

4 April 2017

Looked After Children and Care Leavers

Ward(s) All

Portfolios: Councillor R. Burley – Children's Services and Education

Executive Summary:

This report gives an update on the current position in regard to services for Looked After Children and Care Leavers in Walsall, covering the definition of a care leaver, national developments and the young person, the responsibility of the Local Authority and our response.

Reason for scrutiny:

Members have sought an update in respect of the Looked After Children and the Transition and Leaving Care service

Recommendations:

That:

Scrutiny Panel note the content of the report and information presented, scrutinise and challenge the work of the Looked After Children and Care Leaver Service and endorse next steps regarding further developments.

Background papers:

None

Resource and legal considerations:

The Children (Leaving Care) Act 2000 places requirements on Local Authorities to plan for looked after children so they have the support they need as children and as they make the transition to adulthood. Legislation and statutory guidance directs how support must be provided and Walsall has its localised policies and procedures to guide the work of the service.

The Children and Social Work Bill introduced in 2017 sets out new duties for the Council and partners in respect of services to children leaving care. One of the new requirements is to ensure that all care leavers have access to a personal adviser up to age 25. This new requirement will require the Council to increase the number of Personal Advisers and recruitment is currently underway.

Citizen impact:

The Council is committed to helping care leavers to successfully live independently in its role as Corporate Parent. By bringing services together into one single structure, the Council seeks to improve the life chances of all vulnerable young people, through an integrated approach and ensuring that children and young people are safe, achieve and make a positive contribution.

The service works extensively across key partner agencies to support the interests of care leavers and ensure a coherent multi agency approach. Ongoing consultation with partners will be required to ensure services are focused on meeting the Council's continuing statutory duties and priorities towards these young people.

Environmental impact:

None directly as a result of this report.

Performance management:

There are statutory responsibilities for Care Leavers and Looked After Children and current performance management arrangements monitor and challenge compliance with these statutory obligations and good practice guidelines.

Equality Implications:

Looked After Children come from all sections of the community and have a full diversity of need. The Corporate Parenting Board has a responsibility to ensure these diverse needs are met.

An equality impact assessment has been carried out in respect of wider proposals to safely reduce the number of Looked After Children

Consultation:

Children and Young People are at the heart of our service delivery. Both the Respect and New Belongings groups are regularly engaged and consulted and will continue to be consulted on the development and delivery of the service.

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Report

Children Looked After

1.1 In this report, the term Looked After Children refers to those children for whom the Borough has assumed Parental Responsibility through a care order or by a voluntary agreement with their parent(s). The Borough also has a duty and responsibility to those young people who leave care after the age of 16 years until they reach the age of 21 years, or 25 if they are in higher education.

1.2 Legal Framework for Children Looked After and Care Leavers

The functions including the powers and of local authorities in relation to children looked after and are set out in legislation, regulations and statutory guidance, as outlined below

- The Children Acts 1989 and 2004
- Children (Leaving Care) Act 2000
- Children and Young Persons Act 2008
- The Adoption Agencies Regulations 2005 (as amended by the Adoption and Care Planning (Miscellaneous Amendments) Regulations 2014
- The Children and Families Act 2014
- Public Law Outline: Guide to Case Management in Public Law Proceedings 2014
- The Care Planning, Placement and Case Review (England) Regulations 2010
- Care Leavers (England) Regulations 2010 (the Care Leavers Regulations).
- The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013;
- The Care Planning and Fostering (Miscellaneous Amendments) Regulations 2015;

1.3 The majority of Looked After Children need alternative care and accommodation due to the inability of their primary care giver to offer safe and effective care within the family home. A significant number of Looked After Children are able to return to their parent(s) after a short period in care and do not require long term services or interventions. Many who remain in care are likely to have suffered neglect or abuse prior to coming into our care, and are likely to require support and help from a range of services to meet their challenges and needs.

