

**Name of meeting: Cabinet**

**Date: 14<sup>th</sup> January 2019**

**Title of report: Children's Interim Sufficiency Strategy & Action Plan (2019)**

**Purpose of report**

1. To present to Cabinet the Children's Interim Sufficiency Strategy & Action Plan (2019); and
2. To ask that Cabinet approve the Strategy operating from the date of Cabinet approval to the end of the 2019 calendar year.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	Yes
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	Yes
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	Yes
<b>Date signed off by <u>Service Director</u> &amp; name</b>	Saleem Tariq – 02/11/18
<b>Is it also signed off by the Service Director for Finance IT and Transactional Services?</b>	Eamonn Croston – 02/11/18
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning Support?</b>	Julie Muscroft (Margaret Miller) – 29/11/18
<b>Cabinet member <a href="#">portfolio</a></b>	Cllr Viv Kendrick (Children)

**Electoral wards affected:** All

**Ward councillors consulted:** N/A

**Public or private:** Public

## 1. **Summary**

As part of our Improvement Plan, we committed to producing a Sufficiency Strategy and Action Plan setting out how we will increase the availability of local placements to ensure that children and young people do not need to be placed at a distance from their communities. This Interim Strategy and Action Plan sets out our proposed approach until the end of calendar year 2019. Its key outcomes are children feeling confident our decisions more clearly reflect their needs and views, more children and young people able to stay at home and leave care early, and more placements of the right kind for children and young people in need (especially family-setting placements).

By enabling families to stay together when safe, increasing local foster placements, and listening more to our looked after children, we believe we should see less of our children and young people placed outside of the District (when appropriate). In the course of this Strategy, we will also improve our understanding of children and young people's needs, foster carers' needs (to improve recruitment and retention of carers), and local sites that could be developed (including through adaptations) into more residential care. This includes sites for specialist accommodation for those with the most complex health, educational, and emotional and behavioural needs. We will also have a detailed understanding of the impact of keeping children in the District on local education placements and health care services and the investment and approach needed to manage this. This work will inform the next, longer-term Sufficiency Strategy (2020-25). The Strategy will therefore be reviewed and renewed in 2020.

## 2. **Background**

Following the September-October 2016 Ofsted inspection, Ofsted recommended Kirklees 'increase the availability of local placements to ensure that children and young people do not need to be placed at a distance from their communities' (recommendation 20 - [link](#)). This is a challenge for local authorities nationally. As of 31 March 2017, 40% of looked after children in England were placed out of their home area ([link](#)). This continues to be a challenge as the number of children in care nationally continues to rise ([link](#)). In the Improvement Plan, we committed to deliver this outcome through a Sufficiency Strategy and Action Plan. The Strategy was submitted to Improvement Board on the 10th May, to inform them of progress.

The Council has a statutory duty to take steps to provide sufficient accommodation within the District to meet the needs of our local children and young people, as far as reasonably practicable (Children Act 1989, Section 22G - [link](#)). This Strategy and Action Plan shows how the Council is meeting this statutory responsibility. It has been produced with the Government's statutory guidance in mind, 'Securing Sufficient Accommodation for Looked after Children' (2010) ([link](#)).

The Strategy and Action Plan have been produced in line with the Shared Outcomes set out in the Corporate Plan ([link](#)). The Strategy and Action Plan aim to help give children the best start in life by improving early support and intervention and support to leave care early, improving placement stability, and increasing small residential homes and foster placements.

The core indicator of its success will be that a smaller proportion of looked after children and young people are placed more than 20 miles outside of the District.

The Strategy has had significant contributions from teams across the Council, including the Children's Rights Team, Corporate Parenting Board, Commissioning, and the Corporate Strategy and Policy Team.

Recognising the centrality of partnership work in our new ways of working (as set out in the 2018-20 Corporate Plan - [link](#)), we have also shared drafts with health and education stakeholders, including the Head of Joint Commissioning from the local CCGs and the Head of the Virtual School. True to our commitment to strengthening the voice of the child in our decisions, we have also discussed the approach with some of our children at the Children in Care Council and the Care Leavers Forum.

