



DERBY CITY COUNCIL

CHILDREN AND YOUNG PEOPLE COMMISSION 23 JANUARY 2007

Report of the Corporate Director for Children & Young People

Care Matters – Council Response to the Green Paper

RECOMMENDATIONS

- 1.1 That the Commission note and endorse the Council's formal response to the Government Green Paper "Care Matters – Transforming the lives of Children and Young People in Care".

SUPPORTING INFORMATION

Background

- 2.1 On the 9th October 2006 the Government launched its much-anticipated Green Paper "Care Matters - Transforming the Lives of Children and Young People in Care". Care Matters sets out a radical package of proposals for transforming the lives of children in care. Although outcomes for these children have improved, they have not kept pace with other children. This is not an acceptable position and Government rightly want children in care to receive no less than we would expect for our own children.
- 2.2 The Green Paper sets out for consultation policies and proposals to ensure earlier interventions and support for families where children are on the edge of care. It goes on to include proposals to strengthen the corporate parenting role of local authorities; high quality placements which meet their needs; a first class education; positive life outside school; and support for transition into adulthood.
- 2.3 The executive summary of the Green Paper is attached as appendix 1 to this report.
- 2.4 The consultation arrangements for the Council have been led within the Department for Children and Young People. In addition to the formal response a response has been made from children and young people themselves through the "KICK" group. A number of their comments are also included within the formal response. Comments were sought widely across the whole Department and these were broadly consistent and are aggregated within the final response.

- 2.5 A regional consultation conference was held in Nottingham in December and in addition to six Departmental representatives there was also representation from the Derby PCT and from Derby's voluntary sector.
- 2.6 A presentation was made by the Assistant Director (Specialist Services) at the November Head teachers meeting inviting comments. A presentation was also made to Members of the Corporate Parenting sub-commission in December.
- 2.7 The deadline for feedback was the 15th January. Comments were invited through the use of a specific pro-forma and this is attached at appendix 2. This was accompanied by a letter from the Leader of the Council and this is attached at appendix 3.
- 2.8 Whilst the aims of the Green Paper are generally welcomed and many of the recommendations are felt to have merit, the Council does not agree with the premise that the blame for the poor outcomes of many looked after children should fall simply to the care system itself. This ignores the progress that has been made, particularly over the last five years, and also does nothing to support the morale of the many dedicated staff and carers currently providing services. These sentiments are clearly expressed in the Leader's letter at appendix 3. It is also the Council's position that we can be rightly proud of many of the services we have and that if there is sufficient investment, then Local Authorities can provide services of equivalent quality to those of the independent sector and provide better value for money.

Conclusion

- 3.1 The consultation arrangements have provided us with the opportunity to submit a full range of considered comments to the proposals. These are covered in detail in the formal consultation pro-forma which is attached at appendix 2.
- 3.2 Following the deadline for receipt of comments the Government will publish its response "Care Matters – Next steps" later in the year. It is expected that this response will also say something about the resource position. Our response has also taken account of the recommendations which arose from the recently completed topic review. Any future additional resources arising in this area will also be considered against these recommendations.

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Background papers:	None
List of appendices:	Appendix 1: Executive Summary Appendix 2: Consultation pro-forma Appendix 3: Leaders letter

“Care Matters” - Executive Summary

Although outcomes for children in care have improved in recent years, there remains a significant and widening gap between these and the outcomes for all children. This situation is unacceptable and needs to be addressed urgently. This Green Paper sets out a radical package of proposals for change which will be delivered only through absolute commitment from central and local government and from professionals working on the front line. We have no doubt that this commitment exists.

In setting our priorities for change, we are driven by the knowledge that these are our children, and that the childhood we are giving them has not been good enough. We have an excellent legacy of achievement on which to build, and a dedicated workforce standing ready to deliver. The time has come to accelerate the pace of change, and to make care not only a way out of difficult situations at home, but a bridge to a better childhood and a better future.

