts as the change authority for the programme.

The FDAC programme works alongside Walsall's Family Safeguarding Model to support families and keep children within the care of their families.

Where the Family Safeguarding Model utilises in-house multi-disciplinary professionals to provide families with support across the whole children's social care spectrum of Child in Need, Child Protection and Children in Care, the FDAC programme works exclusively with families where children are entering care proceedings due to the parents' drug or alcohol misuse affecting their parenting.

The FDAC programme works alongside the Family Safeguarding Model with pathways being constructed to step up or step down families from one programme to another.

There are clear links from the programme to the three strategic priorities of the Walsall Right for Children Transformation Programme below:

a) Reducing our demand

- Stopping failure demand: when we are not the right organisation to provide help we currently end up being the default position. This leads to delay and not the right help for families with complex needs.

FDAC redirects this demand to the out-sourced specialist delivery team to help people get the right help at the right time.

Reducing legal costs by mitigating against the need of commissioned independent expert assessments. This also translates to more timely care proceedings.

- Preventing escalation of demand (demand avoidance): helping the right families at the right time through evidence-based programmes.

FDAC supports families utilising a range of evidence-based supportive interventions

Demand is further reduced as FDAC cases are contested less often than standard care proceedings cases.

- Avoidance of high cost help and support: reunifying children with their families will produce savings in cost avoidance of high cost foster care and residential placements, as well as other areas.

b) Developing a highly skilled/stable workforce

- Developing our profile as an employer

Out-sourcing the delivery of the FDAC programme to an established recovery services provider helps to diversify and improve the capability of local authority services

- Making the job do-able and enabling our workforce to do the right thing

Utilising a specialist team to provide support to parents reduces the demand on social workers from parents, saving social work time and money.

Successful reunifications through the programme will also save social work time and money.

c) Co-ordinating and influencing the establishment of a mature WR4C partnership platform to drive the delivery of the WR4C vision

- Reducing our demand and preventing children, young people and families from needing costly statutory interventions will require a strong and mature partnership approach

Out sourcing the FDAC delivery service to Change, Grow Live an established recovery provider and having a domestic abuse worker seconded from Black Country Women's Aid seconded onto the team and funded through the Police and Crime Commissioner improves our partnership working

- Connecting up transformation across Walsall in the interest children and families will be key including integrating services around our children and families where this makes sense for them: strategies, processes, adopting the same thresholds, removing duplication between partners and co-producing with families and the community

FDAC is part of WR4C transformation in relation to the establishment of evidenced based services that will potentially transform our effectiveness in working with and making a significant difference to the lives of a specific cohort of children and their families that generationally reoccur in our care proceedings overtime.

Restorative Practice Approach

The FDAC programme aligns with Children's Services whole system restorative approach ethos, providing parents with the opportunity and support to improve their own lives and the lives of their children through managing their misuse issues and improving their parenting.

4.4 Performance and Sustainability

National governance of this programme is through a quarterly return to the Department of Education for its funding contribution towards the programme via its Strengthening Families, Protecting Children programme. This initiative invests £84 million over 5 years to support up to 20 local authorities to improve work with families to safely reduce the number of children entering care.

The return includes an update on families on the programme, their demographics, misuse behaviours, past history with social care, secondary issues linked to their misuse

including mental health, domestic violence etc. and types of support received across the programme.

The What Works For Children's Social Care Centre have been commissioned by the Department for Education to conduct a study on the impact FDAC has on reunification of parents with their children by the end of care proceedings and on parental substance misuse. The study will also provide detailed information about how FDACs have been implemented across the country and how this differs from usual practice.

The study will provide an estimate of the cost of running an FDAC, from the perspective of Local Authorities and will assess cost savings such as the use of expert witnesses during proceedings and the duration of care proceedings.

An evaluation will be carried out by the National Centre for Social Research institute, which comprises of data collated by the Centre of Justice Innovation from FDAC programmes across the country. The evaluation will utilise qualitative and quantitative measures to identify effects on child outcomes. The detailed data gathering will be carried out for a period of 18 months and commenced in January 2021 and will end at the end of June 2022.

