



# HILLINGDON

LONDON

## Policy Overview & Scrutiny Committee Review Scoping Report 2013/14

### **OBJECTIVE**

#### **Short title of review**

Strengthening the Council's Role as a Corporate Parent

#### **Aim of review**

To review the Council's statutory duties as Corporate Parents and consider how well the full range of needs of Looked After Children (LAC) and young people are addressed corporately by the Council and to make recommendations on how this role could be strengthened.

#### **Terms of Reference**

1. To gain an understanding of:-
  - i) The profile of children and young people looked after by Hillingdon Council.
  - ii) The role of each Elected Member as a Corporate Parent and how this can be enhanced.
2. To explore how the Council and partner organisations support looked after children / young people across all aspects of their lives which include:
  - i) how they are kept safe;
  - ii) how their views are taken into account;
  - iii) the educational needs of LAC and care leavers;
  - iv) the promotion of their health and well-being; and
  - v) their preparation for leaving care, including support for housing and training needs.
3. To explore the performance of the Council against national trends.
4. To understand the impact of recent legislative changes and judgements on the delivery of services to LAC and care leavers and the impact of these on current and future budget pressures.

5. To ensure that the Local Authority's pledges to LAC and care leavers are promoted and delivered.
6. To gain an understanding on early permanency planning for LAC
7. To make recommendations to Cabinet based on the outcome of this review.

## **Reasons for the review**

This review is set up to look at how well the needs of Hillingdon's children and young people in care are being addressed. In doing this, it will look in depth at the contribution of a wide range of services provided by the Council and its partners to the parenting of LAC and care leavers.

The Government's recent Children and Families Bill (2013) is transforming the system for children and young people. This will change the approach to planning and delivering services to Children in Care (CiC). It takes forward the Coalition Government's commitments to improve services for vulnerable children and it underpins wider reforms to ensure that all children and young people can succeed, irrespective of their background. The Bill will reform the systems for adoption, looked after children, family justice and special educational needs.

The role of long term fostering is also under review. The Children's Minister, Edward Timpson wrote to the Director of Children's Services (DCS) in December 2012 indicating that further examination and possible regulatory change will follow. This would mean that long term fostering would be seen as a positive permanence outcome for children.

In the light of the legislative changes, the review will consider the role of the Council as a Corporate Parent as it discharges its duties in:

- Monitoring the performance of permanency and care planning;
- Regulation 33 inspections of its children's residential units;
- Monitoring the fostering service;
- Children and young people's participation;
- The educational attainment of LAC and care leavers;
- The transition of care leavers into independence and adulthood; and
- The provision of health services. In particular, access to mental and therapeutic services should be looked at.

The intention is to provide a full review and reassurance to Members that Hillingdon is discharging its corporate parenting responsibilities well and making changes in line with relevant legislation. The review will also consider the associated costs in implementing the changes.

## **Supporting the Cabinet & Council's policies and objectives**

This report will examine the performance of the Council in relation to Corporate Parenting duties for all-looked after children and care leavers. It will review legislative changes and make recommendations to Cabinet on how to achieve the aims set out above.

## **INFORMATION AND ANALYSIS**

### **Key Issues**

#### ***Corporate Parenting Responsibilities.***

LAC and young people are children who are in the care of the Council through a care order made by a court or a voluntary arrangement. They can be looked after in a children's home or by foster carers or by other family members.

Care leavers are children who have been looked after by the Council and are still provided with assistance, advice and guidance.

The term "Corporate Parenting" is defined in the statutory guidance issued to support the role of the Lead Member for Children's Services, the Director of Children's Services and also in the statutory guidance issued to support the Care Planning Placement and Case Review Regulations 2010. This recognises that Councils and their partner agencies should share the role of corporate parent, to act as the best possible parent for each child they look after and to advocate on his/her behalf to secure the best possible outcomes by having the same interest in the progress and achievements of children and young people. This is what a good parent would want for their own children.

The responsibility applies across the local authority and not just departments directly responsible for delivering services to children and young people. It requires ownership and leadership at a senior level and includes a key role for elected Members. The responsibility is also shared with the local authority's partner agencies. However, Corporate parenting responsibility could be shared more equally across the Council and partners. Whilst Children and Families Services have the lead responsibility and will always have the greatest level of involvement, it does not mean that other services and partners should not make a significant contribution.

