

TELFORD & WREKIN COUNCIL

CABINET - 27 JUNE 2013

RESPONSE TO SCRUTINY REPORT – CHILDREN IN CARE PLACEMENT STRATEGY

REPORT OF CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

1.1 That the Council carries out a number of activities to improve value for money and the quality

of the service provided for Children in care in the following areas:

- a) Members' responsibilities as Corporate Parents
- b) Quality Assurance of Systems and Processes
- c) The Role and Independence of the Independent Reviewing Officers
- d) West Midlands Framework Contracts for Residential and Agency Foster Care and the Jigsaw contract
- e) Financial Management and Reporting (the Dashboard)
- f) Care of children placed in Telford & Wrekin by other authorities

2. RECOMMENDATIONS

2.1 That the recommendations made by the Children and Young People Scrutiny Committee are noted, and the response set out in paragraph 3.2 and Appendix 1 of the report be approved;

2.2 That Cabinet delegate authority to the Director of Children and Families Services, following consultation with Lead Cabinet Member: Children, Young People & Families, to implement the proposals made as a result of the review of the children in care placement strategy.

SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Objective(s)?	
	Yes	Put our children and young people first Protect and support vulnerable children and adults
	Will the proposals impact on specific groups of people?	
	Yes	Children in Care and their families
TARGET COMPLETION/DELIVERY DATE	During the course of 2013-14, detail as per appendix 1	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The total 2013/14 budget for Children in Care including Residential Care, Foster Care and Special Guardianship arrangements is £10m, within a total Safeguarding budget of £18.6m. This budget has been arrived at taking into account the commitments to Children in Care known at the time the budget was constructed as

		<p>part of the Action Plan. The budget includes the proposed cost reductions expected as a result of the tendering of the Jigsaw Care contract and reducing the number of children in a residential setting. The total budget for Safeguarding for 2013/14 has also been reworked to reflect the expected reductions in the number of agency staff. The Safeguarding budget for 2013/14 has been grown by £600k from 2012/13 as part of the budget strategy. The budget has then been reduced in accordance with the expected results of implementing the action plan with savings of £2.2m being applied as a result of reducing the number of children in residential care and reductions in the use of agency staff. A contingency of £950k is in place, intended to cover estimated cost of any turnover in Children in Care placements during 2013/14. Very early forecasts suggest the actions being taken are having the desired impact of reducing costs, but that the contingency will be required in full. The report from IEWM has been considered and recommendations, where they can be usefully adopted to improve financial reporting, are being implemented for inclusion in future "Dashboard" reports.</p>
<p>LEGAL ISSUES</p>	<p>Yes</p>	<p>In relation to the Children & Young People Scrutiny Committee Recommendations :</p> <p>The statutory duties of Local Authorities in respect of children looked after by them are set out in Part 3 of the Children Act 1989 [CA 1989] ,and further underpinned by Regulations and Statutory Guidance issued under Section 7 of the Local Authority Social Services Act 1970.</p> <p>Section 22C CA 1989 covers the ways in which looked after children are to be accommodated and maintained.</p> <p>Sections 25A to 25C CA 1989 cover the role and functions of the Independent Reviewing Officer [IRO]</p> <p>Section 26 CA 1989 covers the requirement to keep a child's care plan under review.</p> <p>The appointment of an Independent Reviewing Officer (IRO) is a legal requirement. In March 2010 the Government issued new statutory guidance for local authorities and independent reviewing officers on care planning and reviewing arrangements for looked after children, including The IRO Handbook <i>recommendations 2 & 3</i></p> <p>This was part of a suite of statutory guidance which, with the Care Planning, Placement and Case Review (England) Regulations 2010 ('the Regulations') which came into force on 1st April 2011 and set out how local authorities should carry out their responsibilities for care planning, placement and review for looked after children</p>

[*recommendations 2 ,3 & 4*]

Regulation 11 of the 2010 Regulations requires a placing authority to notify a local area authority before a child is placed out of area, other than with a connected person or an approved local authority foster parent. [*recommendation 6*]

The Children Act 1989: Care Planning, Placement, Case Review - Volume 2 provides statutory guidance upon the Part 3 CA 1989 functions [*recommendation 2*]

Section 22G C A 1989 requires local authorities to take steps to secure, so far as reasonably practicable, sufficient accommodation within the authority's area to meet the needs of its looked after children for those children whose needs would be best met by a local placement and there is statutory guidance on securing sufficient accommodation for looked after children.[*recommendation 4*]