The case for reform

1. Chapter 1 sets out the shocking statistics on the education of children in care. Only 11% of children in care attained 5 good GCSEs in 2005 compared with 56% of all children, and similar performance gaps exist at all ages both before and after Key Stage 4.
2. The long-term outcomes of children in care are also devastating. They are over-represented in a range of vulnerable groups including those not in education, employment or training post-16, teenage parents, young offenders, drug users and prisoners.
3. A lot of progress has been made for children over the last decade. We have seen an increase of eleven percentage points in the proportion of all young people gaining 5 A*-C GCSEs, and the proportion of young people in education, employment or training by 19 now stands at 87% - the highest it has ever been.
4. In the early years too, the dedication of local residents and professionals to the Sure Start agenda has contributed to a rise in registered childcare places to 1.26 million – almost double the level in 1997 – and the creation of 894 Children's Centres, offering services to over 715,000 children and their families.
5. We have also taken a range of steps to address directly the problems experienced by children in care, and progress has been made through a number of reforms including:
 - Quality Protects in 1998;
 - The Care Standards Act 2000;
 - The Prime Minister's adoption initiative;

- The Children (Leaving Care) Act 2000;
- The Social Exclusion Unit 2003 report on the Education of Children in Care; and
- The duty in the Children Act 2004 for local authorities to promote the education of children in care.

6. The outcomes of the 60,000 children in care at any one time have improved in recent years: the proportion gaining 5 A*-C GCSEs has risen from 7% in 2000 to 11% in 2005 and the proportion known to be participating in education, employment or training at age 19 has increased by 8% since 2002, when the Children (Leaving Care) Act 2000 came into effect. But it is clear that they are not improving at the same rate as those of all children.

7. Children in care are a group who are especially deserving of our help precisely because they are in care. As their corporate parent the State cannot and must not accept any less for them than we would for our own children.

Children on the edge of care

8. While most of the proposals in this Green Paper are aimed at children already in the care of the local authority, it is important also to recognise that many children come in and out of care in a short space of time, and several spend more than one period in care. Chapter 2 therefore looks at the sorts of interventions which can help to prevent children needing to come into care in the first place, and to resettle them with their families after being in care where that is the best option for the child.

9. This means – in line with our reforms of children’s services through the *Every Child Matters* programme – identifying problems early and responding to them quickly by offering sustained, multi-disciplinary support.

10. Our proposals include:

- New research on identifying and responding to neglect;
- Testing out a model of intensive whole-family therapy which aims to keep families together where possible;
- Improving the links between adults’ and children’s services in order to ensure that professionals working with either group see the family as a whole; and
- Creating a National Centre for Excellence in Children’s Services in order to identify and spread evidence-based solutions to the problems experienced by families whose children are on the edge of care.

11. Chapter 2 also launches a national debate on the future of care. We want to use the Green Paper to explore who care is for, whether there are any groups of children for whom care is not an appropriate response, and what we want the population of children in care to look like in the future.

The role of the corporate parent

12. Children have told us that the lack of a consistent adult in their lives is a major and harmful feature of being in care. Chapter 3 sets out in detail how the corporate parenting role should be carried out in order to address this gap.

13. Our proposals include:

- Exploring the feasibility of piloting new independent 'social care practices', small independent groups of social workers who contract with the local authority to provide services to children in care;
- Piloting the use of individual budgets for each child in care to be held by their lead professional - the social worker;
- Clarity over the role and use of care plans; and
- A revitalisation of the independent visitor scheme in order to provide 'independent advocates' for children in care.

Better placements

14. Evidence shows that frequent moves between care placements have a drastic effect on the ability of children and young people to succeed both in education and in other areas of their lives. Currently children in care are moved between placements far too frequently.

15. Chapter 4 sets out proposals radically to reform the placement system, improving the number and quality of foster carers and ensuring that children are only placed in residential children's homes which meet high standards of care.

16. Our proposals include:

- Introducing a tiered framework for foster placements to respond to different levels of need, underpinned by a new qualifications framework, fee structure and national minimum standards;
- Piloting for younger children the use of intensive foster care with multi-agency support;
- Improving the recruitment of foster carers through specially-tailored recruitment campaigns;
- Extending use of specialist foster care for children with complex needs; and
- Introducing new regional commissioning units to secure better value for money and introduce placement choice for children.

A first class education

17. While the experiences they have in their placement are critical to children in care, the school environment and the way in which teachers and other school staff work with them are also vital to their chances of success. But many children in care currently have a poor experience of school: they tend to be in lower performing schools, be moved round between schools too often, and receive insufficient support within school to flourish.

18. Chapter 5 sets out how we will work with local authorities as corporate parents and with schools to secure the very best education possible for these children. We want to ensure that every child in care is in a good school, and is given the support they need to make the most of being in that school. We

are committed to ensure that children in care also fare well in our further education system.

