



## **Corporate Parenting Panel**

**Date      Friday 28 February 2020**

**Time      9.30 am**

**Venue      Committee Room 2, County Hall, Durham**

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### **Business**

#### **Part A**

**Items during which the Press and Public are welcome to attend.  
Members of the Public can ask questions with the Chairman's  
agreement**

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meeting held on 31 January 2020 (Pages 3 - 12)
4. Declarations of Interest
5. Number of Looked After Children - Update by Head of Children's Social Care
6. Ofsted Updates
7. Confirmation of Member Appointments on Corporate Parenting Panel Groups
8. Update from Investing in Children

#### **Theme – Introduction to Corporate Parenting Panel**

9. What is a Corporate Parent? - Presentation by Chair of the Corporate Parenting Panel (Pages 13 - 20)
10. A Child's Journey Through Our Services - Presentation by Head of Children's Social Care (Pages 21 - 24)
11. Corporate Parenting Panel Work Programme - Report of Senior Partnership Officer (Pages 25 - 152)
12. Aycliffe Secure Centre Annual Update - Report of Aycliffe Secure Centre Manager (Pages 153 - 160)
  - a) Presentation (Pages 161 - 170)

13. Place-Based Approach to Early Help for Children, Young People and Families in County Durham - Report of Strategic Manager One Point / Think Family Services (Pages 171 - 176)
  - a) Presentation (Pages 177 - 188)
14. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.
15. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

## **Part B**

### **Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)**

16. Regulation 44 Visits - Summary Report - Joint Report of Head of Children's Social Care and Head of Early Help Inclusion and Vulnerable Children (Pages 189 - 236)
17. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

**Helen Lynch**

Head of Legal and Democratic Services

County Hall  
Durham  
20 February 2020

To: **The Members of the Corporate Parenting Panel**

Councillor I Jewell (Chair)  
Councillor H Smith (Vice-Chair)

Councillors B Bainbridge, H Bennett, J Carr, J Charlton,  
J Considine, P Crathorne, P Jopling, M McKeon, L Maddison,  
J Makepeace, O Milburn, C Potts, S Quinn, A Reed,  
G Richardson, E Scott, M Simmons, T Tucker and C Wilson

#### **Co-opted Members**

C Baines  
W Taylor  
K Watson  
Young person representative of the Children in Care Council  
(CiCC)

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**Contact: Jill Hogg**

**Tel: 03000 269 711**

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## **DURHAM COUNTY COUNCIL**

At a meeting of the **Corporate Parenting Panel held in Committee Room 2, County Hall, Durham on Friday 31 January 2020 at 9.30 am**

**Present:**

**Councillor I Jewell in the Chair**

**Panel Members:**

Councillors Bainbridge, Considine, Crathorne, Jopling, Quinn, Richardson, Scott, Simmons, Smith, Tucker and Wilson

**Co-opted Members:**

W Taylor

**Also in attendance:**

Linda Bailey (Strategic Lead, Progression and Learning – Item 8)

Kelsey Clayton (Legal Services Manager)

Sharon Davey (Acting Operations Manager – Item 12)

Helen Fergusson (Head of Children's Social Care)

Andrea Houlahan (Strategic Manager, Children and Families)

Robert Johnson (Project Manager, Investing in Children), and, young people from the Children in Care Council

Jonathan Slee (Overview and Scrutiny Officer – Item 9)

Melanie Stubbs (Head of the Virtual School – Item 11)

Stephen Tracey (Corporate Equality and Strategy Manager – Item 10)

Jayne Watson (Senior Partnerships Officer)

### **1. Apologies**

Apologies for absence were received from Councillors Charlton, Maddison, Makepeace, Milburn, Reed and Chris Baines

### **2. Substitute Members**

No substitute members were in attendance.

### **3. Minutes**

The minutes of the meeting held on Friday 29 November 2019 were agreed as a correct record.

### **4. Declarations of Interest**

There were no declarations of interest.

## **5. Number of Looked After Children**

The Head of Children's Social Care informed the Panel that the number of looked after children stood at 901 and explained that there had been a steady increase over the past 12 months which reflected the national trend. The number of looked after children remained less than the north east average and Durham experienced a slower rate of increase than other areas of the north east.

The Head of Children's Social Care read out a letter from looked after children, thanking the Panel for their contributions to the Christmas party.

## **6. Ofsted Updates**

The Panel noted the Ofsted inspection carried out in September rated Aycliffe Secure Centre as outstanding in all areas. Members acknowledged this high accolade was a considerable achievement for the Centre and placed on record their congratulations. The Panel agreed to send a letter of thanks to the staff for all their hard work and dedication.

## **7. Update from Investing in Children**

The following update was provided by the young people of the Children in Care Council:

- The Winter Wonderland event was a great success despite the weather which led to a change of venue at short-notice. The Head of Children's Social Care informed the Panel that this was one of a series of events organised in conjunction with Children's Services, to celebrate foster caring.
- Young people are working on an arts project with the County Durham Community Foundation and Full Circle to refresh therapy rooms across the county, to make them more engaging. Another initiative to encourage the young people to participate in the arts is taking place in February, with a visit to a gallery.
- A meeting was held with the Virtual School in January and a template has been produced by the young people, to provide them with more information on the Designated Teacher role and what pupil premium monies can be used for.
- Panel Members were encouraged to promote Care Day which will be held on 21<sup>st</sup> February, to celebrate children and young people with care experience. RicFlo, a care experienced rapper from London will be attending the event.

- Engagement work is continuing with the Independent Reviewing Officers and a young person has been appointed as the IRO Champion.
- Work is progressing on the discount card for looked after children and young people. The Head of Children's Social Care updated the Panel that the service is exploring ways to develop the Freedom Card to make it more relevant and an update on progress will be provided at a future Panel meeting.

## **8. Supporting Care Leavers into Education, Employment and Training**

The Panel considered a report and presentation of Linda Bailey, Strategic Lead for Progression and Learning which provided an update on the support available to care leavers to enable them to progress into education, employment and training. The Strategic Lead provided details on the new European funded programmes, measures by Durham County Council to support care leavers into apprenticeships, feedback from care leavers, and priorities for the future (for copy of report and presentation see file of minutes).

The Chair thanked the Strategic Lead for the presentation and asked the Panel for comments and questions. The following responses were provided by the Strategic Lead:

- Providing clarification on accommodation options, the Strategic Lead stated that our Care Leavers reside in various placements including with foster carers, in supported lodgings and some live independently.
- In response to concern from the Panel regarding the risk to the European funding following Brexit, the Strategic Lead assured the Panel that statutory functions would continue to be funded. However, the risk to future European funding had been placed on the Council's risk register. Engagement work takes place with the North East Local Enterprise Partnership to ensure that DurhamWorks remains on the agenda.
- The Strategic Lead explained the term 'self identifying' refers to those young people who are not automatically referred, and, those referred to as 'not known' are those who are known to DurhamWorks, however, their next step with regard to education, employment or training is not known.
- Of 193 young people who had completed the DurhamWorks programme, 65% had progressed into employment, although we need to improve this figure.

- The DurhamWorks programme has been in operation since January 2016.
- Feedback from young people indicated that travel remains a barrier preventing some young people from accessing training and employment.

**Resolved:**

That the report and presentation be noted.

**9. Overview and Scrutiny Review, Children's Residential Care Homes**

The Panel considered a report of Councillor Heather Smith, Chair of the Children and Young People's Overview and Scrutiny Committee which provided information relating to the review of Private Children's Residential Care Homes by the Children and Young People's, and, the Safer and Stronger Communities Overview and Scrutiny Committees. A copy of the review report was attached to the report at appendix 2 (for copy of report see file of minutes).

Councillor Smith explained the aim of the review which was to gain a better understanding of concerns associated with private children's residential care homes and summarised the key findings, the response from the service, and, the recommendations. One of the review recommendations related specifically to the Corporate Parenting Panel which was that the Panel receive information from Durham Constabulary, for looked after children, with a focus on reports of missing from home.

In response to comments and questions from the Panel, Councillor Smith explained the following.

At the time of the review, there were 22 private children's homes in County Durham providing approximately 90 beds. Evidence gathered suggested that information sharing between local authorities and residential care homes was inconsistent. 80% of children's residential care homes are run by a variety of private providers including charities and private companies, and all have different procedures and policies in place. The review also found that there is a greater demand on the LADO (Local Authority Designated Officer) from private children's residential care homes. The working group received information from Durham Constabulary indicating an increase in demand from children's residential care homes and the group felt that this should be monitored.

Councillor Smith informed the Panel that, at present, there is no accreditation process for private children's residential care homes, and, during the review, an accreditation process had been developed which was being piloted by three private children's homes where looked after children from County Durham reside.

The Panel noted that private children's residential care homes are subject to Ofsted inspections and Regulation 44 visits and they receive information on training courses provided by Durham Children's Safeguarding Board, however, not all private homes engage.

**Resolved:**

- a) That the report be noted.
- b) That the Corporate Parenting Panel receive regular information relating to reported incidents to Durham Constabulary, for County Durham children looked after, who reside within any residential children's care home within County Durham, with a specific focus on reports of missing from home.

## **10. Quarter Two 2019/20 Performance**

The Chair welcomed Stephen Tracey, Corporate Equality and Strategy Manager, who was in attendance to provide an update on performance relating to looked after children and care leavers during the second quarter of 2019/20 (for copy of report and presentation, see file of minutes).

The Corporate Equality and Strategy Manager explained that the information dated from the end of September, and, at that time there were 878 looked after children. That figure had risen to 901 children at the present date. The presentation analysed performance relating to the characteristics of looked after children, the provision of stable environments, and, health and wellbeing.

The Chair thanked the Corporate Equality and Strategy Manager and asked the Panel for their comments and questions.

Members observed the high cost of independent foster care and the Head of Children's Social Care commented on the highly competitive market in which the local authority must compete with the independent sector to recruit from the same pool of potential foster carers.

Members expressed concern that during April to September, the number of foster carers approved was fewer than the number deregistered. The Head of Children's Social Care commented that the reasons for this are varied and include ill health, age, and, family circumstances.

In response to a query from the Chair as to whether this is monitored, the Head of Children's Social Care confirmed that data is contained in the placement sufficiency strategy and work is ongoing with regard to the recruitment and retention of foster carers to ensure the service meets demand.

Members observed that 39 young people are placed outside the north east and requested more information. Members were assured that these young people are in the most suitable placements to meet their needs. The figure includes 18 young people who are placed in adoptive placements, 6 placed with relatives and 3 in supported lodgings, leaving 12 young people who are actually placed out of county. The Head of Children's Social Care advised that those young people living outside of the north east receive regular visits and the commissioning team work closely with providers to ensure that quality and safety standards are maintained.

A young person from the Children in Care Council asked if care leavers are encouraged to consider training to become social workers and consider foster caring in the future. The Head of Children's Social Care commented that young people are encouraged to explore every opportunity with our Durhamworks/EET colleagues adding that some young care leavers have progressed to train as social workers.

**Resolved:**

That the report be noted.

## **11. Durham Virtual School Annual Report 2018/19**

The Chair welcomed Melanie Stubbs, Head of the Virtual School, who was in attendance to present the Durham Virtual School Annual Report for 2018/19 (for copy see file of minutes).

The Virtual School Head explained the report had been compiled prior to her appointment in January and she thanked the Interim Head of the Virtual School, Fiona Callaghan, and, the former Head, Christine Stonehouse, for all their work on the report and for the support they provided on her appointment to the post.

The Virtual School Head summarised the main headlines of the report which include that performance shows improvement at all measures except reading at KS1. The Panel noted that speech and language assessments are carried out on all looked after children when they enter the school, and, dedicated speech and language support is provided to help support children in care. It was also noted that a Therapeutic Social Worker had been appointed to support emotional wellbeing.

Priorities for 2020 include improving KS1 outcomes, addressing gender gaps across the board i.e. improving reading and English for boys and maths for girls, and, raising awareness in schools of the impact of early trauma.

The Chair thanked the Head of the Virtual School for the report and presentation and asked the Panel for comments and questions.

In response to a question on the target time for an Education Health and Care Plan assessments (EHCP), the Panel noted that the target is 20 weeks. Councillor Smith informed the Panel that this is an area which the Children and Young People's Overview and Scrutiny Committee is considering reviewing, including plans to meet future targets and future demand for EHCP plans. The Head of Children's Social Care clarified that children who are looked after do not typically experience delays.

A young person from the Children in Care Council asked what assurance can be given to looked after children and young people that confidentiality can be guaranteed. The Head of the Virtual School assured the young person that although it is sometimes necessary for information that a young person is looked after to be shared between teaching staff, staff are well aware of the importance of respecting confidentiality and this information is shared only when it is necessary to do so. She added that the Virtual School would raise this in the upcoming Head Teacher Briefing sessions to flag young people's concerns directly with Head Teachers. A Member who is a school governor reassured the young person that, at the governing body meetings she attends, this type of information is not shared.

**Resolved:**

That the report be noted.

**12. Independent Reviewing Officer: Looked After Children and Child Protection Annual Reports 2018/19**

The Chair welcomed Sharon Davey, Operations Manager, who presented the Independent Reviewing Officer (IRO) Looked After Children and Child Protection Annual Reports 2018/19 (for copy see file of minutes).

The Operations Manager explained the dual function of Independent Reviewing Officers (IROs) to chair looked after reviews and child protection conferences and the challenges posed by the increase in the number of looked after children. The Panel noted that IROs have a duty to raise concerns with Service Managers, through the Dispute Resolution Process, if it is considered that a child's care plan is not progressing as it should.

IROs participate in the Children in Care Council meetings and they have produced an IRO profile to provide information and enhance the relationship between the young person and their IRO.

The Operations Manager clarified that the second diagram on page 2 of the Looked After Children Annual Report Summary showed the total number of looked after children throughout 2017/18 and 2018/19.

**Resolved:**

That the reports be noted.

**13. Exclusion of the Public**

**Resolved:**

That under Section 100(a)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely discussion of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

**14. Regulation 44 visits: Summary Report**

The Panel considered the update on Regulation 44 visits and outstanding responsive repairs (for copy of report see file of minutes).

**Resolved:**

That the report be received.

**15. Any Other Business**

The Senior Partnerships Officer referred to the dates of the joint meetings with the Children in Care Council with the meetings this year being held on 28 April and 20 October, from 5 pm to 7 pm. Members were reminded that the meetings provide all young people from the Children in Care Council with an important opportunity to have their voices heard and to influence the future work of the Panel.

The Panel noted that there are a number of vacancies on sub-groups and it was agreed that the Senior Partnerships Officer would circulate the list of vacancies to Members, for their consideration. Members to notify the Senior Partnerships Officer of any appointments they are interested in, then appointments will be confirmed at the February meeting.

Members were asked consider taking up the Care Leavers challenge in February which challenges participants to live for a week on a budget of £57.90 to raise awareness of the difficulties care leavers face. Cllr Tanya Tucker and Jayne Watson will undertake the challenge.

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# What is a Corporate Parent?

Cllr Ivan Jewell

Chair of the Corporate Parenting Panel

# All elected members are corporate parents, but what does this mean?

Page 14

“Elected councillors have a crucial role.

Only you can carry it out.

You can make sure that the interests of the children come first.

You bring a fresh look and common sense.

For children who are looked after, your council has a legal and moral duty to try to provide the kind of loyal support that any good parents would give to their children.

You should do your utmost to make sure that children in public care get a good start in life”

*Altogether better*



“The council is the corporate parent,  
so there are responsibilities for  
**all councillors.”**

We have corporate parenting responsibilities for:

- Children and young people in foster care
- Young people in residential care;
- Children placed for adoption;
- Young people who are care leavers.

Councillors also have corporate parenting responsibilities for:

- Children and young people who are in need, including those in need of safeguarding;
- Young people in custody.

*Altogether better*



- A good corporate parent offers at least the same standard of care as would a reasonable parent.
- This means that our looked after children should be cared about, not just cared for, and that all aspects of their development should be nurtured, requiring a corporate approach from a range of council departments and partner agencies.
- Broadly speaking there are three levels of responsibility for corporate parenting, which are reflected in the induction and training programme that is provided for elected members.

# Level 1 – Universal responsibility

As corporate parents, all councillors have a responsibility to:

- Have a basic level of knowledge about issues for vulnerable children in their area;
- Know how to ask the key questions for members about their looked after children, such as health, education and what happens after they leave care.

<sup>1</sup>Local Authority Client Caseload Information System

*Altogether better*



# Level 2 – Targeted responsibility

Local authorities can improve their role as corporate parents, through a higher focus on the needs of individual children and more effective co-operation across services and schools.

We exercise our level two responsibilities through the  
**Corporate Parenting Panel**, which includes:

- Providing regular information;
- Training and development;
- Two-way dialogue between councillors and looked after children and care leavers;
- Celebrating success and achievements.

Level two responsibilities also include a small number of members  
being part of the council's adoption and fostering panels.

16

*Altogether better*



# Level 3 – Specialist responsibility

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This is the level of lead member for Children's Services and chair of our Corporate Parenting Panel.

“As the corporate parent of children in care the state has a special responsibility for their wellbeing. Like any good parent, it should put its own children first. That means being a powerful advocate for them to receive the best of everything and helping children to make a success of their lives.”

DfES Care Matters, 2006

*Altogether better*



# Overview of Children's Social Care Service

*Altogether better*

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Agenda Item 10

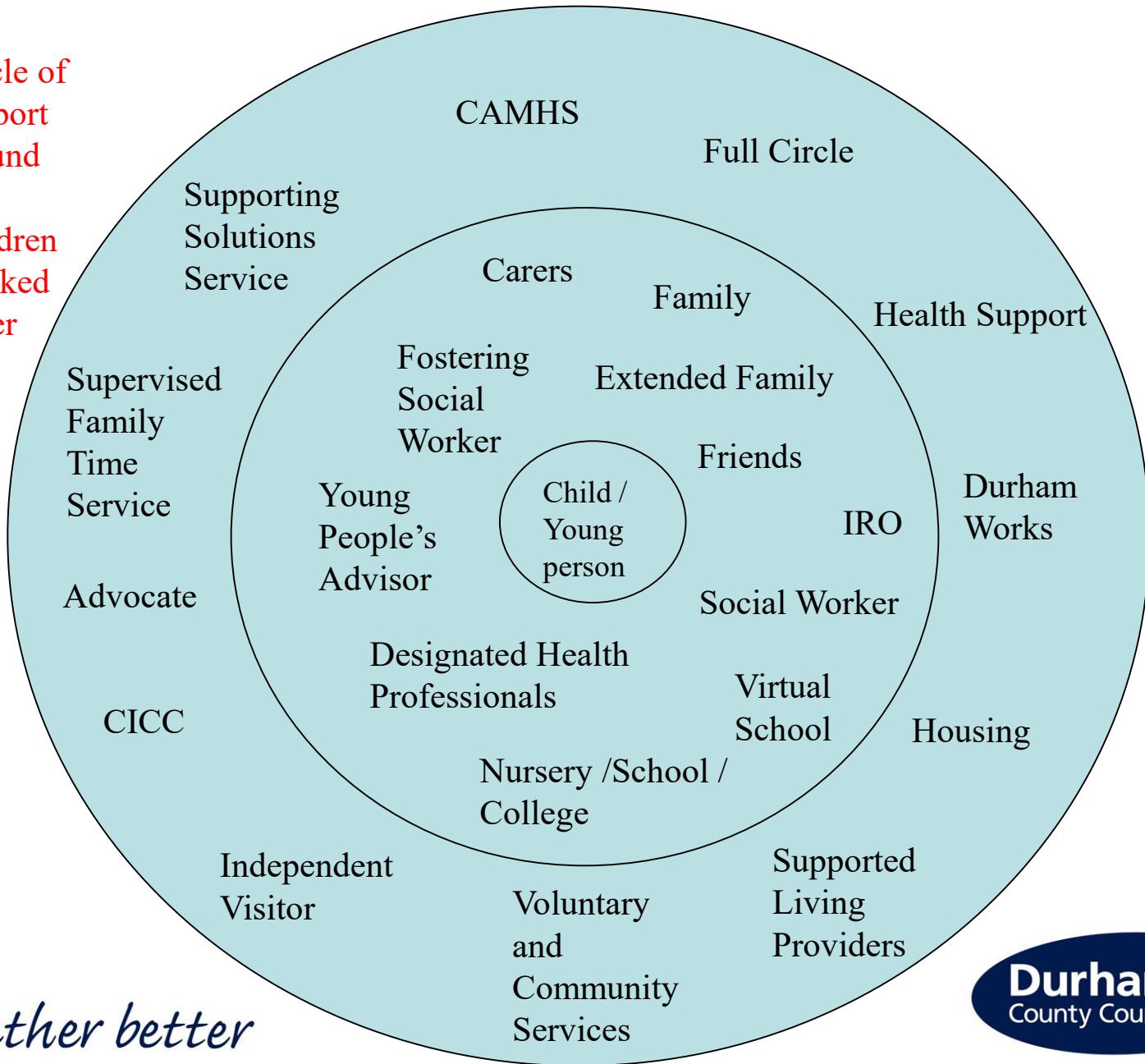


# Helen Fergusson Head of Children's Social Care

Jane Ayres	Jac Tyler	Lisa Wood	Karen Robb / Andrea Houlahan	Claire Morris	Chris Ring
Families First Service x 15 Teams		First Contact & MASH	Children Looked After Teams x 3	Fostering Service x 4 teams	Service Improvement
0 – 18 CWD Team		Emergency Duty Team	Young People's Services x 3	Children's Homes x 10	Practice Lead SW Academy
		Supporting Family Time	Adoption Team	Kinship Care Support Team	IRO Service
		Full Circle		Placement Team	LADO Service
Managed in Adult Services: 14-25 Transitions Team		Supporting Solutions Service			

*Altogether better*

Circle of support around our children Looked After



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## Corporate Parenting Panel

28 February 2020

### Corporate Parenting Panel Work Programme



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## Report of Jayne Watson, Senior Partnership Officer, Durham County Council

### Electoral division(s) affected:

Countywide

### Purpose of the Report

1. The purpose of this report is to provide the Corporate Parenting Panel with an update on the work programme for 2020/21 which is attached at Appendix 2.

### Executive Summary

2. The work programme was mapped against the key lines of enquiry (KLOE) as identified in the following Local Government Association resource packs:
  - (a) Corporate Parenting
  - (b) Support for care leavers
  - (c) Permanency
  - (d) Youth Justice
3. The work programme was also mapped against Children and Young People's Overview and Scrutiny work programme.
4. The work programme will not be presented to each meeting, but members will receive regular updates, and will be notified of significant changes.
5. Members are able to suggest additional items to be consider for inclusion in the work programme at any time.

### Recommendation(s)

6. It is recommended that members of the Corporate Parenting Panel:
  - (a) Note the contents of this report
  - (b) Note the contents of the LGA resource packs
  - (c) Inform Jayne Watson of any further items to add to the work programme.

## **Background**

7. We recognised the need to strengthen political and management oversight of the Corporate Parenting Panel, and increase the voice of children and young people in our work. This was highlighted in the 2016 Ofsted inspection and our own benchmarking work.
8. In response, the Corporate Parenting Panel was re-constituted as a formal committee of Durham County Council. We developed a more structured and focussed approach to inform the panel's work and identified how we could further involve lived experience of children and young people in our work.
9. Co-opted Members were introduced to the Panel to bring on board expertise which includes representation from young people themselves, who attend each meeting and provide feedback from the Children in Care Council (CICC).
10. In addition, the work programme was themed and each meeting has a standing item on, whereby the co-opted young people provide direct feedback from the CICC, ensuring members hear real unfiltered feedback directly from the young people.
11. The changes have given the panel real influence and strengthened its administrative arrangements to be on a par with all other formal committees. With papers published in advance and on-line via the council's website and meetings held in public, the work of the panel has become more transparent, regularly attracting coverage by local democracy reporters.

## **Corporate Parenting Panel Communications**

12. In addition to items on the work programme, lead officers within Durham County Council may issue press releases relating to the work of the Corporate Parenting Panel.

## **Conclusion**

13. Members of the Corporate Parenting Panel will be provided an opportunity to oversee the 2020/21 work programme to ensure all relevant areas of work relating to our children looked after and care leavers is captured, providing assurance that we are doing all we can to support children in our care to live meaningful and fulfilling lives and achieve the best possible outcomes.

## **Background papers**

- None

## **Other useful documents**

- Local Government Association resource packs (attached at Appendix 3 as separate documents):
  - (a) Corporate Parenting
  - (b) Support for care leavers
  - (c) Permanency
  - (d) Youth Justice

## **Author**

Jayne Watson      Tel: 03000 268371

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## **Appendix 1: Implications**

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**Legal Implications** – The Children and Social Work Act 2017 says that when a child or young person comes into the care of the LA, or is under 25 and was looked after by the LA for at least 13 weeks after their 14<sup>th</sup> birthday, the LA becomes their corporate parent, and there are certain duties the LA must do.

As corporate parents, it is every councillors responsibility to make sure the LA is meeting these duties towards our children in care and care leavers.

**Finance** – No implications

**Consultation** - No implications

**Equality and diversity/Public Sector Equality Duty** - No implications

**Climate Change** – No implications

**Human rights** - No implications

**Crime and disorder** - No implications

**Staffing** – No implications

**Accommodation** - No implications

**Risk** – No implications

**Procurement** - No implications

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## **Appendix 2: CPP work programme**

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Attached as a separate document

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## **Appendix 3: LGA resource packs**

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Attached as four separate documents

<b>Theme: Missing from Home</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• What are the characteristics of our cohort if children in care and care leavers? (LGA Corporate Parenting resource pack)</li> <li>• How has performance changed over time, and how does it compare to statistical neighbours? (LGA Permanency resource pack)</li> </ul>		
<b>Date: 27 March 2020</b>		
Title	Lead	Comments
Update from IIC	IIC	Update from CICC
Q3 Performance report	Stephen Tracey	Update on Q3 Performance
Summary of Ofsted inspections	Claire Morris	Annual update from service
Missing from Home 20 minutes	Lisa Wood	This will incorporate County Lines

<b>Themes: Mental Health / Residential children's homes</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• What are we doing to look after the health and wellbeing of children in our care? (LGA Corporate Parenting resource pack)</li> </ul>		
<b>Date: 24 April 2020</b>		
Title	Lead	Comments
Update from IIC including: - use of Language film/glossary-placeholder	IIC/Helen Fergusson	Update from CICC Film developed by young people on the use of language
Regulation 44 annual update, including: - update on including older young people in inspection process	Dawn Wilson Claire Morris	Annual update from independent persons
Residential Children's Homes update, including - Health and safety	Claire Morris / Kevin Lough	Annual update
Kooth model for mental health - Date may change, added here as placeholder	TBC – check who leads on this	Overview of the model to be presented to CPP
The Full Circle	Lisa Wood	Annual update

## Themes: Care Leavers / Feedback from CICC meeting

### KLOEs:

- What do we know about our care leavers, both existing and coming up? (LGA Care Leavers resource pack)
- How are we making sure that the voice of the young person is heard and reflected in the pathway plan? (LGA Care Leavers resource pack)
- What are Care Leavers Telling us? (LGA Care Leavers resource pack)
- How are we making sure that young people are able to take advantage of staying put? (LGA Care Leavers resource pack)
- Do we have a suitable range of accommodation options for care leavers and how are they supported in each? What happens if something goes wrong? (LGA Care Leavers resource pack)
- How are we preparing care leavers to live independently? (LGA Care Leavers resource pack)
- How are we working with our partners to support care leavers? (LGA Care Leavers resource pack)
- How are we promoting the care leavers covenant? (LGA Care Leavers resource pack)
- Are we being good corporate parents to care leavers? (LGA Care Leavers resource pack)
- How are we ensuring that the corporate parenting principles are being applied to care leavers? (LGA Care Leavers resource pack)
- Are there particular considerations for unaccompanied asylum seeking care leavers? (LGA Care Leavers resource pack)
- Are there particular considerations for other children in care with immigration issues? (LGA Care Leavers resource pack)
- Do we have processes in place for adult care leavers to access information about them? (LGA Care Leavers resource pack)
- What are outcomes like for our care leavers? (LGA Corporate Parenting resource pack)
- How are we giving children and young people the chance to express their views, wishes and feelings? How do we know they are being acted on? (LGA Corporate Parenting resource pack)

Date: 15 May 2020

Title	Lead	Comments
Update from IIC, including - Feedback from CICC/CPP meeting on 28 April 2020	IIC	Update from CICC
Care Leavers - Annual report/update from service - Update of CL discounts/ expansion of Freedom Card - Swop shop idea	Carole Gill	Annual update from service. Young people to attend

<b>Theme: Performance</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• How has performance changed over time, and how does it compare to statistical neighbours? (LGA Permanency resource pack)</li> </ul>		
<b>Date: 26 June 2020</b>		
Title	Lead	Comments
Update from IIC	IIC	Update from CICC
End of year performance report (Q4), including - Update on any deep dive work	Stephen Tracey	Annual year end update

<b>Theme: Fostering</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• Are we providing stable environments for children in our care? (LGA Corporate Parenting resource pack)</li> <li>• How many children are we placing in out of area placements and why? (LGA Corporate Parenting resource pack)</li> <li>• How well do we support our foster carers? (LGA Corporate Parenting resource pack)</li> <li>• What support is provided to families while children are in care to improve their chances of returning home? (LGA Permanency resource pack)</li> <li>• How do we recruit adopters and foster carers? (LGA Permanency resource pack)</li> <li>• How do we match children with potential long-term carers? How do we recruit adopters and foster carers? (LGA Permanency resource pack)</li> <li>• How do we avoid drift? (LGA Permanency resource pack)</li> <li>• What support is provided to permanent carers pre-placement? (LGA Permanency resource pack)</li> <li>• What training is provided for permanent carers? (LGA Permanency resource pack)</li> <li>• What support is provided for children and families in permanent arrangements? (LGA Permanency resource pack)</li> <li>• How are special guardians supported? (LGA Permanency resource pack)</li> <li>• How is contact with a child's birth family managed? (LGA Permanency resource pack)</li> </ul>		
<b>Date: 17 July 2020</b>		
Title	Lead	Comments
Update from IIC	IIC	Update from CICC
Foster Care Update, including: - Annual report/update - FC awards - Update on fostering recruitment/campaigns - Development session with Foster Carers	Claire Morris Florence Coulter / Rebecca Turner	Annual update from service
Corporate Parenting Panel Annual Report	Clr Jewell / Jayne Watson	For agreement

<b>Theme: Sufficiency</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• Are we providing stable environments for children in our care? (LGA Corporate Parenting resource pack)</li> <li>• How are we planning for the future and commissioning services? (LGA Corporate Parenting resource pack)</li> <li>• How has performance changed over time, and how does it compare to statistical neighbours? (LGA Permanency resource pack)</li> </ul>		
<b>Date: 25 September 2020</b>		
Title	Lead	Comments
Update from IIC	IIC	Update from CICC
Corporate Parenting Strategy	Helen Fergusson	Annual report for information
Sufficiency Strategy, including - Residential Service provision	Lindsey Herring	Annual update
Q1 performance report – TBC	Stephen Tracey	

<b>Theme: Adoption Feedback from CICC/CPP meeting</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• How are we giving children and young people the chance to express their views, wishes and feelings? How do we know they are being acted on? (LGA Corporate Parenting resource pack and LGA Permanency resource pack)</li> <li>• How do we recruit adopters and foster carers? (LGA Permanency resource pack)</li> <li>• How do we match children with potential long-term carers? How do we recruit adopters and foster carers? (LGA Permanency resource pack)</li> <li>• How do we avoid drift? (LGA Permanency resource pack)</li> <li>• What support is provided to permanent carers pre-placement? (LGA Permanency resource pack)</li> <li>• What training is provided for permanent carers? (LGA Permanency resource pack)</li> <li>• What support is provided for children and families in permanent arrangements? (LGA Permanency resource pack)</li> <li>• How are special guardians supported? (LGA Permanency resource pack)</li> <li>• How is contact with a child's birth family managed? (LGA Permanency resource pack)</li> <li>• Does your council have a good relationship with your family court? (LGA Permanency resource pack)</li> <li>• Do you have a positive relationship with voluntary adoption agencies in your area? (LGA Permanency resource pack)</li> </ul>		
<b>Date: 23 October 2020</b>		
Title	Lead	Comments
Update from IIC, including <ul style="list-style-type: none"> <li>- Feedback from CICC/CPP meeting on 20 October</li> </ul>	IIC	Update from CICC
Adoption Service Update including <ul style="list-style-type: none"> <li>- update on regionalisation of adoption services</li> <li>- early permanence strategy</li> <li>- update on recruitment of adopters</li> <li>- development session with adopters</li> </ul>	Claire Morris/ Karen Robb	Annual update from service

<b>Theme: Health</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• How are we making sure care leavers have access to services they need for their health and wellbeing? (LGA Care Leavers resource pack)</li> <li>• What are we doing to look after the health and wellbeing of children in our care? (LGA Corporate Parenting resource pack)</li> </ul>		
<b>Date: 27 November 2020</b>		
Title	Lead	Comments
Update from IIC	IIC	Update from CICC
Health of Looked After Children	Karen Watson	Annual update from CCGs
CLA who have a disability	Jane Ayres	Annual update on LAC with a disability

<b>Theme: Annual Updates</b>		
<b>KLOE:</b>		
<ul style="list-style-type: none"> <li>• How has performance changed over time, and how does it compare to statistical neighbours? (LGA Permanency resource pack)</li> </ul>		
<b>Date: 18 December 2020</b>		
Title	Lead	Comments
Update from IIC	IIC	Update from CICC
Performance report Q2	Stephen Tracey	Quarterly performance report
IRO Annual Reports	Sharon Davey	Annual update from service
Durham Safeguarding Children Partnership	Heidi Gibson / Jacqui Doherty	Annual update from service
Any other annual updates – TBC		

<b>Theme: Education</b>												
<b>KLOEs:</b>												
<ul style="list-style-type: none"> <li>• How do we help care leavers to find, and remain in EET? (LGA Care Leavers resource pack)</li> <li>• How are we showing children in our care that we have high aspirations for them? (LGA Corporate Parenting resource pack)</li> <li>• How productive are your relationships with partners to support permanence arrangements? (LGA Permanency resource pack)</li> </ul>												
<b>Date: 29 January 2021</b>												
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Title	Lead	Comments										
Update from IIC	IIC	Update from CICC										
Education, Employment and Training update	Linda Bailey	Annual EET update										
Virtual School	Melanie Stubbs	Annual update										

<b>Theme: Missing from home</b>									
<b>KLOE:</b>									
<ul style="list-style-type: none"> <li>• How has performance changed over time, and how does it compare to statistical neighbours? (LGA Permanency resource pack)</li> </ul>									
<b>Date: 26 February 2021</b>									
<table border="1"> <thead> <tr> <th>Title</th><th>Lead</th><th>Comments</th></tr> </thead> <tbody> <tr> <td>Update from IIC</td><td>IIC</td><td>Update from CICC</td></tr> <tr> <td>Missing from home</td><td></td><td>Annual update</td></tr> </tbody> </table>	Title	Lead	Comments	Update from IIC	IIC	Update from CICC	Missing from home		Annual update
Title	Lead	Comments							
Update from IIC	IIC	Update from CICC							
Missing from home		Annual update							

<b>Theme:</b>									
<b>KLOE:</b>									
<b>Date: 26 March 2021</b>									
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Title	Lead	Comments							
Update from IIC	IIC	Update from CICC							
Q3 Performance report									

<b>Theme: Feedback from CICC</b>		
<b>KLOE:</b>		
<b>Date: 30 April 2021</b>		
Title	Lead	Comments
Update from IIC, including - Feedback from CICC/CPP meeting in March (TBC)	IIC	Update from CICC
Regulation 44 annual update	Dawn Wilson	Annual update

<b>Items TBC</b>		
<b>TBC</b>		
Title	Lead	Comments

<b>Items to go by email</b>		
Title	Lead	Comments

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# Corporate parenting resource pack

# Foreword

Looking after and protecting children and young people is one of the most important jobs that councils do and when a child, for whatever reason, can't safely stay at home, it is up to us as the local authority to step in and give them the care, support and stability that they deserve. This isn't just up to the lead member or director of children's services – we need everyone looking out for our most vulnerable children and young people, and every councillor has a role to play in embedding the corporate parenting principles and doing all they can to support children in care to live meaningful and fulfilling lives. This pack aims to help them fulfil that role as effectively as possible.