1.4 Looked After Children are supported across all children's social care teams; where depends on the stage of their care journey. The Initial Response Services and Safeguarding and Family Support Teams are in the main responsible for children when they first become looked after and where appropriate:

- ensure provision of support and services to reduce the risk of children entering care;
- enable children to return to the care of their families where it is safe and appropriate to do so;

- consider whether the local authority needs to initiating court proceedings;
 - secure permanence through adoption or other alternative orders.
- 1.5 The Corporate Parenting Service and Transition and Leaving Care Team are responsible for children who remain in the care of the Local Authority and provide support and advice to young people aged 16 and over who are living in or have left the care of the local authority, preparing them for independent living and to have arrangements in place to support effective planning so their transition into adulthood is positive.
- 1.6 The decision as to whether a child becomes Looked After will be made on completion of a Child and Family Assessment which indicates that the child's welfare can only be protected by the child becoming Looked After and this is agreed at a senior level by the relevant Group Manager.
- 1.7 All children who become Looked After are reviewed at the Public Law Outline Panel to consider the care plan for the child and whether care proceeding should be initiated.
- 1.8 **The Public Law Outline Panel** is chaired by the Group Managers of the Safeguarding and Family Support Service. The panel includes representatives from Legal Services, the Permanency Coordinator and the Case Progression Officer as well as the child's social worker and their manager. The issues considered by the Panel include the following:
- The reasons for the concerns, the evidential basis for establishing Significant Harm and whether the Threshold Criteria have been met;
 - Why Care Proceedings are necessary;
 - Whether there is a need for an immediate order to protect the child;
 - Whether the use of the Public Law Outline is appropriate;
 - Whether the Pre-Proceedings protocol is to be initiated and if so the date the pre-proceedings meeting will take place;
 - Whether it may be appropriate to instruct any further assessment; if so, the proposed remit of the instructions, the areas to be addressed, who will complete the assessment and the likely timescales;
 - Who is responsible for progressing the care plan.
- 1.9 Nationally the numbers of Looked After Children have continued to rise; steadily increasing over the last eight years. This trend has been reflected to some extent in the local statistics with there being 629 looked after children in March 2014, 605 in March 2015 and 625 in March 2016.
- 1.10 At the end of December 2016
- There were 637 children looked after at a rate of 97.5 per 10,000. This is an increase of 12 children from March 2016.
 - 21.1% of looked after children were between the ages 1 to 4

- 23.8% of looked after children were between the ages 5 to 9.
- 36% of looked after children were between the ages of 10 to 15
- 81.5% of looked after children are subject to care orders

1.11 Work is on-going to monitor and appropriately reduce the numbers of looked after children however nationally and locally it presents a continuous challenge.

At 20 March 2017, 155 children have been discharged from care. Of these

- 31 children have been adopted, a further 41 children are placed for adoption
- 24 children have secured special guardianship or residence orders
- 53 children have returned to the care of their parents, and for 30 of these their care orders have been revoked.
- 9 children ceased to be looked after as they were either sentenced to custody or not remanded
- 37 ceased to be looked after at age 18
- 1 child transferred to another local authority.

1.12 In parallel we are working to reduce Social Workers caseloads to enable more direct work and develop a more systemic model of practice to support both with maintaining children appropriately in their home environment and to enable appropriate and timely return home when an admission to care is appropriate in the short term. Bespoke methodologies are being implemented to support our work with children, young people and their families; this includes restorative practice and the NSPCC Re-unification model.

2.0 Duties towards care leavers

2.1 The Council has a legal duty to provide support and advice to young people aged 16 and over who are living in or have left the care of the local authority, preparing them for independent living and to have arrangements in place to support effective planning so their transition into adulthood is positive. The underpinning principles are to enable care leavers to achieve their potential as young adults and to maintain education, employment and training.