In relation to Fostering , the Fostering Services (England) Regulations 2011 were in force from 1 April 2011 and the Children Act 1989 Guidance and Regulations Volume 4 Fostering Services is the relevant statutory guidance. There are also national minimum standards (NMS) which apply to local authority fostering services, independent fostering agencies and voluntary organisations. The NMS are issued for use by Ofsted and are taken into account in the inspection of fostering services [*recommendations 2 & 4*]

In relation to children's homes ,The Children's Homes Regulations 2001 were amended by the Children's Homes (Amendment) Regulations 2011 Revised regulations, statutory guidance and National Minimum Standards (NMS) set out how children's homes are expected to fulfill their statutory responsibilities. Volume 5: Children's Homes is the statutory guidance upon Children's Homes Regulations 2001 (as amended) and came into force in April 2011 [*recommendations 2,4 & 6*]

Revised Statutory Guidance upon the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services for local authorities was published by the Department for Education in March 2013 [*recommendation 1*]

All work undertaken by the Local Authority in relation to procurement and contracting needs to be in accordance with the requirements of the Council's Constitution and in particular Article 14, Section 6 : Financial Regulations and Section 7: Contract Procedure Rules.

It is noted that Cabinet received a report , including legal comment , in respect of the Jigsaw contract and re-tender on 31 January 2013

		[<i>recommendation 4</i>]
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Opportunity to improve the quality of care not only for Telford and Wrekin children in care but also for those placed here by other local authorities
IMPACT ON SPECIFIC WARDS	No	Children in Care originate from all parts of the borough.

PART B) – ADDITIONAL INFORMATION

3. INFORMATION

3.1 Background

3.1.1 The Children and Young People Scrutiny Committee commenced a review of the Children's

Placement Strategy in September 2012. In particular the Committee focused on:

- Whether current policies, procedures and practices keep children and young people in the Council's care safe
- If Council's strategy and processes for care placements offer the best value for money and
- What responsibility, if any, does the Council have for children placed in care in the borough by other local authorities

3.2 Response to recommendations of the scrutiny report about the children in care placement strategy

3.2.1 Members of the Scrutiny Committee agreed a number of recommendations under the six themes listed below. The action which has or will be taken in response to the recommendations relating to themes is summarised below and detailed in Appendix 1. All recommendations were wholly or partly accepted.

Scrutiny Recommendation	Response and summary of action being taken to implement, or reason for rejection
1. Members' responsibility as Corporate Parents	Accepted
2. Quality Assurance of Systems and Processes	
a) That the system for recording and monitoring visits and outcomes is reviewed, and a new framework developed which is more robust but simpler to use and more effective for monitoring the progress of the children and young people.	Accepted
b) The Council should review its current systems for reporting on the arrangements to complete statutory return interviews for young runaways and bring forward a report to the Children & Young People Scrutiny Committee within 6 months of the publication of this report.	Accepted

<p><i>There must be simple measures, consistently applied, to monitor how children are progressing.</i></p>	<p>Accepted in principle</p>
<p>3. The Role and Independence of the Independent Reviewing Officers</p> <p>a) That the current review of the IRO service should consider the management arrangements and the option of moving the service into the Scrutiny Team, consistent with scrutiny's role in providing objective review and challenge.</p> <p>b) That the Independent Reviewing Officer Annual Report is presented at a joint meeting of the Scrutiny Committee and the LSCB as a matter of routine, with an interim 6 monthly report provided to the Scrutiny Committee. This should include information about the outcomes of quality assurance audits in relation to the organisation, conduct and recording of reviews.</p>	<p>Partially Accepted.</p> <p>Accepted</p>
<p>4. West Midlands Framework Contracts for Residential and Agency Foster Care and the Jigsaw contract</p> <p>a) That the rationale for the number of providers on the framework contracts is reviewed to establish whether more favourable contracts could be negotiated by working with a smaller number of quality providers when the contracts are re-tendered.</p> <p>b) Within 6 months of the Jigsaw contract being awarded and started, officer's report to the CYP Scrutiny Committee on how it is delivering better outcomes for children in care and offering better value for money.</p> <p>c) That there is an officer at the Council responsible for proactively monitoring Ofsted and other agency inspection reports of providers used by the Council to help build intelligence which can inform future placement decisions.</p>	<p>Partially Accepted</p> <p>Accepted</p> <p>Accepted</p>
<p>5. Financial Management and Reporting (the Dashboard)</p> <p>a) That the cost of internal care reported on the Children in Care Performance Dashboard is a true cost i.e. it includes the cost of the carers' fees and allowances, the Family Placement social worker and other associated costs.</p> <p>b) That each element is shown separately so there is transparency in how the figures are calculated and confidence</p>	<p>Accepted</p> <p>Partially Accepted</p>

that they are accurate.	
6. Care of children placed by other authorities in Telford and Wrekin	Accepted

