

**Open Report on behalf of Debbie Barnes OBE, Executive Director of Children's Services**

Report to:	<b>Executive</b>
Date:	<b>03 July 2018</b>
Subject:	<b>Looked After Children and Care Leavers Strategy 2018-21</b>
Decision Reference:	<b>I015718</b>
Key decision?	<b>Yes</b>

**Summary:**

Lincolnshire County Council ("LCC") has a responsibility to the children it looks after and its care leavers. In this context Lincolnshire County Council ("LCC") is referred to as being the "corporate parent".

A change in legislation, effective 1<sup>st</sup> April 2018, has widened that duty by extending it to require support to all care leavers up to age 25, if they want this support.

This report seeks support and approval for the new "Looked After Children and Care Leavers Strategy" to identify how LCC will seek to fulfil the role of corporate parenting as amended.

**Recommendation(s):**

The Executive is asked to approve the "Looked After Children and Care Leavers Strategy" (included as Appendix A to this Report), which has been developed in consultation with relevant partner agencies and following consultation with young people.

**Alternatives Considered:**

A "Looked After Children and Care Leaver Strategy" is a document for LCC to set out its vision and aspirations for services to vulnerable young people and to form a strategy to shape how LCC will work in conjunction with partner agencies to fulfil LCC's responsibility, in accordance with the extended legislative basis of the role of corporate parent.

**Reasons for Recommendation:**

This is a new strategy and has been developed in full consultation with key partner agencies, children and young people, senior managers and elected members, in response to the requirements of the changed legislative role and responsibilities of LCC as corporate parent.

**1. Background**

Looked After Children and Care Leavers are amongst the most vulnerable people in our communities. LCC has a statutory duty to care for and support these young people.

LCC has, by virtue of the Children Act 1989 (as amended) a responsibility to the children it looks after and its care leavers. In this context LCC is referred to as being the "corporate parent". Prior to April 2018, the Children Act 1989 required LCC to provide support to all Looked After Children and our care leavers with Personal Adviser ("PA") support until they reach age 21, with that support continuing to age 25 if a care leaver was engaged in education or training.

However, the Children and Social Work Act 2017 introduced a new duty (commencing 1<sup>st</sup> April 2018), further amending that under the Children Act 1989, to provide PA support to all care leavers up to age 25, if they want this support.

In addition to the new duty to offer PA support to all care leavers up to age 25, there are two related provisions in the Children and Social Work Act 2017:

- A new duty on local authorities to consult on and then publish their "local offer" for care leavers, which sets out both care leavers' legal entitlements and the additional discretionary support that the local authority provides; and
- A new duty on local authorities which requires them to have regard to the seven "corporate parenting principles", that will guide the way in which the local authority provides its services to children in care and care leavers.

The corporate parenting principles apply to the whole of the council and are important to understand how we, as officers and elected members, shape services for children in care and care leavers.

Furthermore, in Lincolnshire the corporate parenting principles apply to the council and the district councils which facilitates working in partnership to achieve positive outcomes for care leavers.

Other partner agencies will remain instrumental in the support they continue to provide to children in care and care leavers, and will include the CCG's, The Police, District Councils, Criminal Justice agencies and schools.

LCC has existing working relationships with all of the stated partner organisations and has developed the Strategy for which approval is being sought in consultation with them.

The "Looked after Children and Care Leavers Strategy" ("the Strategy") included at Appendix A of this Report responds to the current legislative position and sets out the three year strategy for Looked after Children and Care Leavers. The Strategy explains LCC's vision of how LCC is going to care for and nurture our young people into adulthood.

The Strategy acknowledges and endorses the corporate parenting principles introduced by the Children and Social Work Act 2017 and includes a link to published details of the "local offer" for care leavers.

To achieve the desired outcomes for all our Looked After Children and Care Leavers, the Strategy has been developed to contain a number of guiding principles it is believed are important. These guiding principles, developed locally, are:

- 1) Ensuring that at all times we are listening to and responding to what children and young people tell us
- 2) Maintaining a nurturing, committed workforce
- 3) Ensuring that for all young people, who wish to , are supported to develop and maintain strong family and friend relationships
- 4) Making sure that we support all Looked After Children and Care Leavers to recognise their own identity so that they grow a sense of belonging
- 5) Recognising the importance of partnership working and working together as corporate parents.

The Strategy sets LCC seven key priorities over the next three years to continually improve how Looked After Children and Care Leavers are enabled to realise their potential, through nurturing, resilient parenting and support. The identification of key priorities resulted from consultation with young people and followed by extensive discussion and planning with all partner agencies in the Health Service, the Criminal Justice agencies and the district councils.