Being a corporate parent means doing everything we can for every child in the council's care – and every care leaver – to give them the opportunities that other children get. This covers everything from keeping an eye on their progress at school, to looking after their health and wellbeing, to preparing them for life as independent adults – and supporting them when they get there. We need to be ambitious for the children in our care, encouraging them to dream big and take chances even if they don't feel like that's been an option in the past. We need to facilitate and empower our children in care to make a smooth and stable transition to adulthood and enable them to have a say in key decisions that affect their lives.

It's also about the smaller things that make life more fulfilling. It's about making sure children receive birthday cards, are rewarded when they do well (and supported when they don't), get to take part in the activities they enjoy and have new experiences. It's about making sure someone's on the end of a phone when a care leaver is having a hard day at work or university, or is there to help them navigate an application form. It's about doing the things you'd do for your own children.

The Children and Social Work Act 2017 defined for the first time in law the responsibility of corporate parents to ensure, as far as possible, secure, nurturing and positive experiences for looked-after children and young people, and care leavers. Councils across the country already do a fantastic job of this, and we've highlighted some examples in this pack. We'd be delighted to hear of any others to add to our online good practice database for others to learn from, to make sure every councillor has the tools they need to be a good corporate parent.

Many of the children who come into our care will face more challenges before they reach adulthood than any child should have to. It is our duty and our privilege to fight their corner and give them every opportunity to reach their potential.

**Councillor Judith Blake**

Chair, LGA Children and Young People Board

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# Corporate parenting

## An introduction

### What is a corporate parent?

The Children and Social Work Act 2017 says that when a child or young person comes into the care of the local authority, or is under 25 and was looked-after by the authority for at least 13 weeks after their 14th birthday, the authority becomes their corporate parent.

This means that they should:

- act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- encourage them to express their views, wishes and feelings, and take them into account
- make sure they have access to services
- make sure children and young people are safe, with stable home lives, relationships and education or work
- promote high aspirations and try to secure the best outcomes for them
- prepare them for adulthood and independent living.

As corporate parents, it's every councillor's responsibility to make sure that the council is meeting these duties towards children in care and care leavers. Children can be in care in a range of different settings, with the authority acting as corporate parent to all of them. This includes foster care, children's homes, secure children's homes, young offender institutions, secure training centres and kinship care.

Every councillor and officer within a council has a responsibility to act for those children and young people as a parent would for their own child.

Lead members, those on corporate parenting panels, and overview and scrutiny committees will have particular responsibilities, but for all councillors, this is where your role as the eyes and ears of the community is particularly important.

Are there youth services in your ward that provide a vital service for looked-after children, and if so, how are you supporting them? Is there a children's home or care leaver accommodation in your ward? If foster carers in your ward provide care for disabled children, do they need any help to improve accessibility of local services? What feedback are you getting from residents?

How are you helping to dispel myths and challenge any stigma and discrimination faced by children and young people in care and care leavers? It's important to remember the need to protect the privacy of these children and young people, so work with officers to find out how you can best provide support.

For both officers and councillors, being a corporate parent means that when any service is being reviewed that could impact upon looked-after children and care leavers, or when you're hearing feedback from, or reports about, children in the council's care, consider:

**“What if this were  
my child?”**

**What can we do to  
put this right?”**

Childhood is a time of huge potential and development. As corporate parents, all councillors will be committed to ensuring the fundamentals are in place for every child and young person in their care – just as any loving parent would. How does a child in care know that they are loved and they matter; who notices and encourages all the great things about them; and to whom can they turn when they are unhappy or want help to be heard? These are some starter questions for exploring how your council does its best for children in care and care leavers.

It is important to remember that, just as not all children are the same, looked-after children and care leavers are not one homogenous group. While it is true that some will have experienced trauma and disruption in their lives and need specialist support to cope with those experiences, others will have adjusted well to being in care and may be flourishing. Periods of stability can be followed by challenges, so councillors need to recognise the uniqueness of the children in their care, and make sure each child is getting what they need to thrive and be happy.

## Corporate parenting panel

As corporate parents, all councillors should seek to stay informed about children in the council's care, and care leavers. However, the establishment of a corporate parenting panel can provide a useful forum for regular, detailed discussion of issues, and a positive link with children in care councils and other forums. Members of the corporate parenting panel can also use their position to raise awareness of the role amongst colleagues, and provide support to the lead member for children's services.

It can be helpful to include senior officers on the panel, including from areas such as education, health and housing that have a significant impact on children in care and care leavers. In two-tier areas, consider how district council colleagues can be included.

The corporate parenting panel does not replace the duty of all councillors; members of all committees have a responsibility to consider how reports before them impact upon children in care and care leavers.

## Working with partners

Under the Children Act 2004, local authorities have a duty to promote cooperation between 'relevant partners', including the police, the NHS and education providers, while those partners have a duty to cooperate with the local authority in turn. Guidance on the Act highlights that corporate parenting is a 'task [that] must be shared by the whole local authority and partner agencies'.<sup>1</sup> Councils should consider how their partners can help them to deliver their corporate parenting role, especially in relation to the provision of services. The NHS has a responsibility to make sure looked-after children receive the physical and mental health support that they need, for example, while close working between schools and the virtual school head (VSH) can help to improve outcomes for children and young people in care.

## Information and data

The lead member for children's services and those on the corporate parenting panel should receive regular progress reports with regard to looked-after children and care leavers, while data will be available to all members through reports presented to Full Council and scrutiny committees.

Data will be able to provide an overview of medium-to-long-term trends, but statistics on their own are not enough. Make sure that data is presented with the necessary context and explanations – for example, if fewer children are going missing, is this the result of a positive intervention that should be continued? Or are there issues with reporting?

Also look for direction of travel, and comparisons with your statistical neighbours and national data to see where the council is performing well and what could be better.

However, as any parent will know, situations with children and young people change quickly, and statistics will not provide all the real-time data that you need. The corporate parenting panel should keep in close contact with the children in care council, independent reviewing officers (IROs), children's rights and advocacy services and the director of children's services (DCS) to make sure they're receiving up-to-date information and can respond quickly if needed.

## Listening to children and young people

Local authorities have wide-ranging duties to give due consideration to the wishes and feelings of children in care and care leavers. This applies to decisions and actions affecting children and young people as individuals, and to wider matters concerning children in care and care leavers. As corporate parents, all councillors should take an active interest in how well children in care and care leavers are listened to and how this is acted upon. Care experienced people of all ages have valuable, direct knowledge of how it feels to be in care, and what needs to change for the better.

## Safeguarding

Local authorities have a responsibility for safeguarding all children<sup>2</sup>, but there are certain risks that particularly affect children in care and care leavers that corporate parents need to be aware of.

Children in care are three times more likely to go missing than children not in care.<sup>3</sup> Processes must be in place to report missing children, take the appropriate action to find the child, and then to follow up with them when they are found to establish the underlying reasons for going missing.

Corporate parents should be monitoring instances of children going missing, and how regularly independent return interviews are taking place (including for children placed out of area), as well as any emerging themes. The local authority should also collaborate and share information and intelligence with other countries if a child in care goes missing and is thought to have travelled abroad.

Child victims of modern slavery are particularly vulnerable, with nearly two thirds of trafficked children in local authority care going missing at some point; some within just one week.<sup>4</sup> Councils need to make sure a strong multi-agency approach is in place to protect victims from further risk from their traffickers and preventing trafficking from taking place. In particular, there should be a clear understanding between the local authority and the police of roles in planning for this protection and responding if a trafficked child goes missing. Council representatives on local multi-agency safeguarding partnerships should make sure there is oversight of those arrangements, and monitor how well they are being implemented and reviewed.

Children in care are also disproportionately likely to be at risk of child sexual exploitation (CSE) than those in the general population, though it is important to remember that the vast majority of CSE victims are living at home. While those issues that led young people to need local authority care in the first place may increase their vulnerability to CSE, the experience of care itself can also be significant, especially if the child's placement lacks stability. Those at risk of CSE will need to have clear plans in place to protect them, and all social workers and partners should know how to spot signs of risk and deal with them appropriately.

There is also a growing threat of county lines and child criminal exploitation that children in care may be susceptible to due to increased levels of vulnerability.

In addition to ensuring plans are in place to safeguard young people, local authorities are encouraged through a national protocol<sup>5</sup> to work in partnership and have effective mechanisms in place to support children in care and care leavers from being unnecessarily criminalised.

There is also a high proportion of children in care within the youth justice system, either at young offender institutions, training centres or secure children's homes. Local authorities are responsible for children in custody who are the subject of care orders, and all remanded children automatically attain looked-after status. Councils should therefore have systems and processes in place to support this group of young people who may be going through a challenging time.

## Sufficiency

The council has a duty<sup>6</sup> to ensure, as far as is reasonably possible, sufficient accommodation is available locally to meet the needs of looked-after children and care leavers. This can be directly provided, or commissioned provision. Councils should regularly review their position on this, and report on how they intend to meet the sufficiency duty. This will be a valuable source of information for corporate parents.

## Foreign national children in care

As corporate parents, it can be useful for local authorities to be aware of how many children in care are foreign nationals and whether social workers have access to appropriate support and training to enable them to provide appropriate support to this group of children in care.

## Sources of information

### Children in Care Council and other feedback mechanisms

There should be mechanisms in place to hear from children in care, with this information being reported regularly to the corporate parenting panel. There may also be an annual report submitted to Full Council. The format for reporting should be discussed with children and young people; some may wish to meet with councillors to discuss issues face-to-face, some may prefer to use mediators, and others may prefer online methods.

This feedback can provide rich information to act upon to make sure children in care and care leavers are getting what they need – from concerns about how they're kept informed about their placements, to how often they can see any siblings they aren't placed with, right down to whether they're happy with their pocket money.

### Independent reviewing officer annual report

Amongst other duties, IROs are responsible for making sure that the local authority, as a corporate parent, gives proper consideration and weight to children's wishes and feelings in their care plans, and that it genuinely responds to a child's needs.

The IRO manager should produce an annual report for the consideration of the corporate parenting panel, which should include areas of good practice, and areas for development. It should include commentary on issues including the participation of children and their parents, and whether any resource issues are putting the delivery of a good service to all looked-after children at risk.

### Joint Health and Wellbeing Strategy

Joint health and wellbeing strategies (JHWSs) are developed by local leaders to enable the planning and commissioning of integrated services that meet the needs of their whole local community. They particularly work to reduce health inequalities and support the needs of vulnerable groups and individuals; the Joint Strategic Needs Assessment

underpinning the JHWS should include specific consideration of children in care and care leavers. The strategy (or associated delivery plan) will include targets, actions and who is responsible for implementing those actions.

The JHWS will be agreed by the health and wellbeing board, which should also monitor its implementation. Board meetings should be public, as should the JHWS, reports and meeting minutes.

### **Performance reports**

Reports should be published regularly updating on key indicators in relation to children in care, including direction of travel. These indicators are part of a nationally collected dataset reported to government, and include information on placement stability, outcomes for children in care and adoption. Your authority may also report on other indicators according to local priorities.

Key priorities to consider include:

- placement stability
- health data
- educational attainment
- proportion of care leavers in education, employment or training
- children in care being placed out of area or at a distance including overseas placements
- proportion of care leavers that the council has regular contact with
- availability of suitable housing for care leavers.

Further information on these points is included throughout this pack.

Performance reports should be publicly available and should also be presented to a locally agreed committee – for example the corporate parenting panel, the relevant scrutiny committee or cabinet.

### **Feedback from foster parents**

Most children who are in care live with foster parents, and the quality and experience of those foster parents is key to delivering good outcomes for children. Each council will have different ways of gathering feedback from foster parents, including surveys and focus groups, along with different ways of reporting that feedback. The corporate parenting panel should receive updates on foster parent feedback, and this should be used to help inform support for foster parents, and to improve recruitment and retention.

The panel may also wish to consider ongoing input from foster carers by co-opting representatives onto the panel, or having regular meetings with carers to hear about experiences and receive feedback.

### **Stability Index**

Stability for children in care, where they are in an appropriate placement that meets their needs, is an important element in helping them to secure positive outcomes. To help support improved placement stability, the Children's Commissioner has developed a Stability Index to measures three aspects of children's experiences of care – placement moves, school moves, and changes in social worker.

# Updates to legislation and practice

## National Quality Standards for children's homes

The Children's Homes (England) Regulations 2015 set out nine Quality Standards which outline the aspirational and positive outcomes that all children's homes are expected to deliver.

These quality standards are:

- quality and purpose of care
- children's views, wishes and feelings
- education
- enjoyment and achievement
- health and wellbeing
- positive relationships
- protection of children
- leadership and management
- care planning.

Further information on each standard is outlined in the Department for Education's (DfE) 'Guide to the Children's Homes Regulations'.

## New rules for out of area placements

Statutory guidance<sup>7</sup> has strengthened the responsibilities of local authorities to notify other local authorities if they place a looked-after child within their area. Children's homes are also now required to notify their host local authority when a child is placed with them by another authority.

An 'out of area' placement is classified as one outside of the council's geographical boundary, but within an authority that it shares a boundary with. If a child is placed in an authority that doesn't share a geographical boundary with the placing authority, that is classed as an 'at a distance' placement.

A responsible officer should be formally appointed by the DCS to approve out of area placements; this will often be an assistant director. All at a distance placements must be signed off by the DCS. This does not apply where the placement is with the parent, a connected person or a foster carer approved by the responsible authority.

The child's IRO should always be consulted prior to an out of area placement being made, and the wishes of the child should be taken into account. The host authority should also be consulted in advance in the case of out of area and distant placements, and notified when the placement is made.

## Staying put and staying close

'Staying put' is an arrangement that allows a looked-after child to continue to live with their foster carer after their 18th birthday, when they cease to be 'looked-after' by the local authority. This can take place where the council considers it appropriate, and both the young person and the carer want to enter a staying put arrangement.

A 'staying put' duty was introduced in the Children and Families Act 2014, which requires councils to monitor arrangements and provide advice and support (including

financial) to the foster parent and young person to facilitate the arrangement until the young person reaches 21. Guidance material has been produced (see references and further information).

A number of councils are trialling approaches to 'staying close' – a variant of staying put for young people leaving residential care – using funding from the DfE's Innovation Programme to enable care leavers to maintain links with their former children's home.

## Sir Martin Narey's Independent Review of Residential Care

Sir Martin Narey was commissioned by the Prime Minister in 2015 to carry out an independent review of children's residential care.

The final report was published in July 2016 and contained 34 recommendations. These included ways to improve commissioning of places in children's homes, and to encourage development of the right sort of provision where it is needed.

Sir Martin also recommended a review of fostering provision, and the need for sharing of best practice across a range of areas.

Several areas of national policy were also singled out as needing review, including guidance around planning, the use of restraint, and the recording of criminal offences to avoid the unnecessary criminalisation of children in care. Changes to Ofsted inspections of children's homes and guidance were also recommended.

Finally, Sir Martin highlighted ways to improve staffing, including making sure social work students spent part of their placement within a children's home to make sure new staff are getting experience across the sector.

## Independent review of foster care in England<sup>8</sup>

The DfE commissioned Sir Martin Narey and Mark Owens to look at the current state of foster care and how to improve the prospects of children in care. As part of the review there was a public call for evidence for a wide range of stakeholders to contribute. The review made 36 recommendations about how to improve outcomes for children in foster care including:

- ensuring that foster carers are supported and included in decision-making
- improving foster placement commissioning and matching
- greater stability and permanence for children and young people in foster care.

The Government published its response to the report in July 2018.<sup>9</sup> This outlined the actions the Government intended to take to improve practice and the experience of children in foster care, including amending guidance and developing new tools and resources to support better commissioning.

## Care Leaver Strategy 2016

The Government published a new Care Leaver Strategy in July 2016, entitled 'Keep on caring: Supporting young people from care to independence'.

The strategy strengthens the role of the corporate parent, paving the way for the provisions in the Children and Social Work Act 2017.

## Statutory guidance: Children who go missing from care

Statutory guidance was issued in January 2014 on children who run away or go missing from home or care.

The guidance highlights the need for a children's services authority to name a senior children's service manager as responsible for monitoring policies and performance relating to children who go missing from home or care. The responsible manager should understand the risks and issues facing missing children and review best practice in dealing with the issue.

Councils should agree a protocol, with the police and other partners, for dealing with children who run away or go missing in their area. Protocols should be agreed and reviewed regularly with all agencies and be scrutinised by local multi-agency safeguarding arrangements. Where appropriate, agreed protocols should also be in place with neighbouring authorities.

## Statutory guidance: Promoting the education of looked-after children and previously looked after children

The Children and Families Act 2014 places a duty on every children's services authority in England to appoint a virtual school head (VSH) – an officer employed to make sure that the council's duty to promote the educational achievement of its looked-after children is properly discharged. The VSH should also be an educational advocate for children in care and provide advice and guidance to support parents of previously looked after children.

This statutory guidance, issued in 2014 and updated in 2018, highlights that as corporate parents, councils should have high aspirations for the children they look after. The guidance outlines the ways in which authorities should work to close the attainment and progress gap between looked-after children and their peers, and to make sure that looked-after children have access to high quality education, including appropriate support for any special educational needs and disabilities (SEND). The Children and Social Work Act 2017 extended the role of the VSH to previously looked-after children. For these children, the VSH should promote their educational achievement through the provision of information and advice to their parents, educators and others who the VSH considers necessary.

## Statutory guidance: Health and wellbeing

Joint guidance from the DfE and Department of Health was issued to councils and clinical commissioning groups (CCGs) in 2015 to support them to promote the physical, emotional and mental health of children in care.<sup>10</sup> It emphasises that children in care should be proactively considered in the joint strategic needs assessment and when commissioning health services and advocates that children in care should never be refused a health-related service, including a mental health service, on the grounds of a placement being short-term or unplanned. CCGs and health authorities have a duty to respond to requests by councils to carry out health assessments for children in their care.

## Statutory guidance: Special guardianship

Guidance was issued in January 2017 on special guardianship, outlining the issues local authorities should take into account when preparing reports for the court to apply for special guardianship orders. This includes information about the child's needs, and more detailed assessments of the child's relationship with, and the parenting capacity of, the prospective special guardian, both now and longer-term.

## Children and Social Work Act 2017

The Children and Social Work Act 2017 defines, for the first time in law, the role of corporate parents, in addition to expanding and extending support for care leavers, for example through the publication of a 'local offer for care leavers' and making personal advisers available for care leavers up to the age of 25.

The Act also signalled the introduction of a set of corporate parenting principles to support councils to adopt a positive culture for their children in care and care leavers.<sup>11</sup>

The Act sets out revised arrangements for local multi-agency safeguarding partnerships to replace local safeguarding children boards (LSCBs). Under the new provisions, the local authority, CCG and the police have a shared responsibility to make arrangements for themselves and 'relevant agencies' to work together to safeguard and promote the welfare of children in the area. These statutory partners should make sure that all appropriate agencies are involved meaningfully in the partnership, and in particular should look at the engagement of schools, including academies and free schools, which have a key role to play in safeguarding children and young people.

## Non-statutory guidance:

## Foreign-national children and working with authorities overseas

The DfE has published non-statutory guidance for cases where a foreign-national child is taken into care, and when a local authority places a child in another country. The guidance emphasises the importance of notifying a country's consulate in the UK when a child who is a national of that country is taken into care (unless doing so would put the child at risk), and to seek permission from and notify the authorities of the other country when a child is placed abroad.

## National protocol to reduce the unnecessary criminalisation of looked after children and care leavers

This protocol encourages councils to work with partner agencies to avoid the unnecessary criminalisation of children in care and care leavers through, for example, the use of restorative approaches, better understanding of the potential causes of offending and positive parenting in care.<sup>12</sup> The protocol covers all children in care, in all types of placement.

# Key lines of enquiry for all councillors

## What are the characteristics of our cohort of children in care and care leavers?

Understanding the characteristics of children and young people is the first step to making sure that councils are able to act in their interests. The Children in Care team will have information on the children in the council's care, including:

- age and length of time in care
- where children are currently living
- number of children in foster care, children's homes or other settings (including residential schools, hospitals and custodial institutions)
- number of children awaiting adoption
- number of unaccompanied asylum-seeking children
- placement stability
- accommodation and employment information about care leavers
- education information
- foreign national children in care.

The corporate parenting panel and children's scrutiny committee should also receive information about social worker caseloads, to make sure that these are manageable and social workers are able to dedicate sufficient time to children, regardless of their needs.

Find out how this information compares to that of other councils in your statistical group, and to the national picture, and look at direction of travel to help spot trends and areas of concern.

Everyone with a local authority email address has access to LG Inform<sup>13</sup>, which provides a rich source of data for use by councils.

## Do all of our councillors and officers know about their corporate parenting responsibilities?

Every councillor should ideally have training on their corporate parenting role when first elected. It is every councillor's responsibility to consider how new plans and policies might affect children in care, and to ask questions to ensure that those children are getting the best care, support and protection.

There are certain departments within a council that this will be particularly important for, such as education, housing, leisure and skills, but every part of the council needs to consider how its work impacts on children in care and care leavers. Look at how business plans and reports are structured – are officers proactively considering the needs of children in the council's care, or could this be improved? How are the corporate parenting principles being applied?

Consider ways of raising awareness about the corporate parenting role, for example inviting all councillors to any celebration events, or inviting the children in care council to give feedback at Full Council or relevant committee meetings.

## Do our partner agencies understand their role in supporting us as corporate parents?

The council has a duty, under Section 10 of the Children Act 2004, to promote cooperation between local partners to improve the wellbeing of young people in the area. This includes:

- physical and mental health and emotional wellbeing
- protection from harm and neglect
- education, training and recreation
- the contribution made by young people to society
- social and economic wellbeing.

Relevant partners include the police, probation services, the NHS, schools and further education providers.

The participation of partners in work to promote the wellbeing of all children and young people is vital, and it's important that they understand the specific needs of children in care so that this can be taken account of in their plans. For example, children in care are more likely to need support with their mental health, so colleagues in the NHS will need to consider this, while close working with the police to protect children who are at risk of going missing or being exposed to child exploitation is essential. The phrase 'it takes a village to raise a child' is pertinent here; the council alone cannot provide all the support that a child in care needs, and all local services have a responsibility to keep children safe and well.

Consider how existing partnership forums, such as local safeguarding partnerships, health and wellbeing boards and crime and disorder partnerships, are taking into account the needs of children in care in their plans, and consider whether other partners might wish to support your ambitions for children in care.

For example, local businesses might consider offering apprenticeships to children in care, or leisure facilities might be able to offer discounts or free memberships.

## How are we giving children and young people the chance to express their views, wishes and feelings? How do we know those are being acted on?

The UN Convention on the Rights of the Child and the Children Act 1989 state that every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. Children should be involved in developing their care plans, and provided with advocates to help them do this wherever necessary. It might be useful to also consider information about how the rights of children in care are positively promoted and upheld.

Likewise, care leavers need to be integral to the development of their pathway plans. Social workers make the necessary arrangements for this to happen, and IROs should ensure children and young people are listened to, and their views taken seriously. IROs should provide feedback on how well this is happening.

What arrangements are in place for children to have access to independent advocates and how many take this up? How are concerns raised through this service reported?

Most councils have established children in care councils, comprising any looked-after children and care leavers who want to take part (though some councils hold a separate care leavers' forum, depending on what young people ask for); for councils that haven't done so, it is worth considering this or an alternative method of feedback that's appropriate for looked-after children in the area.

They should be able to set the agenda so that they can talk about what matters to them, and they should also decide how they would like to engage with the corporate parenting panel – whether that's through joint meetings, feeding back via a mediator, or something else.

Don't forget, however, that not all children will want to take part in group forums – there should be mechanisms set up to allow all children and young people to express their views in a way that they're comfortable with.

Also consider how to engage with children with special educational needs and disabilities, or those who may face cultural or language barriers to engaging in feedback processes. In some cases, there may be safeguarding concerns about children with particularly complex needs being asked to take part in certain ways of giving feedback – there should be sensitive discussions between the children's carers, advocates, the complex needs team, social workers and any other relevant professionals to find the best ways of engaging these children, who should still have the opportunity to say how they feel about their care.

Very young children may also find it harder to explain their wishes and feelings, and there will inevitably be children and young people who actively disengage from review meetings or feedback forums. Consider also those children placed out of area and at a distance. All looked-after children and care leavers have a right to be heard, and support must be put in place to give them that opportunity.

Review how feedback from children in care and care leavers is fed back to the whole council so that it can be factored into all relevant decisions – from housing and employment to education and public health.

Regardless of how feedback is collected, make sure that all children and young people (not just those who attend forums or participated in the feedback exercise) find out what has been done as a result of that feedback – show the young people that their voices are being heard, and changes are being made as a result.

## How do we show children in our care that we have high aspirations for them?

Councils should be ambitious for every child in their care, working with and encouraging them to achieve their full potential, from overcoming early instability or trauma to progressing well in education, learning and training, to pursuing hobbies and developing their talents, depending on what's most appropriate for the individual child.

It's important to recognise that children in care are likely to have had very different experiences to their peers, therefore they might be at very different stages at school to other children of the same age. Additionally, in 2018, 55.5 per cent of children in care had a special educational need, compared to 14.6 per cent of all children.<sup>14</sup> Providing the appropriate support can help children begin to overcome earlier trauma and disadvantage, and research shows that children in care achieve better educational outcomes than children in need who stay at home, thanks to the protective factor of that care.<sup>15</sup> The VSH will keep the council updated with how looked-after children are progressing in school, what support is provided to those with learning difficulties, and what action is being taken to help them reach their potential.

Children and young people thrive on recognition and reward, and it's important to make sure that children in care receive this in the same way children in the rest of the population do. Award ceremonies, money for carers to take children for a celebration of a sports win, or a congratulations card from the lead member for a good school report or a special birthday will all help to reassure children that their efforts are recognised, supported and cared about.

As young people approach leaving care, they should be getting support from their social worker and a personal adviser to consider their future options. The VSH can make sure that young people are encouraged to think broadly and ambitiously about their options, and how to get there.

## Are we providing stable environments for children in our care?

Stability for children and young people is linked to improved mental health and educational attainment.<sup>16</sup> It also helps children to develop relationships, feel more secure and wanted, and build a sense of belonging.

That said, clearly statistics alone cannot be taken on face value. A child or young person should not stay in an unsuitable placement, while a change of social worker to one with a smaller caseload may ultimately be positive for the child – provided this is well managed.

Analysis by the Office of the Children's Commissioner found that one in ten children in care had two or more placement moves in 2017/18. The analysis also found that just over one in ten children in care had experienced a mid-year school move in the previous year, while, 27 per cent experienced two or more changes in social worker over the same time period.<sup>17</sup>

It's important that the council understands the reasons for any instability experienced by children, and takes action to limit this where it is not in their best interests, while recognising that some moves may be unavoidable.

## What are we doing to look after the health and wellbeing of children in our care?

The Joint Strategic Needs Assessment should include consideration of the needs of children in care and care leavers<sup>18</sup>, with an accompanying Joint Health and Wellbeing Strategy (JHWS) in place to meet those needs and minimise inequalities. The health and wellbeing board is responsible for monitoring the implementation of the JHWS. Particular issues to look out for include:

- mental health services – children in care are four times more likely to have a mental health difficulty than children in the general population<sup>19</sup>
- sexual health and family planning services – a quarter of young women leaving care are pregnant, and nearly half become pregnant within two years<sup>20</sup>
- drug and alcohol prevention services – a third of young people leaving care report problems with drugs or alcohol within a year.<sup>21</sup>

Do children and young people have good access to services to support with these, and other issues? How long do they need to wait for support?

It's important to remember that while many children in care will be happy and well-adjusted, some will have experienced significant trauma, others will have lived unstable home lives, and some may lack good support networks. It's the responsibility of councils, as corporate parents, to work hard to tackle those issues and support the children in their care as they work to overcome difficulties that most children in the general population might never have to deal with.

As corporate parents, councillors will want to challenge any stigma and discrimination faced by children in care and care leavers, and to avoid perpetuating negative stereotypes. It is important that councillors

believe in children and young people in care and care leavers, and fight their corner.

If a child has experienced one or more placement moves, check whether health records are being passed between carers so that things like regular dental check-ups and standard vaccinations aren't being missed. Looked-after children should receive an annual health assessment (every six months for under-fives)<sup>22</sup>, but make sure these are being carried out in a child-friendly way – some children find these intrusive and feel they are unnecessary, so make sure they understand why they are taking place and that they know their right to opt out. Pass on feedback about assessments to the CCG, which carries them out, and check whether this is being acted on.

Consider also issues like access to sports facilities and music lessons or other activities outside of school, which will contribute to a child's wellbeing and sense of belonging. What happens to these if a child changes placement? Are care leavers helped to keep accessing activities to support their wellbeing? And what is the local offer for care leavers?

A significant issue for looked-after children and care leavers is having a support network. If they aren't able to rely on family, and if they've experienced multiple placement or school moves, they might not have had a chance to build up a network of their own. Look at what's being done to help them develop relationships that will support them both now and when they leave care, and see what help is available locally – are there volunteer mentors or support groups, for example? All looked-after children should be offered the chance to have an independent visitor – a volunteer to befriend and support them consistently, providing a relationship with an adult who isn't their carer or social worker.

Having stable placements and social workers will also help children to feel more secure and help them learn to develop positive relationships.

It is important to respect the diversity and individual needs of children in care and care leavers, and to make sure that those needs are responded to appropriately. This includes catering for the cultural and religious needs of children, and support for children's emotional wellbeing including, for example, issues around gender identity and sexuality.