At any one time, there are 65,000 children nationally who are looked after. Hillingdon is currently responsible for 363 children (31<sup>st</sup> March 2013), down from 376 in 2011/12. This in part is attributed to the fall in the numbers of unaccompanied asylum seeking children coming into care. The figures for local children and young people have remained static. The largest group representing 62% of the LAC are those aged between 13-18.

#### **1. The review should look at how well the work of corporate parenting is disseminated across the Council and its partners.**

Whilst looked after children and young people have a right to expect the same life opportunities and outcomes as other children, they may nevertheless experience disadvantage. Research indicates that they experience significantly poorer outcomes across a range of measures, including health and education:

- Nearly 50% have a diagnosable mental health disorder compared to 10% in the general population. Figures for those in residential care are even higher.
- Between a quarter and a third of rough sleepers have been looked after by local authorities as children.
- Children who have been in care are two-and-a-half times more likely to become teenage parents.
- Young people who have been in care are disproportionately likely to become unemployed.
- Twenty-six per cent of prisoners have been in care as children, despite the fact that they make up just 2 % of the total population.

**2. This review should examine how well the Council and its partners support looked after children to help improve:**

- Their educational attainment and preparation for employment and further education;
- Permanency planning through either adoption or long term fostering and other options such as placements with connected persons and special guardianship orders;
- Their journey through care and their participation in decision making and planning;
- Their health and wellbeing;
- Placement stability through increased quality placements within the local authority; and
- Their transition to adulthood and independence.

***Health***

A report published in May 2012 (Royal College of Nursing, Paediatrics and Child Health) on the health care of LAC found that two-thirds of LAC have been found to have at least one physical health complaint, such as speech and language problems, bedwetting, co-ordination difficulties and eye or sight problems. Generally the health and well-being of young people leaving care has consistently been found to be poorer than that of young people who have never been in care, with higher levels of teenage pregnancy, drug and alcohol abuse clearly evident. The high geographical mobility of the looked after children population, linked with not being registered with a GP and often being educated outside of mainstream schools exacerbates these problems.

Local authorities and health care planners and commissioners have statutory duties to safeguard and promote the welfare of children that are in their care, including ensuring their health needs are fully assessed, that they have a health plan in place which is regularly reviewed and that they have access to a range of health services to meet their needs. These form key aspects within inspection processes for looked after children's service provision.

The 2012 Annual Health Report completed by the Hillingdon LAC Health Team found that while the completion and quality of health assessments have

increased and improved, more is needed to address the mental health of LAC. 48% of the sample of LAC that were audited were found to have mental health needs of some kind, with a high incidence of mental health problems in Unaccompanied Asylum Seeking Children (UASC). In some age groups across the LAC population (mainly 14-17 year olds) the incidence of mental health needs identified was more than half of the sample. In these age groups the needs were complex.

**3. One of the key areas for the review should be to consider the provision of health care, including access to therapy and mental health services.**

***Education***

In the Children and Families Bill 2013, the Government has prioritised the education of looked after children by a statutory requirement on local authorities to establish and maintain suitably robust Virtual School arrangements. The Government is committed to improving life chances for all looked after children. Their educational attainment, while improving, is not doing so fast enough. Two groups of LAC whose educational needs require targeted support are those with special educational needs/disabilities and children of post statutory school age (16). Whilst the Bill extends the SEN system from birth to 25, there needs to be improved co-operation between all services, particularly between local authorities and health authorities.

Given that the Bill has prioritised the education of LAC; the review may want to consider extending the Virtual School's scope to include young people aged beyond the current statutory school age of 16. This will ensure that the support needs of young people entering further and higher education are met. This is, however, currently limited by the capacity of Hillingdon's Virtual School.

The education priority of the Hillingdon Virtual School is to support the progression of learning and attainment of children and young people through the provision of targeted services for access and inclusion. This is being achieved by the following:

- Improving Personal Education Plans
- Raising attainment of LAC through a focus on attendance, admissions, exclusions and pupils who are Not in Education, Employment or Training (NEET)
- Promoting support to different groups of children to provide equality of access
- Provide a comprehensive training programme to schools, social workers and foster carers
- Ensure compliance with corporate priorities

**4. The review may want to consider:**

- **Whether the corporate parenting and governance arrangements are sufficiently able to support the virtual school while robustly holding it to account.**

- the range of support that is available for looked after children, including the dispensation of the Pupil Premium in schools (funding that is provided directly to maintained schools and academies to raise the attainment of LAC who have been in care for six months or more).

