

Corporate Parenting Panel

17 February 2023

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



Report of John Pearce, Corporate Director of Children and Young People's Services, Durham County Council

Sarah Burns, Joint Head of Integrated Strategic Commissioning for County Durham ICB and Durham County Council

Councillor

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 children looked after.
- 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 council's 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 resourced.
 - 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 £2.2m 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 £1.6m 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.

Recommendations

- 12 Corporate Parenting Panel is asked to:
- a) Note and comment on the Sufficiency and Commissioning Strategy for Children Looked After and Care Leavers set out in Appendix 2.
 - b) Note and comment on 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 is reasonably practicable, sufficient accommodation for children looked after 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 with 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.

Being a Corporate Parent

- 16 Looking after and protecting children and young people from harm is one of the most important jobs that Durham County Council must undertake.
- 17 The term 'Corporate Parent' means the collective responsibility of the council, elected members, employees and partner agencies in providing the best possible care and support to children and young people who we look after. A child in the care of the council, looks to the whole council to be the best parent it can be, and every member and employee has a statutory responsibility to act in the best interests of children and young people in our care.
- 18 A LEAN review of the children's home development process has recently been completed. This explored opportunities for streamlining

processes and developing new homes in the shortest timeframe possible. The review made a series of recommendations including the need to carry out further targeted work with elected members to outline our collective corporate parent responsibilities and in particular the need to develop new Local Authority operated children's homes within County Durham and the role that Members have in highlighting the importance of these services within their local community. The work is planned over the coming months.

Key Achievements

- 19 The Covid-19 pandemic presented the council with many challenges over the last 2.5 years, in relation to being able to provide sufficient living arrangements to children and young people in our care and ensuring that these continued to provide good quality provision.
- 20 Despite the challenges, the council has strived to continue developing and improving service provision, including, but not limited to:
 - (a) Developing a new Rapid Response Service preventing admission and readmission to tier 4 mental health hospital beds.
 - (b) Improved brokerage capacity to support children's home searches.
 - (c) Continuing to support providers to develop 'Durham First' homes and influencing service development in line with our ongoing needs. This has enabled children and young people to continue living in County Durham.
 - (d) Recommissioning the Independent Fostering Agency Framework, resulting in 18 providers now being part of regional commissioning arrangements, with new providers able to join monthly moving forward.
 - (e) A new Supporting the Provider Market Team working with social care providers to support the recruitment of staff and workforce development. An initial pilot focused on the supporting the recruitment of in-house children's home staff.
 - (f) We opened two new children's homes in 2021 each caring for three children and young people; a new home in 2022 caring for up to two children and young people; and we have two further homes due to open in the coming months (a solo home and a home for up to two children). These homes enable children and young people to continue living locally in regulated settings.
 - (g) Launching new local provider forums to support improved dialogue with the provider market, to share information about our gaps in service provision and to maximise opportunities for collaboration.
 - (h) Secured DfE Staying Close Funding and launched a new Staying Close Pilot Programme, supporting young people to move on from their children's home with ongoing, consistent, familiar support.

Overview of the Strategy

- 21 The Sufficiency Strategy was reviewed in 2022 and sets out the council's approach to securing sufficient local living arrangements for children and young people in our care and provides information about the social care landscape and the ongoing challenges and pressures, our current offer and how this continues to meet the needs of children and young people and the ongoing cycle of improvements that we are driving forward to broaden our sufficiency offer in County Durham.
- 22 As of November 2022, 70.3% of children and young people in the council's care live in County Durham, with 29.7% living in out of county arrangements. Of those living outside of County Durham, 17.5% live under 20 miles from their originating home address and 12.2% of children and young people live 20 miles or more from their originating address. We always seek to secure appropriate homes locally when it is safe to do so and, in the child, or young person's best interests. Some children and young people live in out of area provision, due to limited availability to meet their complex needs within County Durham. The Strategy outlines a range of development priorities which will create additional local sufficiency options, enabling a greater proportion of children and young people to live locally.
- 23 Whilst the council is able to provide good quality care and support to the vast majority of our children and young people, we continue to be presented with 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 in care who are experiencing multiple moves and it is difficult to find suitable provision to meet their complex needs. This has resulted in the use of unregulated provision for a small number of children and young people.
 - c) Use of external residential provision has increased by 50% between 2020 and 2022.
 - d) The need to increase the number of available foster carers to meet our increasing demand.
 - e) Increasing number of unaccompanied asylum-seeking children moving to Durham placing pressure on already stretched resources.
 - f) Placement stability – increasing number of breakdowns and moves.
 - g) An increasing number of children, young people and families requiring support who are on the edge of care.