## What are we doing to ensure that our children in care are not unnecessarily criminalised?

With the growth of child criminal exploitation and county lines, it is important that as corporate parents, councils are doing all that they can to prevent children in care from being coerced into criminal activity.

Children in care who have been in the care system for more than 12 months are five times more likely to offend than other children.<sup>23</sup> It is important to find out the proportion of children looked after by your authority that are involved in the youth justice system, and find out how this has been changing over time. Are things improving, or is there more work to be done? Have the types of offence changed, or the profile of young people involved? What arrangements are in place to support children in care to engage with restorative activities?

Research has also found children in care living in children's homes are being criminalised at excessively high rates compared to all other groups of children, including those in other types of care.<sup>24</sup> As a result children's homes and police are having to work closely to ensure incidents are dealt with more proportionally.

The council's corporate parenting panel should monitor the proportion of those in children's homes who are involved with the youth justice system, find out what arrangements are already in place to manage incidents in children's homes, and work with and support officers to find out if improvements can be made.

More information can be found in our 'Youth justice' resource pack for councillors.

## What are outcomes like for our care leavers?

As a corporate parent, it's up to you to make sure that care leavers are getting the support they need to lead successful lives.

Care leavers can face a wide variety of challenges and, depending on their individual needs, they might need the support of their personal adviser and social worker to overcome their own hurdles to progress – and they need to know that support is there as they make the transition from a looked-after child to independent living.

Each young person's pathway plan should consider their options for when they've left school, whether they want to go on to further study or straight into the world of work. Work should start on this plan well in advance of a young person leaving care.

For those aiming for university and further education, children in care should be getting support at school to help them get achieve the best results they're capable of, and the VSH will know what interventions are working best or could be expanded. It's also important to look at pathway plans to see how children are reassured about university – it's a scary prospect for most young people, so care leavers need to know how they'll manage their finances, and where they can go during the long university holidays.

For those that don't go on to university, how many are not in education, employment or training – and what is the council doing to improve that?

Are the statistics getting better or worse? Find out how care leavers factor into your authority's recruitment, skills and economic development strategies, including access to apprenticeships and work experience.

The availability of suitable housing is a key issue for care leavers, as is preparation for moving on to independent living. Care leavers should not be placed in bed and breakfast accommodation, and the type of housing that they will move into after leaving care should be included in the pathway plan. Some young people will need more support than others as they move towards independence, while all will need to know that there are fall-back options if things don't work out.

For more information on support and outcomes for care leavers, please see our 'Support for care leavers' resource pack.

## How many children are we placing in out of area placements and why?

Every children's services council has a 'sufficiency duty', which states that it must take steps to secure, as far as possible, sufficient accommodation within its area to meet the needs of children that it is looking after. But there is no one-size-fits-all approach to meeting the needs of individual children, and there are often very good reasons why some children are placed outside their home authority. This could be for their own safety, to break gang affiliation, to place them near other family members or to access specialist services.

If your council is placing a higher proportion of children out of area than its statistical neighbours, or than it was two years ago, for example, it is important to ask why. Is this because the children need very specialist placements that can only be found elsewhere, or because there are not enough placements locally? If the latter, what is being done to improve this?

If children are moved out of area, this may mean moving them away from their school, their friends and family, and the area they're familiar with – it's important that if that happens, it's for the right reasons and that appropriate support is provided to help the young person manage that transition.

## How are we planning for the future and commissioning services?

If a council has too many children and young people being placed out of area inappropriately or in accommodation that doesn't suit their needs, it will need to revisit its sufficiency strategy and revise plans and commissioning to address this. The council will need a strong understanding of what its needs are now and into the future, which it can identify by looking at the data and feedback available, and analysing local and national trends. Councils can then use this information to better manage the local market, whether through recruiting and training more foster carers; evaluating the use of in-house and external provision; and considering the balance of children's home places or foster care with high levels of support for children with complex needs.

Consider also the way in which services for looked-after children are commissioned; are services better commissioned at a local (how local?) or regional level? Would children and young people's outcomes be improved if resources were pooled with partners for specific outcomes, such as early intervention or wellbeing? Are young people involved at any point in commissioning processes, to make sure that services meet their needs?

If in-house provision is an issue, feedback from foster carers – both those that are still working for your authority, and those that have either stopped fostering or moved to an independent fostering agency (IFA) – will be important to find out whether things need to be improved to increase the number of in-house carers.

## How well do we support our foster carers?

It's vital that foster carers feel well supported so that they feel able to provide the best possible care to children and young people, and to encourage them to foster for as long as they are able.

The Fostering Network's State of the Nation Report 2019 identified the following three issues that foster carers would choose to change to improve their ability to care for children:

- recognised and valued as experts who best know the children they care for
- empowered to make day to day decisions for the child they are caring for
- better financial support.

These issues highlight the importance of making sure that foster carers are listened to and have access to the right kind of support when they need it. For example, how are foster carers involved in care plan reviews? Do all in-house carers have up-to-date training plans? Is there good support available if there's a problem in the middle of the night? How much freedom are carers given to make decisions for their foster children?

It's important to remember that a foster carers' role is to provide a loving, caring home for a child, rather than to be a council employee; being treated as professionals is about their being valued, respected members of the team whose knowledge and understanding of the child is given appropriate weight in all decisions.

It's also essential that wherever possible, foster carers are kept fully informed about children coming into and leaving their care, and up-to-date with planned changes. This allows them to provide the right support and ease transitions for their foster children.

Financial support can be an issue for any carer, but in particular there may be concerns around carers with young people in staying put arrangements. While they still receive fees and allowances, these are lower than for fostering placements, which can be problematic where fostering is a major source of income for the family, and may make it difficult for families to continue supporting a young person.

Your best source of information about whether your foster carers feel adequately supported is from foster carers themselves; feedback should be considered by the corporate parenting panel, who can then make recommendations for improvements.

# Local case studies

## Hampshire County Council

Being a good corporate parent means getting involved, asking questions and making sure the voices of children and young people are being heard.

When the children's residential service was under review in Hampshire, the Lead Member for Children's Services took the opportunity to find out exactly what children wanted and needed, and to make sure their voices were at the centre of any new proposals. This included visiting existing homes – owned both by the council and other sectors – to find out about the experiences of the children living there, and to see what they thought made a 'homely environment'.

At the same time, work was underway to implement the evidence-based Pillars of Parenting model, an approach to move from 'looking after' children to 'caring for' them, and providing strong support for staff including access to an educational psychologist.

Children were involved in board meetings as the new care model was put in place, ensuring that they could flag up any issues with the model and let officers and councillors know how they felt about the changes.

In one small children's home using the Pillars of Parenting model, stability for the children living there was found to be better, involvement in crime was reduced, and engagement in education was good. The improved outcomes for children as a result of the new care model and the small, well-located home provided a good evidence-base to support what young people were saying.

The Lead Member took those views and the evidence directly back to his fellow elected members, emphasising the benefits the council could realise – both in terms of outcomes for children in care, and financially thanks to those long-term outcomes – by selling old, larger children's homes with poor community links to support new homes more suited to caring for children. As a result, he was able to successfully bid for considerable investment from the council to provide six new homes.

The Lead Member has continued to champion children's views as the process has continued, attending workshops where children contributed to the design of the new homes, and regularly visiting the homes during the build process to make sure they met the varied needs of the children he'd been speaking to. He has also worked with officers on keeping his fellow corporate parents engaged, with many visiting children's homes, and some even taking their dogs along to meet the children – a great ice breaker.

For more information, please contact:  
[cathi.hadley@hants.gov.uk](mailto:cathi.hadley@hants.gov.uk)

# Gloucestershire County Council

Gloucestershire aims to put the voice of children and young people at the heart of its approach to corporate parenting, with children in care, young people with experience of children's services and corporate parents working together on everything from strategic planning and service delivery to training and consultation.

One of the key ways that Gloucestershire is working to incorporate the voice of children and young people is through their Ambassadors for Vulnerable Children and Young People, which was highlighted as a strength in an otherwise difficult Ofsted inspection for the authority. These young people, aged 16-25, all have experience of children's social care – whether through being in care, experiencing early help, or receiving support for a disability, for example – and play a central role in developing the council's services. They also act as a link between children and young people and the rest of the council, making sure those voices are heard.

As Participation Manager Della Keith highlights, "Ambassadors help us to keep our focus on, and communicate effectively with, children and young people; they challenge us, work with us, and often identify areas of our work that might be neglected. Most importantly, they've changed our attitudes, understanding and awareness of the issues that are important to children and young people".

Ambassadors are recruited two to three times a year, with 15 currently in post, and are paid for their time and expenses whenever they attend meetings or events. They attend the Children in Care Council so that they can feed back to the Corporate Parenting Group, which they are co-opted onto, and have led consultation with looked-after children to help improve everything from the activities children do with their social workers, to issues around contact with family; their own experiences make them ideally placed to

help communicate the needs and wants of children back to corporate parents.

They have also been part of task groups to improve the quality of care plans, improve questions on fostering panels, and to secure a pilot of personal budgets for children in care who need mental health support. The early involvement of young people in the latter was instrumental in gaining the support of NHS England for the pilot, highlighting the way in which the council places the voice of young people at the heart of their work for looked-after children.

The council has involved the ambassadors in the design of information for young people, which has been highly successful, for example leading to more young people attending fostering panels as they now understand better what goes on, and improving the use of the 'Mind of my Own' app so that children in care can get help with things they are worried about more easily.

All councillors are invited to receive training from the ambassadors about the role of members as corporate parents, and to give them an increased awareness of children's lived experience of their journey into and through care. The Ambassadors have also helped the Children in Care Council to host meetings with councillors, which have had excellent feedback from the children, who feel listened to, and the councillors, whose understanding of being a child in care has improved significantly.

For more information, please contact:  
[della.keith@gloucestershire.gov.uk](mailto:della.keith@gloucestershire.gov.uk)

## London Borough of Lambeth

Any good parent will know that the needs of their children always come first – and Lambeth Council is committed to putting that philosophy into practice with all the children for whom it is a corporate parent.

Where children are placed in residential care, the council works hard to develop and maintain strong partnerships with those providers to make sure that the children's individual needs and wants are properly taken care of.

In the case of 14-year-old Amy, this has meant support to feel stable in her children's home, and honouring her wish to stay in that home with those she describes as 'family', rather than transferring into foster care. The council and the children's home have worked together to find ways to help her develop her confidence and self-esteem, including providing piano lessons to nurture her passion for music.

Amy is now considering whether she wants to move on to foster care as she gets older, so both the children's home and the council are starting to plan with her. Most importantly, they are working at a pace that suits her, rather than trying to rush her, making sure that her voice is at the forefront of any decision – as any parent knows, children and young people need support and encouragement to work through big decisions, to make sure that they can come to the right decision long-term.

The relationship between the council and the provider is a vital one – much like the relationship between two parents. Trust, mutual respect and good communication mean that both parties can concentrate on working towards the same outcome – a successful and positive care experience for all children being looked-after.

For more information, please contact:  
[communications@lambeth.gov.uk](mailto:communications@lambeth.gov.uk)

## Trafford Metropolitan Borough Council

When a young person presents as homeless to a local authority, and they have not been in care before their 16th birthday, the authority's responsibilities in law are very limited, requiring only advice and assistance. In Trafford, the Corporate Parenting Board and officers felt that, despite not being corporate parents in such cases in legislative terms, they still had a responsibility to these vulnerable young people, who were homeless and in need of trusted professional support; doing the bare minimum was not good enough. They agreed to provide these young people with a full leaving care service, with support from a personal adviser, a pathway plan, safe and appropriate accommodation, support to live independently and help to engage in education, employment and training. The leaving care grant could also be awarded in certain circumstances. Ofsted was very supportive of the approach, which is an example of how councillors and officers can and do still step in to help young people – even where they don't have to, and where it isn't easy, just as other good parents would.

For more information, please contact:  
[aftercare@trafford.gov.uk](mailto:aftercare@trafford.gov.uk)

# Key resources and further reading

Centre for Public Scrutiny, Safeguarding children: A practical guide for overview and scrutiny councillors, June 2016

Department for Education, Children Act 1989 statutory guidance: Care planning, placement and case review, March 2010 (updated July 2015)

Department for Education, Statutory guidance on children who run away or go missing from home or care, January 2014

Department for Education, Promoting the education of looked after children and previously looked after children: Statutory guidance for local authorities, February 2018

Department of Education, Promoting the health and wellbeing of looked after children, March 2015

Department for Education, Applying corporate parenting principles to looked after children and care leavers, February 2018

Department for Education, Guide to the children's homes regulations including the quality standards, April 2015

Department of Education, Home Office, Ministry of Justice, National protocol on reducing the criminalisation of looked after children and care leavers, November 2018

Department for Education, Working with foreign authorities: Child protection cases and care orders, July 2014

Department for Education, Special Guardianship Guidance, January 2017

Fostering Network, Staying Put: Guidance for children and young people services, fostering services and leaving care services, September 2017

HM Government, Keep On Caring: Supporting young people from care to Independence, July 2016

Local Government Association, Youth justice resource pack, April 2018  
[www.local.gov.uk/youth-justice-resource-pack](http://www.local.gov.uk/youth-justice-resource-pack)

TACT, Language that cares, March 2019  
[www.tactcare.org.uk/content/uploads/2019/03/TACT-Language-that-cares-2019\\_online.pdf](http://www.tactcare.org.uk/content/uploads/2019/03/TACT-Language-that-cares-2019_online.pdf)

# Glossary of useful terms

Advocacy	An advocate's role is to make sure that the child's views and experiences are considered when decisions are made about their future. Every child has the right to be supported by an advocate and councils must have a system in place to provide written, age appropriate information to each looked-after child about advocates and how to request one.
Child and adolescent mental health services (CAMHS)	Services that work with children and young people experiencing emotional, behavioural or mental health difficulties.
Care order	A court order approving the case for a child to be taken into care.
Care plan	A care plan should be developed for every child and young person when they come into care. This should identify how the child will be accommodated, how long it is anticipated that the care order will last, and formulate planned outcomes for the child with associated actions. The plan should be reviewed at least every six months.
Clinical commissioning group (CCG)	These commission most hospital and community NHS services in their area, including mental health and learning disability services.
Child sexual exploitation (CSE)	Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.
County lines	A term used when drug gangs from big cities expand their operation to smaller towns and exploiting children and young people to sell drugs.
Children's home	A residential facility where groups of children are cared for by qualified workers.
Former relevant child	A care leaver aged 18-21 who was a relevant child or was in care until the age of 18. Young people who are still getting help with education or training remain 'former relevant' until their training has finished.

Foster care	Foster care is a way for children to be cared for within a family setting when their own family is unable to care for them. It is considered temporary in that there is no legal split from the family (as with adoption), but can be long term where this is in the best interests of the child.
Independent fostering agency (IFA)	IFAs provide fostering services to local authorities. They recruit, train and support their own foster carers who the council can then place a child with on payment of a fee. IFAs can be charities, not-for-profit or profit-making.
Independent reviewing officer (IRO)	An IRO chairs a looked-after child's review(s) and monitors the child's case on an ongoing basis. They ensure that the care plan for the child fully reflects their current needs, wishes and feelings, and that the actions set out in the plan are consistent with the local authority's legal responsibilities towards the child.
Joint Strategic Needs Assessment (JSNA)	JSNAs identifies the current and future health needs of the local population to inform and guide commissioning of health, wellbeing and social care services within local authority areas.
Joint Health and Wellbeing Strategy (JHWS)	The JHWS outlines how local partners will work to improve health in the local population and reduce health inequalities.
Kinship care	Kinship care is where a child is looked-after by a relative or friend. This can be an informal arrangement, through a Special Guardianship Order, or through friends and family foster care, where the local authority still has legal responsibility for the child.
Modern slavery	Modern slavery encompasses slavery, servitude, and forced or compulsory labour and human trafficking. A person is trafficked if they are brought to (or moved around) a country by others who threaten, frighten, hurt and force them to do work or other things they don't want to do.
Pathway plan	A pathway plan is developed by the local authority with a young person in care as they approach their 16th birthday to help them effectively make the transition from care to living independently. It includes areas such as accommodation, education, life skills and health.
Personal Education Plan (PEP)	The PEP is a statutory part of a child's care plan, making sure that all relevant partners are engaged in a child's education, tracking their progress and giving them the support they need to achieve and be aspirational in their education.
Private arrangement	An informal arrangement where a child or young person is looked-after by a close relative such as grand-parents, aunts or uncles.
Private fostering	An informal arrangement where a child or young person is looked-after by someone who is not their parent or close relative. The local authority should be informed of the arrangement, but is not responsible for the child and is therefore not the corporate parent.

Secure children's home	Secure children's homes offer specialist care and intensive support in a secure setting to young people sentenced by the courts and to young people detained for their own welfare (for example, where children are at risk of child sexual exploitation, and likely to place themselves in risky situations). These are referred to as youth justice beds, and welfare beds respectively.
Special guardianship	Special guardianship means that a child lives with carers who have parental responsibility for them until they turn 18, but legal ties with the parents are not cut as with adoption. The child is no longer the responsibility of the local authority.
Staying Put	An arrangement whereby a looked-after child can stay with their foster carer after the age of 18, as long as both the young person and the foster parent is happy with this arrangement, and it is in the young person's best interests. The council has a duty to support the arrangement up to young person's 21st birthday.
Sufficiency duty	The duty for a council to take steps that secure, as far as possible, sufficient accommodation within its area to meet the needs of children that it is looking after.
Unaccompanied asylum seeking children (UASC)	<p>The definition of an unaccompanied asylum seeking child is set out in the Immigration Rules as someone who:</p> <ul style="list-style-type: none"> <li>• is under 18 years of age when the claim is submitted;</li> <li>• is claiming in their own right; and</li> <li>• is separated from both parents and is not being cared for by an adult who in law or by custom has responsibility to do so.</li> </ul>
Virtual school head	All local authorities must have a virtual school head (VSH) in charge of promoting the educational achievement of the children looked-after by that authority and previously looked-after children. Their role is to know how the looked-after children are doing, and help school staff and social workers to find out about the extra needs of these children and any additional support available to them. VSHs also work with the children's services department and all schools in the area on initiatives to promote the education of children in care.

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# Support for care leavers resource pack

# Foreword

Striking out into the world on your own for the first time is exciting and daunting for all of us. The opportunity to carve your own path and the newfound independence is a huge draw. On the other hand, learning to budget to keep on top of the bills, remembering to put a wash on in time so you have clean clothes for work on Monday morning, and managing to keep the fridge stocked, let alone keeping yourself healthy – it's a huge learning curve for any young person.

It's even more difficult for those without supportive families to fall back on, or for those who can't stay at home for other reasons. Those who have grown up, or spent time, in care don't always have the luxury of a family home to return to if something goes wrong, or a parent to phone when they aren't sure how to fix a problem.

That's where we come in.

As corporate parents to care leavers, it's our job to make sure that these young people are ready for what's next, know they're supported as they take those first steps into independence, and to help them access the same opportunities as their peers have – without worrying that if they make a mistake, they won't get another chance.

We need to give them the practical, social and emotional support that any good parent gives their child. From help to find the right accommodation, to guiding them through job applications and interviews, to making sure they know where to turn if they're having trouble.

We also need to make sure we're listening. If we can really hear what care leavers are telling us about their needs, dreams and ambitions, we can make sure we're giving the right support to help them get there.

The Children and Social Work Act 2017 extended support for care leavers by clarifying in law our role as corporate parents, by giving care leavers access to their personal advisers until the age of 25, and legislating for the publication of local offers to make sure every care leaver knows what help and support they can get.

In reality, many councils have been doing much of this work for some time, and we've included some excellent case studies in this pack to highlight the good work already taking place. Much of the good practice doesn't take a lot of money to implement – it's more about making sure we have the right culture, and understanding what's best for the care leavers in our areas so that we can shape our services, and work with our partners, appropriately.

Our responsibilities don't end when a child leaves care, and getting them right is the best way of making sure we set young people on the right path to a settled, successful and happy adulthood.

**Councillor Judith Blake**

Chair, LGA Children and Young People Board

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# Support for care leavers

## An introduction

### What is a ‘care leaver’?

A care leaver is a young person aged 16–25 who has been looked-after for at least 13 weeks in total since the age of 14.

Those who are aged 16 or 17 are ‘eligible’ (still looked-after) or ‘relevant’ (no longer looked-after) children. Those aged 18–25 are ‘former relevant children’.

The Government has outlined five key outcomes that it wants to achieve for care leavers<sup>1</sup>:

- better preparation and support to live independently
- improved access to education, employment and training
- stability, and to feel safe and secure
- improved access to health support
- financial stability.

Some young people will return home rather than remaining with foster carers or moving on to independent living, but the council still has responsibilities towards them as care leavers.

### Statutory responsibilities

The statutory responsibilities of councils are set out in the Children Act 1989, including through amendments made by the Children (Leaving Care) Act 2000 and the Children and Families Act 2014.

The Children and Social Work Act 2017 made additional provisions for care leavers, and outlined in law for the first time what it means for a local authority to be a good corporate parent. Councils have responsibilities towards care leavers until they are 25.

The seven corporate parenting principles introduced by the 2017 Act are aimed at complementing existing practices, embedding a positive culture and ensuring that all the different service areas and leadership are doing what they can to support this group of young people.

The principles are:

- to act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- to encourage those children and young people to express their views, wishes and feelings
- to take into account the views, wishes and feelings of those children and young people
- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work
- to prepare those children and young people for adulthood and independent living.

## Personal advisers and pathway plans

The local authority must complete an 'Assessment of Need' for the young person leaving care, and make sure that a pathway plan is in place by their 16th birthday. Discussions with other partners may also need to take place to make sure the needs assessment shapes a pathway plan that is both meaningful and purposeful.

The pathway plan should look at how best to meet the young person's needs to help them effectively make the transition from care to living independently, looking at areas including<sup>2</sup>:

- accommodation
- education and training
- financial support
- support to develop relationships
- life skills and employability
- access to support for health needs, including mental health
- contingency plans for support if independent living breaks down.

The plan also needs to take into account current and previous events in the young person's life so that potential risks can be identified and addressed.

It is important that the plan contains specific actions and deadlines, spelling out exactly who will take what action, and when. The plan should be reviewed at least every six months by a social worker or personal adviser (PA). It is not unusual for a young person to leave care at 16 years of age, whether to move on to independent living or to return to family or friends. Around 14 per cent leave care at this age, and it is therefore essential that pathway plans be developed in a timely manner.

This will make sure that if a young person is considering leaving care at 16, they know what support is available to them, know what their future options are, and have a plan to help them move on to independence successfully.

A PA should be appointed to support the young person and implement and monitor the pathway plan. Under the Children and Social Work Act 2017, this PA should be available to work with the young person until the age of 25.

The PA acts as a focal point for the young person and can help with practical and emotional support, needed to make a successful transition to adulthood. Local authorities should ensure that all care leavers know who their PA is and how to contact them. Where possible, care leavers should have the same PA from when they leave care until they no longer require support.

## Financial support

Care leavers aged 16-18 are entitled to financial support to meet their education, training and employment needs, as well as help to pay for things such as accommodation, food and clothing.

Those aged 18-21 are entitled to living expenses associated with living near their place of work or where they plan to work, along with help with education and training.

Care leavers are entitled to a £1,200 bursary if they stay in full-time education, or £2,000 if they go to university. From August 2018, care leavers have also been entitled to a £1,000 bursary if they choose to do an apprenticeship.<sup>3</sup>

Care leavers can also ask the local authority for £2,000 towards setting up home, making sure that they have the equipment and household items they need to set up safe, secure and stable accommodation.

## Accommodation

Care leavers must be provided with appropriate accommodation for their needs. This should be discussed as part of the pathway plan well before the young person is due to leave care.

Councils should avoid moving and disrupting young people who are settled, offer a choice of accommodation (where practicable) and provide a support package to go with the accommodation. There should also be a contingency plan in case accommodation arrangements break down.

Any care leaver under 21 who spent at least one night in care when they were 16 or 17 is automatically considered to be in ‘priority need’, if they become homeless or are at risk of homelessness.<sup>4</sup> From the age of 21, they may also be in priority need if they are vulnerable because they were previously looked-after – for example, if they have not had a stable home since leaving care. The Homelessness Reduction Act 2017 also stipulated that a young homeless care leaver should be treated as having a connection to the area that they were looked-after. This will make it easier for them to get support in the area in which they feel most at home.

In April 2018, councils were given new and strengthened powers to offer advice and assistance to homeless people, including care leavers, in their area.<sup>5</sup> Despite these initiatives, homelessness amongst care leavers continues to be a concern.

## Staying in touch

Councils should attempt to stay in touch with all of their care leavers to monitor progress on their pathway plans, and plans should outline how frequently that contact should take place.

When a care leaver moves to new accommodation, their PA must see them at that accommodation within seven days of the move. After the first subsequent review of the pathway plan, they must visit the care leaver at no less than two-monthly intervals.

In some cases, care leavers may decline the support of the council. This should be respected, however periodic attempts should continue to be made to remain in contact. If a young person’s situation changes, they need to know that support is still available, and refusing support once doesn’t mean that it won’t be available in the future.

## Staying put

‘Staying put’ is an arrangement that allows a looked-after child to continue to live with their foster carer – whether a local authority carer or an independent fostering agency (IFA) carer – after their 18th birthday, when they cease to be ‘looked-after’ by the local authority. This can take place where the council considers it appropriate, and both the young person and the carer want to enter a staying put arrangement.

The council has a responsibility to monitor the arrangement and provide advice and support (including financial) to the foster parent, and the young person to facilitate the arrangement until the young person reaches 21.<sup>6</sup>

## Staying close

A number of councils are trialling approaches to ‘staying close’ – a variant of staying put for young people leaving residential care – using funding from the Department for Education’s (DfE) Innovation Programme.

The scheme sees care leavers living independently in accommodation close to their children’s home. This would see them continuing to have the support of a key worker from their previous home, and they could visit the home frequently. A full evaluation is expected in 2020.

## Local offer

The Children and Social Work Act 2017 requires local authorities to publish a local offer for care leavers, with guidance<sup>7</sup> recommending this be reviewed every two to three years. This should include all services offered by the council that can support care leavers in, or in preparing for, adulthood and independent living. This includes both those that the authority is legally obligated to provide, such as 'staying put' and housing support, and universal services such as careers advice or public health services. The offer can also include relevant services provided by other organisations, where appropriate. Care leavers should be consulted before the offer is published.

## Access to Information

Under the Data Protection Act 1998, care leavers have a right to access their care records, to better understand their care history and decisions made during their time in care. Councils must facilitate any request made and have a transparent policy in place to support this. They should also work with partners who may hold relevant information. Councils should keep these records for a minimum of 75 years from the date of birth of the adult care leaver and consider suitable retention and storage processes.<sup>8</sup>

## Care Leaver Covenant

The Government has introduced the Care Leaver Covenant. This aims to encourage public, private and voluntary sectors to pledge support, and make specific offers to support care leavers aged 16-25 in living independently.

The covenant links care leavers to offers which can include:

- discounts
- financial support
- exemptions
- personal development
- workshops
- training
- work experience, apprenticeships and internships.

The covenant can be used by councils to support and extend their local offer, and trials are underway with six councils to identify how it can best be used to support care leavers. A toolkit is being developed for councils and will be available in early 2020.

# Key lines of enquiry for all councillors

## What do we know about our care leavers – both existing, and coming up?

It is important that the council knows as much as possible about care leavers and their needs to make sure that plans can be made to effectively meet those needs. Care leavers are statistically more likely to have special educational needs and disabilities (SEND), and are more likely to suffer from mental health problems. It is therefore important that sufficient provision be available for those care leavers who need additional support.

It is also important to treat each young person as an individual. Many care leavers will have no such difficulties and, like many young people, will be focussed on achieving their potential through work, training or higher education. Like any good parent, councils should consider the specific ambitions of individual young people and aim to provide the tailored support they need to fulfil them.

There have been growing numbers of unaccompanied asylum-seeking children (UASC) entering the country in recent years. If your council is looking after unaccompanied children, they may have very specific needs that must be catered for to help them prepare for and adjust to independent living, whether in the UK or in their home country, and to fulfil their potential. Similarly, your council may be looking after foreign-national children who are not necessarily asylum-seekers, but may have immigration issues and links to other countries.

Nationally, young people are also starting to come into the care system at an older age; the council should know whether this trend

applies to its area, and account for this when planning services.

## How are we making sure that the voice of the young person is heard and reflected in the pathway plan?

Pathway plans should include clear, specific actions to drive care leavers' progress, and identify support to help them find and sustain education, training or employment. Different young people will have different ambitions, plans and concerns, so it is vital to make sure pathway plans are very specifically tailored to each young person. This will help them to develop their independence and meet their goals at a pace that suits them.

Every young person should be fully involved in the development of their pathway plan. Make sure that arrangements are made for this, including in the case of young people placed out of area, those in custody and those who may need support to communicate their needs effectively, for example, those with certain learning difficulties or disabilities.

Feedback from care leavers – whether through a care leaver's forum or directly – will be key in identifying whether they feel that their voices are being heard, and what improvements could be made. Independent reviewing officers (IROs) have an important role to play in checking that this has happened, and will be able to report on how effectively young people are influencing their pathway plans.

## What are care leavers telling us?

The council should have a variety of methods for obtaining feedback from care leavers, for example care leaver councils or collating information from PAs. Regular reports on this information to the corporate parenting panel will help to spot issues early and make sure they're addressed, with the voices of care leavers considered in relevant decision making. In particular, the council should assure itself that care leavers feel safe, understand that they have someone they can talk to if there are any problems, and that they feel supported and listened to. The proportion of care leavers that the leaving care service is still in touch with should also be monitored. Councils should be striving to maintain contact with all care leavers up to the age of 25.

## How are we making sure that young people are able to take advantage of 'staying put'?

All young people in foster care should have access to staying put arrangements. Whenever a long term placement is being considered, there should be discussion between the foster carer and the child's social workers about the possibility of it leading to a staying put arrangement. The young person should, however, not have to decide whether this is something they wish to do until they are ready.

Young people living with IFA carers should also be able to stay put. Make sure that commissioning arrangements with IFAs allow for this possibility; staying put is not a fostering placement, so arrangements will need to be separately negotiated.

Both care leavers and foster carers need access to good information about staying put so that they fully understand the arrangements; make sure that both groups know where they can get the advice they need.

Councils will also need to consider what arrangements are in place for looked-after children who are not in foster care – for example, those in residential care – to support them when they have left formal care.

## Do we have a suitable range of accommodation options for care leavers, and how are they supported in each? What happens if something goes wrong?

Different care leavers will have different needs, so there should be a range of accommodation options available to give care leavers the appropriate support. Bed and breakfast accommodation is not considered suitable. While some young people may be able to take on a flat with minimal support from the council, others may need 24/7 access to support. Making sure that options are available to smooth the transition will increase the chances of a care leaver successfully settling into independent living, and reduce the chances of them becoming homeless.

There will need to be close working between the lead member for housing and the lead member for children, as well as between their respective departments. This will make sure care leavers' accommodation needs are catered for. Councils in two-tier areas will need to develop and maintain strong links with their district councils, who have responsibility for housing. This will make sure that the needs of care leavers are being taken into account in housing plans and housing allocation; what arrangements are in place for this, and how well are they working?

Having a fall back option – an emergency place to stay if things go wrong – can be a big comfort to care leavers. Most of us know that if something goes wrong, we've got somewhere to go, and someone who can work through problems with us even if it's not the first time.

Offering this to care leavers reduces the pressure on them, and is part of being a good corporate parent.

Care leavers up to the age of 21 are exempted from recent housing benefit reforms, meaning that they are not limited to the shared accommodation rates as most other young people are. However, there is still significant competition for affordable social and private rented accommodation in many areas. Consideration should be given to how care leavers will access this accommodation, for example, through allocation schemes, or by identifying particular private landlords to work with personal advisers to provide care leaver accommodation. How are care leavers helped to prepare for when this exemption ends at 21?

## How are we preparing care leavers to live independently?

One of the biggest issues raised by care leavers is that of isolation – without a strong and stable social network, it can be extremely hard to navigate life after leaving care. Some councils are already looking at ways in which they can help care leavers to develop social networks, while efforts to ensure stability of placements and school throughout care are also positive. This allows young people to spend time developing friendships and local connections. Some care leavers find it helpful to be in touch with fellow care leavers; are there opportunities for this in your council?

Practical support to develop life skills will significantly ease the transition for care leavers. In particular, teaching about budgeting will make it easier for young people when they need to start managing their own money, while making sure that children in care are learning to cook healthy meals will help them to look after themselves later on. Encouraging young people to help with household tasks, take on weekend jobs and allowing them increasing independence will all develop important skills to make the move to independent living less daunting.

Some local authorities have given council tax exemptions to care leavers to help them with their budgets as they adjust to living independently, while others have introduced budgeting courses so that care leavers understand what to expect when managing their own tenancy.

Care leavers should also have easy access to key documents and information that they will need when taking on tenancies or starting work. Examples of these could be a birth certificate, National Insurance number, passport and examination certificates.

