

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Minutes of a meeting of the Children and Young People Scrutiny Committee held on Tuesday, 8th January 2013 at 5.45 pm at Jigsaw School, Queensway, Hadley Castle, Telford

PRESENT: Councillors M. Ion (Chair), G. Green, J. Greenaway, J. Loveridge, A. Mackenzie, C. Turley and Co-optees R. Aveley, E. Ofori, S. Rayner and M. Ward.

Attending: Detective Inspector P. Shakesheff, Force Lead Missing Children, West Mercia Police; K. Perry, Assistant Director Children's Safeguarding; C. Jones, Assistant Director Family & Cohesion Services; S. Hosking, Cohesion Group Manager; A. Yapp, Service Delivery Manager Fostering and Children in Care; S. Jones, Scrutiny Officer.

The meeting opened with a tour of the Jigsaw school by the Head Teacher Mr. Nigel Griffith. The school is for 11-16 year olds with behavioural, emotional and social difficulties which make mainstream schooling unsuitable for them. There are currently 30 pupils from across Telford & Wrekin with plans to become a specialist school for children with Autistic Spectrum Conditions with 42 on roll by September 2013 and 48 by September 2014. The majority of the children placed at Jigsaw settle there and remain until year 11. There were 16 FTE staff, 2 per group with 2 on "corridor duty" who look after children who leave the classrooms for any reason. Six of the staff were qualified teachers and the remainder were Teaching Assistants who were very good class-room practitioners which was important because building a relationship with the children was critical to their achievement. Members toured all the facilities which were geared towards practical activities such as IT, design and printing, art, pottery or food technology – the young people tended to enjoy practical subjects and these were effective for engaging them in education. None of the pupils left the school without one or more qualifications. Some remained at Jigsaw post-16 if they need an additional year or two to help mature and prepare for the world of work, while others moved onto TCAT, New College or specialist schools, but the authority tracks their routes into FE. The school works with whole families to support the young person which can be challenging if the family does not engage with the support organisations. A key challenge for the future was managing the transition to an ASC school which required a lot of support from the local authority and staff training.

CYPSC-20 MINUTES

RESOLVED – that the minutes of the meeting of the Children and Young People Scrutiny Committee held on 11th December 2012 be confirmed and signed by the Chairman.

CYPSC-21 APOLOGIES FOR ABSENCE

Cllr. Stephen Burrell, Co-optees Shaukat Ali and Austin Atkinson.

CYPSC-22 DECLARATIONS OF INTEREST

None

CYPSC-23 CHALLENGES AND RESPONSIBILITIES OF THE POLICE FOR CHILDREN IN CARE IN TELFORD & WREKIN

The Chair reminded members that one of the elements of the Committee's review of the children in care placement strategy was to look at responsibilities for children placed in Telford & Wrekin by other authorities. Detective Inspector Philip Shakesheff from West Mercia Police had been invited to the meeting to give a presentation on the responsibilities and challenges for the police for children in care.

Before DI Shakesheff's presentation, the Cohesion Group Manager drew members' attention to the Missing Children Processes for Telford & Wrekin which has been circulated as Appendix B and the following points were made during the discussion:

- An overarching protocol had been developed by West Mercia Police with West Midlands Safeguarding leads which set out the way that local authorities would work with the police on missing persons. The Telford & Wrekin processes had been developed in this context and set out how Telford & Wrekin would work.
- The document covered children living in Telford and Wrekin, Telford & Wrekin's children in care in the borough and children placed in care in the borough by other authorities. The document set out pathways and protocols for when a child goes missing so that staff are clear about their responsibilities and statutory duties such as to holding a "return home" interview within 72 hours of the missing episode.
- There were around 4-6 missing persons notifications daily. A significant number of these were repeat episodes, with some children notified as missing up to 50 times. There is a proportionate response depending on the level of risk and the number of missing episodes. Initially there would be a meeting of the relevant professionals to discuss prevention. The status of the chair of these meetings increases according to the number of missing episodes; the more repeat episodes there are, the higher the level of input from senior managers to identify prevention measures. Children Abused Through Exploitation (CATE) work form a big part of this process.
- The protocol is being aligned with Family Connect and will go live on 4th February. Missing person notifications will be logged with Family Connect and then passed to a dedicated worker and their manager. The Family Connect system will generate automatic reminders about the 72 hour return home interviews, and further prompts to provide a check within the system.
- It is difficult to quantify the incidence of children on the edge of care who go missing. Only the children reported missing can be dealt with and it has been estimated that about two thirds of missing children episodes are not reported.

