

## **Committee: Children and Young People Overview and Scrutiny Panel**

**Date: 22<sup>nd</sup> March 2016**

Agenda item:

Wards:

### **Subject: Fostering and Other Placements for Looked After Children, Young People and Care Leavers**

Lead officer: Paul Ballatt Assistant Director, Commissioning, Strategy and Performance CSF Department

Lead member: Cllr Judy Saunders

Contact officer: Liz Broughton Head of Access to Resources, CSF Department

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#### **Recommendations:**

- A. Members of the Panel consider the contents of the report as part of their scrutiny of Merton's approach to corporate parenting and of support of and outcomes for Merton's looked after children and care leavers including placements.
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#### **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report is to give an overview of the types of placements and processes that are undertaken when sourcing suitable accommodation for looked after children and care leavers.
- 1.2. The Council has a statutory duty to undertake an annual Sufficiency Assessment to inform actions to ensure that there is sufficient suitable accommodation for looked after children and young people.
- 1.3. The Placement team in the Access to Resources service undertakes all placement finding and monitors cost and quality of placements. When making placements a variety of factors are considered including:
- Ensuring any placement meets the needs of the child as identified in the Care Plan;
  - Locality;
  - Matching issues, including ethnicity, religion, language, culture and disability;
  - Siblings remaining together;
  - Maintaining links with family;
  - Retaining links with current education provision;
  - The likely length of any placement; and
  - Any other significant factors

- 1.4. Placements are considered depending on the circumstances of the child or young person and include:
  - Placement with friends or family;
  - Placement for adoption;
  - Placement in foster care;
  - Placement in a children’s home or residential school;
  - Placement with supported lodgings or semi-independent providers
- 1.5. When working to provide sufficient placements, an annual Sufficiency Assessment analyses the needs of children looked after care leavers and helps to inform strategy going forward.
- 1.6. The Fostering Recruitment and Assessment team in the Access to Resources service recruits and assesses foster carers to provide care of a high quality to looked after children and young people, as far as possible, in the local area.
- 1.7. The lack of local good quality children’s homes and sufficient semi-independent provision in Merton means that some young people are placed at a distance from the borough, although the majority of our young people are placed close to home.
- 1.8. We aim to develop our offer of a menu of placement options in the local area, in borough and near-by, for our young people during the coming year by
  - Increasing the pool of foster carers locally
  - Working with potential Children’s Homes providers about the possibility of them opening a home in the Merton area
  - Considering whether Merton should procure a Children’s Home in the borough
  - Working with semi-independent providers to open good quality units in the Merton area
  - Working with the South London SEN consortium to implement good commissioning practices for independent school placements.