2.2 Legislation includes a specific duty for the provision of Personal Advisers to advise, assist and befriend care leavers. The legislation identifies four distinct status positions for young people who are leaving or have left care:

Eligible	Young people aged 16 and 17 who have been looked after for at least 13 weeks since the age of 14 and who are still looked after.
Relevant	Young people aged 16 and 17 who have been looked after for at least 13 weeks since the age of 14 and who have left care. This also includes young people who were detained in

custody or hospital when they turned 16 but immediately before that were looked after.

Former relevant Young people between 18 and 21 who were previously 'eligible' or 'relevant'. Local authorities support care leavers at least until the age of 21 or longer if in education or training

Qualifying Young people under 21 (or 24 if in education or training) who cease to be looked after or accommodated in a variety of other settings, or privately fostered, after the age of 16. This includes young people who are subjects of Special Guardianship Order, children who previously been privately

2.3 **New duties under Keep on Caring:** In July 2016, the cross-Government strategy 'Keep on Caring' was published and this sets out a vision for the future reform and measures to strengthen the support to young people from care to independence. The Strategy sets out how local authorities and their partners will support care leavers to achieve five key outcomes:

1. Better prepared and supported to live independently.
2. Improved Access to Education, Training and Employment
3. Experience stability, and feel safe and secure.
4. Improve access to Health Support.
5. Achieving financial stability.

2.4 The Keep on Caring strategy sets out the following proposed changes for which provisions will be made in the Children and Social Work Bill during 2017.

- All care leavers will be supported by a Personal Advisers up to the age of 25. (Currently this is aged 21 for all care leavers and 25 for those in higher education)
- A review of the skills, knowledge and qualifications require for Personal Advisers is underway by the Department for Education.
- Providing a stronger offer for those leaving residential care in developing Staying Close arrangements to enable young people to live independently close to their children's home with ongoing support from that home.
- Embedding a culture of Corporate Parenting and making this everyone's responsibility. Legislation will set out what it means for local authorities and its partners to be good Corporate Parents across all the local authority services and not just Children's Services.
- A Care Leaver Covenant will be introduced to enable voluntary and private sector organisations to sign up supporting care leavers.
- Care Leaver Local Offer: Local authorities will be required to consult on and then publish a local offer for care leavers.

- 2.5 **Current arrangements for Care Leavers:** The Transition and Leaving Care Team supports “Former relevant” young people from the ages of 18 to 21 years, extending to 25 years for a small number of care leavers who are in education or where there are other needs or vulnerabilities.

Children who aged between 16 to 18 years who are “Eligible” and “Relevant” are allocated to social workers in the Safeguarding and Family Support Teams and Corporate Parenting Teams.

- 2.6 **Transition and Leaving Care Team profile:** The service is co-located with the Looked After Children’s Teams at Townsend House.

The team is managed by a Team Manager who is a qualified social worker; the other members of the service have a range of other relevant qualifications and experience in working with young people:

The team includes 1 Assistant Team Manager; 2 full time Senior Personal Advisers who have case holding and supervisory responsibilities. Both have extensive experience of working with young people and care leavers.

In addition there are 6 Personal Advisers and 1 Assistant Personal Adviser, this post has been created and positively targeted to the recruitment of a care leaver. The post holder will work with the Respect and New Belongings participation group to reach and engage the looked after children and care leavers more widely.

Recruitment is currently underway for the posts of Team Manager and Assistant Team Manager.

- 2.7 **Other Support Services available to young people:** The service draws upon other services to support young people and these include:

- Welfare Rights drop-in every fortnight
- Substance misuse drop-in every fortnight
- Health worker is available to young people and the team via telephone.
- Job Club – young people encouraged to attend Job Club once a week.
- IMPACT worker collocated with the team as part of the Black Country Youth Employment Initiative Programme.
- Housing and Accommodation services

- 2.8 **Activity and Performance indicators:**

At 28 February 2017 there were 198 care leavers aged 17 years to 25 supported by the Transition and Leaving Care Team.