- The numbers may sound alarming, but most missing children are only missing for a very short time. There had been a discrepancy picked up in the press between the number of missing children reports published by the local authority and the number published by the police, and this was because local authorities are required to publish the number of incidents of children missing for more than 24 hours whereas the police publish data on all missing reports.
- Members asked whether cases were closed when families refused to engage with the authorities and support services. A case may be closed when there is no further action to be taken in relation to the immediate missing child inquiry but the record of any young person worked with remains with the authority so that it can be referred back to.
- Referring to the pathway for the return home interviews, members asked how many times “not able to contact” was accepted as a reason for not carrying out the interview. This depended on the circumstances and if a social worker was involved at this stage then it is a requirement that they see the child and this always happens. The extent to which there are repeat visits depends on the circumstances and the action taken is proportionate to the concerns. For children in care, the interview would be expected as part of the social worker’s visit.

The Chair introduced DI Philip Shakesheff, Force Lead for Missing People, West Mercia Police, to the meeting. DI Shakesheff also played a national role sitting on a national oversight group working with and advising the ACPO lead, and was Deputy Chair of a group of 23 other services which use the same system as West Mercia. DI Shakesheff then gave a presentation highlighting the following points;

- By way of context, there were around 323,000 missing person reports nationally per year. It was estimated that around 2/3 of missing people were not reported. Most of the reports were from homes, and care homes tend to report missing children very quickly. In the West Midlands there were around 6,500 missing person reports. In Telford & Wrekin there had been:
 - 1446 missing persons reports in 2012
 - 408 of these were missing children reports covering 178 individual children (the same children had been reported missing between 2 - 51 times).
 - 208 were for missing reports for children in care covering 66 individual children.
 The number represented a small number of children who go missing often. Substantial progress had been made and there had been a reduction in missing person reports between 2011 and 2012.

Shropshire and Telford & Wrekin had a high concentration of children’s care homes compared to other authorities. The good work of the Cohesion Group Manager and colleagues at the Council was welcomed and DI Shakesheff felt that Telford & Wrekin was ahead of the game nationally on reduction strategies.

- Each investigation involves the police completing an average 20 tasks and 6 address checks which can be anywhere in the country. The average cost of a missing person investigation was £2,400 – this equated to 80 full time Constable

posts in West Mercia.

- Missing person reports showed the number of repeat reports in Telford & Wrekin as between 7 and 51 and this was split between children placed by Telford & Wrekin and children placed by other authorities. Local authorities have a statutory duty to notify other authorities when they are placing a child in their area, but the police are not always notified and it is important for them to understand where care homes are and where children are living. The Assistant Director commented that the police are very good at tackling care homes and if the Council considers there to be safety issues they write to the placing authority to alert them to the concerns so they can be escalated. This had in the past been effective in safeguarding the children by moving them on if necessary. DI Shakesheff highlighted an issue with the Ofsted inspection process in that Ofsted do not consult with the police on missing person data and they do not check the number of missing person reports as part of a care home inspection. There had been discussions at national level about this gap and the DI was hopeful that there would be a change.
- Of the top 10 highest reporting premises in Telford & Wrekin, there had been between 9 and 30 reports in 2012. Work with homes was showing success – for example the top reporting home (30 reports) had made over 220 reports in the previous year. The homes were mainly privately run commercial businesses.
- Occasions of inappropriate reporting was highlighted an emerging theme. In the past, carers had been invited to report children as missing immediately regardless of the likely risk. The protocol aimed to address this by allowing carers to use their judgement and delay reporting by up to 6 hours in cases of unauthorised absence where the carer has a reasonable idea of where the child is. Under the protocol, carers should carry out all the reasonable enquiries that a parent would be expected to make before reporting their child missing such as ringing round friends' houses. There was evidence that some care homes were not exercising reasonable traces and using a lack of resources as a reason when the care home should make contingency for this. There was evidence of a lack of engagement by some care homes after a report had been made, when it was important for the police to have regular contact throughout an investigation. There was evidence that some carers did not think they could use reasonable force or restraint on children in their care under any circumstances and called the police when they could use force/restraint if the child is at risk. There were examples of the police being used as a taxi service to return children.
- An example of a successful outcome from interventions by the local policing teams and Ofsted, following concerns raised by the police, was one care provider where the number of calls for the police had reduced from 909 in 2009 to 11 in 2010, and the number of missing person episodes from 493 to 6 reports. An officer is deployed each time a child is reported missing and the missing episodes in this one provider in 2009 had equated to 4.8 full time Constable posts.
- The responsibilities of children's homes include having clear procedures,

maintaining records, notifying the placing authority, being familiar with and acting on local protocols, making themselves known to local police and having regular contact throughout an investigation and following statutory guidance.