## **2 DETAILS**

### **GENERAL INFORMATION**

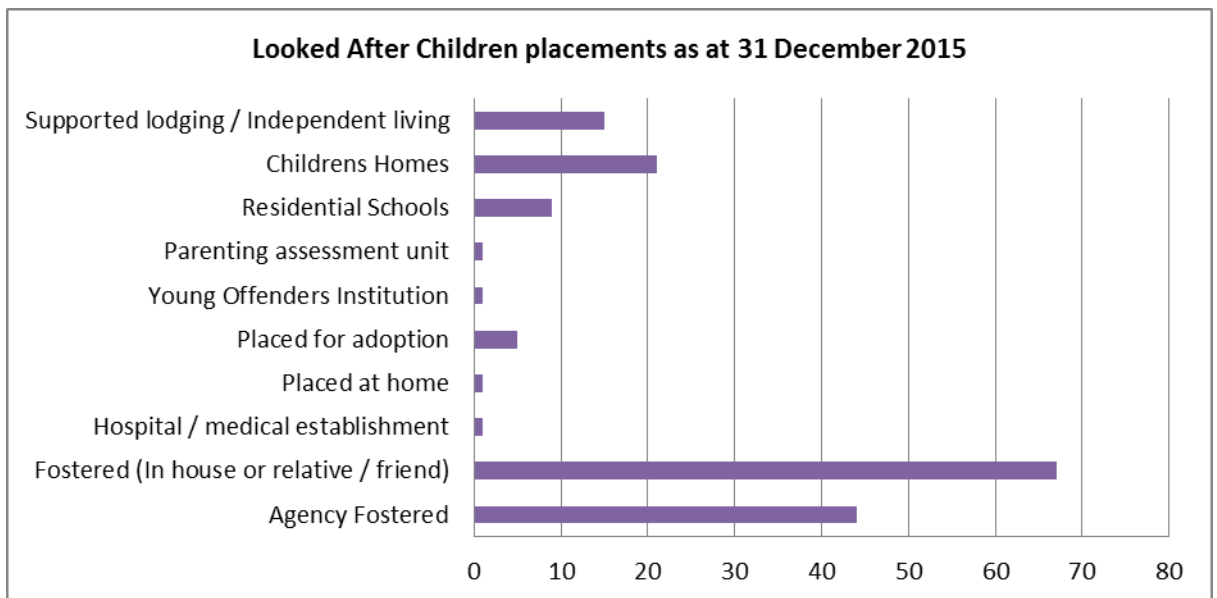
- 2.1. The Children Act 1989 and the Children (Leaving Care) Act 2000 place clear statutory duties upon the Council to protect children from suffering significant harm and to provide continued financial and transition support to care leavers aged up to 21 (or 25 if in full time education.) Under the Children Act 1989, the local authority has the responsibility to safeguard and promote the welfare of any child looked after by them.
- 2.2. Once a child becomes looked after, the Local Authority become the child’s “corporate parent” and assumes responsibility for services to ensure that the child reaches his/her full potential. This may be in partnership with the child’s

parents or the Local Authority may assume the lead role in this, depending on the route the child's journey into care has taken. The role of "corporate parent" extends beyond the Children, Schools and Families department of the Council and elected members and all departments have a role to play in championing the rights and needs of looked after children and care leavers in their area.

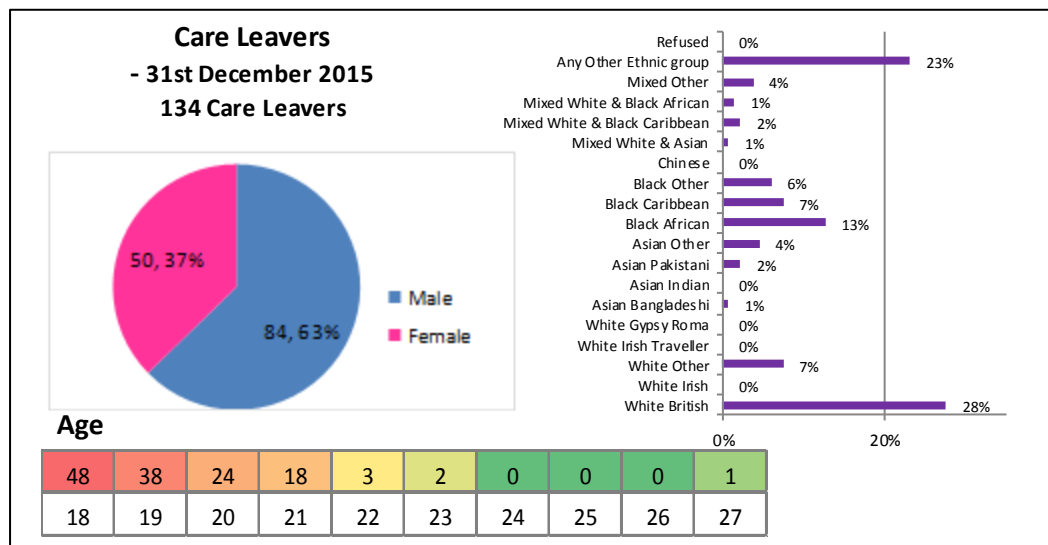
- 2.3. It is also the duty of the Local Authority to provide sufficient accommodation for all looked after children within or as near to that authority as appropriate to meet the child's needs. This is known as the Sufficiency Duty. (Children Act 1989 Section 22G)
- 2.4. In Merton we take conspicuous care in providing a range of placement options to support the stability and continuity plans for those looked after children and young people in our care and for our Care Leavers.
- 2.5. Requests for placements are made through our Access to Resources service, where our Placement Team have good links with providers and where placement quality and cost are robustly challenged to ensure good quality placements for our looked after children, young people and care leavers.
- 2.6. When we are asked to source a placement for a child or young person, we consider a variety of factors including:
  - Locality, including the risks of any child or young person remaining in or near to Merton
  - Matching issues, including ethnicity, religion, language, culture and disability
  - The importance of siblings remaining together where it is in their best interests
  - The importance of maintaining links with family, kinship and friendship networks
  - The importance of retaining links with current education provision
  - The likely length of any placement
  - Any other significant factors that may impact on our children and young people
- 2.7. Sometimes children and young people come into our care for a very short period of time. They may need a short period away from their families or they may be remanded into our care through the Criminal Justice System. Many of these young people will be reunited with their birth parents and be able to access community support.
- 2.8. When children and young people become looked after, whether for a short period or longer term, we have a range of placement options that we consider:
  - Placements with alternative family members or friends under Fostering or Special Guardianship arrangements: this option allows children and young people to retain strong links with their families and is a preferred option for some families.