- 2.9 **Pathway Plans:** Young people in Care should have a Pathway Plan within 3 months of their 16th birthday or after becoming entitled to a leaving care service post 16 years of age. The pathway plan should be reviewed every 6 months. The Pathway Plan is the responsibility of a Social Worker to implement and maintain up to the age of 18 with Personal Advisers participating in any review.

The Personal Adviser is responsible for the review and updating of pathway plans with young people.

2.10 **Not in Education, Employment and Training (NEET) :** Across care leavers there is a spectrum of experience, skills and abilities. The service works with those who have not been in full-time education as well as those studying at a higher level. It needs to be recognised that many young people have an interrupted education. It is a challenge that requires tenacity, much investment of time, practical and emotional support to enable a young person to believe they are capable of success, to identify an appropriate route for them and for them to maintain their studies whilst often taking sole responsibility for running their own home.

2.11 There are currently 27.7% of care leavers 16 -25 who are not in suitable education, employment and 59.4 % of Care Leavers age 19 to 21 not in suitable employment or training.

The reasons for these young people being NEET are:

- Young people in custody and most engaged in purposeful activity within the prison
- Young parents
- Young people with mental health and emotional wellbeing concerns

2.12 There is a multi agency action group chaired by the Virtual School Head who tracks all children and young people at risk of becoming or who are NEET every month. Actions are agreed to ensure that proactive work is undertaken to re-engage young people into employment and education. The increase in the capacity of the IMPACT worker further strengthens this capacity.

2.13 The service currently has 7 young people in Higher Education. It has developed good relationships with local universities and the further education colleges. There is a range of support available to care leavers who are in further or higher education and this may vary depending on individual circumstances. Support can include financial support for course and exam fees, course equipment and books; clothing or uniform needed to do the course or job; vacation accommodation.

2.14 **Suitable Accommodation:** The Council is part of a regional supported accommodation framework as well as securing bespoke accommodation for Young People with complex needs. Walsall has a wide range of accommodation options for Care Leavers as set out below:

- Staying Put
- Shared Tenancies
- Supported Accommodation
- Supported Lodgings
- Accommodation & Support for those with complex needs (St Basils pilot)
- Social & Private sector sole tenancies

At December 2016:

- 86.8% over care leavers are in suitable accommodation.
- Of the 13.2% not in suitable accommodation, 7% of care leavers are in custody and are therefore considered to be in unsuitable accommodation.

2.15 Participation and engagement of children in care and care leavers.

The Respect and New Belongings participation groups are well established and are a good base from which we can promote broader involvement and engagement of looked after children and care leavers. The Council is committed to further strengthen their involvement and work is in progress with children in care and care leavers. This will fully include working with the Respect and New Belongings participation groups in developing engagement via social media, development of a Care Leavers' Hub and wider service developments.

2.16 Review of the Transition and Leaving Care Service: In March 2017 a review of the leaving care service was undertaken in view of the Keep on Caring Strategy. This review identified the strengths of the Service and a number of areas of development. A task and finish group has been established to drive the improvements and additional capacity has been secured to deliver the improvements required. The task and finish group will report its progress to the Corporate Parenting Board.

2.17 The areas of development over the next 6 months are:

- Strengthen the involvement and engagement of children looked after and care leavers.
- Review and develop the core offer in consultation with care leavers, other local authority services and partners.
- Scope and identify suitable provision for the development of a care leavers' hub
- Increase the capacity of Personal Advisers to ensure that quality of practical and emotional support for care leavers is robust
- Increase capacity in the service to meet new duties to support care leavers to the age 25. New Personal Advisers will be appointed to reduce the case loads.
- Improve the quality, consistency and timeliness of Pathway Plans to ensure that these are targeted to improve outcomes for care leavers
- Ensure that care leavers are better prepared and supported to live independently.
- Improve joined up transition planning with health and adult social care for young people with complex and additional needs
- Reduce the number of young people not in education, employment and training.
- Further strengthen accommodation provision and support to enable young people to maintain tenancies and reduce the risk of homelessness
- Improve access to mental health and emotional support services for care leavers post 17 years.