Those we have engaged with have voiced support for the Strategy's approach, whilst emphasising that specific placement targets require corresponding education and healthcare provision. We are looking into specific numbers and total financial implications through the Specialist Accommodation Board. Recognising the importance of political oversight and accountability in this issue, we took a draft of this strategy and action plan to Children's Scrutiny Panel on the 11<sup>th</sup> July. Their feedback is summarised in Section 4.

Progress on delivering the outcomes in this Strategy will be monitored six-monthly at Corporate Parenting Board. This will be against the indicators and performance measures and activities and standards in the finalised Action Plan. A key output is the next, 5-year Sufficiency Strategy, which will run from 2020-25.

### 3. Implications for the Council

#### 3.1 Early Intervention and Prevention (EIP)

Improved sufficiency will require improving our early intervention and prevention, including ongoing support for children and young people at risk of being taken into care. This will help children and young people safely stay at home rather than being taken into care, which can be better for the child and leave residential and family-setting placements (such as foster) for those that need them most (because they can't safely stay at home).

#### 3.2 Economic Resilience (ER)

We are looking at the possibility of more in-house residential provision for those who can't safely stay at home. If found to be viable, this could protect the Council from price-rises when demand rises.

#### 3.3 Improving Outcomes for Children

Getting used to a new placement takes time and energy and so changing placements can be disruptive. It can also mean losing vital friends and support networks. Ongoing placement instability makes it more likely that a child or young person will have to move out-of-area if that child or young person has specific educational, health, or emotional and behavioural needs. Placement stability is supported by involving children and young people in decisions about their placements and care. A key part of the Sufficiency Strategy and Action Plan is strengthening the voice of our children and young people.

It is better for our children and young people to live locally where they can retain friends, support networks, and their educational setting and where we can provide higher quality support. With more children and young people supported to stay at home, there will be more local placements for those that need them most.

Family-setting placements such as foster care tend to produce better outcomes for children and young people than residential care. They aim to replicate, as close as possible, a loving and attentive family life. The Strategy aims to have a higher proportion of children and young people in family-setting placements such as foster placements. This should be better for our children and young people, as well as keeping local residential placements allocated to those of our children and young people for whom foster placements are not appropriate or have not been producing good outcomes.

### 3.4 **Reducing demand on services**

Through its emphasis on better early support and improved consideration of educational, health, and emotional and behavioural needs in placement decisions, this strategy depends on early support services and demand might increase. It will also mean more demand for local school places, including for specialist placements for those of our children and young people with complex needs, and local health services. Children's services will need to work closely with health and education partners to ensure any improvement in local sufficiency is sustainable. However:

1. It will reduce financial demand on services through reduced expenditure on costly out-of-area residential placements; and
2. Supporting children and young people placed out of Kirklees, especially those placed more than 20 miles out of the District, requires additional resources to supporting those within Kirklees, so reducing those placed more than 20 miles from the District will free up resource to increase the support available to all our children.

### 3.5 **Other (e.g. Legal/Financial or Human Resources)**

See Section 2, paragraph 2 of this document for the key legal context and implications for this Strategy.

This Strategy conforms with and helps deliver on our responsibilities as a local authority, including those on continuously improving our services (Local Government Act 1999), on meeting the needs of our looked after children via their placements, and the right to a family life that we may only interfere with in limited circumstances.

Under Section 3 of the Local Government Act 1999, the Council has a duty to make arrangements to secure continuous improvement in the way in which Council functions are exercised, and consider economy, efficiency, and effectiveness in doing so ([link](#)). In improving local placements, this Strategy contributes to our delivery on this duty.

We have considered our duties under the Equality Act 2010 Section 149. An Equality Impact Assessment for this Strategy is included in the papers, and can be found on the Council's Equality Impact Assessment Index:

<http://www.kirklees.gov.uk/beta/delivering-services/equality-impact-assessments.aspx>

## 4. **Consultees and their opinions**

There is no statutory or common law requirement to consult on delivering our sufficiency duty, and no formal consultation has taken place. However, we have contacted key internal and external stakeholders for comment. Feedback received on previous drafts is summarised below.