The local offer is an important source of information, and it should reflect what care leavers say they need. When this is being developed, find out what care leavers said in the consultation, and what changes were made as a result. Having a clear local offer will make it far easier for care leavers to know what is available to help them to live independently.

It is also important to update the local offer regularly, in consultation with care leavers, to ensure that it is responsive to their changing needs.

## How are we working with our partners to support care leavers?

The Government wants to improve access to mental health provision for care leavers, as well as more general improved accountability for the local provision of health services. The NHS has a responsibility alongside councils to act as a corporate parent to care leavers,<sup>9</sup> and should be considering their needs in the development of plans and commissioning of services. Councillors can influence the design and funding of local NHS services through engagement with sustainability and transformation partnerships.

Your council should be represented on your local partnership through the director of public health or another senior lead.

Joint health and wellbeing strategies are developed by local leaders to enable planning and commissioning of integrated services to meet the needs of the local community. This will include reducing health inequalities and supporting the needs of vulnerable groups. These plans should include specific consideration of how partners will work together to support care leavers. Delivery of the strategy should also be monitored by the health and wellbeing board. Health scrutiny committees provide further opportunities to look at whether health services for care leavers are sufficient and appropriate.

There will be particular partnership considerations for young people leaving custody, who are at greater risk of becoming homeless, and are likely to have a range of specific needs for support including help with employment, training, or mental health. There should be strong joint working relationships and protocols between the leaving care service, the Youth Offending Service and the probation service to start making plans well ahead of a young person's release. The young person's voice and needs must be at the forefront of planning.

A national protocol has recently been introduced to encourage councils to work with partners to reduce unnecessary criminalisation of looked-after children and care leavers.<sup>10</sup> It may be useful to consider the local arrangements and specific support in place for care leavers.

## How do we help care leavers to find, and remain in, employment or further education and training?

While 62 per cent of care leavers aged 19-21 are already in education, employment or training and achieving well, this still leaves a significant minority who are not.<sup>11</sup>

Improvements are being made, for example, through the promotion of apprenticeships and further education, but clearly councils have a key role to play in making sure that care leavers have a clear path to follow to live independent lives.

Councils have approached this in various ways, from establishing partnerships with local businesses, to encouraging apprenticeship providers to actively consider care leavers, to providing training positions within the local authority. Personal advisers can support young people as they develop their pathway plans to find routes to achieve their goals, including applying for university places or finding jobs or traineeships. Universal careers services should also be involved in supporting care leavers to consider what they want to do after compulsory education has finished.

Bear in mind potential barriers to opportunities – care leavers might worry about where they will stay during university holidays, how they will get to a job outside their town, or whether they can support themselves through an apprenticeship. Check that it is easy to find out about financial and practical support available for all options, and that these are discussed with care leavers well in advance of key decision points.

## How are we promoting the care leaver covenant?

The Care Leaver Covenant aims to engage a range of partners across sectors to improve outcomes for care leavers. Councils may therefore wish to consider how they can promote and engage in this, for example:

- raising awareness of the covenant amongst council staff and partners
- offering ring-fenced apprenticeships, internships or work experience opportunities for care leavers
- revising the social value policy to ensure that apprenticeships, internships and work experience specifically for care leavers are a standard part of procurement practices
- working with local businesses, employer groups and other partners to increase the number, range and take up of education, employment and training (EET) opportunities for care leavers.

The covenant advocates a ‘whole council’ approach to this work, recognising that the responsibility for being a corporate parent does not solely reside with children’s services.

## Are we being good corporate parents to care leavers?

Being ambitious for young people does not stop when they leave care. Find out how many care leavers the council is still in touch with – regular contact with care leavers will help to make sure they are in education, employment or training (or getting support to do so), managing their money and accommodation well, limiting the risk of homelessness, and that they are looking after their health and wellbeing.

Care leavers also need to know that the council is still ambitious for them, helping them to achieve goals in their pathway plans and working with them so that they can reach their potential.

Every councillor and officer across a local authority has a responsibility as a corporate parent to care leavers. This needs to be acknowledged across all levels of the organisation, and all corporate parents should prioritise the needs of care leavers.

For more information on corporate parenting, please see our ‘Corporate parenting’ resource pack.

## How are we ensuring that the corporate parenting principles are being applied to care leavers?

The aim of the corporate parenting principles is to provide leadership, challenge and accountability at every level and ask probing questions to ensure that care leavers are well supported. The Corporate Parenting Panel and Scrutiny Committee have a role in monitoring how the principles are being applied, what the barriers are and how the local offer for care leavers can be improved.

## How are we making sure care leavers have access to services they need for their health and wellbeing?

Care leavers are statistically more likely to need mental health support than young people in the general population because of the trauma and neglect that they may have experienced. So check what arrangements have been put in place to make sure they can get help if they need it. For young people with a need that meets the threshold for CAMHS (child and adolescent mental health services), find out what arrangements are in place for a smooth transition between children and adult services in your authority. Issues that do not meet the CAMHS threshold, for example, depression and anxiety, are likely to be treated through public health interventions such as online support, or through provision from GPs. Consider the

criteria for access to mental health services; do care leavers receive any priority access, and how are they told about this? The local offer is a good place to signpost to support services, including advising that GPs can help with mental as well as physical health – which some young people may not know.

While the majority of care leavers will have no such problems, the difficulties some have faced in their lives mean that, without proper support, they can be more likely to experience substance misuse problems or teenage pregnancy. A third of young people leaving care report problems with drugs or alcohol within a year<sup>12</sup>, while a quarter of young women leaving care are pregnant, and nearly half become pregnant within two years.<sup>13</sup> Access to drug and alcohol prevention and treatment services, sexual health and family planning services, should be well promoted. Data on take-up of these services, along with anonymised user feedback, will help to identify whether those services are operating effectively or need to change to meet young people's needs.

All of these issues fall within local authority public health responsibilities. When budgets are being set, consider what services are prioritised, the potential impact on care leavers and make sure you are satisfied that any risks to provision are adequately mitigated. For example, if a drug prevention service is to be reduced, are the remaining sessions in locations and at times that are accessible to care leavers, and will that provision be enough?

Physical health is also important. Care leavers should know who their GP and dentist are and how to make appointments. Support with prescription costs is available for those on certain benefits or on low incomes – care leavers may need to be made aware of this, and how to fill out prescription forms to ensure they receive this entitlement. Councils might also look at what support they can give to help care leavers look after their health, for example, access to leisure centres or support to keep up activities that they started in care.

<sup>12</sup> Ibid

<sup>13</sup> HM Government, 'Keep On Caring: Supporting Young People from Care to Independence', July 2016

## Are there particular considerations for unaccompanied asylum-seeking care leavers?

The 2016 Immigration Act removes the automatic right to support for an unaccompanied asylum seeking child following their 18th birthday. As they approach their 18th birthday, these young people must apply for extended leave to remain in the UK. This can be an extremely stressful time for young people, and it is important that they be supported through the process.

Councils can claim up to £200 per week to support care leavers who were supported as unaccompanied children and have leave to remain in the UK. They can also claim this support for care leavers awaiting the outcome of their asylum claim, or who are on their first appeal.

It is important that pathway planning for unaccompanied children takes into account a young person's immigration status; while most unaccompanied children are granted refugee status, humanitarian protection or another form of leave to remain, the decision-making process can be lengthy, leaving the young person in a difficult position to plan ahead. Engagement with the Home Office on asylum claims should be timely. Furthermore, work on the pathway plan should take into account both a potential future in the UK, or plans to leave the UK and resume life in the young person's home country if they have no lawful basis to remain.

It should be noted that those awaiting a decision on an asylum claim are not allowed to work. Pathway plans should be clear on the support available to the young person, and safeguard against potential risks, for example, informal work in poor conditions, or modern slavery. The risk of the young person going missing should also be considered when agreeing how often they will be in contact with their personal adviser. For more information, the Local Government Association (LGA) has worked with the Independent Anti-Slavery

Commissioner to produce a council guide to tackling modern slavery (see key resources and further reading).

## Are there particular considerations for other children in care with immigration issues?

Some children in care may have immigration issues but have not applied for asylum. For example, these children can be foreign-nationals who were removed from their families due to neglect or abuse, or who came to the UK with their families and were abandoned here. In some cases, the child might be stateless, or might be eligible for British citizenship but their citizenship application has not been made. As with unaccompanied asylum-seeking children, it is important that the child's immigration status be considered in any care plan, assessment, and pathway planning. Support, including legal advice, should also be provided so that the child can have the most secure status possible in accordance with their plans.

## Do we have processes in place for adult care leavers to access information about them?

An adult care leaver can ask their local authority at any time for information about their care records. So it is important to have systems and processes in place to enable them to do this smoothly and effectively. Some of the information that adult care leavers may read about their history in care or the way in which they came into care may be traumatic. Is support available to help people through this?

# Case studies

## City of York Council

City of York Council has a strong track record of supporting young people leaving care; a strength highlighted by Ofsted in its report published in February 2017. The inspectors acknowledged that, by listening to care leavers' views and shaping services around them, York now sees the vast majority of care leavers living in accommodation that suits their needs, with low numbers not in education, employment and training, and most making a successful transition to adult life.

This transition starts with developing a pathway plan at the care review nearest the young person's 16th birthday. This gives two years to put the right plan in place – whether that involves staying with a foster family beyond the 18th birthday ('staying put') or moving into independent living, and education, training or employment. Each case is referred to a personal adviser (PA) when the young person is 17. PAs generally manage caseloads of around 21, helping them know each young person well and make sure they get the best possible support to experience a smooth transition into the leaving care service.

The pathway team is well connected with information, advice and guidance services and the virtual school. This has resulted in the proportion of care leavers in education, employment or training being well above the national average. Two new programmes are being introduced to increase this proportion further, improve career information and support care leavers with learning opportunities.

Teaching life skills is a key element of preparing care leavers to live independently. A pathway life-skills toolkit supports carers

and key workers to make sure young people get the right level of help to develop those skills; which include saving money, budgeting and cooking for themselves. Young people are encouraged to remain with their foster carers after their 18th birthdays to continue learning life skills with them as part of the staying put programme, while those in supported housing benefit from personalised support to build their life skills and confidence at a pace that suits them.

Staying put is an option for all care leavers. Those in residential placements outside York are increasingly moved back to the city before their 18th birthdays so that they can take up this option which is part of a strategic initiative to 'Make York Home' for all young people in care. Staying put also includes young people fostered by connected persons or kinship carers, and those placed with independent fostering agencies. Acting on feedback from young people, those who stay put are encouraged to start work, or to get a Saturday job if they are in education, to make life as 'normal' and as like any other family as possible. As one young person commented, "I'm learning to handle money better as I pay board and pay my own phone bills", while another said they enjoyed "feeling part of a family". Those who go to university can return to their foster carer each holiday.

The option of a four-week stay in a 'taster flat' gives care leavers the chance to experience independent living. They know that they have support throughout their stay there as they develop their life skills before returning to their placement to work on any areas of development and consider what to do next. Accommodation options are varied to suit different needs. Some care leavers might

choose to go into a trainer flat with support from the pathway accommodation officer and pathway worker. While others who need more support might opt for supported lodgings with charity SASH or permanently-staffed hostel accommodation, where they have a named key worker and access to daily education sessions and independence skills training. This variety of options allows for gradually increasing independence.

The focus on life skills and a careful transition into accommodation is paying off – the vast majority of care leavers are successfully living independently in suitable accommodation, with none in houses of multiple occupancy. Where there are difficulties, regular risk assessments mean that they are caught early, with creative support packages put in place to help the young person to get back on their feet and move forward. Where care leavers aren't keen to engage and things go wrong, emergency accommodation is also provided – there is always another chance available.

Building a programme of support that genuinely works for care leavers has been helped by social workers and support staff who listen to the views of young people. Care leavers told Ofsted that the council listened carefully, recorded their views well and – importantly – acted upon them. As a result, most were positive about the care and support that they received.

David Purcell, Pathway Team Practice Manager at City of York Council, said: "We've made a real effort to learn from our care leavers to make sure that we can give them the best possible transition into adulthood. It's important that each young person in care can work with us to achieve their ambitions, and can do that at their own pace.

"Every child in York deserves a place they can call home, and to enjoy family life wherever possible. As the corporate parents to care leavers, that's what we do our best to give them."

For more information, please contact:  
[david.purcell@york.gov.uk](mailto:david.purcell@york.gov.uk)

## Royal Borough of Greenwich

The Royal Borough of Greenwich has been working with charity MyBnk to make sure care leavers get good quality financial education to help them when they move into independent accommodation. Care leavers moving on to supported housing all attend the week-long accredited 'Money House' programme as part of their pathway, spending a week with other young people in a real flat learning about everything from tenancy agreements and safe borrowing to budgeting and choosing utility providers.

Referrals are all considered individually to make sure needs are understood and catered for on the course, and the young people are all contacted to sort out logistics to make sure they can attend.

The results of its first year are impressive:

- 97 per cent felt more confident about their financial situation
- attendees are three times less likely to have rent arrear issues than their peers
- no one who has completed the training has been evicted
- 90 per cent of those who felt their ability to pay rent and keep their tenancy was below average or poor felt that this improved as a result of the course, with 80 per cent going on to rate their ability as good or excellent.

Anneta Corbin, Family and Young People Service Manager at the Royal Borough of Greenwich said: "Money management is a vital skill for young people when they move into their own accommodation. We know from our care leavers that the better the support they receive to build these skills, the more confident they feel about making that move. Feedback from our care leavers on the programme has been really positive, and we've found that those who have been on the course are much more likely to maintain their tenancies when they move on to independent accommodation."

For more information, visit:  
<http://mybnk.org/programmes/financial-education-the-money-house>

\*The Money House has now expanded to Newham and is funded by the JPMorgan Chase Foundation, Berkeley Foundation and Hyde Housing.

## Leeds City Council

A not uncommon challenge faced by young people leaving care and moving on into independent living and setting up their homes for the first time is getting practical support with things like decorating, plumbing in and setting up white goods, putting shelves up, and so on. These are things that many other young people moving on into independence might get support from their families to do. We work closely with our housing services within Leeds to provide suitable accommodation for young people making this first step, though often these tenancies require some degree of decoration and homemaking. Our experience has been that for some young people the condition of their new home can be variable and the desire to settle our young people into a personalised home can mean that we need to identify support to do this.

As a champion authority of the national Care Leavers Covenant, Leeds Care Leavers Services established a partnership with Engie Regen (Places and Communities Division). Engie Regen is the first private company to sign up as a signatory partner to the covenant, to provide a range of practical supports and offers directly to benefit care leavers. They are also long-standing ambassadors of 'Child Friendly Leeds', and have undertaken some fantastic work to support care leavers in Leeds. Such support includes redecoration, donation of paint, garden clearing, plumbing in washing machines, joinery and other practical home making support and DIY projects. ENGIE Regen are on target to complete 12 projects by December 2019.

This project has provided invaluable support to care leavers, allowing some to have their homes decorated to a high-quality professional standard and in many cases has enabled

young people to move quicker, feel settled and to feel a real pride in their new homes.

For further information, contact  
[joel.hanna@leeds.gov.uk](mailto:joel.hanna@leeds.gov.uk)

## Hampshire County Council

It isn't unusual for a young person to have goals that might seem unachievable. However, as corporate parents, it's important that councils put the views and wishes of care leavers at the heart of their plans, and work with them to progress towards their goals while keeping alternatives in mind.

At the age of 16, Rob was in the care of Hampshire Children's Services. He didn't engage in education, was using alcohol and was working with the Youth Offending Team following an assault charge. He did, however, show a flair for boxing, continuing to attend training even as he failed to show up for education or work. His hobby was supported by his foster carers, social worker and personal adviser. A pathway plan was developed that allowed him to follow his ambition to become a professional boxer, while encouraging him to take up opportunities with local colleges as alternative options.

As Rob started to win more local and UK title fights, his drive and commitment so impressed the children's services team that they sought out ways to acknowledge and reward his progress and encourage him further, as any good parent would do. This included helping with travel costs to fights, allowing him to travel abroad to a training school for a month, and then supporting him when he took the decision to move abroad to embark on a professional boxing career. A weekly allowance was also allowed, and goods were sent to help him set up home.

When Rob showed a desire to further his own education by learning the language of the country he competed in most frequently, Hampshire helped him to pay for a language course; his dedication to learning means he is now fluent in that second language.

Thanks to the flexibility, support and encouragement offered by Hampshire Children's Services and everyone else working with Rob, he is now a professional boxer who no longer drinks or smokes, and is living a successful, independent life.

For more information, please contact:  
[cathi.hadley@hants.gov.uk](mailto:cathi.hadley@hants.gov.uk)

## Trafford Metropolitan Borough Council

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Listening to your care leavers is the perfect way to find out what can really make a difference to them – and it isn't always complicated. In Trafford, the care leavers' forum highlighted that their £57.10 per week benefit had one key problem – it left £7.10 each week that couldn't be withdrawn from the cash point. The point was raised with councillors, who agreed that raising the benefit to £60, which could be withdrawn in £10 denominations, made far more sense. It was also noted that the extra £2.90 could pay for two day's gas in a young person's flat, or cover a chip supper treat. Care leavers were delighted with the response, which showed that they were genuinely listened to and that their corporate parents cared about their lived experiences.

On another occasion, a care leaver raised with Trafford Council that it didn't feel fair for him to search for work or training while his fellow care leavers could still get their benefits without making the same effort. The council therefore decided that the importance of getting care leavers into education, employment or training made it worth providing an incentive. The Corporate Parenting Board agreed an incentive of up to £30 a week for care leavers who were actively engaged – which could cover anything from work experience, to visiting a job centre, to working with their personal adviser. They could also get a free weekly bus pass to help them carry out these activities. The overall package was worth more than £100 to care leavers who actively worked towards

improving their own outcomes, and has proven extremely popular. Seventy per cent of Trafford care leavers are now in education, employment and training – higher than the national average, and a positive indicator of how care leavers are supported by the council.

For more information, please contact:  
[aftercare@trafford.gov.uk](mailto:aftercare@trafford.gov.uk)

## London Borough of Islington

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Islington's leaving care service, Independent Futures, works with care leavers and 16 to 17-year-olds in care to provide a holistic service that prepares and supports them as they move towards independent living. The service has sought innovative ways to help care leavers to make sure they're in a strong position when they leave care. Support includes establishing support networks, providing mental health support, and helping with finding further education and employment.

A key concern of young people when they leave care is around the support networks they will have when they are no longer 'looked-after'. The Grand Mentoring Scheme pairs care leavers with a 'grandparent' who mentors the young person, and provides support and guidance as they move into adult life. This gives them someone independent from the council that they can rely on for help, and who they can build a stable relationship with as they take on greater independence.

Independent Futures has also teamed up with a wide range of local partners from the public, private and charity sectors to give care leavers access to employment and training opportunities. We have an enhanced offer that enables those who wish to attend university to be able to do so with the support of services and additional financial allowances. The variety of partners reflects the range of young people looked-after by the council, providing a broad spectrum of possibilities to show them how much is possible.

The council also works closely with partners in the arts and performance sector to give young people a way to develop their sense of identity and personal achievement, promoting the confidence and resilience that they'll need as they move into work, as well as raising aspirations.

Supporting the physical and mental health, and wellbeing of care leavers is paramount. Well-used weekly drop in health sessions make sure care leavers can get advice when they need it, while free counselling and advice commissioned from a local mental health charity allows them to get support quickly if they find themselves struggling with mental health difficulties. We have also recently embedded clinicians within the service and introduced a specialist mental health social worker within the service in recognition of the level of need some of our young people present with. Regular liaison between CAMHS and adult mental health services ensures continuity of provision for those care leavers who have specific emotional health needs. Where young people need to visit specialists, young people's advisers offer to attend with them for moral support and to make sure they can attend the appointment. We are keen to offer early intervention and encourage young people to make use of personal health budgets (Choice and Control) to improve their mental wellbeing.

Councillor Kaya Comer Schwartz, Executive Member for Children, Young People and Families, said: "Young people when discussing their care experience, have told us that forming and maintaining relationships is important to them and we are committed to being their lifelong champions. We work hard to ensure that we reduce any barriers to them being involved and achieving their full potential. Our revised offer to care leavers reflects this as well as the passion and commitment we as a council have for our care leavers."

For further information, please contact [stephen.rice@islington.gov.uk](mailto:stephen.rice@islington.gov.uk)

## East Riding of Yorkshire Council

When Ofsted rated support for care leavers at East Riding of Yorkshire Council as 'outstanding', it confirmed one of the pathway team's core beliefs – that getting the basics right, and really understanding what works, are key to making sure that care leavers have a positive experience and make good progress.

Staff working with care leavers know the importance of stability and relationships to children in care, so the pathway team starts working with them in Year 11 to carefully manage the transition from looked-after child to care leaver. Care leavers also work with several members of the team to make sure there is always someone who they can talk to, and who knows them well enough to provide the right kind of support.

Each member of the pathway team has an average caseload of 15, giving them the time to dedicate to each care leaver, while managers work hard to make sure staff have all they need to do the best possible job. This includes an excellent range of training to cover the types of issues young people may face, including the dangers of radicalisation and self-harm.

East Riding has also set up a post-16 subgroup of the virtual school to make sure care leavers' needs are being met and to raise aspirations among both the young people and the service providers. The group is chaired by the pathway team manager, and includes further education colleges, training providers and Jobcentre Plus. Care leavers are given highly supportive mentoring and specialist advice about their potential options as they progress into further or higher education, training or employment. This strong partnership working at all levels has led to the authority having 69 per cent of care leavers engaged in education, employment or training, higher than similar authorities and the national average.

Pathway Team Manager Sue Smyth said:  
“One of the most important things that we do is to gain care leavers’ trust, and show them that we’ll support them, no matter what. We’re always keen to try new ideas, but we make sure those basic relationships and core support are never compromised, because they’re the foundations for a strong service. Our care leavers tell us that they feel safe, and that they wouldn’t be where they are now without our support – and that’s the most important thing for all of us.”

For more information, please contact Sue Smyth: [www.eastriding.gov.uk](http://www.eastriding.gov.uk)

# Key resources and further reading

- Barnardo's and St Basil's Care leavers accommodation and support framework, 2015
- Children and Families Across Borders  
[www.cfab.org.uk](http://www.cfab.org.uk)
- Department for Education, Children Act 1989 Statutory Guidance: Transition to adulthood for care leavers, October 2010 (updated January 2015)
- Department for Education, Department for Work and Pensions, and HM Revenue and Customs, Staying Put guidance, May 2013
- Department for Education, Applying corporate parenting principles to looked-after children and care leavers, February 2018
- Department for Education, Extending personal adviser support to all care leavers to age 25: statutory guidance for local authorities, February 2018
- Department of Education, Home Office, Ministry of Justice, National protocol on reducing the criminalisation of looked-after children and care leavers, November 2018
- Fostering Network, Staying Put: Guidance for children and young people services, fostering services and leaving care services, September 2017
- HM Government, Keep On Caring: Supporting young people from care to independence, July 2016
- House of Commons Library: Support for care leavers: Briefing Paper, March 2019
- Local Government Association, Tackling Modern slavery: A council guide, December 2017  
[www.local.gov.uk/modern-slavery-council-guide](http://www.local.gov.uk/modern-slavery-council-guide)
- Local Government Association, A councillor guide to tackling modern slavery, September 2019  
[www.local.gov.uk/councillor-guide-tackling-modern-slavery](http://www.local.gov.uk/councillor-guide-tackling-modern-slavery)
- Care Leaver Covenant  
[www.mycovenant.org.uk](http://www.mycovenant.org.uk)
- The Children's Partnership, Staying Put: Good practice guidance, 2014

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# Permanency resource pack

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Helping children and young people to fulfil their potential is a key ambition of all councils, but our children's services are under increasing pressure.

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# Foreword

Every child and young person deserves stability – somewhere safe that they can come home to every day, relationships that are nurtured and developed over time, and a sense of security and belonging. We know that this stability is one of the things that helps children to achieve good outcomes, and for those who come into the care of local councils, it is why working towards permanency from the very start is so important.

For some, permanency will mean returning home to their birth family after a period of time. For other children, adoption may be the best option, or perhaps living with a relative or someone else known to them under a special guardianship order. Similarly, long term fostering arrangements can offer a stable home without cutting links to the birth family. A very small number of young people might not want to live with another family, or may not be suited to it, and so will stay in residential care until adulthood.

Every councillor is a corporate parent to the children in the council's care, so should be playing their part in making sure we get the very best for each child. This resource pack is designed to help councillors understand what permanency is, the factors that can have an impact and the questions that will help to understand what's working well and what could be improved.

Support for children and their families – both their birth families and carers – shouldn't stop when a placement is made. Some children will have been through very difficult, potentially traumatic experiences before coming into care, and will need extra help to come to terms with that and go on to fulfil their potential. Councils need to make sure not only that families know what to expect when a child joins their family, but that support is available when they need it and not only at crisis point.

Every plan for permanency should revolve around the child's needs, and that means listening to their wishes and feelings too. We have a duty to make sure that children not only understand what's going on, but are fully involved in the decisions that will have such a fundamental impact on their lives.

As corporate parents, it is incumbent on all of us to strive for the very best for the children and families in our care. Permanence can make such a difference to a child's life, and it is our job to make sure that all children have the chance to find the loving, stable environment they deserve.

## Councillor Anntoinette Bramble

Chair, LGA Children and Young People Board

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# Permanency an introduction

## What is permanence?

The Children Act 1989 regulations state that 'permanence is the long term plan for the child's upbringing...to ensure that children have a secure, stable and loving family to support them through childhood and beyond and to give them a sense of security, continuity, commitment, identity and belonging'.<sup>1</sup>

While some children can move into permanence arrangements such as special guardianship without first coming into the care system, this resource pack will focus on permanence for children who are looked after by their council.

It is important to note that for some routes to permanence, such as adoption and special guardianship, local authorities can only recommend that option for a child; it is for the court to approve or reject the proposed course of action. This resource pack will focus on areas that councillors are most able to influence and is therefore primarily concerned with council practice, but the role and influence of the courts and judiciary should not be underestimated.

## Types of permanency

Permanence arrangements vary for different children, according to what their needs are and what is in their best interests.

### Return to birth parents

For many children, a return to their birth family is possible after those issues that led to a period in care have been dealt with. In 2016-17, this accounted for around a third of children who left care.<sup>2</sup>

### Kinship (family and friends) care

Kinship care is where a child lives with a relative, friend or other 'connected' person. Many children in kinship care are in informal arrangements, which do not involve the local authority (for example, where a parent asks the child's grandparents to take on full-time caring responsibilities).<sup>3</sup>

If a council places a child with a kinship foster carer, the child will have looked-after status but the local authority will not necessarily share parental responsibility. Councils can only place looked after children with kinship foster carers who are registered foster carers. Registered foster carers will receive a fostering allowance to help support the child. The financial support should be equal to the allowances/fees provided to other foster carers within that local authority (National Minimum Standard 28.7<sup>4</sup>).

1 The Children Act 1989 guidance and regulations volume 2: care planning, placement and case review (June 2015) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/441643/Children\\_Act\\_Guidance\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf)

2 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

3 Buttle UK (2013) 'Kinship Care' [https://www.buttleuk.org/static\\_cache/1/areas-of-focus/kinship-care/index.html](https://www.buttleuk.org/static_cache/1/areas-of-focus/kinship-care/index.html)

4 <https://www.gov.uk/government/publications/fostering-services-national-minimum-standards>

## **Adoption**

For a minority of children (around six per cent of all looked-after children in 2016/17<sup>5</sup>), permanence is achieved through adoption, in which full parental responsibility is legally transferred to the adoptive parents.

This is most likely to happen for younger children; in 2016/17, 78 per cent of children who were adopted were under five years old. Just one per cent were aged ten or over.<sup>6</sup> But adoption can be an excellent route to permanence for children of all ages, and should not be discounted purely on the basis of age.

Adoption rates have varied significantly in recent years, peaking in 2015 with 5,360 adoptions before falling to 4,350 in 2017, though there are large regional variations.<sup>7</sup>

Where adoption is considered the best option for a child, avoiding delay is key. Research has shown that a child's chances of being adopted reduce by half for every year of delay, while the age at which the child comes into their adoptive family has a significant impact on adoption outcomes.<sup>8</sup>

## **Special guardianship**

Special guardianship provides an alternative form of legal permanence to adoption and can be used, for example, in cases where children, social workers or the courts feel it would be beneficial to retain links with their birth families. It should:

- Give the carer parental responsibility for all aspects of caring for the child and for taking the decisions to do with their upbringing. The child will no longer be looked after by a local authority.
- Provide a firm foundation on which to build a lifelong permanent relationship between the child and their carer.
- Be legally secure.
- Preserve the basic link between the child and their birth family.
- Be accompanied by access to a full range of support services, including, where appropriate, financial support.<sup>9</sup>
- The Adoption and Children Act 2002 outlines who can apply to become a special guardian for a child, including relatives and foster parents.

## **Long-term foster care**

Children living in stable, long-term foster care can have similar outcomes to adopted children,<sup>10</sup> and this is a positive permanency option for those children who still identify with, and wish to maintain links to, their birth families. It can also be a positive option for children with complex care needs or who are harder to place for adoption, such as sibling groups or older children, providing them with long-term stability and ongoing care and support.

5 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

6 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

7 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

8 Research in Practice (2014) 'Impacts of delayed decision-making' <http://fosteringandadoption.rip.org.uk/topics/decision-making/>

9 Department for Education (2017) 'Special guardianship statutory guidance' <https://www.gov.uk/government/publications/special-guardianship-guidance>

10 Research in Practice (2014) 'Placement stability and permanence' <https://fosteringandadoption.rip.org.uk/topics/placement/>

If long-term foster care is the plan for a child, it is important that work begins early to prepare the child for this, and to ensure that the ‘match’ between the child and the foster family is right, along with putting in place long-term support for the placement.

### **Residential placements**

Living within a family setting will be the preferred permanency option for most children, including those for whom residential care is a positive short-term option. However, for a small number of children and young people a long-term residential placement could equally be the best option. In particular, this can be useful for older children who are unable or unwilling to participate in family life due to previous experiences or the emotional demands of family living.

### **Fostering for adoption**

Where the preferred form of permanency for a child is adoption, they may be placed with approved adopters who are also approved foster carers while social workers continue to investigate all options for the child. Where the court decides that the child can be placed for adoption, the foster family will then be granted an adoption order, provided social workers and the court are satisfied the child’s needs will be met in that placement.

Fostering for adoption can limit the number of placement moves for a child, and allows them to begin building a relationship with potential adoptive parents from an early stage.

## **Permanency planning**

Every child in care, including those accommodated under Section 20 arrangements, will have a care plan, and by the second statutory review (the four-month review), this should outline plans for permanence.<sup>11</sup>

Legislation and guidance are clear that if a child cannot return home, family members and friends should always be considered

as the first option for permanence. Where this is not possible or not in the child’s best interests, alternative permanent carers should be identified. Where alternate family living is not appropriate, long term residential care can be considered, and for older children, options for independent living should also be investigated.

As part of permanency planning, contact and links with extended family, friends and other connected adults should be looked at to facilitate a wider network of support for the young person wherever possible, and where this is in the child’s best interests and in line with their wishes. This can help a child to cope better with transitions, manage contact with birth parents and provide stability.

Every permanency plan must focus on an assessment of the child’s needs with a focus on outcomes and stability, while the child’s wishes and feelings should be sought and taken into account along with the views of the child’s carers.

## **Statistics**

The Adoption and Special Guardianship Leadership Board publishes quarterly data reports: [www.gov.uk/government/collections/adoption-system-performance](https://www.gov.uk/government/collections/adoption-system-performance)

These include local authority-level data on the amount of time children wait to be placed with adoptive families, adopter recruitment and the characteristics of children waiting for adoption.

Cafcass reports monthly on the number of care order applications made by councils: [www.cafcass.gov.uk/about-cafcass/research-and-data/public-law-data](https://www.cafcass.gov.uk/about-cafcass/research-and-data/public-law-data)

The Department for Education (DfE) publishes annual statistics about looked-after children, including information about the reasons for children leaving care: [www.gov.uk/government/collections/statistics-looked-after-children](https://www.gov.uk/government/collections/statistics-looked-after-children) (broken down to local authority-level).

<sup>11</sup> Department for Education (2013) ‘Statutory guidance on adoption’ <https://www.gov.uk/government/publications/adoption-statutory-guidance-2013>

# Definitions

## **Adoption order**

An adoption order is made by the court, and transfers parental responsibility for the child permanently and exclusively to the adopter(s). The child must have been living with the adoptive applicants for at least 10 weeks before an adoption application can be made.

## **Adoption panels**

Adoption panels contribute to the running and quality assurance of the local authority's adoption service, including making recommendations on the suitability of prospective adoptive applicants to adopt, advising on adoption support, and in some cases, recommending on whether adoption is suitable for a particular child.

Adoption panels should have an independent chair, and membership should be drawn from people experienced in matters relevant to adoption, for example social workers, mental health workers and education specialists.