- The process for returned children included risk assessment, the police safe and well check, return home interview and a multi-agency meeting. From this a range of multi-agency interventions could be put in place.
- Children in care were three times more likely to go missing than other children. There was under-reporting of missing children and links to child sexual exploitation. Missing children were very vulnerable and there was a need to understand the reasons for them running away so that their needs can be met. This was a priority for the Local Safeguarding Children Board (LSCB). The police wanted to hear from providers and had held a meeting with children's care home providers in Shropshire.
- Performance data for 2012/13 (projected from actual to date) compared to 2011/12 showed a reduction in the rate of repeat missing reports (156 fewer repeats) and a reduction in the number of missing children in care reports.
- In terms of the way forward, the police would be working with all local authorities. In Telford & Wrekin the new Missing Procedure would be implemented. The Missing Child reduction Strategy had been very effective and work would continue to look at how to reduce missing episodes through support. The COMPACT system had been set up so that the Council receives an automatically generated e-mail if a child goes missing – not all authorities have this. Social workers receive e-mails of all repeat episodes and the history. Care Plans would be implemented on COMPACT and this will provide a platform to do audit trails of the actions taken.

After the presentation members asked a number of questions and were provided with the following information:

- In the case of the child who had gone missing 51 times, there had been a number of meetings with the home and youth workers had worked with the child to try to understand the reasons why the child was going missing. By analysing the missing episodes, and building a relationship with the child, a pattern had been identified and diversionary tactics put in place. This had proved successful and had reduced the number of missing episodes. The child had not been moved because this would not have prevented the missing episodes and the child would have been less safe by being moved further away from home.
- The majority of children going missing were aged 13-16 and there was a whole range of reasons why the children went missing. There were children who were "befriended" for the purposes of sexual exploitation, but the number was small and the majority of children go missing for other reasons. In cases of exploitation, the police had powers to serve notice on properties with named individuals who may be harbouring vulnerable young women who regularly go missing.

- From a budget point of view, there was not a dedicated budget for resources for missing persons, and operational efficiencies had to be made so that the limited resources were focused on areas of highest risk. £2,400 was an estimate of the cost of a medium risk case, but some cases could be much more costing into hundreds of thousands. 14% of all West Mercia police activity related to missing children which has high compared to other constabularies.
- With regard to the meeting with Shropshire providers, Shropshire as a county has more privately run children's homes than any other county (exact numbers were not available at the meeting but thought to be around 61-67) charging a lot of money per week per child. All the providers had been identified and sent a letter asking them to identify the children in their home. There had been around 40 children that the police had not previously been aware of. An agreement was needed with all care homes so that they notify the police about all children living in the home. All the providers had attended the meeting – they had been very positive and wanted to come onboard and have regular meetings with the police. DI Shakesheff had been invited to individual care homes to give a presentation. There had been some initial wariness about highlighting the number of missing reports from individual providers, but this had been overcome when the homes were reassured that this was for a good reason.
- Members wanted to know what similar activity there was in Telford & Wrekin and whether the Council has a list of all the private children's homes in the borough. The Missing Children sub-group of the LSCB will be looking at this. The Council can access information on children's homes registered with Ofsted, although there can be a time lag in getting the information. Work had focussed on the development of the protocol first. Some providers had been resistant to approaches from the local authority because they had jumped to the conclusion that the authority is trying to sell services, but the homes had been provided with a list of support services for example, CAMHS, CATE to that they can seek and get help for the children living in the home. Members suggested a meeting with the providers in Telford & Wrekin should be held, similar to the one in Shropshire.
- Of the people reported missing and found dead, there had been 1 so far in 2012/13 and 2 in 2011/12. Most people who are found dead are people who have gone missing with the intention of harming themselves. Of the three children, one was a 17 year old with mental health problems, one had been in foster care and one not in the care system.

When there were no further questions, the Chair thanked DI Shakesheff for a very useful presentation which was very useful for the Committee.

CYPSC-24 INCREASING THE NUMBER OF INTERNAL FOSTER CARERS

The Chairman introduced the item, reminding members that increasing the number of internal foster carers would have an impact on costs. The Service Delivery Manager Fostering and Children in Care presented the report circulated as Appendix C1 which

highlighted recruitment activity over the previous 18 months. The challenge of recruiting local authority foster carers was a national issue and the market was competitive with many private fostering agencies. A lot of work has been done and is on-going to improve awareness raising and targeted marketing, and to streamline and speed up the recruitment process, focussing on enquiries from genuinely motivated people. The service had received a “Good” Ofsted rating in 2009 for the first time. Since then, there had been some turbulence during the restructure but this had now been addressed. An analysis of previous recruitment activity had been carried out to learn and apply lessons for the future, for example, existing foster carers had proved a good “advertisement” and there had been a meeting with the new Chair of the Foster Carers’ Association to discuss how the existing foster carers could help attract and train new carers.