This feedback has shaped the strategy and action plan. For example, we considered education, health, and specialist accommodation needs in developing the Strategy, as the Head of Joint Commissioning for the two Kirklees CCGs has suggested. Scrutiny's comments have led to a reformatting of the Action Plan, an addition of a Voice of the Child Action Plan, and more detail on the feedback that the Children in Care Council and Care Leavers Forum gave us. The Virtual School Headteacher's feedback has led to a clear statement of our statutory duties with regard to education placements being included in the Strategy, as set out in the new statutory guidance. Discussions with the Head of Service for Education Safeguarding and Inclusion have led to more emphasis being put on the importance of the High Needs Review. In response to the feedback from the Commissioning Manager, it was noted that smaller homes is one way to prevent institutionalisation, and our children and young people report feeling safer and more secure in smaller homes.

Children's Scrutiny Panel: Panel members voiced approval for the broad principals of the Strategy and that it was taken to them in draft form so they had chance to provide input. Panel members noted the need to prioritise the baselines and targets in the Action Plan and questioned some of the targets in the previous draft they saw. They asked for clearer presentation of key figures to make it easier to hold delivery of its ambitions to account. They asked for clearer evidence that our engagement with the Voice of the Child has informed the Strategy. They also recommended sharing the Strategy with third-sector support services for comment and feedback.

Children in Care Council: Children told us they find smaller placements better and that they would like to be more involved in training foster carers and choosing placements. They emphasised the importance of treating every child on their own terms.

Care Leavers Forum: Young people told us the location of their placement is key to their success. They also said it would be good to be involved in foster carer training.

Head of Joint Commissioning – Children, NHS Greater Huddersfield and NHS North Kirklees CCGs: Supports the outcomes and principles of the Strategy. The detailed commissioning plans that will sit under these must approach sufficiency in terms of education, health, and specialist accommodation needs. A number of Kirklees' children need highly specialist placements and education settings. They are currently only found out of area and cost a lot relative to the quality of the placement received and are harder to monitor. Local specialist provision would keep these children in Kirklees, improve the quality of their care, and keep the costs lower.

Virtual School Headteacher: The draft Strategy the VS Headteacher saw needed more links to the High Needs Review and a clearer statement of our legal responsibilities around educational placements for looked after children, as stated in the new statutory guidance.

Head of Service, Education Safeguarding and Inclusion: Agreed with the feedback from the Virtual School Headteacher and suggests work through the High Needs Review and this Strategy should be aligned.

Independent Chair, Safeguarding Board: Approved of the Strategy, but would recommend further emphasis on community resources and the new local provider network (which will improve quality, skill exchange, and local relationships).

Commissioning Manager: Fully agrees that we need to develop local provision but we need to look at all options for local provision on a case-by-case basis (not focus exclusively on in-house provision), with clear costings. Reducing the number of beds

in residences might not be effective, according to the 2016 Narey report, and avoiding institutionalisation is more important. Training and staff culture in residential homes should be addressed.

5. **Next steps**

1. If the Strategy is signed off, work to the Strategy and help to embed awareness, including:
  - Identify opportunities to run engagement workshops with staff from across Children's Services, to find the best ways to deliver the Strategy's ambitions;
  - Identify opportunities to integrate sufficiency-related actions into the action plans of teams across Council services.
  - In collaboration with the Specialist Accommodation Board and education and health colleagues, develop a more detailed understanding of the numbers that could stay in or return to Kirklees and the specialist accommodation, education placements, and health service requirements for this;
  - Identify opportunities to improve links with partners, including KNH; and
  - Present financial implications to Executive Team.

6. **Officer recommendations and reasons**

1. That Cabinet note the content of the Children's Interim Sufficiency Strategy & Action Plan (2019); and
2. That Cabinet approve the Strategy operating from the date of Cabinet approval to the end of the 2019 calendar year.

7. **Cabinet portfolio holder's recommendations**

At Children's Portfolio Holder's Briefing (15/10/18), the Portfolio Holder recommended that the Strategy continue to Leadership Management Team and Cabinet for sign-off.

8. **Contact officers**

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9. **Background Papers and History of Decisions**

22<sup>nd</sup> October 2018: Leadership Management Team sign-off  
15<sup>th</sup> October 2018: Portfolio Holder sign-off

10. **Service Director responsible**

Elaine McShane (Family Support and Child Protection)