## **Cafcass**

Children and Family Court Advisory and Support Service. Cafcass represents children in family court cases in England, with a duty to safeguard and promote the welfare of children going through the family justice system including care proceedings and adoption.

## **Care order**

A care order issued under Section 31(1)(a) of the Children Act 1989 places a child in the care of their local authority. To issue the care order, the court must be satisfied that it is in the best interests of the child, and that a suitable care plan (including permanence planning) is in place.

A care order can last as long as the court believes it is necessary, until a young person is 18 years old, or until an adoption, special guardianship or child arrangements order is put in place.

## **Child arrangements order (previously 'residence and contact orders')**

A child arrangements order is issued by the court and outlines who a child is to live with, who they will spend time or have contact with, when that contact will take place and what it will look like (for example, visits or phone calls). The order can remain in place until the child is 18.

The person named within the order as the person with whom the child will live shares parental responsibility for the child with the birth parents while the order remains in force. The child is not looked after by the local authority, and there is no social work involvement unless this is deemed necessary.

A child arrangements order may not offer the same degree of long-term security as adoption or special guardianship as an application can be made to revoke the order.

## **Inter-agency fee**

Sometimes a local authority will need to place a child for adoption with an adopter who has been assessed, trained and approved by another council or a voluntary adoption agency. In these cases, the placing authority pays an inter-agency fee, which is a set fee to cover the costs of recruitment and training by the other agency.

## **Special guardianship order**

Special guardianship was introduced by the Adoption and Children Act 2002. A special guardianship order (SGO) is an

order appointing one or more individuals to be a child's 'special guardian'. The order offers more long-term security than a child arrangements order, as a parent cannot apply for the order to be discharged without the permission of the court, but it does not end the legal relationship between the child and their birth parents as in the case of an adoption order.

The use of SGOs has increased significantly in the years since its introduction. In 2011, 4,288 children (including those who had not previously been looked after) were cared for through an SGO, increasing by 67 per cent to 7,153 in 2017.<sup>12</sup>

The use of SGOs for looked after children has also increased. In 2017, 3,690 (12 per cent of those leaving care) ceased to be looked after due to a special guardianship order, an increase of 33 per cent from 2,770 in 2013.<sup>13</sup>

### **Supervision order**

A supervision order allows a council to monitor a child's needs and progress. A social worker will advise and help the child and the family that they are living with.

### **Placement order**

A placement order is an order allowing the local authority to place a child for adoption where there is no parental consent.

A placement order has the effect of suspending a care order. If the placement order is subsequently revoked, the care order is reinstated.

### **Parallel plan (or twin track)**

Parallel planning involves drawing up a contingency plan for a looked-after child at the same time as pursuing the main plan for permanency for the child. This means that if the preferred permanency option cannot be achieved, an alternative plan is immediately available to avoid drift in the child's case.

### **Section 20 accommodation**

Section 20 accommodation is where a child or young person is accommodated by their local authority and has looked-after status, but with the agreement of their parents – a care order from the court is not involved. Section 20 does not give the council parental responsibility over the child, and someone with parental responsibility can remove the child from care at any time.

### **Voluntary adoption agency**

A voluntary adoption agency (VAA) recruits and assesses prospective adopters who can then be matched with children who are in the care of a council. That authority then pays the VAA to cover their costs (no profit is allowed).

All VAAs must be registered with Ofsted.

12 Ministry of Justice (2018) Family Court Statistics <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2017>

13 Department for Education (2017) 'Children looked after including adoption 2016/17' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

# Legislation and practice

## Children Act 1989

The Children Act 1989 is the main piece of legislation governing child protection procedures. The Act allows for local authorities to take children into their care in two circumstances.

Section 20 allows for children to be looked after at the request of, or by agreement with, their parents. No court proceedings are required to accommodate children under Section 20.

Section 44 refers to orders for the emergency protection of children, where the court is satisfied that the child is suffering, or is likely to suffer, significant harm if they are not removed to alternative accommodation.

In addition, Section 47 outlines that where a child has been placed in police protection, the council has a duty to carry out enquiries to establish whether action needs to be taken to safeguard the child. The council does not have parental responsibility for children under police protection.

## Adoption and Children Act 2002

This Act outlines the legislative framework for domestic and inter-country adoption, and introduced special guardianship. The Act's guiding principle is that the needs and welfare of the child should always be at the centre of decision-making.

The Act requires councils and adoption agencies to consider the lifelong requirements of a child and any support

needs that the child and their adoptive family might have.

The Act also allowed unmarried couples, including same-sex couples, to apply for joint adoption.

## Children and Adoption Act 2006

The 2006 Act gave courts more flexible powers to facilitate child contact and enforce contact orders when separated parents are in dispute.

## Children and Families Act 2014

This Act places a duty on every children's services authority in England to appoint a virtual school head (VSH) – an officer employed to make sure that the council's duty to promote the educational achievement of its looked-after children is properly discharged.

The Act encourages 'fostering for adoption' which allows approved adopters to foster children while they wait for court approval to adopt, and introduced 'staying put' arrangements which allow young people in care to stay with their foster families until the age of 21 years. The Act established a requirement for councils in England to facilitate, monitor and support these arrangements where this is what the young people and their carers want, unless the council considered these arrangements to be inconsistent with the welfare of the young person.

The Act also introduced a 26 week time limit for the courts to decide whether or not to grant a care order for a child.

## Children and Social Work Act 2017

This Act defined, for the first time in law, the role of corporate parents, in addition to expanding and extending support for care leavers, for example through the publication of a 'local offer for care leavers' and making personal advisers available for care leavers up to the age of 25.

The VSH role was also extended to previously looked-after children, including those in special guardianship arrangements or who have been adopted.

## National quality standards for children's homes

The Children's Homes (England) Regulations 2015 set out nine quality standards which outline the aspirational and positive outcomes that all children's homes are expected to deliver.

These quality standards are:

- quality and purpose of care
- children's views, wishes and feelings
- education
- enjoyment and achievement
- health and wellbeing
- positive relationships
- protection of children
- leadership and management
- care planning.

Further information on each standard is outlined in the DfE's Guide to the Children's Homes Regulations.

## Regional adoption agencies

In 2015, the Government announced its intention to require councils to create regional adoption agencies (RAAs) with the aim of speeding up matching, improving adopter recruitment and support, reducing costs and improving outcomes for adopted children. It has ambitions for all local authorities to be in regional adoption arrangements by 2020. Provisions were made in the Education and Adoption Act 2016 allowing the Secretary of State for Education to direct councils to join these arrangements where they have not already done so.

Regional adoption agencies are expected to deliver all adopter recruitment, matching and support functions, other than in exceptional circumstances. Government was also keen that voluntary and statutory adoption agencies worked closely together in RAAs to make the most of the strengths of both. RAAs do not have to follow regional lines, with many councils opting to partner in sub-regional arrangements according to need and business cases.

At the time of publication, Ofsted's intention was to inspect RAAs as part of individual council children's services inspections, rather than inspect the RAA separately.

## Adoption and Special Guardianship Leadership Board

The Adoption and Special Guardianship Leadership Board (ASGLB) was established by the Department for Education in 2014 to provide leadership to the adoption system and drive improvements in performance.

The ASGLB is made up of senior officials from key organisations in the adoption system in England, including local authorities, voluntary adoption agencies and independent experts.

In 2018, the board extended its focus to include special guardianship, recognising the importance of different types of permanence for different children.

## Regional adoption boards

Regional adoption boards are regional subsidiaries of the Adoption and Special Guardianship Leadership Board. These are made up of a range of partners including council adoption leads, VAAAs and an ASGLB sponsor, and they focus on regional adoption data which is reported into the ASGLB.

## United Nations Convention on the Rights of the Child (UNCRC)

Article 7 of the UNCRC states that every child has the right, as far as possible, to know and be cared for by their parents. Permanency with the birth family should always be the preferred option wherever possible, however this must be considered alongside Article 9 which states that children must not be separated from their parents against their will unless it is in their best interests, for example if a parent is hurting or neglecting the child.

Further articles that should be considered in all cases include Article 3 (best interests of the child) and Article 12 (respect for the views of the child).

## Special Guardianship (Amendment) Regulations 2016

These regulations strengthened the assessment of prospective special guardians, including a consideration of their ability to fully meet the needs of the child through to adulthood. Particular consideration must be given to meeting any needs arising from harm suffered by the child, and protecting the child from potential harm caused by contact with the child's parents or relatives.

New statutory guidance was issued in January 2017 covering the new regulations.

## Adoption Support Fund

The Adoption Support Fund (ASF) was established by the Department for Education to help pay for therapy services for adoptive families both during and after adoption. The ASF is available for adopted children up to and including the age of 21 (or 25 with an education, health and care plan) who are living in England, and for special guardians who care for children who were looked after immediately prior to the special guardianship order.

Adoptive parents have the right to an assessment of their adoption support needs – this should be carried out by the placing authority for three years after the adoption order is complete, and the council where the family lives (if different) after that. If support needs are identified, the assessing social worker can apply to the ASF on the family's behalf, with money released to the local authority to commission the approved services.

## Sir Martin Narey's Independent Review of Residential Care

Sir Martin Narey was commissioned by the Prime Minister in 2015 to carry out an independent review of children's residential care.

The final report was published in July 2016 and contained 34 recommendations. These included ways to improve commissioning of places in children's homes, and to encourage development of the right sort of provision where it is needed.

The review also recommended the piloting, and then full roll out, of 'Staying Close', a version of Staying Put in which young people leaving residential care can live nearby in supported accommodation to enable them

to receive help and maintain links with staff in the care home as they move towards independence.

## Fostering Stocktake

In 2017, Sir Martin Narey and Mark Owers were commissioned by the DfE to carry out an independent review of foster care in England. The final report considered a range of issues around foster care, and included a section on permanence.

The report found that fostering could be hugely successful for children, but noted that the emotional and financial support received by many children living with their birth parents throughout their lives ended for foster children at their 18<sup>th</sup> birthday. Despite acknowledging the benefits of the Staying Put policy the report argued that more children in foster placements should leave the care system via special guardianship arrangements or adoption, with longer term guarantees of financial support, thereby achieving what they term 'genuine permanence'.<sup>14</sup>

The report also recommended the establishment of a 'permanence board' to oversee the Adoption and Special Guardianship Leadership Board and the Residential Care Board, with the purpose 'to deliver to more looked-after children permanence in their care, and a sense of belonging which lasts well beyond the age of majority'.

Finally, the report recommended that statutory guidance be reinforced to make sure that all children know of their right to advocacy, and how to access an advocate.

## Re B-S judgement

The case of Re B-S in 2013 was perceived by some to change the threshold for adoption, making it more stringent, and it has been suggested that this is one reason for a reduction in adoption orders and increasing special guardianship orders in recent years.

However, the Adoption and Special Guardianship Leadership Board, and the Family Court, have been clear that this is not the case. Rather, the case clarified the need for high-quality, evidence-based assessments of all realistic options for a child's long-term care, with the child's welfare and best interests at the heart of all considerations.<sup>15</sup>

## Family Justice Board

The Family Justice Board was set up to improve the performance of the family justice system and to ensure the best possible outcomes for children who come into contact with it. It is jointly chaired by Ministers from the Ministry of Justice and Department for Education and includes senior stakeholders from across the family justice system.

Local family justice boards (LFJB) support the work of the Family Justice Board by bringing together the key local agencies, including decision makers and front-line staff, to improve the performance of the family justice system in their local areas.

14 Sir Martin Narey and Mark Owers (2018) 'Foster Care in England' page 16 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/679320/Foster\\_Care\\_in\\_England\\_Review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679320/Foster_Care_in_England_Review.pdf)

15 Adoption Leadership Board (2014) 'Impact of Court Judgements on Adoption' <http://www.first4adoption.org.uk/wp-content/uploads/2014/11/ALB-Impact-of-Court-Judgments-on-Adoption-November-2014.pdf>

# Key lines of enquiry for all councillors

## How are we giving children and young people the chance to express their views, wishes and feelings? How do we know these are being acted on?

Children should be involved in developing their care plans, including having an input into permanency planning, and should be provided with advocates to help them do this wherever necessary. Social workers make the necessary arrangements for this to happen, and independent reviewing officers (IROs) should ensure children and young people are listened to and their views taken seriously. IROs should provide feedback on how well this is happening.

Consider in particular how your council engages with children with special educational needs and disabilities, those who may face cultural or language barriers to engaging in feedback processes, or very young children who may find it harder to explain their wishes and feelings. In some cases, there may be safeguarding concerns about children with particularly complex needs being asked to take part in certain ways of giving feedback. There should be sensitive discussion between the children's carers, advocates, the complex needs team and any other relevant professionals to find the best ways of engaging these children, who should still have the opportunity to say how they feel about their care.

It's also important to ensure that children are still able to influence ongoing plans when permanence has been established, for example requesting changes to contact with birth relatives.

You should also ensure that a child's carers, who spend the most amount of time with the child and can advocate on their behalf where necessary, have the opportunity to input into care plans and permanency planning on an ongoing basis.

## What support is provided to families while children are in care to improve their chances of returning home?

A key principle of the Children Act 1989 is that children are 'best looked after within their families, with their parents playing a full part in their lives', while Article 7 of the UNCRC states that every child has the right, as far as possible, to be cared for by their parents.

Councils have a responsibility to provide support to families to address issues that have led to children being taken into care where there is a chance that this could lead to a safe, successful return home.

Councillors will want to know what support services are provided for different issues, such as help to address family conflict, housing issues, drug and alcohol abuse or mental health issues. How long are the waiting lists for these services? How has this changed in recent years? Are both children and adults able to access the specialist

services that they need, including those that support their health and wellbeing?

Supporting families to address often complex issues requires significant time from dedicated officers. Are social worker caseloads manageable, enabling them to spend the necessary time with children and families? Has the Troubled Families programme been used where appropriate to support families where there is a risk of children being taken into care, or who are already looked after?

Most councils have seen family support and public health services affected by increased demand and falling funding. Have any services been cut recently, and what impact has this had on children and families? What work takes place with partner agencies such as the police and NHS to identify demand and fund and commission services?

Support for families when a child returns home is also vital. The return home itself must be carefully managed, and arrangements for ongoing monitoring and support set out prior to the child's return. Is this happening in every case? What proportion of children who return home end up returning to care? If this is increasing, what are the reasons behind this and how is it being addressed?

## How do we recruit adopters and foster carers?

Matching children to the right adoptive or foster family is key if the placement is to be a success, and this will naturally be easier to achieve with access to a varied pool of adopters and foster carers.

It is useful to know whether adopter recruitment is currently effective or needs to be improved, whether this is currently done locally or as part of a regional arrangement. How long do children in your care wait for a match, and what plans are in place to ensure future sufficiency of adoptive placements?

For foster care, how many placements do children have before a suitable long-term placement is found? How many children are placed out of area? If your council is placing a higher proportion of children out of area than its statistical neighbours, or than it was two years ago, for example, it is important to ask why. Is this because children need very specialist placements that can only be found elsewhere, or because there are not enough placements locally?

Are some children harder to find a match for than others, and how are those 'gaps' in recruitment being addressed? Sibling groups or children with higher needs, for example, can be harder to place, particularly for adoption, so specific recruitment strategies may need to be put in place.

Consider how prospective adopters and foster carers are treated. What channels can people use to express an interest, and are enquiries always followed up in a timely manner? Are people encouraged to apply, or are there barriers? How are applicants supported through the process?

You may also wish to look at how foster parents can be supported to adopt or move into long-term arrangements, if this is what they wish. The interests and wishes of the child should always be paramount, including where this means considering adoption from outside the existing pool of approved adopters.

## How do we match children with potential long-term carers?

Any child approved for adoption for whom an active match with an approved adopter is not being pursued after 90 days must be referred to Adoption Match, the statutory matching service for England, though they can be referred sooner. This is an online database containing details of children waiting to be adopted, and information about approved adopters. What proportion of children approved for adoption are referred to

Adoption Match, and does your authority wait the full 90 days to do so? If so, why is this? Do any children wait longer than 90 days to be referred?

Authorities may also wish to consider using a service which supports the matching of children with approved adopters and foster carers.

Does your council take part in activities such as adoption activity days or child appreciation days to support the matching of children? Adoption activity days provide the chance for prospective adopters to meet a number of children, while child appreciation days are an opportunity for prospective permanent carers to get to know the child better by speaking to those involved in their care, and to understand their background more fully. Events such as these can be particularly helpful for children who are harder to place.

It's important to take into account the views and wishes of a child or young person wherever possible when matching them with a long-term carer. This is easier where a child has a positive relationship with their social worker and other professionals working with them; if children trust the adults around them, they are more likely to confide in them and share their opinions. Are children given the opportunity to do this wherever possible, ahead of a move to a permanent carer? And are children able to visit placements before a final decision is made?

It is also useful to receive feedback from your adoption panel to see whether improvements could be made to how placements are made. In addition, what training do adoption panel members receive, and how regularly is this refreshed to ensure they are in a position to make the best possible decisions for children?

## How do we avoid drift?

Drift is where children remain in placements that are not part of their permanency plan for longer than necessary. Evidence shows that delays can reduce the chances of permanency, result in a need for more intensive interventions later on, and could leave children in unsafe or unsuitable placements.<sup>16</sup>

All care plans should, by the four month review, outline how permanence will be achieved for the child, and it is important to work to the timescales in that plan to avoid delay and uncertainty for the child.

The Children and Families Act 2014 introduced a 26 week time limit for care proceedings, though extensions are available in complex cases. When care proceedings are issued – that is, the council asks the court to look at a child's situation and decide if a legal order is needed to keep them safe – the council has 26 weeks to investigate the child's situation further and produce a care plan. The court will then decide whether to issue a legal order. How many of your council's cases meet the 26 week deadline, and how has performance changed over time? For those cases where the deadline has been missed, why did this happen and are you satisfied that this was in the best interests of the child?

Drift can occur for a number of reasons, including high social worker caseloads, difficulty finding a suitable permanent match for a child or sibling group, or disagreement between professionals and others involved in the child's care on the best approach. Parallel, or twin track, planning can help to avoid drift by investigating two different permanency options at once to ensure that if one option becomes unavailable, a suitable alternative can immediately be used.

It is important to consider whether social worker caseloads within your council are manageable, and if the average caseload is above target, find out what is being done

<sup>16</sup> Research in Practice (2014) 'Impacts of Delayed Decision Making' <https://fosteringandadoption.rip.org.uk/topics/decision-making/>

to address this. How long do children in care wait before moving into permanent arrangements? The Adoption and Special Guardianship Leadership Board collects and publishes quarterly data for all local authority areas outlining information about children placed for adoption and timescales.

## What support is provided to permanent carers pre-placement?

To improve the chances of a successful, long-term match, it is important that carers are fully prepared for both the challenges and the rewards that they can expect.

When a match is made, carers should receive as much relevant information as possible about the child, including possible physical, mental or emotional health problems. Similarly, children should be provided with as much information as possible about their future carers.

It is useful to understand the support package available to permanent carers before placement. For example, are counselling services or financial support available? How are they signposted to additional help, and when a placement is made, is it clear how to access support from day one?

An adoption support plan should be prepared with an assessment of the needs for adoption support services for the child, the prospective adopters and any children of the prospective adopters to ensure that support can be put in place before a child goes to live with their new family.

Is the same pre-placement support available to long-term foster carers and special guardians as to adopters? If not, has this appeared to have had an impact, such as higher rates of placement breakdowns or increased requests for support post-placement?

## What training is provided for permanent carers?

Children and young people who are no longer able to live with their parents may need additional, and sometimes significant, support throughout their lives. While many will adjust to their new families well in time, others will need help to cope with previous trauma, and all permanent carers will need to understand the potential issues that children can face as a result of separation from their birth families.

Councils and fostering and adoption agencies will already have training plans in place for foster carers, residential staff and adoptive parents. Is this training also available for kinship carers and special guardians, and is it available on an ongoing basis to keep carers' knowledge and skills up-to-date, as well as ensuring they can access support when needed? How are the different support needs of different types of permanent carers identified and addressed? It's important that assumptions aren't made about permanent carers' abilities to care effectively for children and to ensure support is available for all – for example, having an existing connection to a child may not equip a kinship carer to address the specific needs of a child. Help to improve and develop relationships to support placement stability and permanence is key.

It is also helpful to know how frequently training plans and provision are updated, and what information is used to inform the training offer. How is feedback from existing and potential carers incorporated? Can the council work with other fostering and adoption agencies to enable a breadth of training opportunities for a range of carers?

## What support is provided for children and families in permanent arrangements?

Regardless of the form that permanence arrangements take, children and families may need support to maintain that arrangement and to help achieve positive outcomes, and to protect their health and wellbeing.

Adoptive families and special guardians have access to the Adoption Support Fund (see page 12), which can fund therapeutic support. Make sure that families in your area know about the fund, and are receiving assessments in a reasonable time frame where these are requested. Find out also what analysis is done of those services that are required, and how services are commissioned. If some services are more specialist, are there opportunities to achieve better value for money through joint-commissioning with other authorities? How many times (if any) has the council been asked to match fund more intensive support? Were any of these applications refused, and if so, what was the reason for this?

All children should be able to take part in life story work, which can help them to understand their life journey and identity, including a sensitive explanation of the reasons that they cannot live with their birth family. Are foster carers, special guardians and other permanent carers given training and support to carry out life story work with the child(ren) in their care?

Children who are looked after by their local authority receive support from the virtual school head (VSH) to help them to reach their potential at school. The Children and Social Work Act 2017 extended this support to any child previously looked after by an authority in England or Wales, including those who have been adopted or are living in special guardianship arrangements. Is information on this service easy to find for those families who may want it?

Due to the trauma that some children may have experienced prior to entering permanent

arrangements, issues may develop many months or even years after the arrangement begins. Ongoing help should be available to all children and families, not just those who are still looked after, to support the placement and increase the changes of the arrangement lasting. Make sure that special guardians, adoptive parents and others involved in permanency arrangements know what support is available on an ongoing basis, and check whether this is suitable for their needs. Providing assistance only at a crisis point may be too late; early help for families can be key in helping them to tackle issues and remain together.

Peer support for both parents and children can be highly effective, providing an opportunity to share experiences and develop strategies for dealing with different issues. Are support groups, mentors or other methods of peer support available for permanent carers, birth parents and children? Are these accessible for all, for example including those with disabilities or from more remote areas?

For those families who adopt or care for a child with complex needs, respite care can be a vital support mechanism that gives carers a break from significant caring responsibilities, allowing them the chance to rest and focus on other relationships while providing an enriching experience for the child. Find out whether respite is offered to permanent carers, and how much of this is planned or emergency. Has demand increased in recent years, and if so, has supply kept up? How are respite carers recruited?

## How are special guardians supported?

Special guardians may have different support needs to other permanent carers for a range of reasons. Many special guardianship orders (SGOs) may be unplanned, for example as a result of an unexpected change in birth family circumstances, therefore special guardians may not have had as much training or time to prepare as foster carers or adoptive parents.

Most special guardians will already have a relationship with the birth parents, for example through being a relative or existing foster carer. This can result in an expectation of increased contact when the SGO is implemented, as the child is no longer 'in care' and the legal link with the child has not been severed as in adoption. All parties may need additional support to understand the SGO and manage expectations and ongoing contact.

In determining the amount of ongoing financial support for special guardians, the Special Guardianship Regulations 2005 require councils to 'have regard to' the amount of fostering allowance which would have been payable if the child had been fostered.

While this does not require councils to pay special guardians the same allowances as are paid to foster carers, a number of recent court cases have found that special guardianship allowances should be in line with fostering allowances. Find out what allowances are currently being paid and, if lower than for foster carers in any cases, are you satisfied that the reason for this discrepancy is fair and in line with regulations?

## How is contact with a child's birth family managed?

Whichever permanency arrangement a child is in, if it is outside the birth family then the issue of contact must be carefully considered. In some cases, contact can be beneficial for children, allowing them to maintain links with their family and helping them to understand their identity and history. For others, contact can be damaging and even potentially threaten their placement. The Children Act 1989 requires that local authorities promote and support contact between children who are looked after and their families unless it is not in the best interests of the child's welfare, while the

Children and Families Act 2014 allows for the court to make orders around contact between an adopted child and their birth family.

Arrangements for contact must always be in the best interests of the child, and this may change over time – both in terms of the regularity of contact (if any) and the type of contact – so regular reviews are important, and the voices of the child and their carers or adoptive parents should always be clearly heard in these reviews. Different arrangements may be required for different relatives – for example, where contact with birth parents may not be appropriate, contact with siblings in different placements could be very positive. How frequently are arrangements reviewed, and how are the child's wishes factored into this planning? What support does the child and their carers or adoptive parents have to cope with contact and to request changes? Children may benefit from the support of an advocate to help them explain what they want and need from contact with their birth relatives.

Consider also the impact of social media on contact. Even where contact is not considered appropriate or beneficial, birth relatives are often able to find and contact young people on social media with relative ease if they so wish. Young people and their carers or adoptive parents must be prepared for this possibility. How are young people (whether looked after by the council or in other permanency arrangements) taught about privacy settings on social media, what are they taught about their birth families and what emotional support are they given to prepare for, or deal with, contact?

Contact arrangements may look very different for those in SGO arrangements rather than adoption. Often SGOs are arranged with relatives or others close to the birth family. Depending on the circumstances leading to the arrangement, this can sometimes result in contact arrangements that are difficult to manage for special guardians, and birth parents may need additional support to understand the importance of adhering to them. Is additional support such as

mediation available where required for special guardians, children and birth parents?

In addition to contact with birth families, also consider how contact with previous carers and friends is managed. These can be important relationships for children and young people, and play an important role in identity and developing a sense of self. In the case of former carers, these may also be able to provide valuable information and advice to those providing permanent placements.

## Do all of our councillors understand their corporate parenting responsibilities?

All councillors in a local authority that has responsibility for looked after children are corporate parents. This means they have a responsibility to ensure that children in the council's care get the same opportunities as other children.

Detailed information on the corporate parenting duty for all councillors is available in our Corporate Parenting Resource Pack: [www.local.gov.uk/publications](http://www.local.gov.uk/publications)

## How productive are your relationships with partners to support permanence arrangements?

The council should be working closely with local partners – schools and the NHS in particular – to support permanence arrangements. Schools should be engaged through the virtual school head, while the council and NHS can work together through the health and wellbeing board.

How are schools engaging with the VSH to ensure that pupil premium money is spent appropriately to enhance children's experiences at school? What mechanisms are in place to ensure that, if there is a concern about a child that could require more intensive support, this is passed on to

the appropriate team? This may not be as clear for adopted children or those in special guardianship arrangements as for those in long-term foster care.

Children who are, or who have been, in care are more likely to experience mental health problems than their peers, while mental health support services such as talking therapies can be helpful not only for children but for families in permanence arrangements. How does the council work with NHS partners, in particular CAMHS (child and adolescent mental health services) to make sure that this support is available when it is needed? Where children have physical, mental or learning disabilities, how is support commissioned to help children and their families to cope with these and thrive?

## Does your council have a good relationship with your family court?

The proportion of adoption orders granted varies across the country, so it can be helpful to understand your council's relationship with the local family court to identify whether any changes need to be made to improve outcomes for children.

Information on the numbers of adoption orders granted are available in adoption scorecards.<sup>17</sup> If you are seeing a discrepancy, high or low, in adoption orders granted for your council or region compared to the national average, or if a high proportion of care proceedings are taking longer than 26 weeks, are the reasons for this clear? What discussions have been held with your family court to make sure proceedings run smoothly and avoid delays for children and families.

Does someone from your authority sit on the Local Family Justice Board? These exist to examine local processes and report to the national Family Justice Board to improve performance at national and local level. This can be a useful forum to raise any issues

<sup>17</sup> [www.gov.uk/government/publications/adoption-scorecards](http://www.gov.uk/government/publications/adoption-scorecards)

and find ways to make sure that all relevant agencies locally are working well together.

## Do you have a positive relationship with voluntary adoption agencies in your area?

How many VAAs are in your area, and how proactively does your adoption service work with them to find matches for children? What feedback do you get from VAAs on how your service operates? As regional adoption agencies become more established, VAAs will play an important role, so check how they are being engaged, and ensure their role in the RAA is clear.

What proportion of adoptions, SGOs and other permanent arrangements break down, and what work is undertaken to avoid this? Has an increase in SGOs been accompanied by an increase in the proportion of SGOs issued with supervision orders? What assurance do you have that this is still the best approach?

## How has our performance changed over time, and how does it compare with our statistical neighbours?

If your adoption rates are significantly lower than those of your statistical neighbours, or if children are waiting longer to be matched with adoptive families, find out what the reasons for this are. Sometimes one or two cases can affect the average for good reason, for example if your council has placed a sibling group or child with complex needs, however if there are delays with the family court or broader problems finding matches, you will want to look into this more closely. If your adoption rates are significantly **higher** than those of your statistical neighbours, consider why this might be and whether alternatives are being adequately investigated where appropriate.

If your council's performance on adoption has changed recently, for example a shift towards more special guardianship arrangements, it is helpful to look at the reasons for this to understand why this change has taken place and be confident that this is delivering the best outcomes for children.

# Key resources and further reading

## **Regional Adoption Agencies**

<https://www.gov.uk/government/publications/regional-adoption-agencies-programme>

## **Department for Education (2017)**

**'Special guardianship statutory guidance'**  
<https://www.gov.uk/government/publications/special-guardianship-guidance>

## **Department for Education (2013)**

**'Statutory guidance on adoption'**  
<https://www.gov.uk/government/publications/adoption-statutory-guidance-2013>

## **Fostering Stocktake**

<https://www.gov.uk/government/publications/foster-care-in-england>

## **Independent review of children's residential care (2016)**

<https://www.gov.uk/government/publications/childrens-residential-care-in-england>

## **Research in Practice (2013) 'Fostering and Adoption Learning Resources'**

<https://fosteringandadoption.rip.org.uk>

# Case studies

## Peterborough and TACT

The TACT Peterborough Permanency service grew out of a realisation by Peterborough City Council that they needed to do something radical to improve their fostering services and a determination by TACT that they wanted to assist a local authority in doing just that.

Peterborough understood that care services would always be subsumed to the needs of child protection services in terms of senior management time, and after considering a range of options, concluded that having an expert partner delivering these services under contract would allow them to concentrate on improving child protection services and make the improvements that they desired to see.

The shared overarching vision was to improve outcomes for children through better recruitment, support and training of local foster carers, improving local placement choice for children in care and helping to maintain their connection with their home communities. This will also reduce overall unit costs by reducing reliance on higher cost independent fostering agencies and residential placements.

### Implementation

The involvement, encouragement and support of councillors in Peterborough was crucial to this service being created, without councillor agreement it simply would not have happened. The Peterborough cabinet member for children's services sits on the governance board and plays a crucial role in overseeing the new service and helping to overcome any issues that come up along the way.

Political support at all stages is crucial and councillors must be bought into the concept and the process.

### Challenges and solutions

Public sector procurement processes are often cumbersome and so it took quite a long time to create the service as it had to be tendered and bids judged. However, the council undertook this diligently and awarded the service to TACT in the autumn of 2016. Peterborough also expertly ensured that affected staff were informed and consulted with throughout the process and staff and foster carers were involved with interviewing potential providers and had a say in the final award.

The TUPE process is crucial as is involving foster carers at the earliest possible opportunity. Each staff member had the opportunity of a one-to-one with TACT managers, so all had their questions answered, fear allayed and were fully informed about the vision for the new service before signing up to join. All staff volunteered to transfer over as did all foster carers.

### Sustainability

The contract is for 10 years with a 10-year extension. Both sides have to be committed to this service for the long term in order for it to be effective. The children's care placement budget is large and sensitive to increases in numbers. Difficult decisions still need to be made about financial support if numbers of children in care rise. However, the council has clear targets for TACT about increasing in-house fostering capacity and promoting the use of special guardianship orders (SGOs). TACT is responsible for family group conferences and ongoing SGO support. The

improvement in this has been a key feature of the new permanence service.

## **Successes**

In August 2018 Peterborough City Council's children's services received its first 'Good' across all areas rating from Ofsted since its formation as a unitary authority in 1998. Inspectors singled out both the significant and impressive improvements Peterborough had made to child protection and family support services and the contribution of TACT's permanency service. Ofsted also noted that this service was 'seamless', a real compliment to the close working relationship between TACT and the council.

## **Key learning points**

- Cross party buy in to doing this, especially in councils where political control is marginal.
- The permanence service could be contracted out to a charity like TACT but could equally be created as a 'spin out' community interest company wholly owned by the council or a number of councils.
- The key is that the entity, whether contracted partner or spin out, is wholly focused on fostering, adoption and SGO/kinship families. It is this focus that allows the improvement in quality, the increase in capacity and the attendant improvement in outcomes for the children that the council are the corporate parent for.
- It is worth considering retaining procurement services in-house so outside placements, such as residential or 16+ services, are procured by council officers. There are VAT issues and other budget management issues that make this an attractive and prudent option. All placement costs relating to in-house foster, adoptive or kinship care should be devolved to the new entity

## **Aspire Adoption Agency**

Aspire Adoption Agency was one of England's first regional adoption agencies (RAAs) to open its doors following two years of development work by the councils involved and their local voluntary adoption agency (VAA).

