

Cabinet

18 January 2023

**Sufficiency and Commissioning
Strategy for Looked After Children and
Care Leavers 2022-2024**



Report of Corporate Management Team

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Councillor Ted Henderson, Cabinet Portfolio Holder for Children and Young People's Services

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 This report provides an Executive Summary in relation to the new Sufficiency and Commissioning Strategy for Children Looked After and Care Leavers 2022-24 (appendix 2 of this report).
- 2 The Strategy outlines the sufficiency position at a point in time, providing local intelligence and data and identifies a series of key priorities and actions which will improve the council's overall sufficiency of placement provision for children and young people who can no longer live with their family.

Executive summary

- 3 The Sufficiency and Commissioning Strategy sets out Durham's strategic approach to securing sufficient accommodation to meet the needs of our looked after children.
- 4 It considers the impact of the Covid-19 pandemic over the last 2 years, how this has affected our sufficiency and the steps we are taking to

ensure that our sufficiency offer is robust and continues to meet our changing needs.

- 5 The increasing demand and pressure placed on councils to meet their sufficiency duty is a position that is replicated across the UK and has recently been highlighted in the Independent Review of Children's Social Care by Josh MacAlister (May 2022) which proposes to "reset children's social care".
- 6 The Sufficiency Strategy outlines a number of challenges and pressures, including:
 - (a) an increase in the number of children and young people that we look after. Between March 2015 and March 2022, this has increased by 62%, with numbers continuing to increase to 1,034 as of the October 2022 and as predicted in the strategy;
 - (b) we have an increasing number of older teenagers coming into care, who are often difficult to find suitable provision for due to their needs;
 - (c) a small number of delayed discharges from tier 4 hospital, due to limited specialist local regulated provision;
 - (d) use of external residential provision has increase by 50% between 2020 and 2022;
 - (e) the need to increase the number of available foster carers to meet our increasing demand;
 - (f) increasing number of unaccompanied asylum-seeking children moving to Durham placing pressure on already stretched resources;
 - (g) placement stability – increasing number of breakdowns and moves;
 - (h) an increasing number of children, young people and families requiring support who are on the edge of care;
 - (i) more families require respite services for their children who have a disability, particularly overnight provision for children with complex needs.

- 7 The strategy identifies a series of objectives and short to medium term key priorities, many of which are ongoing and being developed, to improve and broaden our current sufficiency offer.
- 8 There are six overarching objectives within the strategy, including:
 - (a) grow our number of in-house foster carers, support the retention of carers and work with IFAs to ensure that children and young people can live with foster carer families when it is in their interests to do so;
 - (b) increase the number of adopters;
 - (c) continue to develop and broaden our residential homes offer and maximise opportunities with external providers when there is a case to do so;
 - (d) develop access to a diverse range of appropriate accommodation for Care Leavers;
 - (e) improve our sufficiency offer for UASC and reduce waiting times;
 - (f) broaden our short breaks offer for disabled children and their families.
- 9 Each objective proposes a series of key priorities / actions to support their delivery. A total of 39 priorities are identified. These are identified in Appendix 3 of this report.
- 10 Capital funding to the value of £2.2 million has been secured through DCC capital bidding rounds to support the development of new children's homes, which are in the process of being developed.
- 11 A further £1.6 million capital funding has been requested to support the development of specialist homes for children with disabilities and short break provision offering planned respite for children with complex needs.

Recommendation

- 12 Cabinet is recommended to:
 - (a) consider and approve the Sufficiency and Commissioning Strategy for Looked After Children and Care Leavers set out in Appendix 2;

- (b) consider and approve the strategic priorities contained within Appendix 3.