- Placements for adoption: adoption provides a permanent alternative family placement for children outside of their own family and this also allows them to move outside of local authority care. Permanence by adoption is the placement of choice for younger children who are unable to be cared for within their birth families.
- Placement with foster carers: this is the usual placement of choice when a child or young person is initially looked after. Well matched placements can also provide stability for young people through to adulthood and beyond with the Government's "Staying Put" agenda which encourages foster carers to continue to offer a home to young people once they reach 18.
- Placement in Children's Homes: some young people struggle to live in alternative families and find the option of living with other young people more manageable. In addition some young people present with behaviours that foster families struggle to manage e.g. aggressive behaviour or serious involvement in gang activity.
- Placement in Residential Schools: for some young people who also struggle with education, this option can meet their needs in a more holistic way. Residential schools can offer 38 or 52 week placements.
- Placement with semi-independent providers: this is usually either with approved supported lodgings carers (approved by Merton) or in shared accommodation with additional support, typically provided by private or voluntary providers. Where a young person is aged 16+ and more independent, these types of placement can often provide a better outcome for them, enabling them to remain there through to adulthood where appropriate and supporting them to learn life skills to equip them for independent living.

2.9. At the end of December 2015, Merton Council was looking after 165 children and young people, ranging from 0-17 years of age. A high proportion of these are aged 16 and 17. This graph shows the type of placement for children and young people in December 2015. (Placement types have been simplified from the DfE census codes for presentation).



2.10. At the end of December 2015, Merton Council had responsibility for 134 care leavers. The information below relates to care leavers for whom Merton has responsibility as at December 2015.



## MAKING PLACEMENTS

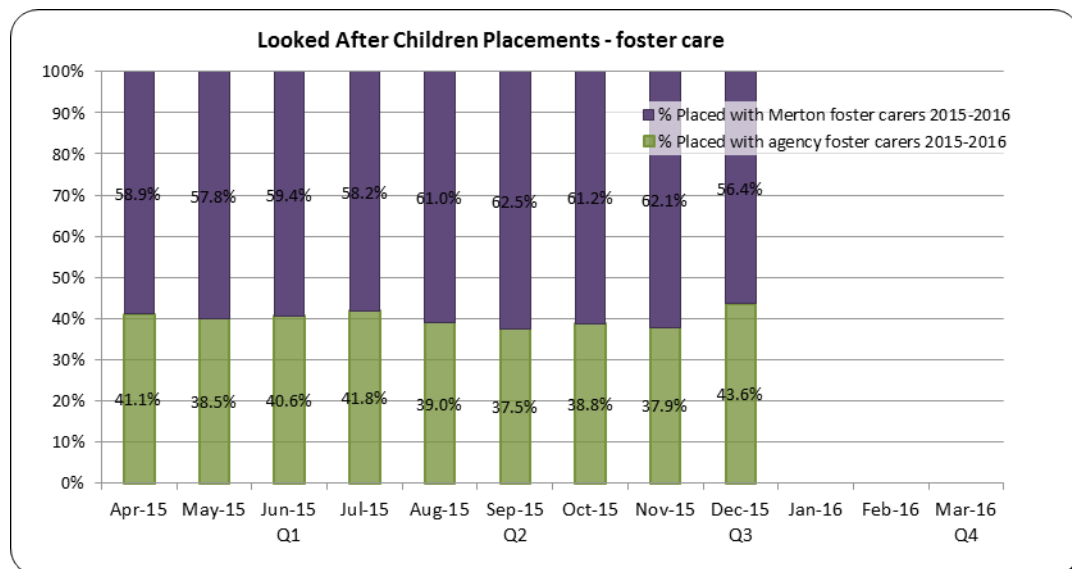
Adoptive placements are made through Merton's Adoption and Permanence Team. Merton's performance in adoption has improved year on year since 2012. In 2015/16 to December 2015, 9 children had already been adopted with a further 5 placed in adoptive placements awaiting a final adoption order. The majority of other placements for looked after children and care leavers are commissioned through the Placement team based within Merton's Access to Resources service. The role of the team is to provide the most appropriate placement for any child or young person, taking into account the quality of the provision and the cost to the Council of providing such a placement.