Bournemouth, Dorset and Poole councils were already joining up work effectively across a range of areas, and agreed that coming together in an RAA, with their local VAA 'Families for Children', was an opportunity worth exploring. The councils established a project team with significant involvement from the lead member and director for children's services from each authority, coming up with plans that were developed and approved through the scrutiny and cabinet process in each.

A successful bid to the DfE for early adopter funding meant that a project manager with a business change background could be employed from the end of 2015 to take the process forward. Managers from each of the adoption teams worked on developing operational arrangements, however carrying out the work on top of existing roles proved challenging and it was agreed in November 2016 that an existing adoption team manager should be seconded to the project team as an operational manager.

Between the award of the early adopter funding in October 2015 and the presentation of final business cases to each cabinet in early 2017, the project team faced a number of hurdles, including common partnership working issues such as finance, IT and data sharing protocols. However, a strong commitment at a senior officer and political level in all councils, and experience of working closely on other issues, proved invaluable in reaching agreements.

Key issues to be negotiated were around the organisational structure, governance and where the agency would be based, and managers took the opportunity to involve staff in shaping and building a more effective

service. It was agreed that bringing specialist workers together would help to improve timescales and lead to better outcomes for children, and the opportunity for new roles and more innovative ways of working was a selling point for staff.

The DfE commissioned external agencies to help project teams across the country when considering governance models to ensure independent and comprehensive analysis of the options, opting in the end for a ‘hosted’ model in which Bournemouth would host the RAA on behalf of all partners. The trustees of the VAA agreed that it would remain separate to the RAA to retain its identity, but would work in close partnership with it, and it is now commissioned by the RAA to provide certain adoption support services. The RAA and VAA work together in partnership to provide training and support to approved and prospective adopters from both agencies across the region.

While multiple sites for the RAA were considered, partners agreed that establishing a joint culture for the agency was vital and a single site with good transport links was set up. ‘Touch down points’ were also established in several council buildings further afield from the main base that allowed social workers to work elsewhere if it suited them on particular days. Home working is also an option. This flexibility meant that most workers moved over to the new organisation despite it being based out of the home authority for some.

The RAA began operation in July 2017, with staff bringing their existing caseloads with them to maintain stability. Managers have focussed on stabilising the service and establishing the Aspire culture, with staff now starting to look for where improvements can be made. The agency is overseen by two management bodies, one looking at operational issues and one a strategic partnership board. Both bodies feature representation from all councils involved to ensure ongoing discussion, involvement and buy-in.

### Key learning points

- IT is vital. Outstanding support from the IT departments at the authorities involved and particularly the host local authority made the move over to the RAA seamless.
- Additional business support is also vital, both pre and post go live, to set up systems and to deal with the increased volume of activity.
- Commitment for the project at a senior level – both officer and political – is essential for efficient decision-making and to work through potential blocks.
- Dedicated staff whose focus is solely on establishing the RAA can keep the work on track and ensure the process receives the attention to detail that’s vital to make it a success.
- The support of staff for the new service is key, so regular and meaningful engagement should be a strong feature of any project plan.

## Stockport

Stockport’s recent Ofsted inspection was quick to applaud its work to ensure an adequate supply of suitable carers, noting that ‘fostering recruitment is sharply targeted and based on a well-informed understanding of children’s needs and gaps in resources’.

Such effective targeted recruitment in the fostering service has been refined by the team over the last ten years, and is carefully informed not only by close working with the wider Stockport Family service to recruit the carers needed, but by the Fostering Network’s market research and feedback from existing foster carers and care leavers. A dedicated recruitment marketing officer develops the team’s recruitment strategy and drives this forward to ensure that its aims are met.

Stockport identified an urgent need to recruit foster carers who could offer fostering placements to older children and teenagers, so concentrated on using adverts with images of older children in their publicity and advertising materials. This targeted

advertising helped the service increase the number of foster carers recruited to foster teenagers and older children.

In addition to informing recruitment strategies, existing foster carers and care leavers are also involved in all of Stockport's recruitment activity, from speaking at open evenings and giving radio interviews to allowing their stories to feature in case studies and press features. This brings the service to life, highlighting to potential carers both the realities of the role, and the enormous difference that they could make to a young person's life.

The service has worked hard to make sure that where recruitment activity brings potential foster carers to its door, they are immediately supported and welcomed. Live chats are held online for those looking for initial information, Twitter and Facebook channels are regularly updated to encourage engagement, and open evenings provide informal opportunities for people to find out more.

Regional working has also made a big difference. Stockport has been actively involved in the North West 'You Can Foster' consortium of 22 councils since 2013. The consortium runs local and regional campaigns, simplifying and strengthening messages about the support and training available while fostering through each local authority. You Can Foster now accounts for 16 per cent of all enquiries received by the fostering team.

## Aberdeenshire

When Aberdeenshire started PACE (Permanence and Excellence in Care) in 2014, the obvious thing to look at was our procedure for giving legal advice in respect of a child's plan; it is one of the biggest areas of work for the solicitors in our team.

At the time, the procedure was that all the relevant papers were sent to legal services five weeks before the Options Appraisal Looked-After Child Review – that's where a child's plan is considered. We immediately looked at the five-week period to see if there was anything we could improve there. The

opinion was returned seven days before the review, so the process itself was adding four weeks of delay, and the social workers' reports were already five weeks out of date before they got to the point of the meeting where key permanence decisions were made.

The paperwork includes the legal referral form, which is around seven pages long; the report and minutes of the last looked-after child review; the options appraisal document from the social worker; and on top of all of that, a parenting capacity assessment, contact assessment and possibly a sibling assessment. The period of reviewing all of this material is very intense, and on average it took one to two days of solicitor time to go through the papers and prepare the opinion.

### **Was time being wasted?**

I decided to find out if there was wasted time where the reports were just sitting with legal services. Did they really need to be with our team for the full four weeks?

Using a Plan Do Study Act cycle to test what could be done – you plan it, try it, observe the results and act on what is learned – I discussed with colleagues and social work staff how the time could be minimised.

It became apparent that four weeks was not needed to prepare a legal opinion: that using the full four weeks just boiled down to competing diary commitments. Often, when the papers landed with us, four weeks was the timescale it took for us to find a solicitor with time to look at them.

We came up with a change idea where social workers working with a family would give us the heads up at least five weeks before the planned review so that we could set aside solicitor time to deal with the reports. They could then carry on working on their reports for at least three weeks and give us everything fourteen days before the review meeting. We would then, as before, return the paperwork seven days before the review. A final tweak of the process involved the solicitor getting the papers a few days earlier so that the opinion could be returned ten days before the review in order to give the social

worker time to look at it before it is lodged along with all the other papers for the review.

The key change was social workers giving us that notice period of at least five weeks. In practice, I am encouraging social workers to contact us to book in the opinion when the review date is fixed. As a result, I am now getting calls saying that there's a review in three or four months' time, so it's easy to find a solicitor who is available two weeks before that, and they can mark off their diary and set enough time aside.

The key is timescales, on both sides: social workers getting the work booked in and ensuring they have got the papers to us, and us making sure we have the time blocked out in the diary to deal with it.

### **Questioning assumptions**

Previously we had just worked the way we had always worked, and we said we needed the papers a month in advance to make sure we had enough time to get things done. What we had to do was question the assumption. It's not really changed the work we do, it's just more focused now.

Before, we could get that daunting stack of papers and know we had four weeks to deal with it, so it could be put off, but we have found that solicitors like the new way of working because having a deadline focuses them on the job.

Social workers also like being given a strict deadline, and they very much value being given an early point of contact: they know the lawyer who is going to be working with them in advance and they can be a bit more relaxed knowing they can pick up the phone and discuss issues informally.

The upshot of all this is that three weeks have been cut off the process. That might not seem a lot but if everyone involved does something similar it will have a major impact.

### **Strengthening relationships**

The other major benefit is that the reports should only be about two weeks out of date by the time the meeting takes place for the child's plan. It has also helped build

relationships with social workers so that they feel that we're there for support, and ultimately it helps improve things for the children.

With a view to further strengthening working relationships, the legal team, who are based at the council headquarters, will be visiting social work offices and teams so they can get to know us and put names to faces, and that makes communications better. We are also developing some better general guidance and hints and tips for social workers over things such as parental rights and contact, giving them more training and guidance.

### **What we'll do next**

The next area we want to look at is possible drift and delay in applications to sheriff courts for permanence orders. My initial research has shown that our court timescales weren't as bad as we thought: the majority of cases were being resolved in about four months.

But, we have had a few issues recently so I've made up a table to look at what delays there are. If they are at our end, then we can do something about it; if it's to do with the court process itself then the data will help with us talking to the sheriff courts and asking if there could be a different or quicker way of doing this.

Our motivation in all this is twofold: we are committed to delivering a first-class legal service, so that means taking a lead in the permanence process, and looking for ways to support our colleagues. It's also down to a commitment to the ideas behind PACE: we all really want to get the best outcomes for the children we work with.

With thanks to the Centre for Excellence for Looked After Children in Scotland for the use of this case study, which was first published at [www.celcis.org](http://www.celcis.org)

## East Renfrewshire

As a social worker for East Renfrewshire's intensive family support services team, I work with and support the most vulnerable children, and along with multi-agency colleagues, I'm involved in making difficult decisions about permanence for children.

These decisions can be really tough to make, so I'm very focused on the importance of evidence-based practice when making them.

### Drift and delay is a huge issue

Over recent years, before getting involved in PACE (Permanence and Excellence in Care), we were aware drift and delay was a huge issue for children, and we know it can have a very serious detrimental impact on them.

Sometimes as a social worker, you feel you are compounding that difficulty when you are trying to get children through various parts of the wider system towards a permanent destination, so drift and delay is something which is always at the forefront of a social worker's mind: sometimes you feel quite disempowered in effecting the right change.

Our role is about eliminating oppression and disadvantage for children, so it has been great that the CELCIS (Centre for Excellence for Looked After Children in Scotland) team has come on board to work with us and help us think about the big decisions we're making. From working with social workers right through to going to court, children should have the same life opportunities as our own children; they should know their permanent destinations and who's going to love and care for them.

### We need to explicitly put children at the heart of things

I think all too often we've been living in a culture where we haven't been explicitly putting children at the heart of things, but now it really feels like a time for change.

CELCIS has come into East Renfrewshire Council to enable and support social workers front-line and on the ground level, to ask about our experiences and to talk about the

strengths and barriers to permanence.

They helped us to start a compulsory supervision order sub-group, where we are looking at permanence decisions for children that in some instances, due to various sources of drift and delay, have gone on living in uncertain conditions for more than five years.

We were encouraged to speak to all of our colleagues and ask them what's in the way, what are the barriers, and how can we change things?

### We support each other

One thing that came up is that social workers aren't feeling very confident, or particularly competent at times to manage the extremely complex set of tasks and decisions in the permanence process and to get it right, especially for those most vulnerable children.

We decided peer supervision and supporting each other could be a way forward. Formal supervision by managers is crucial but we have found sitting with colleagues, the informal side of supervision, is invaluable to reflect on decision making, so we have started a peer-mentoring support group. It's to support each other with making timely decisions, having robust assessments and defensible decisions that we can take to children's hearings, feeling competent and confident about them. You can sit with your legal framework and know that you are putting forward a case in the best interest of the child, using evidence-based practice.

So in a peer supervision session, we identify a hearing that's due, or a big report, especially for the most difficult and complex cases, and we sit with a colleague to get their view.

We have check lists that let us focus on issues such as why we have a compulsory supervision order, what the legal remit is, is there anything else we have to do, what decisions are we making, and do we have to make other ones, and also to consider why has this child been in this situation for a while. And, it's back to that old "but why?" question – we are all trying to encourage each other to sit with that wee parrot on the shoulder that keeps asking "but why?".

### **Learning from each other**

It's been really inspirational, we are all learning from each other. We critically reflect, we critically analyse, we write reports that are defensible and robust so that critical actions and decisions can be made in the best interest of children, and this is giving us an opportunity to do that.

It's early days but we're seeing a few real results from this – social workers have been into children's hearings and felt empowered, they have achieved permanence decisions quicker and they've felt it's gone really well.

Workers are saying it's great to strip things back to the bare bones to get them to think about why they are doing things and what it will mean for a child's life.

### **Working with the children's hearing system**

One specific part of the system a lot of social workers were worried about is the children's hearing system. It seems to be an area where we are not always feeling so confident in getting decisions which match our recommendations.

Because of that, CELCIS facilitated a working group where social workers and members of the children's hearing panel get together to go through some of the issues we face, and some of the dilemmas which are presented at children's hearings. We talk about issues and barriers and about reducing their impact to make a real difference in children's lives, and this helps provide a good environment and culture for everyone who is working in the best interests of children. It can be such an adversarial process that we have to remember that children have to be right at the centre of any decisions made.

### **With increasing confidence, we're on the right track**

We've had quite a few good decisions and some feedback from workers that they are feeling more confident. It doesn't always work, but it's about growing and learning and chipping away, and trying to make a difference to the children and young people we work with.

It's been a really enabling process where workers feel empowered to do the job and fulfil that definition of social work; to have the capacity to eradicate disadvantage, enlighten families, and make a difference to children's lives through the GIRFEC (Getting it right for every child) agenda.

We're very hopeful that, through all the work that CELCIS is supporting us with, the PACE agenda has grown in momentum. I'm not sure what the future holds but it feels like we're on the right track.

With thanks to the Centre for Excellence for Looked After Children in Scotland for the use of this case study, which was first published at [www.celcis.org](http://www.celcis.org)





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# Youth justice resource pack



Helping children and young people to fulfil their potential is a key ambition of all councils, but our children's services are under increasing pressure.

Join our call to government for fully funded children's services.

[www.local.gov.uk/bright-futures](http://www.local.gov.uk/bright-futures) | #gettingthebest

# Foreword

Councils are responsible for the safety and wellbeing of all young people in their areas. When it comes to youth justice, that responsibility means working with young people to prevent them from coming into the youth justice system in the first place, and supporting those who do to make sure it doesn't define them, and they still have good life chances.

There are many varying and complex reasons young people may end up involved in crime. In the majority of cases, those reasons are issues that we, as local authorities working with our partners, can help young people to tackle. They cover everything from difficult family relationships, to drug and alcohol misuse, to mental health issues or problems at school. When young people do get involved in crime, we need to make sure that they not only understand the impact of their offences and work to make amends, but are supported to address underlying needs. Councils are not there to punish, but to protect. Where a young person is given a custodial sentence, we also need to do all we can to make sure they are safe. While councils have no direct control over most institutions, this pack outlines some of the ways in which they can support young people in custody, and the Local Government Association (LGA) will continue to lobby the Government for improved safety in youth custodial institutions.

Youth offending teams (YOTs) have an excellent track record of working with young people to prevent their coming into the youth justice system. Compared with the year ending March 2007, there are now 85 per cent fewer young people who are first time entrants to the youth justice system and 74 per cent fewer young people in the average custodial population. The number of youth cautions handed out has dropped by 90 per cent – more than 100,000 – in the same period to 13,500.

However, YOTs have also been victims of their own success. As the number of young people in the system has fallen, so too has the youth justice grant. We now run the real risk that this long-term decline will stall or even reverse if teams are less able to carry out the preventative work that has been so effective over the last decade.

We also know that those young people who remain in the youth justice system are those with the most complex needs; these young people often need more intensive and specialised support, over longer periods, and for that we need the right funding, the right staff and strong partnership working.

At the LGA, we will continue to fight for appropriate funding for councils to keep carrying out this important work that enhances the lives of so many. This resource pack is designed to help councillors look closely at services in their own areas, and to help them learn from good practice elsewhere to make sure that services are evolving as they need to, in response to the needs of young people locally.

## **Councillor Richard Watts**

Chair, LGA Children and Young People Board



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# Youth justice an introduction

## What is ‘youth justice’?

The youth justice system in England and Wales incorporates work to prevent offending and reoffending by under-18s, the processes by which children and young people are prosecuted for, convicted of and punished for crimes, and work to improve outcomes for young people who have had contact with the youth justice system, as well as for the wider community.

## Who is responsible for youth justice in England and Wales?

A series of reforms to the national structure of the youth justice system came into force on 1 September 2017 in order to ‘create stronger, clearer governance’ to the system. This included moving several elements of the system into Her Majesty’s Prison and Probation Service and the Ministry of Justice.

### Youth Justice Board

The youth justice system in England and Wales is overseen by the Youth Justice Board (YJB), a non-departmental public body operating at arms-length from ministers.

Its primary function is to monitor the operation of the youth justice system and the provision of youth justice services. It has a legal duty to:

- advise the Secretary of State on matters relating to the youth justice system
- identify and share examples of good practice
- report on how the system is operating and how the statutory aim to prevent offending

by children and young people can best be achieved.

Its strategic direction is set by its Board, which is appointed by the Secretary of State and formed of experts in education, health, local authorities, policing, the magistracy and the voluntary and private sectors.

### Youth Custody Service

The Youth Custody Services (YCS), which sits within Her Majesty’s Prison and Probation Service (HMPPS), is a new body responsible for the youth secure estate, managing and rehabilitating children in custody. The YCS is a distinct arm of HMPPS, with a dedicated director accountable directly to the Chief Executive and working closely with the Chair of the YJB. This is responsible for the governance of the youth secure estate, and for deciding where a young person will be placed if they are given a custodial sentence.

### Ministry of Justice

The Ministry of Justice has responsibility and accountability for commissioning youth custody services. Together with the YJB, it sets clear standards for the provision of youth justice and will be responsible for intervening decisively to address poor performance.

### Youth Offending Teams

Youth Offending Teams (YOTs) are partially funded by the Government’s youth justice grant, in addition to funding from councils themselves and statutory partners, and deliver elements of the youth justice system at a local level. These are generally hosted by the local council (county, in two tier areas), although in some authorities they are supported by agencies such as the police or the office of the police and crime commissioner.

Statutory partners to YOTs are the local authority (responsible for ensuring the partners work together to deliver effective youth justice provision), education, police, health, and the National Probation Service.

YOTs are separate from the courts, though they work in close partnership with them.<sup>1</sup> They carry out the council's responsibilities for:

- local youth crime prevention
- supporting young people at the police station and in court
- supervising young people serving a community sentence
- staying in touch with young people if they're sentenced to custody.

Her Majesty's Inspectorate of Probation leads on multi-inspectorate inspections of YOTs, while children's services are inspected by Ofsted (in England), and the Care and Social Services Inspectorate Wales.

## How is local youth justice work funded?

The YJB administers funding to local authorities to support youth justice work. The Youth Justice Grant is a ring-fenced grant to help reduce re-offending, the use of youth custody and the number of first time entrants to the justice system. It can also support effective public protection and safeguarding.<sup>2</sup> Having been reduced by more than 50 per cent since 2011, this now accounts for around one third of YOT funding<sup>3</sup>; the rest is provided by councils and their partners including the probation service, police and health, as outlined in Section 39 of the Crime and Disorder Act 1998.

The YJB Grant for Junior Attendance Centres (JACs) is to enable the local authority to provide JACs to meet the demand for attendance centre requirements from the courts they serve. JACs are expected to address offending and reoffending behaviour by children and young people and any intervention provided must have this principle as its core aim. Key outcomes should include giving people skills and knowledge to gain education or employment opportunities, and building resilience, independence and self-discipline.

In Wales, the Welsh government provides additional funding to YOTs.

## How is the system performing?

Statistics on youth offending, broken down by YOT, are available from the Ministry of Justice at: [www.gov.uk/government/collections/youth-justice-statistics](https://www.gov.uk/government/collections/youth-justice-statistics).

The number of young people in the youth justice system has fallen considerably over the last ten years. Compared with the year ending March 2007, there are now:

- 85 per cent fewer young people who were first time entrants to the youth justice system
- 81 per cent fewer young people who received a youth caution or court conviction
- 74 per cent fewer young people in the average custodial population.<sup>4</sup>

The number of arrests of young people has fallen by 79 per cent compared with the year ending March 2007. There have been year-on-year decreases since arrests peaked in the year ending March 2007.<sup>5</sup>

1 <https://www.gov.uk/youth-offending-team>

2 Youth Justice Board YOT Grants Guide 2016/17 <https://yjresourcehub.uk/yjb-effective-practice/youth-justice-kits/item/227-the-youth-justice-board-yot-grants-england-and-wales-guide-2016-2017.html>

3 Deloitte for Ministry of Justice (2015) Youth Offending Team Stocktake [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/445641/yot-stocktake-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445641/yot-stocktake-report.pdf)

4 Ministry of Justice, Youth Justice Figures 2016/17, January 2018 <https://www.gov.uk/government/statistics/youth-justice-annual-statistics-2016-to-2017>

5 Ibid

In the year ending March 2017, the police issued 13,533 youth cautions (previously reprimands and final warnings), a decrease of 90 per cent on the 131,660 given in the year ending March 2007.<sup>6</sup>

However, while the total numbers of reoffenders and reoffences have also fallen, the 12 month reoffending rate for young people was 42.2 per cent for the year ending March 2017 – stable compared to the previous year, but four percentage points higher than the year ending March 2007.

This compares to a reoffending rate of 28.2 per cent for adults.<sup>7</sup>

## What is a community sentence?

Sentencing is the responsibility of the court, and will take the form of a community or custodial sentence. There are several different types of community sentences, including youth cautions, referral orders and youth rehabilitation orders.

### Youth cautions

An alternative to prosecution, youth cautions are usually issued in cases where a young person admits an offence, and there is a realistic prospect of conviction, but it is not in the public interest to prosecute. Following a youth caution, the police have a statutory duty to refer the young offender to the YOT. For a second or subsequent youth caution, the YOT has a statutory duty to carry out an assessment of the young person and consider putting in place an intervention programme aimed at preventing re-offending. There are interventions attached to this youth conditional caution (YCC), but non-compliance with the YCC can result in prosecution for the original offence and can be cited in any future criminal proceedings.

### Referral orders

A referral order is the usual outcome (depending on the seriousness of the offence) for a first-time offender who has

pledged guilty, and lasts between three and 12 months. The young person is required to attend a youth offender panel, which includes an advisor from the youth offending team. The young person will agree to undertake certain commitments to compensate for the harm caused and address their offending behaviour. The local YOT is responsible to the Court for ensuring that the order is carried out. If the young person breaches the order, they can be taken back to court and re-sentenced.

### Youth rehabilitation order

This is a community sentence including one or more of 18 different requirements, for example curfews, unpaid work and mental health treatment, which the offender must comply with for up to three years. The local YOT is responsible to the Court for ensuring that the order is carried out. If the young person breaches the order, they can be taken back to court and re-sentenced.

## When will a young person be given a custodial sentence?

Custodial sentences are only imposed in the most serious cases, and include a Detention and Training Order in which half of the sentence is spent in custody, and the other half in the community supervised by the YOT.

Only the Crown Court, which hears the most serious cases, can impose custodial sentences of more than two years.

### Remand into local authority care

Where a young person is arrested, the custody officer must aim to release them on bail wherever possible. If the custody officer decides that bail – even with conditions – should be refused, they must transfer the young person to local authority accommodation until their court appearance. This can be secure (such as in a secure children's home) or non-secure, such as with foster parents.

<sup>6</sup> Ibid

<sup>7</sup> Ibid

## Youth Custody Institutions

There are three types of secure institution for young people aged under 18 who are sentenced to custody, and the Youth Custody Service decides which institution a young person should be sent to based on age, risk and need, as identified by the YOT assessment. Girls can only be sent to secure training centres or secure children's homes. Young people should receive 30 hours of education and training per week in each institution, though evidence shows the number of hours actually received varies widely<sup>8</sup>, averaging only 15 hours per week in young offender institutions (YOIs).<sup>9</sup>

Young offender institutions:

- are run by HMPPS which contracts some to private companies
- are for people aged 15 to 21 (people under 18 are held in different buildings)
- house between 60 to 400 people, split into 'wings' of 30 to 60 people
- there is no YOI provision for girls under 18.

Secure training centres:

- are run by private companies and HMPPS (Medway)
- are for people aged up to 17
- house between 50 and 80, split into units of five to eight people.

Secure children's homes:

- 14 homes are run by local councils, and one by the voluntary sector
- are for people aged 10 to 17
- house between eight and 40 people
- some contain a mix of welfare and youth justice beds, while others specialise in either justice or welfare provision.

Youth justice beds in secure children's homes are commissioned by central government, while welfare beds are spot purchased by individual local authorities. This fragmented approach, combined with the overall shortage of secure homes, makes it difficult to ensure sufficiency of both types of beds, and work is currently underway between central and local government to develop a more joined up commissioning process.

Local authorities have specific duties in relation to young people in youth custody institutions. In particular, they must ensure that young people are assessed for Education, Health and Care Plans where requested, and that special educational needs (SEN) provision based on those plans is provided. However, councils have no statutory powers to ensure that young people are receiving this provision, for example where young people are being kept in cells rather than being allowed out for appointments and education. Councils also have no power to move children, including looked-after children (including those on remand to youth detention accommodation), where they have concerns over their health, safety or wellbeing, but they can raise concerns via YOTs to request managed moves.

<sup>8</sup> Houses of Parliament (2016) Education in Youth Custody Post Note researchbriefings.files.parliament.uk/documents/POST-PN-0524/POST-PN-0524.pdf

<sup>9</sup> Taylor Review p38

# Legislation and practice

## Police and Criminal Evidence Act 1984

Section 38(6) of this Act requires that where children and young people are to be kept in police detention, they must be transferred to local authority accommodation wherever this is practicable. It also gives the officer acting on behalf of the local authority the right to detain that young person.

Section 57 notes that where a young person in the care of the local authority is in police detention, that authority should be informed that the young person has been detained, the reason why, and where they are being held.

## Children Act 1989

The Children Act 1989 is the key piece of legislation with regard to council responsibilities for the welfare and protection of children in their areas. This includes responsibilities towards children in need (section 17), which continue to apply when a child is in secure custody.

## Crime and Disorder Act 1998

Section 39 of the Crime and Disorder Act 1998 introduced the statutory requirement for local authorities to establish one or more youth offending teams (YOTs) in their area, with each requiring the involvement of the local authority, police, NHS and probation services.

Local authorities are required, after consultation with partner agencies, to publish a Youth Justice Plan each year outlining the composition of, and funding for, their YOT and the functions it is to carry out. Those functions should include those outlined in Schedule 2 of the Children Act 1989, which require councils to take reasonable steps to encourage children not to commit criminal offences. Those plans are to be submitted to the Youth Justice Board and this requirement forms part of the terms and conditions of the YJB YOT Grant.

Governance for YOTs should be provided by a distinct management board comprising all statutory partners. Guidance on governance is available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319291/youth-offending-partnerships-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319291/youth-offending-partnerships-guidance.pdf)

The Act also introduced Anti-Social Behaviour Orders (ASBOs), which were replaced by injunctions for the prevention of nuisance and annoyance, and criminal behaviour orders, under the Anti-Social Behaviour, Crime and Policing Act 2014.

## Children Act 2004

Section 10 of the Children Act 2004 requires local authorities to promote cooperation between local partners to improve the wellbeing of children in their area, including the police, probation services and youth offending teams.

Section 11 outlines those organisations that have a duty to safeguard and promote the welfare of children and young people. These include secure custodial institutions.

## Legal Aid, Sentencing and Punishment of Offenders Act 2012

Section 92 states that where a child is remanded to local authority accommodation, the court must designate the local authority, and this must be the authority already looking after that child, or the authority where the court believes that child to live or to have committed an offence. The court may also impose requirements on the local authority around compliance with conditions imposed upon the child.

Section 104 specifies that a child remanded to youth detention accommodation – that is, a secure training centre, a secure children's home or a young offender institution – is to be treated as a looked-after child by the designated local authority. Section 103 allows for the recovery of costs for remand in a youth detention centre from that local authority.

Guidance on the Children Act 1989<sup>10</sup> was updated to reflect this, specifying that where a child or young person is remanded to local authority accommodation, they are entitled to the same care planning and review processes as other looked after children. Where they are remanded to youth detention accommodation (YDA), the local authority must prepare a Detention Placement Plan to describe how the YDA will meet the young person's needs, and specify the roles and responsibilities of partner organisations.

## Children and Families Act 2014

Sections 70-75 of the Children and Families Act 2014 place a duty on local authorities to carry out an Education, Health and Care assessment on a young person in a secure institution if requested. Where a young person already has an EHC Plan, the council must arrange appropriate special educational needs provision based on that plan while they are in custody.

The Act also places a duty on the person in charge of the establishment to cooperate with the local authority (Section 28).

## United Nations Convention on the Rights of the Child

The UN Convention on the Rights of the Child was ratified by the UK in 1992.

Article 3 states that in all actions concerning children, including within courts of law, the best interests of the child shall be a primary consideration.

Article 37 emphasises that the arrest, detention or imprisonment of a child should only be a measure of last resort, and only used for the shortest appropriate period of time.

## Laming Review: In Care, Out of Trouble

The Laming Review was set up to look into the over-representation of children in care in the youth justice system, identifying reasons for this and making recommendations to tackle the issue.

The review found that while the vast majority of children in care didn't offend, those that did had clear gaps in their social development and basic education, and there were good examples of effective practice improving the situation.

Recommendations within the review highlighted the importance of strong leadership, early intervention, effective partnership working and the need to respond to the needs of individual children.

<sup>10</sup> <https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review>

## Charlie Taylor Review

In September 2015 Charlie Taylor was asked to lead a departmental review of the youth justice system for the Ministry of Justice. In the review, YOTs were highlighted as a “key strength of the youth justice system”. However, significant concerns were raised around the availability of mental health services for young people in the system. With regard to custodial settings for young people, it was noted that there was a lack of appropriately skilled staff to provide adequate support to young people in the institutions, while increasing violence and poor access to education were also areas that needed urgent attention.

The Taylor Review made recommendations for extensive reform of the youth justice system covering devolution, courts, sentencing and custody. It acknowledged the importance of a multi-agency approach not only to tackling offending, but in early intervention to avoid young people entering the youth justice system in the first place, and highlighted the need for flexibility around local delivery of youth justice services.

The government’s response agreed with a range of recommendations within the report, in particular around education and health provision both as preventative measures and when young people are in the youth justice system. Changes to Youth Offending Institutions (YOIs) were also agreed to improve safety, including additional staff and specialist support units. Two Secure Schools will also be developed – one in the north, one in the south – and piloted as alternatives to existing secure custody, with the aim of tackling the root causes of offending, including behaviour, mental health and educational attainment. Further work is being undertaken on sentencing reform and the courts.

## Youth Custody Improvement Board

The Youth Custody Improvement Board was set up to explore and report on the current state of the youth custodial estate and recommend how the system could be improved, particularly focusing on risks to safety and wellbeing. The Board published its report in February 2017, and was clear on the urgent need to reform and improve youth custody, highlighting issues with safety, education, health, workforce, and governance and accountability. It concluded that the youth secure estate was not fit for the purpose of caring for or rehabilitating children and young people.

## Concordat on children in custody

The concordat on children in custody was developed by the Home Office in partnership with organisations including the Youth Justice Board, the Children’s Commissioner and the Association of Directors of Children’s Services to prevent the detention of children in police cells following charge with criminal offences. It sets out the roles of different agencies around children in custody, and provides a protocol for how transfers from police to local authority accommodation should work in practice. A number of councils and police forces across the country are signatories to the concordat.

The Police and Criminal Evidence Act 1984 states that where a young person cannot be released on bail, they will be placed on remand and transferred to the care of the local authority wherever practicable. This should happen in the vast majority of cases; ‘impracticable’ does not refer to the availability of local authority accommodation or where transfer is difficult, for example.

Requests for non-secure accommodation must always be accepted by the local authority. Options for this include returning the young person to their family, or using

foster families or children's homes, sometimes referred to as a PACE bed. When the young person is transferred to local authority staff, the power to lawfully detain that child also transfers to the local authority. This includes the duty to transfer the child to court.

Where a local authority cannot provide accommodation when requested, for example a lack of available secure accommodation, legislation states that it should reimburse the police for the cost of accommodating that child.

## The Lammy Review

David Lammy MP chaired an independent review into the treatment of, and outcomes for, black, Asian and minority ethnic (BAME) individuals in the criminal justice system in 2017. In the final report, Lammy stated that "my biggest concern is with the youth justice system" due to significant rises in the proportion of BAME young people represented.

The review highlights that there is no single explanation for the disproportionate representation of BAME young people in the system. Higher arrest rates, differential treatment and plea decisions all have a role to play.

The review makes several recommendations specifically to address the treatment of, and outcomes for, BAME young people in the criminal justice system, including a stronger emphasis on parenting and the community in rehabilitation, and consideration by the YJB of interventions and actions to take to address disproportionality.