4 IMPACT ASSESSMENT ADDITIONAL INFORMATION

None

5 BACKGROUND PAPERS

None

Report prepared by Karen Perry, Assistant Director: Children's Safeguarding 85652

Appendix 1 - Cabinet Response to Scrutiny Report

Scrutiny Committee: Children & Young People Report: Children in Care Placement Strategy Lead Scrutiny Member: Cllr. Mike Ion Lead Scrutiny Officer: Stephanie Jones		Cabinet Member: Cllr. Paul Watling Response prepared by (Karen Perry AD Safeguarding Children): Date of Cabinet meeting: 27th June 2013	
Scrutiny Recommendation	Response and summary of action being taken to implement, or reason for rejection	Date by which action will be taken	Person responsible for action (name and title)
1. Members' responsibility as Corporate Parents That the Council holds regular briefings (annual or biannual) for all elected members on their responsibilities as Corporate Parents and that Councillors' attendance or non-attendance at these briefings is published on the Council's website on an annual basis.	Accepted. In March the Cross Party Corporate Parenting Group agreed an approach to corporate parenting training for members which recognises the need for training/briefing according to roles. It is hoped that all members will access the basic awareness training which will, in due course, be delivered via e-learning. The first basic awareness briefing was held on March 25 th 2013.	March 2013 and ongoing	Karen Perry AD Children's Safeguarding
2. Quality Assurance of Systems and Processes a) That the system for recording and monitoring visits and outcomes is reviewed, and a new framework developed which is more robust but simpler to use and more effective for monitoring the progress of the children and young people.	Accepted New template for recording visits is being piloted, and the findings will be used to improve implementation Red Amber Green (RAG) system for rating care plans by Independent Reviewing Officers (IRO's) to be reviewed.	June 2013 June 2013	Karen Perry AD Children's Safeguarding Jo Britton Service Delivery Manager Safeguarding Advisory Service