- 2.11. The Placement team undertakes all negotiations of cost for placements. Finance must be considered for placements as the placement budget is a volatile, pressurised budget with an outturn that is difficult to predict due to the potential numbers of referrals received throughout any year. However, placement choice is made on the assessed need of any child or young person and, whilst cost has to be a consideration, expensive placements are still provided where necessary and appropriate. Costs of all placements are rigorously challenged and reviewed on a regular basis to ensure value for money to the Council.
- 2.12. In some instances, placement costs are shared across social care and education budgets and with contributions from Merton CCG. This has been an important development over the past 2 years and has ensured more appropriate apportionment of financial responsibility.
- 2.13. In addition the Placements team have responsibility for the quality assurance of placements and aim to visit provision prior to the placement of a young person (where possible) and on an annual basis to ensure that the provision continues to meet our exacting standards. The team also examines any regulatory reports on provision we are interested in accessing. Children's Homes and IFAs are inspected and rated by Ofsted on a regular basis.
- 2.14. Quality assurance of placements is particularly important for the semi-independent sector, which is an unregulated market. Therefore, the Placement Team gives the highest priority to this sector and undertakes robust visits on an annual basis to those semi-independent placements we use on a regular basis.

Our initial placement of choice for any child or young person coming into our care would be with a foster carer. This would give us an opportunity to assess the child's on-going needs and to consider the most appropriate care plan for that child. In the majority of cases, we would want to place a child within Merton where possible or as near to the borough boundary to enable that child to continue to access their school and to maintain links with their family and community. To that end, we would initially look to our in house fostering service. Where this is not possible, we would approach Independent Fostering Agencies (IFAs) who also have a pool of approved carers. This enables a child to continue to live with a family and this is an important consideration when making any placement.

- 2.15. However, placements with IFAs would not be our preferred option for several reasons:
- We have limited knowledge of the carers and are dependent on another agency to offer support and guidance to them
  - This option is a more expensive one as most IFAs are profit making businesses
  - We have limited control over any other young people who may be placed with these carers
- 2.16. At December 2015, 56% of children placed with foster carers were with Merton approved foster carers. The graph below shows a comparison of our

children placed with Merton carers with those placed in IFA placements throughout the year to date.



- 2.17. If a Residential Children’s Home or Residential School is felt to be the best option for a young person, the Placement team will explore these options with providers who are able to best meet the young person’s needs. We would not normally consider placing any young person under 11 in a Children’s Home unless there are exceptional needs.
- 2.18. In December 2015, we had 27 children recorded as being placed in Children’s homes of which 8 were placed in Residential schools. As there are no good quality Children’s Homes in Merton and no residential schools, all of these young people are placed outside of the borough. Because of their specific needs, some of these young people are a significant way from the borough, being as far as Shropshire and Devon.
- 2.19. For young people aged 16+ there is an alternative option of placements within a semi-independent unit. These are units set up by providers who do not need to register with Ofsted and are therefore not regulated and have no statutory oversight. As such, we are more rigorous in our QA of these and have developed good working relationships with good quality providers who we believe are able to offer a good quality service to our young people. As at December 2015, 16 young people were placed either in supported lodgings or supported housing provision.
- 2.20. Currently there are no good quality semi-independent providers in Merton, so all of these young people are placed outside of Merton. Most of this provision is placed relatively locally in Croydon, although we are not always keen to place our young people in that area – eg if a young person is known to be involved in or threatened by gang activity.