### ***Safeguarding***

Very recently there has been publicity on the need to protect vulnerable children in residential homes from sexual exploitation and going missing. In 2012 the All-Party Parliamentary Group (APPG) for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers called a Parliamentary Inquiry to examine these issues more closely. Nationally 10,000 children are estimated to go missing from care in a year. When these children run away they are in great danger of being physically or sexually abused or exploited.

Children in care (whether in foster care or residential care) are three times more likely to run away than other children. Agencies' understanding of, and response to, this issue are therefore critical. In July-November 2012, the Policy and Overview Scrutiny Committee completed a review on safeguarding children who are missing from care. Recommendations from the review approved by Cabinet in March 2013 have been incorporated into an action plan and many of the actions have been implemented.

#### **4. The review should look into the standard and quality of care that is provided by the Council's residential children's homes.**

### ***Participation***

Children and young people in local authority care are greatly affected by the policies and decisions of the authority as their 'corporate parent'. Being able to influence those decisions is an essential right. They have a right to be informed about and participate in achieving their rights. The voice of the child and the experiences of children in care will form the central theme in Ofsted inspections. They will look at the 'journey of the child 'and how they inform and contribute to service development.

Hillingdon runs a range of participation activities that are facilitated and co-ordinated by the Participation Worker and the Children's Rights Co-ordinator.

#### **5. The review should consider the level of participation of its looked after children and care leavers in influencing the development of services and policies that impact on the their lives.**

### ***Independent Reviewing Service***

Independent scrutiny of the care of LAC is carried out at statutory reviews by Independent Reviewing Officers (IRO). The 2008 Children and Young Person's Act extended the IROs' responsibilities from monitoring the

performance by the local authority of their functions in relation to a child's review to include monitoring the performance by the local authority of their functions in relation to a child's case. The intention is that these changes will enable the IRO to have an effective independent oversight of the child's case and ensure that the child's interests are protected throughout the care planning process.

As part of the quality assurance function, the IRO also has a duty to monitor the performance of the local authority's function as a corporate parent and to identify any areas of poor practice. This should include identifying patterns of concern emerging not just around individual children but also more generally in relation to the collective experience of its LAC of the services they receive. An independent review of the IRO service is currently being carried out by the National Children's Bureau.

**6. The review may want to examine the Independent Reviewing Service to ensure that there is sufficient and robust quality assurance in place for the care planning of looked after children.**

**Summary of the scope of the Review**

- To examine the role of the Council and its partners as Corporate Parents with a view to making recommendations on how effective the current practice and procedures are;
- To investigate if the Council is clear about its Corporate Parenting responsibilities and how to implement them; and
- To improve Corporate Parenting awareness and service delivery for LAC.

The main services covered by this review would be those relating to looked after children and care leavers as set out below:

- Adoption & Permanence Team
- Fostering Service
- Children's Resources Service
- Children in Care and Leaving Care Social Work Teams
- Housing
- Adult and Community Learning
- LAC Health Team
- Central and Northwest London NHS Foundation Trust Services
- Education to include Special Educational Needs, Virtual School Schools/Academies
- Adult Social Care
- Leisure and Youth Services
- Independent Reviewing and Quality Assurance Service
- Children's Rights and Participation
- Elected Members
- Children's Commissioning Service

The review is within the remit of the portfolio of the Cabinet Member for

Education and Children's Services.

### **Connected work**

In 2012 some of the Corporate Parenting responsibilities were reviewed by this Policy and Overview Committee. The Committee conducted reviews on Adoption and Permanence for children and the Leaving Care Grant for care leavers. The implementation and progress of the recommendations will be incorporated into the Corporate Parenting Board's work plan for 2013-2015.

Action arising from the Children and Families' Bill reforms related to Adoption and Permanence, LAC and SEN.