<p>b) The Council should review its current systems for reporting on the arrangements to complete statutory return interviews for young runaways and bring forward a report to the Children & Young People Scrutiny Committee within 6 months of the publication of this report.</p> <p><i>There must be simple measures, consistently applied, to monitor how children are progressing.</i></p> <ul style="list-style-type: none"> • <i>Members suggest a category based system (health, PEP, statutory visits, contact, provision, etc.) with a RAG rating and comment for each category, a section for additional information and with automatic prompts to flag up where action is required. There should be a parallel RAG rated self-assessment system for foster carers and children in care which can be cross-referenced with the social worker's assessment to flag up any areas of mismatch. The reporting mechanism must be simple so that reports can easily be pulled off, cross-referenced and tracked. High level data can be shared with partners.</i> • <i>There must be systematic and regular Quality Assurance of care plans. This could be a regular spot-audit of a random sample of plans. Plans should be checked for compliance with statutory visits and to review of social worker visit records to check that issues raised are</i> 	<p>Accepted</p> <p>A Missing Persons Sub Group working to the West Mercia Protocol for Missing has developed a new pathway for responding to missing person incidents. This was implemented in March 2013. The new pathway uses the responses from an interview with the young person to determine the intervention required. Latest performance information shows improvement against a number of key indicators. We will continue to review progress against key indicators to ensure that we see a continued improvement in outcomes for children and young people.</p> <p>Accepted in principle</p> <p>The proposal as described by members is desirable but ambitious. Small working group to be established to consider how to build further on recently developed arrangements in the CIC team to monitor progress of CIC, including consideration of what is effective in other local authorities .</p> <p>Accepted</p> <p>Care Plans are considered as part of the monthly safeguarding audit conducted by managers and as part of the RAG rating by IROs</p>	<p>March 2013</p> <p>June- September 2013</p> <p>April and ongoing</p>	<p>Jas Bedesha Service Delivery Manager Cohesion</p> <p>Service Delivery Manager Children in Care and Family Placement (Angela Yapp)</p> <p>Karen Perry AD Children's Safeguarding</p>
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<p><i>being acted on and outcomes are improving. Advanced Practitioners should also observe newer qualified social worker visits.</i></p> <ul style="list-style-type: none"> <i>The systems and processes implemented will continue to be monitored by scrutiny.</i> 	<p>The Advance Social Work Practitioners and managers observe social workers in action and reflect with the workers on their practice.</p>	<p>Ongoing</p>	<p>Childrens Social Care Service Delivery Managers (Angela Yapp, Maria White and Diane Partridge)</p>
<p>3. The Role and Independence of the Independent Reviewing Officers</p> <p>a) That the current review of the IRO service should consider the management arrangements and the option of moving the service into the Scrutiny Team, consistent with scrutiny's role in providing objective review and challenge.</p> <p>b) That the Independent Reviewing Officer Annual Report is presented at a joint meeting of the Scrutiny Committee and the LSCB as a matter of routine, with an interim 6 monthly report provided to the Scrutiny Committee. This should include information about the outcomes of quality assurance audits in relation to the organisation, conduct and recording of reviews.</p>	<p>Partially Accepted. A better option to achieve independence of the IRO service whilst providing support from officers with a focus on children is to move reporting arrangements into Education and Skills.</p> <p>Accepted</p>	<p>Implementation 02.07.13</p> <p>From 2013-14</p>	<p>Assistant Directors Karen Perry and Jim Collins</p> <p>As above</p>
<p>4. West Midlands Framework Contracts for Residential and Agency Foster Care and the Jigsaw contract</p> <p>a) That the rationale for the number of providers on the framework contracts is reviewed to establish whether more favourable contracts could be negotiated by working with a smaller number of quality providers when the contracts are re-tendered.</p>	<p>Partially Accepted Experience prior to the current regional arrangements being put in place (which have saved over £100k p.a.) suggest that prices would be higher if we procured alone. We will review all options for procurement at the end of the current contract period. There is also a regional commissioning project to</p>	<p>Ongoing</p>	<p>Viv Mckay Service Delivery Manager Commissioning (Children and Families and Transport)</p>

<p>b) Within 6 months of the Jigsaw contract being awarded and started, officer's report to the CYP Scrutiny Committee on how it is delivering better outcomes for children in care and offering better value for money.</p> <p>c) That there is an officer at the Council responsible for proactively monitoring Ofsted and other agency inspection reports of providers used by the Council to help build intelligence which can inform future placement decisions.</p>	<p>commence shortly:</p> <p>Building on learning from existing projects the region seeks to carry out an investigation into the fair pricing of the core components and additional elements that make up children's residential and fostering care placements</p> <p>Accepted We are currently tendering for care provision on the JIGSAW sight. Early indications indicated that a significant ongoing saving will be made without compromising quality of provision.</p> <p>Accepted The Commissioning Team continually monitor quality of residential care provision, including monitoring OFSTED reports. It is our intention to ensure that all residential placements are assessed by OFSTED as good or better</p>	<p>April 13</p> <p>Ongoing</p>	<p>As above</p> <p>As above</p>
<p>5. Financial Management and Reporting (the Dashboard)</p> <p>a) That the cost of internal care reported on the Children in Care Performance Dashboard is a true cost i.e. it includes the cost of the carers' fees and allowances, the Family Placement social worker and other associated costs.</p> <p>b) That each element is shown separately so there is transparency in how the figures are calculated and confidence that they are accurate.</p>	<p>Accepted The methodology for calculation is being reviewed by IEWM "critical friend" who are reviewing the family placement service.</p> <p>Partially Accepted This level of detail to be provided to Scrutiny once to confirm the methodology and then applied as a single figure</p>	<p>June 2013</p> <p>June 2013</p>	<p>Service Delivery Manager Children in Care and Family Placement (Angela Yapp)</p> <p>As above</p>
<p>6. Care of children placed by other authorities</p>			

in Telford and Wrekin			
a) That the Council works with the Police to accurately identify the location of all the external children's homes in Telford & Wrekin.	Accepted Information is being released direct to police from Ofsted and the local authority works closely with the police where any issues are best tackled jointly	Ongoing	as appropriate
b) The Council organises a provider conference - similar to the one held by Shropshire Council - within the next 12 months. This would encourage co-operation between police and providers, and the Council should give all providers information about support services they could access to help the children in their care.	Accepted	September 2013	Viv Mckay Service Delivery Manager Commissioning (Children and Families and Transport)