Members then asked a number of questions and were given the following information:

- “Mainstream” foster carers were people who come forward for fostering and look after children placed with them. “Kinship carers” are people related directly to a child coming into care, for example grandparents, aunts etc. who are assessed as carers and look after the child they are related to but would not typically take other placements.
- The number of children placed with internal foster carers had increased from 96 (of 300 children in care) in November 2011 to 114 (of 320 children in care) in November 2012. Of the 114, 81% were in Telford & Wrekin, 19% were outside the borough but mainly in Shropshire and 4% were outside the county. The 4% of placements outside the county were mainly with kinship carers.
- 82% of the carers were in the 20-59 age-group, and of the 18% over 60 most were kinship carers. Telford & Wrekin had a younger than average age profile with most carers in the 30-49 age group.
- In terms of a target for a net gain of internal foster carers, it was felt that a net gain of 14-18 households would make a significant impact on the balance between the use of internal foster carers and agency foster carers. However, it was important not to confuse the number of “households” with the number of “placements” as some households were able to look after 2 or more children at once. In terms of placements, increasing internal fostering capacity to 160-170 placements would radically reduce reliance on agency foster care. As the number of children in care had increased, more children had been placed with internal foster carers but use of agency carers had remained static.
- 19 applications were in the pipeline to be presented to foster panel with a recommendation for approval (15 by the end of March, 4 by the end of April). This would not be a net gain of 19 households because there had been, and would be, losses from retirements and de-registrations. The de-registrations tended to be carers who had retired and become dormant so had a lower impact on placement capacity; the newer carers were much more active. There had been no losses to other authorities or agencies.

- In terms of how to achieve the required net gain to make a significant difference, the Manager was confident that this could be done and there were a number of strands of work to help achieve this:
 - a) A budget had been allocated for marketing and there was an active campaign which included newspaper advertising, radio and awareness raising at events including a weekly presence in the Town Centre as well as on-line marketing and enquiries etc. An analysis had been carried out of the most effective recruitment activity so that marketing could be targeted more effectively (for example on required post-code areas, pro-actively contacting professionals retiring from organisations with a sense of social responsibility e.g. health, police, and using the existing network of foster carers to help recruit). On average it took 2 years between “awareness raising” and “call to action” (i.e. the length of time between fostering first coming onto people’s radar and them actually making an enquiry) so the awareness raising that had been done over the last 2 years should start to have a greater impact.
 - b) There had been an analysis of the characteristics of good carers, and enquiries were sifted rigorously so that those with potentially the right characteristics could be contacted very quickly to minimise the risk of losing them to agencies. The recruitment process had been speeded up considerably over the previous 18 months so that 100% of people making an enquiry were visited within one week.
 - c) A lot of work had been undertaken on retention strategies – for example experienced foster carers mentoring new carers, networking events for foster carers and a “buddy” system was being developed, there were discussions with New College about developing certificates in child care for foster carers to enable them to gain vocational training and qualifications.
- The need to support foster carers affected by the “bedroom” tax had been recognised and those affected had been identified.
- Relating to performance areas monitored on the “Dashboard” the key performance indicator “new foster care households approved in the year” had been replaced by “increase in numbers of children placed with internal carers”. This was because the old indicator was not valid for monitoring the increase in internal placements; as noted previously, counting the number of households was not the same as counting the number of children placed as some households provided more than one placement and some households had become dormant. The indicator showed that the number placed with internal carers was rising more steeply than the number placed with agencies.

The Chairman invited comments from members and Cllr. Mackenzie said that he felt this was a very good positive report.

CYPSC-25 SAVINGS STRATEGIES FOR CHILDREN IN CARE PLACEMENTS

The Chair introduced this item by referring members to Appendix C2, the Children in Care Monthly Performance Dashboard, which showed the cost differential between internal foster care costs and agency foster care costs which demonstrated the need for increasing internal foster care to reduce pressure on the budget. The Chair invited the Assistant Directors to present the Safeguarding and Early Help – Cost Improvement Plan circulated as Appendix D1 and to highlight in particular the actions to address the cost of external care placements. The Assistant Directors then highlighted the following points:

- A key aim of the Plan was to be in a position where there is no overspend in Safeguarding by the end of March 2014.
- The Action Plan was structured around four Objectives:

Objective 1 related to the recruitment and retention of social workers. The good news was that all Social Worker posts had been filled for the first time in a long time. There were still two Senior Social Worker positions vacant, but interviews were in process. The work force planning and development strategy was about the Council nurturing its own social workers and the target was to eliminate the use of agency social workers to backfill by April 2014.

Objective 2 was about the placement strategy and ensuring the number of placements meet demand. The target was to reduce residential placements by 10 by April 2014 and reduce the cost of placements. There were three key elements to this:

- To prevent unnecessary admissions
- To move children out of care faster i.e. move safely back home or adoption
- To change the placement mix i.e. increase the number in internal care.