- h) More families require respite services for their children who have a disability, with increasing gaps in service provision, particularly overnight provision for children with complex needs.
- i) A small number of delayed discharges from tier 4 hospital, due to limited specialist local regulated provision.

24 Following the review the Sufficiency Strategy a series of priorities have been identified which will broaden and improve our sufficiency offer in County Durham. These are outlined in appendix 3 of this report.

Listening to children and young people

25 As an authority we are committed to listening to children and young people and have embedded this practice across Children and Young People's Services.

26 Whilst children and young people are not involved in identifying gaps in sufficiency, which is based on data and local intelligence, care experienced children and young people play a key role in the co-production and shaping of services which directly impact them. Their engagement this way is meaningful and enables the voice of young people to be listened, considered and acted upon.

27 We work in partnership with a social enterprise called 'Investing in Children'. They deliver a range of children's participation services on our behalf and implement several schemes through a contract arrangement:

- Facilitation of young people's participation / reference groups;
- Facilitation of the eXtreme group to ensure that the voice of children and young people with disabilities are listened to and acted upon;
- Coordination of the Children in Care Council;
- Management of the Drive Project – by listening to young people this project enables some young people to learn to drive;
- Management of the Freedom Card – by listening to young people and their carers this offers free access to DCC leisure centres and access to a range of leisure activities at a discounted price;
- Management and facilitation of the Investing in Children Membership Programme – all services and teams across CYPS are reviewed annually to ensure that they meet award criteria. All teams across Children's Services have either achieved Investing in Children Membership or are working towards this. The 'Investing in Children membership', is a kite mark which demonstrates that Children Looked After and young people feel valued and are listened to by adults.
- Examples of co-produced services include, but are not limited to:
 - The development of our new Edge of Care Home. Care experienced young people played an active role and identified key

features within the home, how the home could better meet the needs of young people and the name of the new home.

- The commissioning of independent fostering households and the involvement of children and young people in the tendering / procurement process, which influenced the outcome of the exercise.
- The involvement of children and young people in staff recruitment i.e. young people being part of the interview panel and having an influence over the recruitment of new Registered Managers for children's homes.
- Ensuring that children's social care providers listen to the views and wishes of the children and young people that they care for and use this information to make ongoing improvements.

Providing Stability to Children and Young People

- 28 When children and young people are unable to live with their birth families and they need to come into care, it is important that care provides them with the stability they need to feel safe to build relationships with their carers.
- 29 Currently in County Durham, we are struggling to do this, and it is usual for children to have to move at least once when they come into care. That means that they have lived in at least two homes, three if their family home is included.
- 30 The stability of homes available to children in care is recorded as a measure of overall children's social care performance (Placement Stability). This is measured by Ofsted for children aged under 16 who have been in care for at least 2.5 years who have stayed living in the same home for more than 2 years.
- 31 In Durham, we have 64% (251) children under 16 who have been looked after for a minimum of 2.5yrs who have been in their current caring arrangement for less than 2 years. 34% of children who have been in care for more than 2.5 years have remained living in the same care arrangement for more than 2 years. In the last year we have 58 children who have moved three times and there are seven children who have moved more than seven times.
- 32 This is in part explained by the ongoing work that has been undertaken to support children and young people to return to the care of their parents. It is however accepted that this is an area for improvement, and we need to be able to offer a wider range of homes with carers that are trained and supported to meet the children's needs.