At the end of the study, an evaluation report will be made publicly available on the WWCS website. The study findings will be used by the WWCS and the Department for Education to inform future practice.

Additional to this evaluation, the Centre of Justice Innovation will be producing national FDAC monitoring reports on a quarterly basis and annual reports for each FDAC programme across the country.

Locally, we have developed a detailed outcomes framework with underpinning Key Performance Indicators agreed with the delivery provider.

We have produced a dashboard for the Black Country collaboration and individual local authority data as it relates to FDAC.

4.5 Expected outcomes

There have been two main studies carried out on the FDAC programme conducted by the Tavistock and Portman NHS Trust and Brunel University and The Centre for Child and Family Justice Research at Lancaster University.

Below are a selection of the outcomes with the most robust evidence. Overall, the most significant outcome is that more families stay together safely. Some more specific expected outcomes are listed below:

a) Better outcomes for children and families

The findings from both studies identified found FDAC helped more families stop misusing drugs and alcohol and the rate of family reunification was higher, meaning that fewer children were taken into care.

In addition to the intensive support from FDAC, the FDAC families also were offered more substance misuse and family support services than comparison families, possibly helping to explain the better results.

Quantitative Findings

53% more FDAC families stopped misusing drugs and alcohol compared to non-FDAC families.

48% more FDAC families were reunified compared to non-FDAC families.

62% fewer reunified children from FDAC cases returned to court than reunified children from non-FDAC cases.

Long term Outcomes

76% more FDAC families remained reunified 3 years after the programme compared to non-FDAC families.

46% more FDAC families experienced no disruption 3 years after the programme compared to non-FDAC families

Qualitative Findings

Parents valued the FDAC service and the overwhelming majority would recommend FDAC to other parents in a similar situation. The professionals all considered FDAC to be a better approach than ordinary care proceedings.

b) Better use of public money

Every £1 spent on FDAC saves £1 over 2 years and £2.30 over 5 years. (Reeder and Whitehead 2016)

c) Outcomes for staff

FDAC has been shown to strengthen information sharing and decision-making. Utilising an assigned multi-disciplinary team to support families reduces the pressure on social workers, as well as saving social work time and money from both primary and secondary modes such as reduced travel costs and time.

Providing social workers with an alternative pathway to standard care proceedings produces more opportunity and because FDAC cases are contested less often provides additional savings for staff in time and money in repeated work with families.

d) Outcomes relating to the local authority

The FDAC model produces increased success for reunifying parents with alcohol or substance misuse issues with their children. These parents often have complex lives

with several facets of support required to make parenting good enough. These cases are high–cost to the local authority due to the variety of interventions required and the number of professionals involved.

Success on the FDAC programme reduces the requirement of support from public health, as well as producing cost savings in foster care or residential placement avoidance.

Children coming from families where misuse is an issue in the household can suffer neglect and experience domestic abuse which can lead to behavioural and mental and physical health problems for children.

There are also cost savings when families are successful on the FDAC programme through the reduction of cases loads, which put less strain on the social care infrastructure as a whole.

Due to FDAC cases being contested less there are substantial savings in legal fees and time.

In FDAC cases the FDAC team act as expert witnesses, which eliminates the costs that are incurred in standard care proceedings cases, where a number of expert witnesses may be utilised.

d.) Outcomes for courts

FDAC cases being contested less often than standard court proceedings cases save the courts and judiciary system time and money.

e.) Outcomes for the wider system

Additional to the courts there are secondary savings in money and time in a number of other state services.

Work is being planned to identify and quantify these secondary savings to get a thorough measure of the overall cost- benefit analysis of the FDAC programme.

Secondary saving will be analysed in a number of areas including:

- i. Police - reductions in call-outs to police to FDAC families and anti-social behaviour incidents
- ii. NHS - substance misuse services, mental health services, reduction in the spread of diseases and illness from needle sharing etc.
- iii. Education – reduction in truancy, reduction in educational support and moves due to foster placement or residential care
- iv. Housing – due to a reduction in home moves due to anti-social behaviour incidents, domestic violence etc.

4.6 Workforce development

Awareness of the FDAC programme and process has helped social work teams to identify an alternative option to standard care proceedings for families with drug or alcohol misuse issues and which are affecting their parenting.