There were a range of activities to achieve this of which the AD highlighted the commissioning of intensive foster carers (i.e. specially contracted carers who are not paid on an allowance basis per child), speeding up the recruitment process and prioritising resources on those with the right characteristics, recruiting additional social workers to the Family Placement Team would help to reduce disruptions which are one of the major causes of children being placed in residential care. Additional support had been commissioned from the West Midlands Improvement and Efficiency Partnership who were carrying out a critical review of the service.

Objective 3 were actions to reduce the number of children being taken into care. The focus was on early intervention and providing family support for families with children on care protection plans.

Objective 4 was about the approach to commissioning and driving out savings through the procurement process and new delivery models. Substantial savings were required and this would require substantial work by the team.

In response to further questioning, the following information was provided:

- The calculation of the average unit cost of internal care had been changed from the end of October following the issues raised by the Committee about the figures on the Dashboard not reflecting the actual cost of internal care, and not being like-for-like with the agency carer costs. The actual cost had been reported from October onwards, and the previously reported costs has been removed from the table to avoid confusion about the apparent sudden increase in unit costs. The Chair questioned whether the AD was now confident that the costs were accurate. The exact costs were difficult to calculate as they required sophisticated calculation involving analysing resources from a number of people in the team so were difficult to extrapolate accurately. The independent expert commissioned from the WMRIEP had been asked to give rigorous challenge to the numbers so there may be a slight adjustment following this piece of work.
- Members had requested more detailed costings for the option of a Council owned children’s home and a report circulated as Appendix D2. This set out the legislative requirements, costs and bench marking, anticipated volumes, risks and benefits of a Council owned home and detailed projected costs. The Council already had care home premises on the Jigsaw site, but the existing configuration of the buildings did not make them viable for exclusively residential care. A report was being taken to Cabinet at the end of January seeking approval to go to market for a provider for two of the houses as residential homes. The other two houses would be used for supported lodgings and as an activity and assessment centre. Members felt that the risks set out in the report were no greater for a Council owned home than they were for contracted out provision, but the AD felt the financial and reputational risks were greater with a Council owned home.

As previous agenda items had overrun, there was no time for further discussion of this item.

CYPSC-26 CHAIR’S UPDATE

The Chair reminded members of the three key lines of enquiry for the Committee’s review of the children in care placement strategy. He reminded members that the sub-group would be meeting on 11th January at 9.00am in the Business Development Centre in Stafford Park and that all other members of the Committee were welcome to attend the meeting.

The meeting ended at 8.10 pm.

Chairman:.....

Date:.....

TELFORD & WREKIN COUNCIL

CABINET - 31st JANUARY 2013

USE OF JIGSAW HOUSES

REPORT OF ASSISTANT DIRECTOR CHILDREN AND FAMILIES AND TRANSPORT

LEAD CABINET MEMBER – COUNCILLOR PAUL WATLING

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

The purpose of this report is to update cabinet on the use of the houses on the Jigsaw site in Hadley and seek approval to re-tender the care provision in homes on the site.

2. RECOMMENDATIONS

2.1 That Cabinet approves the proposed use of the houses on the Jigsaw site.

2.2 That Cabinet approves the tender for up to 8 residential beds for children in care on the Jigsaw site and gives delegated authority for the Director of Children's Services, in consultation with the Cabinet Member for Children, Young People & Families, to award the contract on completion of the tender.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to priorities emerging from budget consultation?	
	Yes	This will impact on the budget costs of children in the Care of the Local Authority
	Will the proposals impact on specific groups of people?	
	Yes	This will impact on children who are in the Care of the Local Authority
TARGET COMPLETION/DELIVERY DATE	The tender of residential care beds will commence in February 2013 with a contract commencement date of 1 st August 2013	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The financial considerations of undertaking the tender are set out below. The options to consider include purchasing care from an independent provider on the Jigsaw site. This will form part of the tender evaluation process.
		The current unit cost for a placement at Jigsaw,

		<p>which is based on a block bed to spot bed ratio of 3:1 is around £2,700 per week (based on 100% utilisation of the 4 beds available). The cost of a placement in an external placement under the current Regional Framework is around £2,900 per week (including property costs).</p> <p>The tendered price evaluation will take into account that the Council incurs the running costs of the houses at Jigsaw and the contract will be for care costs only. The current contract for four beds is on a block to spot bed ratio of 3:1. The proposal is to tender a contract with a block to spot bed ratio of 2:6. (to be determined during the tender process). This reduces the certainty to the provider of cost recovery on the spot beds which could increase unit costs to cover the risk of underutilised beds (voids). RP 14/1/13</p>
LEGAL ISSUES	Yes	Additional Information at Paragraph 9
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Recommendations relating to the use of the school on the Jigsaw site
IMPACT ON SPECIFIC WARDS	No	Children and young people residing in care homes on the Jigsaw site come from across the Borough. The Jigsaw site is located in the Hadley & Leegomery Ward.