### **Key information required**

- Research documentation, national guidance and targets.
- Statistical evidence including relevant performance data and information on outcomes.
- Comparison with other areas such as statistical neighbours.
- Evidence from witness sessions with a range of stakeholders.
- The views and concerns of LAC, care leavers and foster carers.

## **EVIDENCE & ENQUIRY**

The review will gather evidence via the scrutiny of relevant research, reports and data and through 2 sessions with expert witnesses.

### **Witnesses**

The Committee could chose to invite witnesses from the following list:

- Senior Service Manager Safeguarding Children and Quality Assurance
- Foster Carer
- Virtual School Head
- Looked After Child/Children
- Participation Worker
- LAC Health Designated Nurse
- Service Manager for Children in Care and Leaving Care Service
- Service Manager Children's Resources
- Registered Manager of a children's residential unit
- CNWL Commissioner – Health
- Housing Services
- Step Up members
- Interim Head of Early Intervention
- Sports and Leisure Manager
- The Cabinet Member for Education & Children's Services
- A member of the Corporate Parenting Board

### **Intelligence**

- National and local statistics on the profile of looked after children  
Dfe : Children Looked After by Local Authorities in England – year ending 31 March 2012  
<http://www.education.gov.uk/rsgateway/DB/SFR/s001084/index.shtml>
- If This Were My Child – A Councillors Guide to Being a Good Corporate Parent – Department for Education and Skills/LGiU  
[https://www.education.gov.uk/publications/standard/\\_arc\\_Parentscarersandfamilies/Page3/ITWMC](https://www.education.gov.uk/publications/standard/_arc_Parentscarersandfamilies/Page3/ITWMC)
- Report from the joint enquiry into children who go missing from care (June 2012 – APPG)  
[http://s3.amazonaws.com/rccp/assets/attachments/1461\\_joint\\_appg\\_inquiry - report.. original.pdf](http://s3.amazonaws.com/rccp/assets/attachments/1461_joint_appg_inquiry - report.. original.pdf)
- DfE (March 2010) The Children Act 1989: Guidance and regulations, Volume 2, Care Planning, placement and case review – London: HM Government  
<http://www.education.gov.uk/search/results?q=children+act+1989+volume+2+care+planning>
- The Children and Families Bill 2013  
[www.education.gov.uk/childrenandfamiliesbill](http://www.education.gov.uk/childrenandfamiliesbill)

- Terms of Reference for the Corporate Parenting Board
- Voice of the Child  
<http://www.education.gov.uk/childrenandyoungpeople/families/childrenincare/regs/b0074845/voice-of-the-child>
- NCAS – leaving care org. Corporate Parenting  
[http://leavingcare.org/what\\_we\\_do/corporateparenting\\_home](http://leavingcare.org/what_we_do/corporateparenting_home)
- Health of LAC – [www.rcpch.ac.uk/LAC](http://www.rcpch.ac.uk/LAC)

## **Consultation and Communications**

A conference/consultation for LAC and Care Leavers is planned for May/June 2013.

### **Lines of enquiry**

It will be important for Members to put questions to all the witnesses from statutory services about the quality, performance, experience and outcomes of corporate parenting, the statutory requirements for reporting this at both the national and local level and the implications for practice.

For LAC, Members may want to consider questions on the experience of being in care, the level of participation and how services can be improved.

For foster carers and the residential children's unit manager, questions on the level of support for LAC, understanding of the accountability of their roles/functions and measurement of performance, for example how do we know we are doing well and achieving the outcomes.

## **PROPOSALS**

Recommendations will be put forward following the witness sessions to Cabinet.

## **LOGISTICS**

### **Proposed timeframe & milestones**

<b>Meeting Date *</b>	<b>Action</b>	<b>Purpose / Outcome</b>
17 <sup>th</sup> April 2013	Agree Scoping Report	Information and analysis
4 <sup>th</sup> June 2013	Witness Session 1	Evidence & enquiry
30 <sup>th</sup> July 2013	Witness session 2	Evidence & enquiry
11 <sup>th</sup>	Draft Final Report	Proposals – agree

September 2013		recommendations and final draft report
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*\* Specific meetings can be shortened or extended to suit the review topic and needs of the Committee*

### **Risk assessment**

The resource implications will be mainly around making the expertise in the witnesses available to the Members.