## SUFFICIENCY OF PLACEMENTS

- 2.21. As part of our Sufficiency duty we consider how many of our looked after children and care leavers are placed within 5 miles of Merton and how many are beyond 20 miles.
- 2.22. At the end of December 2015, 30% of our looked after children and young people were placed within Merton. Although this seems low, Merton is a small borough and we therefore have children placed outside of the borough who are still able to continue to access their school, health and community services within the borough.
- 2.23. In our Sufficiency Statement 2016/17, based on data as at 31/03/15, 41% of our Merton in house foster carers live outside of Merton in neighbouring boroughs. Also in the Sufficiency Statement, 75% of our looked after children and young people were placed within 10 miles of their home address
- 2.24. As required, we undertake an annual sufficiency assessment looking at the needs of our young people and how we have been able to meet these with appropriate placements. We are able to use this to inform our strategic overview and future plans for placements and also for our Foster Carer Recruitment strategy.
- 2.25. Wherever possible, we want to place our looked after children and care leavers in Merton. To that end we want to recruit as many local foster carers as possible. Within Merton's Access to Resources service, there is a designated Foster Carer Recruitment team whose role is to recruit and assess foster carers of a high standard who will meet the complex needs of our children and young people.
- 2.26. Since the formation of this service in November 2011, the team has successfully recruited 42 foster carers, 13 of which have been recruited since April 2015 to date. 7 of the carers approved this year are available to take teenage placements whilst a further 4 have expressed a view that they would like to start with younger children and progress to take teenagers as they become more confident in their new role.
- 2.27. We have been working closely together with Merton Churches Together this year with a view to enlisting their support in the recruitment of local families who may wish to foster. So far we have had one set of foster carers approved as a result of this initiative. We have also presented information at a Muslim Women's group which has also triggered interest in more information.
- 2.28. The Access to Resources Service is committed to increasing the placement menu options for our young people and care leavers. As well as increasing the number of in house foster carers, the service is working closely with providers to develop services in two other main areas:
- Developing Children's Home provision within the borough
  - Developing Semi-Independent provision within the borough
- 2.29. Currently we do not have a mainstream Children's Home in or near to Merton of a good quality and are therefore placing those young people who require this sort of provision outside of our area. We are currently in



discussion with two independent and voluntary providers who are each considering opening a 3 or 4 bedded Children's Home in or near to Merton.

- 2.30. If these discussions do not provide a possible solution to this, we are considering whether to present a Business Case for going through a formal procurement process to commission a provider to open a Children's Home within Merton on our behalf.
- 2.31. We are also working with providers well known to Merton (Grenfell and Ownlife) to develop a menu of semi-independent options for our older looked after young people and care leavers (16+). This will include 24 hour supported housing units through to independent living with additional support. Grenfell has identified a property which they are opening as a semi-independent unit and which they are prepared to staff on a 24 hour basis if needed. They are hoping to open this next month.

### **FUTURE DEVELOPMENTS**

In line with our Sufficiency Statement, 2016/17:

- 2.32. We will aim to recruit 15 new sets of foster carers and 4 sets of Supported Lodgings carers in 2016/17 who live within or very near to Merton and who can offer placements for those young people we currently need to place with IFA carers outside of Merton.
- 2.33. We will recruit In house foster carers approved to take on short term (one month or less) emergency placements and those able to take on long term placements (1 year plus).
- 2.34. We will recruit younger foster carers able to replace carers to be lost through retirement and other reasons
- 2.35. We will continue to review all existing In-house foster carer approvals to build in further flexibility specifically with regards to 'range of care provided' and ages of children they are able to care for
- 2.36. We will continue to explore the development of a Children's Home within Merton so that we are able to meet the needs of our young people in a high quality commissioned service in the local area.
- 2.37. We will work with existing and new Children's Homes providers within 5 miles of Merton to develop closer commissioning relationships.
- 2.38. We will work closely with well-developed semi-independent and housing providers to encourage them to consider the options of supporting young people within Merton.
- 2.39. We will train and support young looked after children and care leavers to support the team in undertaking robust QA assessment visits to unregulated semi-independent providers.
- 2.40. We will continue to work with colleagues from neighbouring boroughs to establish good commissioning practices and where appropriate Consortium arrangements.