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 Jigsaw is part of the Hadley Learning Community Private Finance Initiative. The premises at Jigsaw comprise the school unit (for 30 pupils) with sports hall and grounds and car parking. Four purpose built 4 bedded children's homes form a crescent adjacent to the school.
- 4.2 **House Number 1:** is used as a resource centre by Children and Young People's Services and usage has increased during the last year by:
- the family intervention team as a safe haven and chill out space for children and young people who are experiencing difficulties (evenings and weekends)
 - social care to undertake parenting assessments when necessary
 - the Children in Care Council as a homely evening meeting venue
 - the Health Looked After Children (LAC) Nurse for health assessments
 - our life story therapist, working with troubled children in care

The various users have access at agreed times of the day during week days, evening and weekends. As a house equipped with all homely facilities including kitchen access and large gardens in a relatively secluded environment, it lends itself well to accommodating the groups currently accessing it and is the only house that we have access to for this type of use. We have initiated a diary and booking in system to ensure maximisation of the unit.

- 4.3 **House Number 2:** This is registered as a 4 bedded residential home for Telford & Wrekin children in care. The service in the home is currently provided by Castle Care Homes Ltd under a contract that ends on 31st July 2013. Three beds in the home are block purchased and one bed spot purchased (i.e. we are not committed to spend on the fourth bed unless required). Delivery of the care home provision on the site costs the Local Authority £455,671 per annum for 3 block contracted beds and £2,500 per week for one spot contracted bed which is paid to the contracted service provider. A reduction is given on full occupancy of four beds.
- 4.4 **House Number 3:** This is used as a supported accommodation unit specifically commissioned to accommodate a young person with a disability requiring adapted accommodation. The young person occupying the property is being supported on a spot contracting arrangement by an independent supported accommodation provider working to a transition plan for the young person to move to an alternative property which has greater access to transport links in April 2013. This property should therefore be available from May 2013.
- 4.5 **House Number 4:** This property was formerly used as a registered 3 bedded residential home for Telford & Wrekin children in care. The service in the home was provided by Castle Care Homes Ltd through a block contract which ceased on 31st July 2012 following contract renegotiation. The property is currently being used as a supported accommodation unit for 16/17 year olds on a spot contract basis.

5.0 IMPACT ASSESSMENT – NEEDS & DEMAND, residential care

- 5.1 Our commissioning strategy and sufficiency duty for children in care has identified a need for residential care provision. Jigsaw is our only children's home resource that is dedicated solely to Telford and Wrekin placements in the Borough. Analysis of our referral data shows that we require continued use of dedicated children's home provision on the site and early indications have identified a need to use two of the houses. We have been considering the option of one being a longer term care home and one a short term assessment home.
- 5.2 Officers in the Council explored the potential of setting up a short term residential assessment unit in one of the homes on the site (maximum 12 weeks stay) however following a deeper analysis of our data we concluded that we could not justify the costs of a dedicated home purely for short term provision. Based on our analysis of referrals and placements of children in care it would appear that over a 12 month period only a maximum of 11 may have required use of a short term assessment unit. Of those, five moved on within a 34 day period in any event. We have formed a conclusion therefore that although the option has merits in terms of moving children on

to more appropriate provision in a timely way we cannot evidence demand for this type of provision.

- 5.3 The current Jigsaw residential care home (house number 2) has been fully occupied since August 2012 (x 4 beds) due to our increasing numbers of children in care.
- 5.4 Our commissioning strategy has a focus on increasing foster care provision though residential provision will always be required. We currently have a contract for 4 beds on the Jigsaw site and we purchase other beds as required through our residential framework contract or residential spot contracts.

If we increase to 8 beds on the Jigsaw site using a second of the properties the additional 4 (if utilised) would be an alternative to placing through the other contracts and make use of a property for which we fund property expenses and running costs. We would expect tender costs to reflect the fact that the Council funds these costs and we should therefore receive tender submissions at lower weekly fees than paid through our other contracts. Our preferred option therefore is to utilise the Jigsaw provision by increasing the residential care beds at Jigsaw with a mixture of spot and block purchasing beds to limit our commitment to spend and financial risk (i.e. a high ratio of spot purchasing) This would be more flexible to meet the fluctuating numbers of children coming into care and the need to keep Telford children within Borough. An option we will explore through the tender would be to sell beds to other Local Authorities should we not need them.