Background

- 13 The Council has a duty, as stated in section 22G of the Children Act 1989, to take steps to secure, as far as reasonably practicable, sufficient accommodation for looked after children within their local authority area. The 2010 guidance on the 'sufficiency duty' states that local authorities should have embedded plans, as part of their commissioning processes and through partnership working Health and other partners, to meet the duty. The Children Act 1989 also sets out Health's statutory duty in ensuring the timely and effective delivery of health services to children and young people who are looked after.
- 14 The sufficiency duty must take account of the requirement, under section 22C (5) of the Children Act 1989, that the overriding consideration for placing a child is that the placement must be the most appropriate available to meet the child's needs. If a child cannot live with their parent or a person with parental responsibility, preference must be given to a placement with a friend, relative or other person connected with the child and who is a local authority foster carer. Failing that, a placement must be found, as far as is reasonably practicable in all circumstances, that:
 - (a) is near the child's home;
 - (b) is within the local authority's area, unless that is not reasonably practicable;
 - (c) enables the child to live with an accommodated sibling;
 - (d) where the child is disabled, is suitable to meet the needs of that child; and
 - (e) does not disrupt his/her education or training.
- 15 The priorities and indicators within the Strategy will be monitored on a 6 monthly basis and used to understand and determine our ongoing changing needs in relation to placement sufficiency.

Conclusion

- 16 As Corporate Parents we must ensure that we have a range of good quality local placement provision that is able to meet the varying needs of our looked after children and our care leavers.
- 17 The Strategy sets out our current position in being able to meet these needs and the challenges presented to us and outlines the key priorities that we will deliver over the coming two years to address gaps in

provision and to broaden our local sufficiency offer for children and young people.

Other useful documents

Appendix 2 – Sufficiency and Commissioning Strategy for children looked after and care leavers 2022-2024.

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Appendix 1: Implications

Legal Implications

The Local Authority has a legal duty to provide sufficient accommodation options for children and young people who are looked after and those that are care leavers.

The strategy outlines a number of key priorities which will enable us to continue meeting are changing needs and to minimise any reputational and political damage with regulators such as Ofsted.

Finance

A number of the proposals set out in this strategy will require either capital and/or revenue investment in order to take forward.

These will be subject to individual business cases, setting out the rationale and justification for services and the funding requirements.

Capital funding of £2.2 million has been secured in previous years to develop a number of new children's homes. A further £1.6 million capital request is subject to ongoing consideration and will enable the development of some specialist homes for children with disabilities, which is an emerging sufficiency gap and identified in the July 2022 Ofsted Inspection.

Revenue budgets for new homes are being built based on the re-alignment of existing costs being paid for through the Looked After Children budget i.e. a child being stepped down from a secure home with an existing cost to the Local Authority or a child in an out of county high-cost placement that needs to move back into county provision. Work is ongoing with finance colleagues to consider individual young people and their accommodation costs, alongside revisiting the revenue budgets required to operate a children's home.

Consultation

The Local Authority will be required to consult with elected members and local communities when developing many of the services as outlined in the strategy. This will be completed as part of the formal planning process.

Equality and Diversity / Public Sector Equality Duty

The Authority is required to ensure that all looked after children have equality of opportunity, to ensure best outcomes.

Climate Change

Not applicable.

Human Rights

Young People who are in the care of Durham County Council have the right to be provided with suitable and appropriate local care which can meet their needs to enable them to successfully move into adulthood.

Staffing

The strategy sets out the development of a range of new services which will broaden and enhance our current sufficiency offer. These services will require new staff to support their operational delivery. The recruitment of new staff is aligned with the development of new children's homes.

Accommodation

The report provides information about the range of accommodation options available for our children and young people and also proposes a suite of new service developments to broaden and improve our sufficiency offer.

All proposed service development involving new accommodation will be subject to individual business cases.

Risk

There is a significant risk to the Local Authority if we are unable to provide suitable local accommodation and care options for our children and young people.

There is both a legal and reputational risk to the Local Authority if it is unable to safely care for children and young people and offer a broad range of living arrangements to meet individual needs.

Procurement

When commissioning new services, the Contract Procedures Rules will be adhered to, and Corporate Procurement Colleagues involved.

Appendix 2: Sufficiency and Commissioning Strategy for children looked after and care leavers

See document attached separately.

Appendix 3: Sufficiency Priorities

See document attached separately.