Out of Area Living Arrangements

- 33 As a result of a lack of available homes in Durham that can meet the needs of our children and young people who have needs that challenge services, we sometimes need to place children outside of County Durham.
- 34 Finding these children homes at a distance from Durham results in a number of challenges for them including needing to move schools and make new friends but also making it harder to see the people that they need to have trusting relationships with including their parents and families.
- 35 There are 306 children and young people placed outside of Durham in a range of different care arrangements. Some of these children and young people have been placed for adoption, are with family members or attending colleges, making their move out of area a positive development for them. Other children live in fostering homes or within private children's homes outside of the county. Most children who live outside of County Durham live in the region, but this is not the case for all children, and we have children placed as far away as Inverness and Plymouth.

Conclusion

- 36 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 children looked after and our care leavers.
- 37 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.

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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 £2.2m has been secured in previous years to develop a number of new children's homes. A further £1.6m 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 Children Looked After 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 children looked after have equality of opportunity, to ensure best outcomes.

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.

Crime and Disorder

Non applicable.

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

Attached as a separate document

Appendix 3: Sufficiency Priorities

No.	Overarching Objective	Priorities	Completed by
1	<p>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</p>	Recruit 35 new foster carer households in 2022/23 and a further 35 new foster carer households in 2023/24	March 2023 and March 2024
		Develop and launch the new fostering website	December 2023
		Launch the Mockingbird Model to support our in-house foster carers	July 2022
		Review the current Payment for Skills Model in consultation with foster carers, which seeks to improve our sufficiency of in-house foster carers, by attracting new carers and retaining existing carers and implement findings	October 2023
		Develop a 'wrap around support' team that will work intensively with our in-house foster carers to promote placement stability and prevent placement breakdown	March 2023
		Develop the respite foster care offer for children and young people with a disability	September 2022 – March 2024
		We will continue to work regionally with other Local Authorities to ensure that the new commissioning solution continues to be fit for purpose and to encourage off framework providers and new providers to join.	April 2022 – March 2024
		We will launch a new Provider Forum with our IFAs outside of our regional arrangements to share information about our demand, gaps in provision and to maximise effective partnership working.	September 2022

2	Increase the number of adopters	Ensure that the transition to Adopt Coast to Coast does not impact on the recruitment improvements made in 2020-2022.	March 2024
		Work collaboratively with RAA partners to develop practice around linking and matching, to reduce the waiting time for children when being matched to their forever family.	March 2024
3	Continue to develop and broaden our residential homes offer and maximise opportunities with external providers when there is a case to do so	Develop up to 4 x smaller children's homes. Two will accommodate up to two children and young people and a further two homes will accommodate one young person each. Homes to be operational in 2022 and 2023.	December 2022 and December 2023
		Develop an Edge of Care home	August 2023
		Re-provide a children's home for three young people	November 2023
		Continue to develop the residential peripatetic staffing team to support capacity and reduce the use of agency staff within homes.	April 2022 – March 2024
		Continue to have close oversight of the residential workforce to ensure that the experience and skills of the workforce continues to meet our sufficiency needs.	April 2022 – March 2024
		Continue to review the upper bedding capacity in our existing children's home, taking into account ongoing sufficiency press	April 2022 / March 2024
		Develop a step down to foster care children's home for younger children, by reviewing our existing children's home provision	March 2024
		Develop a children's home for disabled children and young people, in line with feedback from Ofsted. We will consider both DCC and provider led options, including new build options.	March 2025
		Develop a specialist short break home which offers planned respite for up to two children / young people with complex needs. We will	March 2025