- 5.5 Following a recent desk based review the cost of managing our own residential care home is estimated to be between £3,149 per week to £5,249 per week if we only achieve 60% occupancy due to matching issues. Regional intelligence identifies that lower tender prices can be achieved due to economies of scale for home providers and increased competition in the marketplace. We therefore recommend that we do not manage the residential care homes on the Jigsaw site.
- 5.6 In relation to the two other houses, whilst one could continue as long term use as a resource unit (number 1) the other house used for supported accommodation (number 4) could continue in its present form until no longer required (a recent sub regional tender has successfully resulted in increased supply of supported accommodation in the Borough). The remodelling of the school on the site may result in the need for boarding provision which could be accommodated in one of these two homes (houses 1 and 4), but this will not be made clear until those plans come to fruition. It has already been identified in a previous Cabinet report relating to the Jigsaw school that these changes will take place and evolve over a number of years.

6.0 PROPOSALS

- 6.1 It is proposed that we retain two properties for use as residential care homes for children and young people and tender for this provision with an independent provider (up to 8 beds with a block and majority spot purchase mix [i.e. 2:6] including same day and short term placements). The actual ratio will be dependent upon tender submissions.

- 6.2 We continue to use one property (currently house number 1) as a resource unit for children and young people services and consider opening this up to young people in transition as use for life skills training and for contact.
- 6.3 We earmark one property for use as a boarding annex to the new school for the future but in the meantime utilise the property in a similar manner to that identified in house number 1 or as a supported accommodation unit (as house number 4).

7.0 PROCUREMENT IMPLICATIONS

- 7.1 The value of the contract for the two residential care homes will come in at over £1m and is a key decision. We are therefore seeking authorisation to tender for a 3 – 5 year contract and also seeking delegated authority for our Director of Children's Services in consultation with the Cabinet Member for Children Young People and Families to award the contract on completion of the tender.
- 7.2 The tender will require high quality provision but we will be seeking cost effective services. We will therefore utilise our market intelligence of fees across the sector; use these as a benchmark and seek to improve further on the residential fees that were negotiated (and resulted in reduced average costs) through the regional tender exercise in April last year.
- 7.3 Tupe will apply to staff employed by the incumbent contractor if the contract is awarded to a new supplier.
- 7.4 Through the procurement exercise we will work in partnership with the incumbent provider, children and their advocates to ensure a seamless transfer of contract to any new provider and reduce the impact of potential changes in management on the children.

8.0 FINANCIAL COMMENT

- 8.1 The financial considerations of undertaking the tender are set out below. The options to consider include purchasing care from a provider at the Jigsaw site and purchasing external placements in a providers' own property portfolio through our framework contracts and spot contracts. This will form part of the tender evaluation process.

The current unit cost for a placement at Jigsaw, which is based on a block bed to spot bed ratio of 3:1 is around £2,700 per week (based on 100% utilisation of the 4 beds available). The cost of a placement in an external placement under the current Regional Framework is around £2,900 per week.

The tendered price evaluation will take into account the Council incurs the running costs of the houses at Jigsaw and the contract will be for care costs only. The current contract for four beds is on a block to spot bed ratio of 3:1. The proposal is to tender a contract with a block to spot bed ratio of 2:6. (to be determined during the tender process). This reduces the certainty to the provider of cost recovery on the spot beds which could increase unit costs to cover the risk of underutilised beds (voids).

The proposal would need to utilise two homes on the site. One home, house number 3 currently used as supported accommodation should be available from May 2013.

9.0 LEGAL COMMENT

- 9.1 The Project Agreement dated 15th March 2005 between the Council and Pyramid Schools (Hadley) Limited ("Pyramid"), required that Pyramid would invest and participate in the design, build, servicing and maintenance of school facilities pursuant to the Private Finance Initiative at the site known as the Hadley Learning Community and Jigsaw Project.
- 9.2 All current contractual documents for the Jigsaw Project between the Local Authority and CastleCare Group Limited, acting by its subsidiaries Castle Homes Care Limited and CastleCare Education Limited, were completed on 26.6.09.
- 9.3 These documents comprise the Principle Agreement, which has a term of 3 years from 1.8.09 to 31.7.12. This included an option to extend for 2 years under Clause 3.2., provided the parties meet to discuss the option no later than 12 months prior to the expiry date. The contract has been extended for 12 months to 31st July 2013 in respect of the school and one of the care homes (4 beds, 3 block contracts and one spot contracted).
- 9.4 There were also 2 leases entered into for the same 3 year term, one for the school and one for houses 2 and 4. The lease for the school and house number 2 were extended to 31st July 2013.
- 9.5 Clause 20 of the Principle Agreement deals with termination, which enables written notice to be given by either party to the other in the event of corruption; change of control affecting the ability to provide the services; administration; or material default that cannot be remedied.
- 9.6 Otherwise, the Agreement will terminate forthwith if the Property Agreement [i.e. the leases] ceases in its entirety, or if the Provider ceases to be registered with Ofsted.
- 9.7 Therefore, the Agreement is coterminous with the leases and will end when the leases end.
- 9.8 There is no provision for notice to be given under the Agreement to this end, therefore when the leases end on 31st July 2013, the Agreement will cease, as clearly set out in Clause 20.
- 9.9 The leases are excluded from the security of tenure provisions of the Landlord and Tenant Act 1954, which means they will automatically come to an end at the end of the term, again, without notice being required.
- 9.10 Although the main contractual documents do not require notice to be given, it would be important for the Council to advise the Providers of its intentions as soon as possible, especially due to the impact of the Transfer of Undertakings (Protection of