Out sourcing the delivery of the FDAC programme to an established recovery services provider helps to diversify and improve the capability of local authority services

4.7 Financial information

The postponement of FDAC programme due to COVID-19 pandemic lockdown and restrictions led to cost pressures, as people had already been recruited. All three authorities put forward part of their emergency COVID-19 funds towards covering this first six month period, before the FDAC programme had gone live, when the team were supporting families from all there authorities with pre-proceedings work as an alternative.

The funding from the three local authorities in the collaboration has funded the FDAC delivery team for the three years of the pilot programme. The additional DfE money has funded a programme and implementation manager and paid for supplementary costs on the programme such as childcare for FDAC parents during delivery sessions, interpreters for non-English speaking families and resources required for working during the COVID-19 pandemic such as alternative, less intrusive forms of drug testing and tablets for families to receive remote support delivery.

Up to the present all spending on the FDAC programme has been within the estimated budget allocation and the budget is looking healthy with a significant amount funds allocated for any contingencies which may arise. The additional funds are continually being re-profiled to identify whether there will any funds present at the end of the three-year term to extend the programme any further.

5. Reducing inequalities

Overall, the implementation of FDAC programme is likely to have a positive impact on equality.

The programme will provide opportunities for people with alcohol and substance misuse issues to achieve abstinence improve their lives and move their lives towards securing employment if unemployed.

Past evaluations identify that fathers engage more positively with FDAC proceedings than standard care proceedings.

The use of interpreters will be monitored to ensure those for whom English is a second language are actively included.

Data collated on the children within Black Country FDAC families to date, identifies the ethnicity of the majority of the children as being of mixed ethnicity – 58%. The FDAC programme will provide a greater opportunity for successful reunification with parents for this demographic of children.

The FDAC programme has a clear link to the impacts in the Marmot reports, as it will enable children to have a more positive start in life and maximise their capabilities.

6. FDAC links to Council Corporate Plan Priorities

The Walsall Right for Children Transformation Programme contributes to a number of our Council Corporate Plan priorities:

a) People

Throughout the programme, we have and will continue to work with children, young people and their families to ensure they have increased independence, improved health, and can positively contribute to their communities.

b) Internal Focus

The programme is focused on a change of working, to ensure that within Children's Services we are as efficient and effective as we can be.

c) Children

The primary objective of the programme is to ensure that the right support is in place so that children can have the best start and are safe from harm, are happy, healthy and learning well.

7. Decide

To note the contents of this report and support the FDAC programme.

8. Respond

Any feedback and recommendations from scrutiny will be taken to FDAC Steering Group

The next milestone is the quarterly submission of data by the end of April 2021 for the DfE evaluation.

9. Review

There is a clear governance structure for the programme, which includes regular data monitoring and scrutiny within the local authority.

Background papers

- FDAC Study - Lancaster University Centre for Child & Family Research - http://wp.lancs.ac.uk/cfj-fdac/files/2016/12/FDAC_FINAL_REPORT_2016.pdf
- FDAC study – Brunel University & Tavistock & Portman NHS Trust - <https://bura.brunel.ac.uk/bitstream/2438/5909/2/Fulltext.pdf>
- Better Outcomes, Better Justice, Redder & Whitehead, 2016 [https://books.google.co.uk/books?hl=en&lr=&id=ii1zDwAAQBAJ&oi=fnd&pg=PT246&dq=Reeder+and+Whitehead+2016\)+better+courts&ots=Kvlf2BsiCC&sig=ktH17UbC-1XQ_1yT1_16NP62Y9o#v=onepage&q=Reeder%20and%20Whitehead%202016\)%20better%20courts&f=false](https://books.google.co.uk/books?hl=en&lr=&id=ii1zDwAAQBAJ&oi=fnd&pg=PT246&dq=Reeder+and+Whitehead+2016)+better+courts&ots=Kvlf2BsiCC&sig=ktH17UbC-1XQ_1yT1_16NP62Y9o#v=onepage&q=Reeder%20and%20Whitehead%202016)%20better%20courts&f=false)

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