## HM Inspectorate of Prisons Annual Report 2016/17

In the summer of 2017 Her Majesty's Chief Inspector of Prisons, Peter Clarke, published an annual report which illustrated the scale of challenges facing the youth justice system.

HMCI concluded that: "There was not a single establishment that we inspected in England and Wales in which it was safe to hold children and young people." He described the speed of decline as "staggering," and warned that the current state of youth custody is so dangerous that tragedy is "inevitable".

# Key lines of enquiry for councillors

## How many children and young people are your YOT currently working with?

In addition to knowing the overall number, it is helpful to know about the cohorts of young people – how many are being worked with in a preventative capacity, how many are receiving targeted support, and how many are in secure custody, for example. How have these figures changed in recent years, and why? Does a reduction in overall numbers reflect successful preventative work, for example, lower need, increasingly targeted support or reduced capacity to support young people?

It can also be useful to know how these numbers compare with those of your statistical neighbours to help assess local performance or to spot opportunities to learn from practice elsewhere.

## What are the characteristics of the young people your YOT is working with?

The characteristics of the young people the YOT is working with will impact upon the support they receive. Younger children will need a different type of support from teenagers, for example, while those with complex needs will require a range of support involving numerous partners.

Nationally, disproportionate numbers of young people from BAME and white working class backgrounds are in the youth justice system, a large proportion have previously

been in care and mental health problems and learning difficulties are more prevalent than for other groups of young people. Many young offenders also come from difficult family backgrounds, with issues such as alcohol and drug misuse, offending or abuse within the family.<sup>11</sup> If particular groups are over-represented in the youth justice system in your area, you may wish to look at the possible reasons for this to identify whether reforms or targeted interventions are needed.

It is useful to know whether the characteristics of young people working with the YOT have changed over time, and what has caused those changes. Find out how the team is altering its work to suit those changing characteristics, and consider whether there are any barriers to making necessary changes, for example funding, engagement by partners or inflexible contract agreements.

What plans have been made for the future in light of changing trends? Consider both national and local patterns. For example, as the number of young people in the youth justice system has significantly dropped nationally, those who remain are often the most difficult to rehabilitate,<sup>12</sup> requiring more support to move away from offending behaviours. If this national trend is reflected in your area, plans should be in place to address this going forward.

Are there good working relationships between the YOT, children and family services and other local authority departments? With young people coming to youth justice services having increasingly complex needs, it is likely that they may have previously been in contact

<sup>11</sup> Taylor Review (2016)

<sup>12</sup> Taylor Review (2016)

with children and family services. Even if they haven't, a joined-up approach to dealing with the root causes of offending is essential, so the YOT needs to be working closely with children's services to provide holistic support to both the young person and their family, where appropriate.

Where young people have cases open to both the YOT and children's services, staff should be sharing information and working closely together to ensure consistent support that responds to all of the young person's needs, rather than receiving siloed services.

Consider also relationships between the YOT, the rest of the council and with district and parish or town councils. Young people either at risk of entering or already involved in the youth justice system, need a coordinated response from a range of services, including housing, education and public health. It is important that each department understands the role it has to play in reducing offending and reoffending amongst young people, and improving their life chances. In addition, councils have a duty under section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their day-to-day activities.

## How engaged are local partners?

The police, NHS and probation services have a legal duty to work with the council as part of the YOT, while others can be invited to take part as the statutory partners consider appropriate. The composition of, and funding for, the YOT should be outlined in the Youth Justice Plan each year.

Each partner has a clear role to play as part of a joined-up approach to tackling youth offending. Things to consider include:

- The level of funding and staffing provided by each statutory partner.
- Representation on the management board, including by non-statutory partners and councillors. Statutory representatives

should be senior enough to be able to take strategic decisions on behalf of their organisation.

- The quality, timeliness and outcomes of health treatments – including mental health – for children in the youth justice system or at risk of becoming involved.
- Protocols in place between the police and children's homes to deal with incidents and avoid the over-criminalisation of looked-after children.

More broadly, the responsible authorities on local community safety partnerships (the council, police, fire and rescue services, community rehabilitation company, national probation service and the NHS) are under statutory duties to share information and should be working together to assess local issues and identify local priorities to reduce crime and disorder, substance misuse and re-offending. Community safety partnerships are held to account by overview and scrutiny committees for community safety.

Consider also the involvement of the police and crime commissioner (PCC). PCCs have a responsibility to ensure community needs are met as effectively as possible, and they work in partnership across a range of agencies at local and national level to ensure there is a unified approach to preventing and reducing crime. They should therefore be fully engaged in local youth justice work to ensure a coordinated approach. PCCs are held to account by police and crime panels, which are formed primarily of elected councillors.

Education partners should not be overlooked. Engagement with education is a key way in which young people can avoid becoming involved in crime, or reoffending. Maintained schools, academies, free schools, colleges and Pupil Referral Units should ideally be engaged by the YOT to make sure that support can be provided to pupils of concern, and to ensure placements are available to young people who need them. In addition, children and young people in the youth justice system are more likely to have special educational needs; it is important that

schools understand their responsibilities to refer children for SEN assessments where this is a concern, as providing support to children early can help them to remain engaged with education and less likely to get involved in criminal activity.

Local multi-agency safeguarding partnerships (previously LSCBs) should also have strong links with the YOT. Many of the children who become involved in youth crime have already had contact with children's services, and good links and data sharing between the YOT and safeguarding partnerships can help to make sure emerging issues are spotted quickly and responses are joined-up.

Non-statutory partners can also be important in delivering opportunities to help young offenders in their rehabilitation, or in diverting young people from potential engagement in criminal activity. Local businesses may be able to provide work or training for young offenders, or placements with voluntary groups can help young people to establish routines and build up some key skills. Are there local sports clubs or activity groups that can help to provide diversionary activities?

Consider also how local service-specific plans fit together alongside YOT plans. Youth crime does not exist in a vacuum, and plans should support each other to deliver positive outcomes. Plans such as the Community Safety Partnership Plan, public health strategies and plans for children's services will all be relevant. When these are being considered by the council, consider whether they support the YOTs work to reduce youth crime and reoffending. The Children's Services scrutiny committee is a useful forum for looking at how the council is working together, including through its various plans, to support children and young people.

## What work are we doing to prevent young people from offending?

Councils are required to undertake preventative work with children at risk of offending, and this responsibility is often delivered by the YOT through local crime prevention programmes. However, budget cuts have impacted on the ability of many YOTs to run these as widely as they have done previously.<sup>13</sup>

How is spend prioritised by your YOT? How are decisions taken around which young people to work with, which issues to target, and which interventions to use? How is evidence used in commissioning, both to identify which issues to tackle and to select interventions? Is there flexibility within your YOT plans to respond quickly to emerging issues?

The involvement of partners, including all levels of local government and other public sector partners, is vital here. How are resources being pooled to make the best use of what's available, and how are partners feeding in intelligence around what preventions are needed?

## What support is given to children and young people who are arrested?

All procedures when a child has been arrested, for example the police interview, must take place in the presence of an appropriate adult to safeguard the child's interests. This can be anyone over the age of 18 who has no other involvement in the case, such as a parent, guardian, or a local authority worker.

Find out how appropriate adults are provided for children where their parents or guardians are unavailable. Are there long delays for

13 <https://www.cypnow.co.uk/cyp/news/1153263/yots-face-in-year-cuts-of-gbp12m>

appropriate adults to arrive? How frequently do they receive training?

The National Appropriate Adult Network has produced a set of standards<sup>14</sup> to improve delivery of the service; while not mandatory, these standards provide a helpful starting point in understanding the strengths of the appropriate adult service provided by your YOT, and identifying any areas for improvement.

Where parents or guardians can attend, is any support available to them so that they can appropriately safeguard their child's interests, for example explanations of legal processes?

Any young person whose first language is not English is entitled to an interpreter if they need one. The appropriate adult should ensure this has been arranged.

Where a young person has special educational needs, the appropriate adult will be expected to provide support to ensure they understand the process. Often the appropriate adult will be a person that is already in contact with the young person, and who is therefore familiar with their needs. If a suitable appropriate adult cannot be identified, the interview should be postponed until one is available.

## Do you have sufficient placements for young people who are on remand?

How often is your council asked by the police to provide remand accommodation for children and young people, and how many of these requests are for secure and non-secure accommodation? What proportion of these requests can be appropriately met? How do these statistics compare to your statistical neighbours?

Where your council cannot provide appropriate accommodation for a young person when requested, that child must

be held in custody at the police station, which is considered inappropriate for the vast majority of those under 18. The cost of providing this accommodation must also be reimbursed to the police, an incentive for the police and councils to work together to make sure children are being held in the most appropriate accommodation.

## What support do we give to children in care and care leavers who are at risk of becoming involved with the youth justice system?

While 94 per cent of looked-after children do not get into trouble with the law, around half of young people currently in custody have experience of the care system.<sup>15</sup> Find out the proportion of children looked after by your authority that are involved in the youth justice system, and find out how this has been changing over time. Are things improving, or is there more work to be done? Have the types of offence changed, or the profile of young people involved? It should be noted that some young people may become looked-after as a direct result of their offending behaviour, so it is important to understand the wider context behind these statistics.

As corporate parents to children in care, the local authority has an important role to play in providing the support, stability and encouragement to a child that good parents would, instilling the protective factors that can help them avoid engagement in youth crime. The LGA's resource packs for councillors on corporate parenting<sup>16</sup> and support for care leavers<sup>17</sup> provide more detail on these areas.

Lord Laming's review of children in care and the youth justice system, 'In Care, Out of Trouble', outlines a range of

<sup>15</sup> Lord Laming In Care, Out of Trouble [www.prisonreformtrust.org.uk/Portals/0/Documents/ln%20care%20out%20of%20trouble%20summary.pdf](http://www.prisonreformtrust.org.uk/Portals/0/Documents/ln%20care%20out%20of%20trouble%20summary.pdf)

<sup>16</sup> <https://www.local.gov.uk/corporate-parenting-resource-pack>

<sup>17</sup> <https://www.local.gov.uk/support-care-leavers-resource-pack>

14 [www.appropriateadult.org.uk/index.php/national-standards](http://www.appropriateadult.org.uk/index.php/national-standards)

recommendations to improve the over-representation of looked-after children in the system. These focus on leadership, early support, responding to the particular needs of minority groups and care leavers, and effective partnership working.

## How are incidents in children's care homes dealt with?

Children aged 16-17 in care homes are twice as likely to have a criminal record than those in other placements, and nearly 20 times more likely than non-looked after children.<sup>18</sup> This is in part due to how incidents, such as property damage or difficult behaviour, are dealt with in those homes, with police often being called where normally such incidents would be dealt with within the family or placement.

Many local authorities are now working with their local children's homes and police forces to ensure that incidents are dealt with more proportionately, aiming to avoid the excessive criminalisation of children in care. This can include, for example, protocols between children's homes and the police, and staff training.

Your council's corporate parenting panel should monitor the proportion of those in children's homes who are involved with the youth justice system, find out what arrangements are already in place to manage incidents in children's homes, and work with and support officers to find out if improvements can be made.

## What support is provided to young people when they leave custody?

Young people leaving custody will often need significant support to help them readjust to life back in the community and to reduce the likelihood of reoffending. Around two thirds of young people released from custody will re-offend within a year,<sup>19</sup> but each young person is different and will need personalised support to address the underlying causes of offending and to provide stability when leaving custody.

The YOT is responsible for the sentence plan of every young person sentenced to custody, and should work closely with the secure institution as the release date approaches to ensure that appropriate support is in place.

Ensuring that young people have appropriate accommodation, where they feel safe and welcome, when they leave custody will help to prevent falling back into old patterns and provide security as they make the transition out of secure custody. Many young people will be able to return home, but where this isn't possible, young people aged under 18 must be assessed and provided with accommodation to meet their needs.

Young people aged under 18 should not be treated as adults when it comes to housing allocation. Find out what housing options are available to young offenders in your area to support rehabilitation, and consider whether more work needs to take place to improve the availability of appropriate accommodation. In two tier areas, district councils will have an important role to play here.

Young people who have been in custody are around three times more likely to have a mental health illness than those in the general population.<sup>20</sup> Support to help young offenders

18 Howard League for Penal Reform (2016) Criminal Care: Children's Homes and Criminalising Children <https://howardleague.org/wp-content/uploads/2016/02/Criminal-Care.pdf>

19 Ministry of Justice Proven Reoffending Statistics October 2015 to December 2015 (published October 2017) <https://www.gov.uk/government/statistics/proven-reoffending-statistics-october-2015-to-december-2015>

20 [www.barnardos.org.uk/what\\_we\\_do/our\\_work/youth\\_justice.htm](http://www.barnardos.org.uk/what_we_do/our_work/youth_justice.htm)

deal with mental health concerns should be easily accessible; find out how the NHS provides services for these young people and what continuity of care there is for offenders leaving custody.

Young people who are under the supervision of a YOT are 2.6 times more likely to be NEET (not in employment, education or training)<sup>21</sup> than those who are not. Supporting young offenders to find something worthwhile and constructive to do with their time upon leaving custody can help them feel that they are making a positive contribution, and can be key in helping them to create a new life away from offending.

Find out what proportion of young offenders – both those who have been in custody and those who received community sentences – working with your YOT are NEET. How has this changed over time, and how does this compare with your statistical neighbours? What programmes are in place to help young people engage in work or training?

## How are you supporting looked-after children in custody?

Particular consideration must be given to looked-after children in custody, for whom the local authority remains the corporate parent.

In the Taylor Review, it was noted that some looked-after children faced changes to their social worker whilst in custody, and didn't know which children's home or foster home they would be returning to afterwards, even at the point of leaving custody in some cases. Stability is an important factor in helping all young people to work towards positive outcomes. Wherever possible, social workers should remain the same throughout a child's sentence, and if a child was settled and making good progress in a placement before entering custody, efforts should be made to make that placement available again on

their release, though this may not always be practical. If this is the case, a new placement should be identified as early as possible, and certainly in advance of a child's release.

Government guidance<sup>22</sup> is clear on the importance of social workers visiting looked-after children regularly in custody and maintaining an up-to-date care plan. The social worker is also responsible for monitoring whether the child is safe, and whether their health, wellbeing and educational needs are being met. While the local authority does not have the power to change the secure establishment where a child is serving their sentence, guidance outlines clear routes of escalation where there are concerns. Councillors should consider whether social worker caseloads are manageable to enable this to happen effectively, particularly as the relatively small number of youth custody institutions means that young people may be placed some distance from their home authority.

## How are we supporting children and young people at risk of, or involved in, gang violence?

In 2017, the Children's Commissioner estimated that 46,053 children aged 10-18 in England were members of a street gang.<sup>23</sup> While gangs tend to be concentrated in cities,<sup>24</sup> all councillors should be aware of the risks of gang activity in their areas, particularly in relation to issues such as county lines (see below) where gang activity moves beyond its traditional geographical area and involves those in places further afield.

22 Children Act 1989 guidance and regulations volume 2: care planning, placement and case review <https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review>

23 <https://www.childrenscommissioner.gov.uk/publication/childrens-commissioners-report-on-vulnerability/>

24 Centre for Social Justice <https://www.centreforsocialjustice.org.uk/core/wp-content/uploads/2016/08/DyingtoBelongFullReport.pdf>

21 [researchbriefings.files.parliament.uk/documents/SN06705/SN06705.pdf](https://researchbriefings.files.parliament.uk/documents/SN06705/SN06705.pdf),

'Ending gang violence and exploitation' outlines the Government's approach to tackling gang related violence and exploitation. This outlines six priorities for local partners to work together on:

- tackling county lines
- protecting locations where vulnerable young people can be targeted
- reduce violence and knife crime
- safeguard gang-associated women and girls
- promoting early intervention
- promoting meaningful alternatives to gangs.

Find out if any of these are affecting your local area, and if so, what action is being taken. Have the issues facing your area changed in recent years? How is information shared between partners to make sure that new trends are picked up swiftly and those at risk are offered help at the earliest opportunity?

The Early Intervention Foundation identifies a range of risk and protective factors in its report, 'Preventing gang and youth violence: Spotting signals of risk and supporting children and young people', which will help to identify those potentially at risk. The report also outlines evidence-based interventions to prevent gang involvement.

## Are we seeing county lines activity in our area, and if so, how is this being tackled?

County lines is the police term for urban gangs supplying drugs to suburban areas and towns using dedicated mobile phone lines.

It is a major cross-cutting issue involving trafficking, gangs, drugs, violence, safeguarding, criminal and sexual exploitation, and missing persons, and has been emerging across most local authority areas in recent years.

It involves child criminal exploitation (CCE) as gangs use children and vulnerable people to move drugs and money. Gangs establish a base in the market location, typically by taking over the homes of local vulnerable adults by force or coercion in a practice referred to as 'cuckooing'.

It is important that young people who have been exploited through county lines are treated as victims first, rather than a focus on any crimes they may have committed. While there will be a justice response, many of these young people will need support to break ties with their exploiters and process what may have been extremely traumatic experiences.

Victims may be trafficked to new locations to sell drugs and therefore could be considered to enter the National Referral Mechanism. For more information on this, please see the LGA's 'Tackling Modern Slavery: A council guide'.<sup>25</sup>

The Home Office has produced guidance on county lines to support local authorities:  
[www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines](http://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines)

## How are we helping young people to avoid radicalisation?

All councils have a duty under the Counter-Terrorism and Security Act 2015 to 'have due regard to the need to prevent people from being drawn into terrorism'; this is known as the 'Prevent' duty. This covers all elements of violent terrorism and non-violent extremism, which can create an atmosphere conducive to terrorism.

This duty means that councils should:

- give due consideration to the threats of terrorism
- understand and assess the risks of terrorism in local authorities

<sup>25</sup> <https://www.local.gov.uk/modern-slavery-council-guide>

- build or use existing multi-agency partnerships/forums to coordinate Prevent activity
- where there is a risk of extremism, develop an action plan to prevent people from being drawn to terrorism, monitor the implementation of the action plan, and measure the impact of the work
- support the Channel programme and make appropriate referrals.

The Channel programme provides multi-agency support for those at risk of being drawn into terrorism. It is managed by a statutory ‘Channel panel’ that is led by the council (in two tier areas, this will usually be the county). Find out how well this works in your area, and whether specific programmes and support are in place for children and young people who are referred.

It is also helpful to make sure that frontline staff and partner agencies are clear on the referral pathways for Channel specifically in relation to children, and to identify how effective training on radicalisation is for relevant staff such as youth workers, social workers and those in the YOT.

The Government’s Prevent Duty Guidance<sup>26</sup> outlines a range of activities that councils should be carrying out under the Prevent duty, while new LGA guidance ‘Scrutiny, counter-extremism and the Prevent duty’ offers a detailed consideration of how councillors can support scrutiny of local arrangements. This guidance will be available on the LGA website in Summer 2018.

## What action are you taking to reduce school exclusions, and to support those young people who have been permanently excluded?

Engagement in education and training is one of the most important factors in reducing offending and re-offending,<sup>27</sup> with nine out of ten children in YOIs having been excluded from school in the past.<sup>28</sup> Councils have an important role to play in engaging and working with local education partners to try to engage young people in education and keep them in mainstream schooling wherever possible.

Councils should work with their local schools to make sure that exclusions are a last resort. Comparing local exclusion rates to national averages will help to identify whether more work needs to be done locally to try to keep children and young people in school. School governors have legal duties around exclusions,<sup>29</sup> so find out what training is available for governors in both maintained schools and academies or free schools, and how adherence to the guidance is monitored.

Undiagnosed or unsupported special educational needs can lead to disengagement from education by children and young people, so it is vital that schools and councils work closely together to make sure that children are properly assessed and, where required, appropriate support is provided. This includes ensuring that children are in the best school to support their needs.

It is important that alternative provision (AP) is considered an integral part of the local

27 Youth Justice Board (2006) Barriers to Engagement [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/353968/yjb-barriers-ETE-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/353968/yjb-barriers-ETE-report.pdf)

28 Prison Reform Trust (2017) [www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Autumn%202017%20factfile.pdf](http://www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Autumn%202017%20factfile.pdf)

29 Department for Education (2017) Statutory guidance: school exclusions <https://www.gov.uk/government/publications/school-exclusion>

26 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/445977/3799\\_Revised\\_Prevent\\_Duty\\_Guidance\\_England\\_Wales\\_V2-Interactive.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799_Revised_Prevent_Duty_Guidance_England_Wales_V2-Interactive.pdf)

education system, rather than being on the periphery. Local education leaders should see AP as an option to support them to get the best out of all pupils, rather than somewhere to put children whose behaviour is difficult to manage to get them ‘out of the way’. Ideally, children in AP should be able to return to mainstream education after a period of intensive support; even where this is not possible, they should still have the opportunity to achieve their potential. Find out why children are being placed in AP, how long they stay there and how this is managed, along with the progress those children make.

Are you satisfied that those children are getting the support they need to achieve? What proportion of children return to mainstream education?

Quality assurance for AP is crucial. Reports by Ofsted and Charlie Taylor<sup>30</sup> have found that quality is too often poor and fails to meet the needs of children and young people. Schools and councils are responsible for assuring the quality of AP that they send young people to. This can include the quality of teaching, safeguarding processes and checking whether provision is registered (where necessary). Is there a local process in place for this? Ofsted inspection reports of AP will help to assess the quality of local provision, though provision only needs to be registered and inspected where it has five or more full time pupils, or one pupil who is looked-after or has a statement of special educational needs.

Commissioning of placements should also take into account the individual needs of children. Different AP will cater for different needs, and if a child is to flourish, it is essential that they are in the best possible placement. This includes making sure that children have the opportunity to study for qualifications suited to their ability, that challenge them and help prepare them for adult life. How do the Progress 8 scores of young people in AP, and their outcomes in terms of education, employment and training after leaving, compare to their peers

in mainstream provision and to national averages?

## How are we working with families to reduce family violence?

There is robust evidence of a link between experiences of family violence – including sibling violence, child to parent violence, and witnessing domestic violence – and subsequent participation in youth offending.

Evidence also highlights a range of protective factors that can help to moderate this link, including high self-esteem, high quality relationships with supportive adults, and a safe school environment.

Find out how children and young people at risk of family violence are identified and supported, and what support is provided to families to help them to move away from damaging behaviours. How are partners, in particular the police, involved in this work?

<sup>30</sup> Charlie Taylor (2012) Improving Alternative Provision  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/180581/DFE-00035-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/180581/DFE-00035-2012.pdf)

# Key resources and further reading

**Charlie Taylor Review of the Youth Justice System in England and Wales**  
<https://www.gov.uk/government/publications/review-of-the-youth-justice-system>

**Concordat on children in custody**  
<https://www.gov.uk/government/publications/concordat-on-children-in-custody>

**HM Chief Inspector of Prisons annual report: 2016 to 2017**  
<https://www.gov.uk/government/publications/hm-chief-inspector-of-prisons-annual-report-2016-to-2017>

**Home Office: Ending gang violence and exploitation**  
<https://www.gov.uk/government/publications/ending-gang-violence-and-exploitation>

**Laming Review: In Care, Out of Trouble**  
[www.prisonreformtrust.org.uk/Portals/0/Documents/care%20review%20full%20report.pdf](http://www.prisonreformtrust.org.uk/Portals/0/Documents/care%20review%20full%20report.pdf)

**The Lammy Review**  
<https://www.gov.uk/government/organisations/lammy-review>

**Youth Custody Improvement Board Report**  
<https://www.gov.uk/government/publications/youth-custody-improvement-board-findings-and-recommendations>

**Early Intervention Foundation: Preventing Gang and Youth Violence**  
[www.eif.org.uk/publication/preventing-gang-and-youth-violence/](http://www.eif.org.uk/publication/preventing-gang-and-youth-violence/)

# Case studies

## London Borough of Hackney

A desire to improve integrated working and outcomes for young people in the London Borough of Hackney has led to the adoption of an evidence-led clinical approach to working with some of the young people coming through their Youth Offending Team (YOT).

Hackney Children and Families Services provides an integrated, in-house child and adolescent mental health service (CAMHS) that covers children's social care, the YOT, the Family Support Service ('troubled families') and Young Hackney (youth services).

The team comprises mental health professionals from a range of backgrounds, including clinical psychology and family therapy, and offers direct clinical assessments and interventions to young people, their parents and carers, as well as staff training, clinical supervision and consultation. This approach means that professionals are able to support young people with underlying problems and mental health difficulties as part of a holistic approach to reducing offending and re-offending.

One of the team's forensic psychologists is co-located in the YOT and attends team meetings, including risk management meetings, so that needs for clinical input can be identified early and taken forward by the wider team. Additionally, the team works jointly with East London Foundation Trust CAMHS to offer a custody triage service, with CAMHS services offered post-arrest to young people where 'no further action' is taken by police.

Evidence-based approaches are key to the model to ensure the most appropriate support is offered to support young people in the youth justice system or at risk of offending. Interventions offered include Cognitive Behavioural Therapy (CBT), family therapy, the Good Lives Model, AIM2 assessment, and various trauma-focused therapies. The team also offers group work for those at risk of Child Sexual Exploitation (CSE) or gang involvement.

Employing in-house psychologists has proven cost-effective for the authority and allowed for effective integration of working across services for children and young people. This integration has been viewed positively by partners; joint commissioning with the local NHS has been revived and work is progressing towards more budgets being pooled in the future. The clinical service was also highlighted by Hackney's Ofsted inspection in 2016 as a particular strength, with the real-time clinical input and consultation enhancing support for complex cases.

Pilot data indicates that clinical input has contributed to a 10 per cent reduction in re-offending rates in cases where therapeutic support has been provided to young people. At a wider service level, clinical consultation is now being provided to support 50 per cent of casework within the YOT.

Rather than delivering all interventions themselves, the in-house clinical team is able to skill-up other professionals to deliver clinical approaches and oversees this work. This allows more people to benefit from these approaches and takes advantage of existing relationships between professionals and the

young people and families they are working with. This is supported by group clinical supervision, consultation and training. This has been embedded through the co-location of the clinical team with the YOT and other services for children, families and young people.

The model has significant support from council members, senior management and other partners thanks to its impact not only on YOT cases, but other work across children's social care.

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## Surrey County Council

The Surrey Family Service, in partnership with Care Services and Surrey Police, has developed an integrated approach that has achieved year-on-year reductions in the numbers of children in care coming into the criminal justice system.

An inter-agency protocol between the Surrey Family Service, Surrey Police and local children's homes outlines a set of principles for all agencies to work to, and provides options around how best to work with young people to avoid unnecessary criminalisation and to support behaviour change. Training for all police staff led by care leavers (Total Respect) has also helped improve police understanding of some of the issues faced by young people in care to further embed the importance of the protocol. Link workers in children's homes from both the police and Surrey Family Service provide a consistent point of contact for staff and children, and the regular interaction with police in particular has proved successful in building trust with young people who may otherwise have had a negative perception of police staff.

Not only do the protocol and link worker arrangements support improved outcomes for children and young people, but they have also contributed to positive culture change in Surrey's care settings. Embedding restorative practice has led to a greater understanding of young people's behaviour and a subsequent culture change, which has reduced reliance on more traditional sanction-based methods of behaviour management. Instead, staff have learned to respond to challenging behaviour with a more relational and restorative approach, seeing 'transgressions' on the part of children as opportunities for learning and development of self-discipline, rather than relying on imposed discipline which is all too often ineffective.

Care staff are better equipped to manage difficult behaviour and their care, dedication and applied restorative practice has not only seen reductions in offending but a more than 50 per cent reduction in use of restraints,

and other indicators that the children's homes are safer, healthier and happier places for children and staff to live and work. All staff joining the children's homes now undertake a three-day multi-agency training course on restorative practice to ensure the ongoing implementation of this approach.

The local desire to support children in care led to changes meaning that all but the most serious of offences committed by children in care are now dealt with informally and not in the courts. A Joint Decision Making Panel comprising officers from Surrey Police and the Surrey Family Service considers most offences by young people, with the most common outcome being a Youth Restorative Intervention (YRI). This involves engagement with victim(s) so that their needs can be considered and met wherever possible. The approach is based on the premise that children should be supported both to take responsibility and to try to put things right. Sometimes this involves young people taking steps to undertake practical activities that can simultaneously benefit the community and build their own skills and self-esteem, which can in turn reduce the risk of repeat offending in the future.

The change in approach would not have been possible without a high-level commitment from all agencies involved, with a determination to collaborate more effectively and improve outcomes for children in care. This commitment to reducing the criminalisation of children in care continues to be firmly on the agenda of the Corporate Parenting Board, supported by a Reducing Offending by Children in Care Steering Group and a multi-agency forum help to drive the strategy and continuous improvement.

## Contact

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## Stockport Metropolitan Borough Council

Like all local authorities, Stockport was facing challenges around the financial sustainability of all of its services, and was therefore keen to identify how to cut out duplication. In addition, the needs of young people entering the youth justice system were changing, becoming more complex and requiring an increasingly creative approach that improved how services worked together to best support young people.

Stockport put together a business case that would allow them to bring services together more efficiently, without losing the specialist skills held within each team that were so important to support and protect children and young people.

Over the course of two years, the entire children's services department underwent a significant change, with jobs re-evaluated from the top down, structures altered, and a physical move to base all staff in the same offices. Consultation was significant, alongside strong communication from senior managers and councillors to make sure that the vision for the service was clear, and potential pitfalls of the new model were mitigated early.

The Youth Offending Service, as part of the new integrated approach, focusses on youth justice, anti-social behavior and targeted support as functions, rather than a 'service', recognising that clients of the YOS are likely to need support from a range of practitioners. YOS workers spend time with other teams to find out how they work, and all team managers sit together to improve problem solving and find integrated solutions while avoiding duplication.

When it came to moving staff to work together, young people had the chance to influence the main reception, with youth justice clients using the same entrance as other children's services visitors. Acting on ideas and feedback from young people made sure that they felt both safe and welcome

when visiting. The YOS has also found that young people have responded well to the new, open plan layout which is also frequented by families and children; the less intimidating atmosphere and open space helps people to remain calm in what can be a difficult situation.

The gradual introduction of the changes, and detailed consultation along the way, means that staff were committed to making the new approach work from the beginning, and confident that the changes were the right ones to deliver positive outcomes.

### **Lessons learned**

- Winning over hearts and minds is essential when redesigning services.
- Make sure that leaders have a clear vision, and involve everyone in the discussion about how to achieve it to make sure that people are positive about the end goal, and confident that new proposals will help to get there.
- Listening and learning is an ongoing process rather than a one-time effort, and implementing major change takes time.
- Young people are at the heart of the service, so involve them wherever possible – they will spot things that you won't!
- It can be easy to end up with lots of 'generalists' when integrating services; however retaining specialists is vital for both the staff themselves and the young people they're helping.

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## **Newcastle City Council**

Supporting ex-young offenders to avoid re-offending means making sure that they have somewhere safe to live, are mentally and physically well, and have something meaningful to do during the day. Newcastle City Council recognised, however, that employment and training opportunities for these young people were limited, and so set out to create their own opportunities. This led to the creation of the Skill Mill, which has now been established in five locations in England (Newcastle, Leeds, Liverpool, North Yorkshire and Durham) as well as Tallinn in Estonia.

The Skill Mill is a Not for Profit Social Enterprise that provides employment opportunities for serious and prolific ex-young offenders aged 16-18. Young people take part in outdoor work with high social impact, undertaking accredited training and obtaining qualifications as they work. Improving their local areas helps them develop a sense of ownership and belonging in their communities.

The Skill Mill works with local partners on job opportunities, which helps to develop good teamwork and work ethic amongst young people who are working on real jobs alongside experienced staff, often for the first time. Being seen and treated as employees rather than young offenders is key to building confidence and encouraging young people to shift their perspective both on themselves and the world around them.

The supervisor role within the Skill Mill is key, providing both a managerial and mentoring role to the young people involved in placements. Participants are expected to perform their roles to a high standard and to enable them to do this, the supervisor also helps them with issues such as getting into a routine, managing their money and navigating sometimes chaotic home lives.

Young people take part in time-limited placements, during which follow-on employment opportunities are sought with partners to improve the chances of permanent employment when placements end.

## **The impact**

Virtually all of the young people who have gone through the programme in Newcastle, Leeds and Liverpool are now in full time employment, with only four instances of re-offending over the course of the programme from a total of 60 beneficiaries.

Qualitative evaluation of the programme has found that young people report improvements in relationships, work ethic and sense of purpose, as well as a change in how they use their spare time, and with whom. The programme also helps to encourage young people to see themselves as a part of, rather than separate to, their local community. For example, one participant complained about having to wear overalls and high-vis clothing on the bus to work; however, he quickly discovered that most others on the bus at that time were dressed in the same way, and he felt he was a part of a wider community of workers.

## **How is the new approach being sustained?**

Advisory boards in each area are developing relationships with local partners of all sizes to increase the opportunities available to young people and improve the sustainability of the programme. Local authority members have been important drivers locally to help build support for the idea, realising the potential added value and community cohesion, resilience and restorative benefits to be accrued. Locally-elected councilors have also identified funded projects for The Skill Mill to undertake.