The key priorities are rooted in the foundation of seeking to prevent young people needing to come into care, by strengthening support for families to stay together. In circumstances when young people do need to come into care of the local authority, the council will support them by working with our partner agencies to achieve positive outcomes, in the same way we would support our own child. In order to get the very best possible outcomes, the Strategy therefore commits to the following priorities:

- 1) We will support families in crisis to maximise their ability to continue to care for their own child
- 2) Where families are unable to care for their child, we will maximise opportunities for family and friend time so children and young people continue to feel part of their family network
- 3) We will work with our workforce to create a culture where we are all strong advocates for Looked After Children and Care Leavers
- 4) We will support the emotional well-being of all Looked After Children and Care Leavers

- 5) We will work in partnership with schools and carers to provide good learning opportunities for all
- 6) We will work with young people so they have the skills and abilities to develop healthy adult based relationships and best equip them for independence and their future
- 7) We will develop accommodation pathways so young people have choice and can access accommodation which supports them to prepare for the future in a planned and supportive way.

The Strategy outlines an action plan of what will be done by LCC to achieve those priorities and identifies services areas and processes to monitor outcomes and impact. It is the aim that the Strategy should shape commitments to Looked After Children and Care Leavers and to ensure all agencies across the partnership deliver excellent services for young people, for whom there is a corporate parenting responsibility.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having

due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

No adverse impacts of this Strategy have been identified. The Strategy relates to all Looked After Children and all those young people who request a Leaving Care Service.

#### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

This Strategy feeds directly into the JHWS around improving the health and social outcomes for this group of young people

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The entire Strategy is designed to improve the life chances for our Looked After Children and young people. By offering our young people the chance to become more stable, healthy, well connected and supported young people, they are far less likely to slip into criminality.

### **3. Conclusion**

The Looked After Children and Care Leavers strategy is a key document for LCC and all of its partner organisations. The Strategy has been developed in direct consultation with many key groups, elected members and of course young people. It is recommended that full support is given to the launch of the strategy.

#### **4. Legal Comments:**

The Strategy is responding to the requirements of the Children Act 1989 as amended by the Children and Social Work Act 2017, in identifying the strategy which LCC will follow to meet its responsibility as corporate parent of looked after children and care leavers.

Provided it is within the budget the recommendation is lawful and within the remit of the Executive.

#### **5. Resource Comments:**

The recommendation to approve the Looked After Children and Care Leaver Strategy will have no immediate financial implications. Any proposed service changes that come through the implementation of this strategy will be considered through subsequent papers where the financial implications can be understood and considered.

#### **6. Consultation**

##### **a) Has Local Member Been Consulted?**

Not Applicable

##### **b) Has Executive Councillor Been Consulted?**

Yes

##### **c) Scrutiny Comments**

The Children and Young People Scrutiny Committee met on 8 June 2018 and considered a report concerning the Looked After Children and Care Leavers Strategy.

The Committee unanimously supported the recommendation contained in the report.

In addition, the following comments were made:

- It was queried whether all seven district councils had signed up to the Strategy. It was confirmed that all the district councils had now signed up to it, in principle.
- Concerns were raised about children in need and how this group of children could be supported further. It was reported that schools, through Team Around the Child, were increasingly confident about supporting families. In relation to mental health issues, there was Healthy Minds, CAMHS and the Emotional and Wellbeing Service that children in need could be referred to. Services were being designed to provide wraparound support to schools to support families. However, it was highlighted that children in need were not tracked as a group separately, such as for

outcomes or exclusions. This was due to the fact that they were a constantly changing cohort.

- In relation to "Staying Put" for foster children, it was queried whether anything similar could be done to support children more in residential homes. It was reported that there was "Staying Close", which was a scheme to support young people transitioning from a residential home into provision in the community post 18. The residential home would continue to provide support to the young people after they had moved out into new accommodation. It was highlighted that any pressure that could be put on district councils in relation to housing placements for care leavers would be useful. Councillor Mrs W Bowkett highlighted that she was on a housing delivery group with district councils and would raise it at the next meeting.
- It was queried what support could be given to foster carers when a placement broke down. It was reported that a project from the United States called "Mockingbird" was being looked into and the Fostering Network had signed up to it. The project was about foster carers providing peer support to other foster carers.
- It was questioned how a relationship between a young person and a social worker was addressed if it was not working. It was noted that the relationship with social workers was critical and the social worker would be changed if needed. However, care was taken if parents requested a change in the social worker with regards to the rationale for requesting the change.
- In relation to the extension of support to care leavers to the age of 25, it was queried what had been done to communicate this to care leavers and encourage them to take up the offer. Officers reported that they were in the process of contacting as many as possible of the retrospective 21-25 year olds, but some were difficult to track down.

#### **d) Have Risks and Impact Analysis been carried out?**

Yes

#### **e) Risks and Impact Analysis**

No further action required

### **7. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Looked After Children and Care Leavers Strategy 2018 to 2021 <b>DRAFT VERSION</b>

## **8. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Andrew Morris, who can be contacted on 01522 553916 or [andrew.morris@lincolnshire.gov.uk](mailto:andrew.morris@lincolnshire.gov.uk) .