		consider both DCC and provider led options, including new build options.	
		Develop a Staying Close Programme for a small group of identified young people	July 2022 – March 2025
		We will continue to work with providers to sustain children and young people’s residential home arrangements, offering support and solutions which minimises moved for children and young people.	April 2022 – March 2024
		We will continue to work closely with providers that wish to develop new Durham First services in County Durham, to shape services and to positively challenge development when this does not meet our needs.	April 2022 / March 2024
		We will review our potential future use of parent and child residential units and encourage providers to develop these services when there is an identified need.	March 2024
		We will explore options for working in partnership with a provider to develop a solo / dual registered children’s home in County Durham, specifically for our use.	April 2022 – March 2024
		We will continue to play an active role in the NE12 regional consortia, working with neighbouring Local Authorities, to understand regional challenges, demand and to work collaboratively.	April 2022 – March 2024
		We will launch a new Provider Engagement Forum with our residential homes providers. This will be specific to Durham’s local needs.	July 2022
		We will work with health partners to develop a new registered step down from hospital offer to meet the needs of children and young people with ongoing mental health needs.	March 2024
		As our capacity increases within in-house residential home provision, we will review our out of county placements, to understand which	Ongoing

		children and young people have a plan to move back into the area.	
4	Develop access to a diverse range of appropriate accommodation for Care Leavers	Review the marketing and recruitment strategy for Supported Lodging providers	March 2023
		We will open up the Supported Accommodation Provider Panel for young people with complex needs, broadening our pool of providers.	October 2022
		Establish a new Provider Engagement Forum with supported accommodation providers.	September 2022
		Work with supported accommodation providers in relation to the regulation of provision, to understand any potential impact or emerging gaps in provision.	August 2022 – March 2024
5	Improve our sufficiency offer for UASC and reduce waiting times	Work with local supported accommodation providers to explore the extension of existing services to meet our increasing accommodation and support needs for UASC.	December 2022
		Consider options and funding opportunities to develop a local supported accommodation and assessment hub, which will assess UASC over a 6 – 12-week period, before moving young people onto suitable long-term supported accommodation.	December 2022
		Develop a new supported accommodation assessment service for UASC	September 2023
		Continue to work in partnership with regional LAs to explore opportunities for joint commissioning	April 2022 – March 2024
6	Broaden our short breaks offer for disabled children and their families	Develop a Short Breaks Sufficiency Action Plan which highlights the range of actions that will be taken forward to address the ongoing challenges and gaps in provision, and to improve both the universal and statutory short breaks offer for children, young people and their families / carers	July 2022

		<p>Deliver a programme of non-assessed community short break improvements:</p> <ul style="list-style-type: none"> (i) Ensure that organisations maximise inclusion for disabled children in community activities across County Durham and have the right skills and experience to respond to young people's needs. (ii) Further invest to enable children and young people with disabilities to access local universal activities, ensuring that parents / carers access regular breaks when these are needed and reducing the reliance on commissioned assessed services, preventing escalation of family needs. (iii) Continue to commission a menu of community activities for children unable to access the community due to their disability, without the need for a statutory assessment, whilst ensuring that providers are upskilled to respond to specialist needs. 	<p>July 2022 – March 2024</p>
		<p>Deliver a programme of assessed specialist enhanced short breaks:</p> <ul style="list-style-type: none"> (i) Ensure that the provider market has the capacity, experience and skills to meet to children and young people's short break needs, either at home, in the community or in a residential setting. (ii) Develop specialist and inclusive community hubs to enable complex young people to be supported within their local area. (iii) Review overnight respite provision at Park House, alongside the wider overnight respite offer in the region, propose options to meet all needs, including those young people with complex disabilities / challenging behaviours that post a risk to other children. Develop a model and service provision for overnight respite (this 	<p>July 2022 – March 2024</p>

		<p>action overlaps with Priority Number 9 within the In-House Residential Homes section of this strategy).</p> <p>(iv) Change our commissioning approach to block investment with existing providers to develop, stabilise and upskill the workforce so it can respond to short break demand, particularly for those young people with autism and challenging behaviours.</p>	
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