### **3 ALTERNATIVE OPTIONS**

3.1. Not applicable

#### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. Not applicable for the purpose of this report but consultation about fostering recruitment has taken place with members of local religious groups to inform our strategy, resulting in a Churches Together initiative to find new foster carers and a presentation at a local Muslim Women's Group.
- 4.2. We are in constant consultation with social work colleagues within the Children's Social Care service about the suitability and quality of placements for individual children and young people.
- 4.3. We have foster carers who support delivery on Fostering Preparation Training
- 4.4. As part of our commitment to have young people at the heart of our service, we have a former looked after young person on our Adoption and Fostering Panel.
- 4.5. In addition, our care leavers run a preparation training session for prospective foster carers. As part of this they provide formal feedback which is added to panel papers going forward.
- 4.6. We are also in the process of identifying a group of looked after young people and care leavers to support us in the quality assurance functions of the service with semi-independent non- regulated providers. We are confident that this will add an additional perspective to our QA processes and will offer training and support to enable them to do this.

#### **5 TIMETABLE**

5.1. Not applicable for this report

#### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. The budget allocated for LAC Placements and Care Leaver provision is volatile due to the unpredictability of placement requests.
- 6.2. As a department, CSF is working to ensure that we are looking after the right children for the right length of time. We do this through robust challenge through case management, at the point of placement referral and through our Edge of Care Panel.
- 6.3. We are working closely with our colleagues in the CCG to ensure shared allocation of funding for packages of care where appropriate.
- 6.4. We are part of London Care Services, where robust negotiations on overarching annual cost increases with providers are agreed
- 6.5. The Placement team negotiates costs with providers for individual placements to ensure that children are getting the service they need and the Council is getting value for money

#### **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The Local Authority has a range of duties in respect of looked after children and care leavers. The main legislative framework is the Children Act 1989 and the Children (Leaving Care) Act 2000.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. Looked after children and care leavers are considered a vulnerable group and there is a responsibility under legislation on the local authority to provide for their care and well-being.
- 8.2. There is also a responsibility of the local authority to ensure that any looked after child's racial, religious, language and cultural needs are met through services offered to children, including placement opportunities.
- 8.3. Where it is in their best interests, the local authority also promotes contact for looked after children with their birth families and with other community based organisations where there have been links prior to the child coming into local authority care.
- 8.4. Looked after children have historically have had poorer education outcomes and Merton's Virtual School for Looked After Children looks to help narrow the gap of education attainment.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. Young people who commit criminal offences may be remanded into the care of the local authority. This may involve them being remanded into custody or into a placement commissioned by the local authority. In addition, young people are sometimes discharged from custody into the care of the local authority
- 9.2. In both these instances, the Placement team will source placements, taking into account risk factors associated with the young person's offending behaviour and work with providers and the Youth Offending service to support young people in the community.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. The management of risk is implicit in making placements for looked after children, young people and care leavers. Before placements are undertaken, social workers are asked to undertake a risk assessment.
- 10.2. We are sourcing placements to meet the specific needs of each child or young person, as identified by the social worker working with him/her.
- 10.3. Specific risky behaviours e.g. risk of sexual exploitation, missing from placement, gang affiliation, offending behaviour are discussed in detail with providers with a safety plan being put in place. Merton has robust policies and procedures for monitoring the most risky young people with our partner agencies.
- 10.4. Constant liaison with and visits from social workers and looked after children statutory reviews ensures a robust oversight of a child's placement. In addition the links into the placement service provides a further overview of the placement provider.

- 11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**
- Securing Sufficient Accommodation for Looked After Children and Care Leavers 2016 – 2017
- 12 BACKGROUND PAPERS**