A large-scale bid is being submitted through the Life Chances Fund to enable the scaling-up of the project across both existing and additional sites. The Fund is a Social Impact Bond, in which commissioners will pay back investors upon the delivery of key outcomes.

## **Lessons learned**

The supervisor role is key; this role must be held by someone who is able to manage difficult behavior while providing a mentoring role and supporting young people's development.

Allowing young people to work as part of a team, and to be respected as an employee, is key to their development.

Support needs to be in place around the work placement to support the young person with other issues that may exist, for example housing issues, mental health concerns or money management problems.

The environmental and outdoor aspects, bringing young people into contact with nature (for many for the first time), is shown to have had a highly therapeutic effect.

## **Contact**

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# Wakefield Metropolitan District Council

Four departments within Wakefield Metropolitan District Council have joined forces with WDH (Wakefield District Housing) – the district's largest social housing provider – to provide informal education over the summer for those at risk of disengaging from education.

The Youth Offending Team, Youth Work Team, Early Help, and Countryside Services work together with WDH to identify young people who could benefit from additional support, and to deliver a programme to connect young people to their communities, and to challenge them and give them a sense of achievement through working towards arts and environmental awards.

Through creative, environmental and educational activities, the week-long programme aims to develop a range of life skills and experiences such as teamwork, social responsibility, organisation and communication.

Feedback on the programme from both parents and the young people is impressive, with all of the parents who responded agreeing that the programme made a positive difference to their child's behavior and confidence. Of the 27 young people who completed the programme in 2016, 25 were in full time education, training or employment one year on and only two had offended, with many engaged in schemes such as Duke of Edinburgh, football or citizenship programmes.

One of the young people who took part in the programme, Michael, was referred to Branching Out by the YOT after being convicted of a serious offence and not attending education. Through close working with YOT staff, the Branching Out team was able to support Michael through the programme, where he excelled in supporting other participants and was proud to receive his certificates at the final celebration event. One year on, Michael has not committed

any further offences, regularly attends Youth Services football sessions, and is in full time education studying to be an electrician.

## Contact

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## Suffolk County Council

Suffolk's Youth Offending Service identified that a lack of positive male role models, and certain perceptions of masculinity, was resulting in negative behaviours among some young men in the county, including involvement in youth crime. To address the issue, the YOS worked with the council's Early Help team and a local drug and alcohol service to develop a programme, Boyhood2Manhood, which gave young men a safe space to discuss their beliefs and opinions, and to be challenged safely by their peers and facilitators.

The programme runs in several different forms to suit participants and according to the details of their referral, from 11 weekly after-school sessions, to term-time lessons in school or alternative provision, to shorter, more intensive school holiday courses.

The course content is flexible to make sure that the target audience is catered for, but covers issues from relationships, to alcohol, to self-esteem, and aims to improve decision-making and consequential thinking. Lesson plans are developed to encourage participants to actively engage, and not only help young men to question their existing opinions, but to look at how alternative perspectives could contribute to and improve their lives outside the classroom.

Staff, who are all specifically trained to run the course, have implemented a range of measures to ensure that the programme is a success for those attending. This includes meeting participants individually before the course starts to address any anxieties and start to develop relationships, and texting participants on the day of the course to remind them that their attendance is important and valued. A peer mentor, who has completed the course previously, also attends to act as a conduit between the participants and the staff.

The multi-agency nature of the programme makes it easier to ensure ongoing support for participants when they have completed

the sessions, whether that's through the YOS, education, the early help team or another agency.

More than 90 young men were supported through the course in 2017, with consistently high feedback from those taking part, as measured through Signs of Safety. Participants particularly commented on the chance to learn new things in a fun way, with staff that they liked, as well as feeling more confident after the sessions and appreciating the chance to look at things differently.

### Contact

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## Corporate Parenting Panel

28 February 2020

### Aycliffe Secure Centre - Annual Update



## **Report of Selwyn Morgans, Centre Manager, Aycliffe Secure Centre, Durham County Council**

### **Electoral division(s) affected:**

Countywide

### **Purpose of the Report**

- 1 The purpose of the report is to inform members of the philosophy and aims of Aycliffe Secure Centre and to reflect on key events of 2019 and service developments for 2020.

### **Executive summary**

2. Aycliffe Secure Centre provides secure accommodation for young people across England and Wales in a purpose-built state-of-the art Centre.
3. The Centre has achieved an excellent Ofsted report and findings of OUTSTANDING in all areas. This has also been backed up by the Special Recognition award from Durham County Council.
4. The Centre has challenges to address regarding staff attendance and supporting staff in a challenging environment.

### **Recommendation(s)**

5. The Corporate Parenting Panel are recommended note the content of this report and the progress made at the centre over the last year.

## **Background**

6. Aycliffe Secure Centre provides accommodation for up to 38 young people, 8 of whom are sentenced or remanded by the Youth Custody Service (YCS); 30 places are for young people accommodated for their own or others' safety under Section 25 of the Children Act 1989 (known as welfare placements) and are commissioned by local authorities.
7. The background and needs of all young people are usually very similar, irrespective of their legal order, and therefore the living accommodation, education and socialisation for all young people are determined on the risk assessment of the individual and the current group. Young people are not placed on a specific house, solely according to whether they are Welfare or Custody. The Centre operates a single sex house for girls and one for boys, where it is deemed appropriate to be in a single sex group. The remaining three houses' gender are decided by the market demands on referrals.
8. We admit young people from a range of local authorities across the country and typically very few young people are from the local area.
9. The Centre operates 5 houses set within a large complex which includes a fully equipped school. The school facilities include a library, art and crafts room, classrooms with interactive whiteboards, an IT suite, recording studio, music room and science room. School also provides vocational training and has specialist facilities: Hair and Beauty Salon, Motor Vehicle Garage, Bricklaying, Plumbing etc.
10. In school, young people are educated in single sex groups, based on research into the differing learning styles of boys and girls. There are daily after school clubs, run by education staff, where sharing is permissible depending upon behaviour and risk assessment.
11. There are 4 houses which take a maximum of 8 young people with a minimum staffing ratio of one staff member to two young people. Durham House can take up to 6 young people and has much higher staffing ratios of almost one to one staffing (5 staff to 6 young people). The houses are named after castles in County Durham: Walworth, Barnard, Lumley, Auckland and Durham. The centre employs a multi-disciplinary team of approx. 160 staff.
12. Aycliffe Secure Centre was opened in 2011, as a state-of-the-art secure provision. It is a large, bright, airy and modern facility designed to manage vulnerable young people. It is the biggest Secure Children's Home in the country. There are over 300 cameras in the building which operate 24/7 – excluding bedrooms and bathrooms.
13. Doors weigh 26 stone and are operated by an electronic fob. The fobs are individualised to each staff member and record every time it is used. The centre has comprehensive CCTV systems. A private security company

observe all cameras, monitoring of CCTV, the secure external perimeter, hand out and collect keys, radios and alarms and provide reception duties out of hours.

14. All staff undergo a three-week induction programme which includes a week of de-escalation and restraint techniques; this is an assessed course and must be passed. Refresher training is a 2-day course and occurs every six months. All incidents of physical intervention are reviewed by senior and duty managers, alongside a nurse, the following working day.
15. Every young person in the Centre is on a 15-minute check. Risk assessment will determine more frequent checks which are 5-minute or enhanced checks. Constant observation can be provided for short periods. Each child has defined volumetric control, i.e. what can be allowed in a bedroom. All checks are derived from the risk assessment plan which is agreed and reviewed at Multi-Agency Team Around the Child (MATAC) meetings. These meetings are scheduled to take place every two weeks, unless there are changes to the behaviour and risk of the young person. In this case an extraordinary MATAC will be called, or, depending on the risk identified, a Suicide and Self-Harm or Risk to Life (SHARL) meeting is called. A senior manager from the Centre must always attend these meetings as well as all agency representatives.

### **Philosophy**

16. The philosophy underpinning care in the Centre is “Exceptional Parenting”; that means:
  - (a) being there for young people through challenging and positive times;
  - (b) not judging or condemning, but being supportive, protective, encouraging, patient and loving.
17. We believe that “Every Interaction Counts”; which means from the moment we wake young people up to the time we say good night.
18. We aim to instil hope, drive, confidence and empathy. We achieve this through valuing, respecting and modelling behaviour. As exceptional parents, we aim to be consistent, fair, approachable, humorous and compassionate. It is being able to say “no”, it is never giving up; each day is a new day and we go again.
19. Young people resident in Aycliffe Secure Centre are not “inmates”, “prisoners” or “naughty young people”, they are “young people” – young people who may have experienced some or all of the following:
  - (a) trauma

- (b) ridicule
- (c) violence
- (d) rape / sexual abuse
- (e) extreme poverty
- (f) manipulation
- (g) trafficking
- (h) lack of opportunity
- (i) poor diet
- (j) poor parenting
- (k) abusive relationships
- (l) rejection
- (m) poor identity

20. The role of staff at Aycliffe is to see the child / young person in the presenting behaviour. We deliver this within the context of an “abnormal environment”. No one chooses to be locked up which is why the physical environment is so important – high safety and security within a “homely environment”. We work to bring as much “normality” as possible. We do this through structured days, with purpose, good food and healthy sleep patterns. We ensure physical health needs are met on arrival and throughout their time at Aycliffe. Staff are engaging, building trust and confidence and “emotionally connecting” with the young people and this is supported by the mental health service.
21. As the young person settles and grows, they become more involved in understanding their own issues and care needs and all the time we are helping the young person shift their identity to a more positive outlook.

### **Mental Health Services**

22. The Centre is supported to care for young people with complex needs, through an in-reach Mental / Emotional Health Team called the Kolvin Service. Kolvin is part of Cumbria, Northumberland Tyne and Wear NHS Foundation Trust (CNTW) and the service is commissioned through NHS England.

23. The Kolvin Service is an adolescent forensic mental health service that provides services for young people residing within Aycliffe Secure Centre Secure Children's Home (SCH). The aim of the provision is to ensure that young people are provided with specialist formulation, assessment and interventions responsive to their presenting needs.
24. The Kolvin Service staff structure at ASC involves specialist input from psychologists, psychiatry, nursing staff, occupational therapy and speech and language professionals.
25. The Kolvin Service can provide, where indicated, assessments and interventions related to:
  - (a) Challenging behaviour and forensic issues;
  - (b) Emotional dysregulation/developmental trauma;
  - (c) Neurodevelopmental conditions;
  - (d) Presenting mental health conditions.
26. The Kolvin Service also has links to a range of specialist services across CNTW and nationally, including the Complex Neurodevelopment Disorder Service (CNDS) and the national Adolescent Medium Secure Network.
27. The Kolvin Service also collaboratively leads on implementation of the SECURE STAIRS framework at ASC. This role involves development of:
  - (a) staff training and development
  - (b) reflective practice and debriefing processes
  - (c) formulation
  - (d) young people's participation
  - (e) research, audit & development.

### **Physical Health Team**

28. The Centre is also supported in caring for young people by the physical health team, which is from County Durham and Darlington Foundation Trust (CDDFT).
29. The nursing team oversees the physical health needs of all young people from researching previous health information to immunisation and promoting healthy lifestyles. The nurses review all young people involved in restraint to check for injuries, also to collect their views on the restraint.

30. The team is fully integrated into the Centre and ensure GP and dental appointments (*the Centre has its own fully equipped dental suite*) are provided.

### **Key Events of 2019**

31. We had a very busy year in 2019 and some of the key events are as follows:
- (a) Full Ofsted Inspection - September 2019 – Outstanding in all areas
  - (b) Coroner's Court Outcome – July 2019 - positive comments about the Centre and work undertaken
  - (c) Inspiring People 2019 Awards – the Centre won a Special Recognition Award which was awarded by the Leader of the Council / Chief Executive;
  - (d) Continued Expansion of new employment in the Centre;
    - (i) Additional Residential Workers and Senior Residential Workers
    - (ii) Formation of a new Interventions Team
  - (e) Integration of our Secure STAIRS project which is a national innovative way of working incorporating Mental Health Services into the secure estate to provide mental health support to young people and staff working in a challenging environment.
  - (f) Development of the Listening Service for Staff;
    - (i) The continued services of psychotherapist to oversee the Listening Service
    - (ii) Provision of immediate counselling of staff
  - (g) Restructure of school creating a Deputy Head Teacher post and integrating teaching in core subjects;
  - (h) Continued development of the physical site with successful bidding for Department of Education grant
  - (i) Governance Boards for Health and Care and School Governance;
  - (j) Transfer of Facilities to Direct Services, increasing the ownership of Durham County Council in improving the environment;

- (k) Maintaining Investing in Children status;
- (l) Members of the Kolvin and physical health speaking at national conference about their work at Aycliffe:
- (m) Summer barbecue, Christmas celebration, football team continuing to win!

### **Service Priorities for 2020**

- 32. 2020 is shaping up to be another busy year for the centre. Some of our key service priorities are as follows:
  - (a) Continued high levels of performance to maintain OUTSTANDING;
  - (b) Further support to improve staff attendance at work;
  - (c) Widening the “Offer” to young people and families and opening the transitions house;
  - (d) Preparing for the “Welfare Contract” in 2021.

### **Conclusion**

- 33. Aycliffe Secure Centre has enjoyed a very positive year and is well placed to continually develop and sustain achievement in 2020.

### **Background papers**

None

### **Other useful documents**

- (a) <http://www.durham.gov.uk/aycliffesecurecentre>
- (b) <http://www.durham.gov.uk/article/22277/Aycliffe-Secure-Centre-judged-outstanding-in-all-areas>

### **Author(s)**

Selwyn Morgans

Tel: 03000 262 287

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## **Appendix 1: Implications**

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### **Legal Implications**

None

### **Finance**

The centre continues to bid for DfE funding to improve the physical environment

### **Consultation**

None

### **Equality and Diversity / Public Sector Equality Duty**

None

### **Climate Change**

None

### **Human Rights**

None

### **Crime and Disorder**

None

### **Staffing**

The centre is currently recruiting Residential Workers and Senior Residential Workers

### **Accommodation**

None

### **Risk**

None

### **Procurement**

None

# Aycliffe Secure Centre



# Aycliffe Secure Centre

- Aycliffe Secure Centre is a secure care facility which provides accommodation for up to 38 young people
- 8 placements are for young people who have been sentenced or remanded by the Youth Custody Service (YCS)
- 30 placements are for young people sent to us under Section 25 of the Children Act 1989 (known as welfare placements) and are accommodated with us for their own or others' safety. These placements are commissioned nationally by local authorities.
- The centre is split into 5 houses and is set within a large complex which includes a range of facilities including our own school, gym/fitness room, swimming pool, all weather sports pitch and courtyards for games and activities.
- The centre employs a multi-disciplinary team of approx. 160 staff.

*Altogether better*



# Some of our fantastic facilities...



# Some of our fantastic facilities...

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 **Aycliffe**  
Secure Centre



## **Our Philosophy...**

- Exceptional Parenting
- Every Interaction Counts
- We hope to instil Hope, Drive, Confidence and Empathy in all our young people

## **Additional Services at Aycliffe Secure Services...**

- Mental Health
- Physical Health
- Speech and Language Therapy
- Substance Misuse
- Interventions

Main events of 2019...

Rated OUTSTANDING in all areas by Ofsted (September 2019)



Altogether better



## Main events of 2019 cont...

Won a 'Special Recognition' Award at the Inspiring People 2019 Awards Ceremony (December 2019)

### Special Recognition

Winner



Aycliffe Secure Centre (CYPS)



Altogether better

# Main events of 2019 cont...

- Coroner's Court Outcome – July 2019 - positive comments about the Centre and work undertaken
- Continued Expansion of new employment in the Centre
  - Additional Residential Workers and Senior Residential Workers
  - Formation of a new Interventions Team
  - Integration of Secure STAIRS and the Anna Freud Research
  - Development of the Listening Service for Staff
  - The continued services of psychotherapist to oversee the Listening Service
  - Provision of immediate counselling of staff
  - Restructure of school creating a Deputy Head Teacher post and integrating teaching in core subjects
  - Continued development of the physical site with successful bidding for Department of Education grant
  - Governance Boards for Health and Care and School Governance
  - Transfer of Facilities to Direct Services, increasing the ownership of Durham County Council in improving the environment
  - Maintaining Investing in Children status
  - Members of the Kolvin and physical health speaking at national conferences about their work at Aycliffe
  - Summer barbecue, Christmas celebration, football team continuing to win!

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# Looking ahead and the challenges for 2020...

- Continued high levels of performance to maintain OUTSTANDING Ofsted Judgement
- Improving staff attendance at work
- Widening the “Offer” to young people and families and opening the transitions house
- Preparing for the “Welfare Contract” in 2021

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## Corporate Parenting Panel

28 February 2020

### Stronger Families Programme

**Place-based approach to early help for children, young people and families in County Durham.**



### Report of Martyn Stenton, Head of Service, Early Help, Inclusion and Vulnerable Children, Durham County Council

#### Electoral division(s) affected:

Stanley and Consett, Ferryhill and Newton Aycliffe, Peterlee and Easington.

#### Purpose of the Report

- 1 The report accompanies a presentation to members of the Corporate Parenting Panel on the development and implementation of three early adopter 'place-based approach' localities. The place-based approach developments forms part of the County Durham Stronger Families Earned Autonomy (EA) Service Transformation Plan and the delivery of an effective 'early help' offer to children, young people and families in County Durham.

#### Executive summary

- 2 County Durham was one of 14 LAs nationally to be awarded EA, which provides up front funding rather than the traditional national Troubled Families (known in Durham as Stronger Families) payment by results model. The Ministry for Housing, Communities and Local Government (MHCLG) are clear that EA is aimed at helping areas embed better ways of collaborative working to mainstream the 'whole family' approach and embed the Family Outcome Framework (FOF) across their partnership and ensure children, young people and families with a range of multiple and complex needs have access to effective 'early help'.
- 3 The development and implementation of a 'place-based approach' in three early adopter localities across County Durham forms part of the EA Service Transformation Plan and aims to facilitate collaborative working arrangements, increase use of community resources and promote family and community resilience.

## **Recommendation(s)**

- 4 The County Durham Corporate Parenting Panel is recommended to:
  - (a) Note the contents of the report and accompanying presentation as an update on the development and implementation of the place-based approach to early help as part of the County Durham Stronger Families Earned Autonomy service transformation plan.

## **Background**

- 5 The aim of the national Troubled Families programme is to transform the way that public services work with families with multiple problems to take an integrated 'whole family' approach and help reduce demand for reactive services. Phase 2 of the programme (2015- 2020) required County Durham's Stronger Families programme to identify and 'turn around' 4,360 families. The MHCLG announced in September 2019 that the national Troubled Families programme will continue to March 2021. As of December 2019, County Durham has supported and achieved significant and sustained outcomes as per County Durham Family Outcome Framework for 4,030 families, 92% of March 2020 target.
- 6 MHCLG are clear that EA is aimed at helping areas embed better ways of collaborative working to mainstream the 'whole family' approach, embed the Family Outcome Framework (FOF) across their partnership and to:
  - (a) know and seek out children and families in communities most vulnerable to poor outcomes;
  - (b) ensure the use of evidence-based approaches to help children and families achieve positive change and
  - (c) as partners, work collaboratively at the earliest opportunity to maximise impact and reduce duplication and help prevent the need for high cost services.
- 7 The third annual Troubled Families report 2018-19, 'Building Resilient Families' was presented to parliament in March 2019. The national evaluation of the programme provides evidence of how the programme is delivering outcomes and sustaining progress for children and families facing complex needs. When comparing families on the programme to a similar comparison group over multiple years, the programme of targeted intervention saw:
  - (a) the number of children looked after is down by 32%;
  - (b) the number of adults going to prison down by 25% and juvenile convictions down by 15%;
  - (c) 10% fewer people claiming Jobseeker's Allowance.

## **Place-based approach**

- 8 Following a period of development and stakeholder engagement, the implementation of three 'place-based approach' localities has begun planning and developing new ways of partnership working which are focussed on three identified key priorities. The place-based working groups are applying the 6 principles of County Durham's Approach to Wellbeing to the development of key actions ensuring support builds on community need, builds resilience and makes best use of our collective resources.

- 9 The early adopter localities have also introduced ‘early help conversations’ which facilitate a community based, multi-agency environment and decision-making arrangement for collaborative discussions of children, young people and families that may benefit from a coordinated package of early help making best use of local resources.
- 10 Partners involved in the place-based early adopter localities and early help conversations are providing very positive feedback in relation to developing positive relationships with each other and a better understanding and use of available community assets.

## **Conclusion**

- 11 The three early adopter localities are enabling the Early Help and Think Family Partnership to refine new ways of working to ensure children, young people and families receive effective early help across the system.
- 12 Learning from these localities will inform improvements to the processes ahead of rolling out the approach countywide by March 2020.

## **Background papers**

- None

## **Other useful documents**

- None

## **Author(s)**

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Fiona Smith      Tel: 03000 261670

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## **Appendix 1: Implications**

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### **Legal Implications**

The Stronger Families Programme is Durham County Council's response to the Government's Guidance on "Working with Troubled Families". The aims of the Troubled Families Programme are to get children back into school, reduce youth crime and anti-social behaviour, put adults on a path back to work and bring down the amount public services currently spend on them. This is achieved by providing effective family intervention and encouraging relevant agencies to meet as a "team around the family" to provide the relevant support to the family.

### **Finance**

Risk to an element of EA funding from MHCLG if service transformation progress is not demonstrated.

### **Consultation**

Work on Stronger Families and EA is progressed through the Think Family Partnership

### **Equality and Diversity / Public Sector Equality Duty**

None.

### **Climate Change**

None.

### **Human Rights**

None.

### **Crime and Disorder**

None.

### **Staffing**

None.

### **Accommodation**

None.

### **Risk**

Risk to ongoing EA funding if LA does not comply with EA MOU.

### **Procurement**

None.

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# **Developing a 'place based' approach to 'Early Help' for children, young people and families in County Durham**

*Altogether better*

# National Context – Early Help

- Increasing demand for children social care and high cost statutory services;
- Focus on prevention and early help
- Decrease in all our budgets;
- Troubled Families Programme –vulnerable children and families receive coordinated, ‘whole family, outcome focussed’ early help;

## Challenge is to:

1. seek to work with children and families in communities most vulnerable to poor outcomes;
  2. ensure the use of evidence based approaches to help children and families achieve positive change and
  3. as partners, work collaboratively at the earliest opportunity to maximise impact and reduce duplication in an attempt to stop the need for high cost services
- Altogether better*



# Partnership Approach to Early Help

**Is to provide effective, targeted and coordinated 'Early Help' in order to promote opportunity, address inequalities and secure better outcomes for children, young people and their families.**

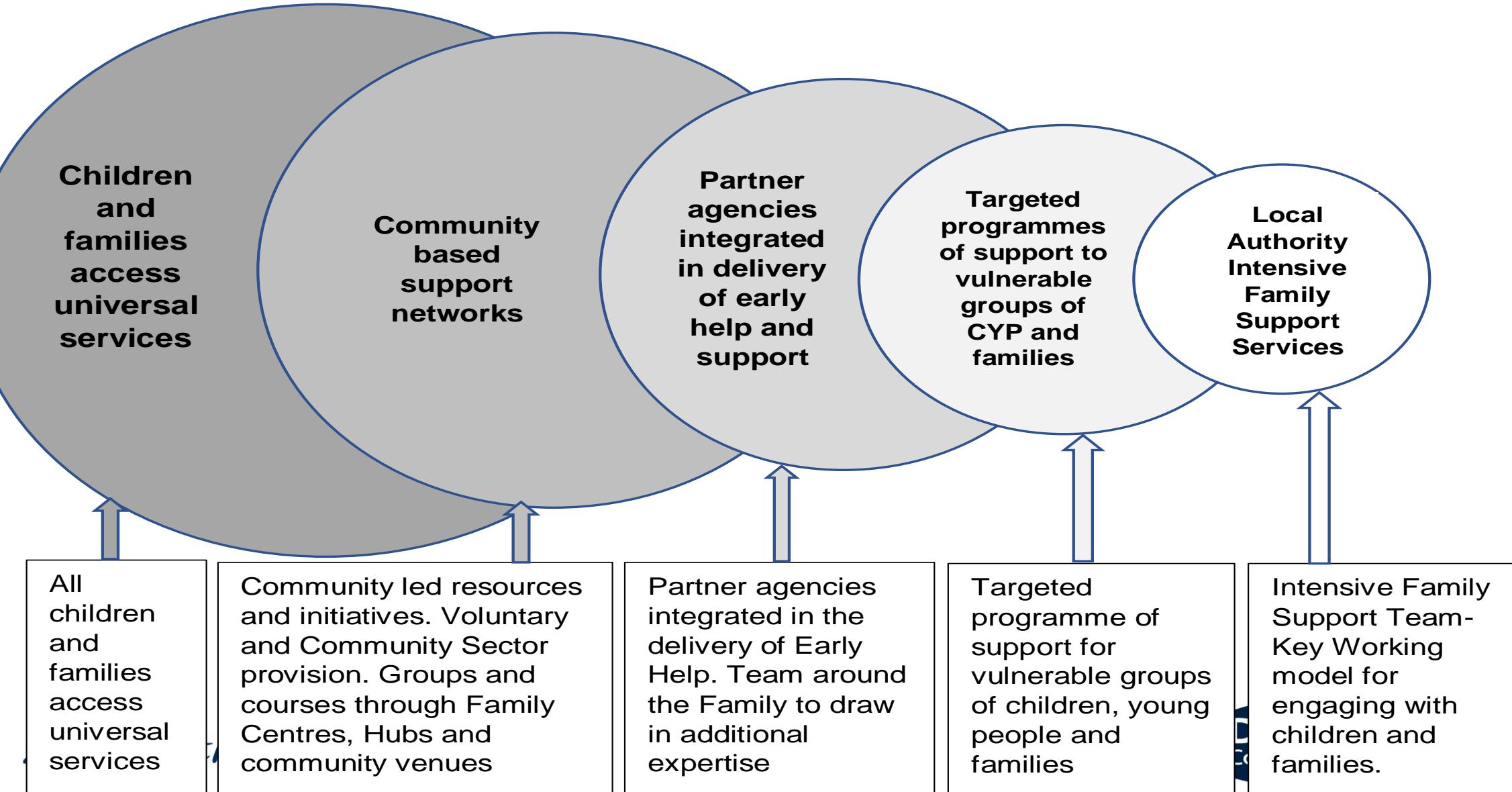
**An effective Early Help offer brings together local partners to provide early support for children and families that builds resilience, prevent difficulties from escalating and leads to better outcomes that are sustained.**



*Altogether better*

# Our Shared Vision for Early Help

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# **What is a 'Place Based' Approach to 'Early Help'**

- A geographical area where public and community resources work more closely together in a cohesive manner to improve outcomes for children families in that area;**
- Within a place-based location, practitioners across a range of services who work with children, young people and adults who are parents/carers will have a better knowledge of local needs and resources available in the area and will have a joint plan to co-ordinate multi-agency activity.**

# Why a focus on 'Place' to better provide effective early help ??

- 1. Better joint understanding and ownership of an area and the associated issues children and families face;**
- 2. Shared aspiration and agreed approach which reflects local needs;**
- 3. Collective use of all our assets, community resources and knowledge;**
- 4. Better understanding of presenting issues and the root cause factors;**
- 5. Ensure the right resource capability, competences and behaviours in the right places;**
- 6. Use of intelligence to effectively target resources and inform commissioning;**

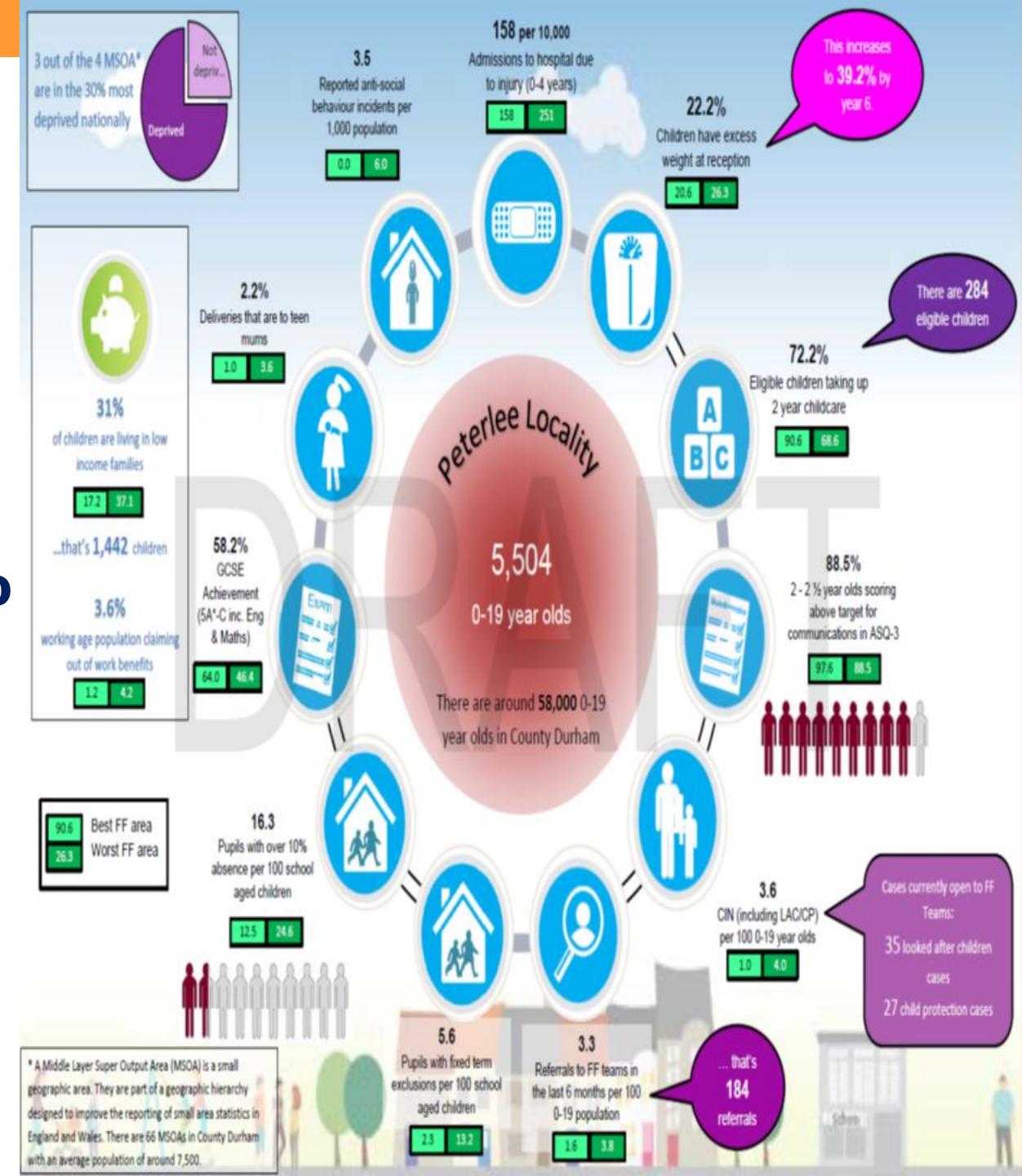
*Altogether better*



# Place Based Approach

- **3 early adopter localities with high levels of need and demand on high cost services;**
- **Each have a multiagency working group;**
- **Use of locality data and intelligence to agree 3 key priorities;**
- **Applying County Durham Wellbeing Approach to ensure effective community engagement;**
- **Connect to Early Help Forums and Think Family Networks**

*Altogether better*



# Wellbeing Approach

People and Places	Supporting Systems
<p><b>Empowering communities</b> working with communities to support their development and empowerment</p> 	<p><b>Working better together</b> working together across sectors to reduce duplication and ensure greater impact</p> 
<p><b>Being asset focused</b> acknowledging the different needs of communities and the potential of their assets</p> 	<p><b>Sharing decision making</b> designing and developing services with the people who need them</p> 
<p><b>Building resilience</b> helping the most disadvantaged and vulnerable, and building up their future resilience</p> 	<p><b>Doing with, not to</b> making our health and care interventions, empowering and centred around you as an individual.</p> 

**Using what works:  
everything we do is supported by evidence informed by local conversations.**



# Change in the way you can access early help guidance/support

- ✓ **Access to locality multi agency discussion, 'Locality Early Help Conversation' about child/family you worried about;**
- ✓ **Use Signs of Safety/Wellbeing model;**
- ✓ **Better use of all our resources and community assets (Social Prescribing)**



# Feedback

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**“Puts the family in charge (Adult SW)”**

**Felt supported, given lots of options to choose from, help offered (HT)**

**“Really good just to have a conversation”**

**“This is great! Good to get information for other pupils too” (HT)**

**“Wished we'd always had this!” (HT)**

*Altogether better*

# Next Steps

- **Implement Place Based Approach to all 7 localities across County Durham;**
- **Implement Locality Early Help Conversations across all localities – March 2020**



**Any questions to**

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**03000 268904**

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**03000 261 670**

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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