Employment) Regulations 2006 (as amended) (TUPE) which will be applicable to the current staff group at the home and the required statutory consultation process.

- 9.11 Schedule 2 of the Agreement covered the separate service level agreements to be entered into with Interserve Education, Pyramid, the Council or the Primary Care Trust. These will individually need to be considered as to any notice requirements that they contain if they are to be co terminous with the main Agreement.

10. PREVIOUS MINUTES

N/A

11. BACKGROUND PAPERS

N/A

Report prepared by Vivianne McKay Interim Service Delivery Manager Commissioning (Children, Young People and Families) - Telephone: 01952 388892

Children & Young People Scrutiny Committee – 2012-14 work programme

Date of Meeting	Issue for Scrutiny	Type of Meeting	How	Who	Outcome/s
9 th August 2012	Ofsted inspection	Informal briefing	Verbal briefing	Cllr. Paul Watling Laura Johnston Karen Perry	Members briefed
18 th Sept 2012	<ul style="list-style-type: none"> Issues for a primary school Children in Care Placement Strategy and children in care education attainment 	Committee meeting (Budget & Finance members to attend)	Tour of Short Wood Primary and briefing from Head Teacher Reports and briefings.	Karen Perry Clive Jones Maria White Viv McKay	<ul style="list-style-type: none"> Key issues for review agreed Evidence gathering
5 th Nov 2012	<ul style="list-style-type: none"> Children in Care Placement Strategy – value for money issues Ofsted report and actions to address issues Education results KS2/KS4 for the borough and children in care 	Committee meeting (Budget & Finance members to attend)	Reports and briefings. Additional paper on savings from regional framework contracts.	Laura Johnston Karen Perry Viv McKay Jim Collins	<ul style="list-style-type: none"> Evidence gathering Members updated on 2012 KS2/4 results Requested changes to Dashboard to reflect actual cost of internal foster care.
9 th Nov 2012	Stock-take of review of Children in Care Placement Strategy .	Sub-group meeting	Reports and minutes from previous meetings.	Mike Ion Mel Ward Gill Green Jayne Greenaway Chris Turley.	Further work identified.
11 th Dec 2012	Ofsted Improvement Plan Children in care education results reports for information	Committee meeting	Ofsted Improvement Plan Dashboard Education results	Cllr. Paul Watling Karen Perry Andrew Mason	Progress noted and evidence gathering
8 th Jan 2013	<ul style="list-style-type: none"> The challenges and responsibilities of the Police for children in care in Telford & Wrekin Increasing the number of 	Committee meeting	Presentation from West Mercia Police Report on strategy to increase foster carers Updated Dashboard	Philip Shakesheff (West Mercia Police) Cllr. Paul Watling Karen Perry	Evidence gathering

	internal foster carers <ul style="list-style-type: none"> • Savings strategies for children in care placements 		Cost Improvement Plan Costings for Council owned care home Jigsaw visit	Clive Jones Jas Bedesha	
11 th Jan 2013	Meetings with foster carers, social workers, IRO and to plan visits to children in care out of borough.	Working group meeting	Verbal evidence and anonymised visit reports.	2 foster carers 2 social workers IRO	Evidence gathering
8 th Feb 2013	Stock take of all evidence gathered during review to start to formulate report and recommendations.	Sub-group meeting			Initial work on draft recommendations
March 2013	Visits to 2 children in residential care outside the borough.	Members of sub-group.			
12 th March 2013	<ul style="list-style-type: none"> • Use of Jigsaw Houses • If published, Ofsted report on fostering service • Items for the next meeting 	Committee meeting	Cabinet report (Ofsted report if published)	Clive Jones Viv McKay	
18 th April 2013	Provision of primary places (TBC)				
2013-14	Impact of Early Intervention programmes		In-depth review		
2013-14	Services targeted at young people (Youth Offer, YOS)		In-depth review		
On-going	CIC performance monitoring (Dashboard)		Standing items at committee meetings		
On-going	Education attainment for the borough and for children in care		Standing item at committee meetings		