19. Our proposals include:

- Piloting the introduction of a 'virtual headteacher' in every local area responsible for driving up the performance of schools in relation to children in care;
- Providing local authorities with the power to direct schools to admit children in care, even where the school is fully subscribed;
- An enhanced entitlement to free school transport to ensure that where children do move placement they do not necessarily also need to change school;
- Better support in school to prevent exclusions of children in care; and
- A dedicated budget for each social worker to spend on improving the educational experience of every child in care.

Life outside school

20. This Green Paper is not only about the part which education and social services have to play in improving the lives of children and young people. It is truly a cross-Government agenda. Taking as its starting point the aim of securing for children in care the kind of happy, fulfilled childhood which we would want for our own children, the Green Paper also has a range of proposals for ensuring that children in care access all the other types of positive activities and support which children generally tend to enjoy.

21. Our proposals include:

- Encouraging local authorities to provide free access for children in care to all their facilities including leisure centres, sports grounds and youth clubs;
- A new model of comprehensive health provision for each child in care;
- Better training for a range of professionals including paediatricians on how to work with children in care;
- Improved access for children in care and their foster parents to Children's Centre provision; and
- Enhanced opportunities for them to participate in stimulating and rewarding personal development activities and volunteering.

The transition to adult life

22. We know that the long-term outcomes of many people who were in care as children are distressing: care leavers are over-represented in some of our most vulnerable groups of adults including young parents, prisoners, and the homeless. They are also under-represented in further and higher education, and the proportion of young people leaving care aged 19 without any form of purposeful activity such as employment, training or education is much higher than that of their peers.

23. This Green Paper signals a turning point in the way young people in care are treated as they grow older. We want to abandon a system where young people are forced to leave care as early as age 16. We want an approach which continues to support them as long as they need it, which ceases to talk about 'leaving care' and instead ensures that young people move on in a gradual, phased and above all prepared way.

24. Our proposals include:

- Piloting a veto for young people over any decisions about moving on from care before they turn 18;
- Piloting allowing young people to continue to live with foster carers up to the age of 21, receiving the support they need to continue in education;
- Providing a top-up to the Child Trust Funds of young people in care.
- Creating supported accommodation for older young people; and
- Introducing a national bursary for children in care going to university.

Making the system work

25. We are confident that the proposals set out in this Green Paper will deliver a step change in the outcomes of children in care. But as the corporate parent of children in care we cannot rely on expectations alone: we need to take decisive action in instances of failure. Chapter 8 therefore sets out a new accountability framework which works with the grain of the forthcoming Local Government White Paper to ensure that failure for this group of vulnerable children is identified and addressed.

26. Our proposals include:

- Asking Ofsted to carry out a regular inspection of how each local authority is meeting the educational needs of children in care;
- Introducing an annual national stock-take by Ministers of the progress of children in care;
- Expecting every local authority to set up a 'children in care council';
- Making Independent Reviewing Officers more independent; and
- Making the education of children in care one of the DfES's key national priorities for local government.

Next steps

27. We want to hear a range of views on this package of proposals – particularly those of children and young people who are or have been in care. We are offering a range of ways to take part in this consultation exercise, which runs from 9 October until 15 January. This will include conferences and events throughout the country as well as the setting up of working groups looking at:

- **The future of the care population;**
- **Social care practices;**

- **Placement reform; and**
- **Best practice in schools.**

We value your responses to this document highly and we will take into account the views which you give us during the consultation period. After the consultation we will publish an initial response, including a version for young people in 2007. Final decisions on proposals with cost implications from 2008/09 onwards will be taken in the context of the 2007 Comprehensive Spending Review.

Appendix 2

Care Matters: transforming the lives of children and young people in care

Consultation Response Form

The closing date for this consultation is: 15 January 2007

Your comments must reach us by that date.

department for

education and skills

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THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Education and Skills e-consultation website (<http://www.dfes.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential. ☐

Name Cllr. C. Williamson, Leader of the Council,
Organisation (if applicable) Derby City Council
Address: The Council House, Corporation Street, Derby, DE1

If you have an enquiry relating to the policy content of this consultation you can contact Helen White by email: helen.white@dfes.gsi.gov.uk or by telephone: 0870 000 2288.

If you have a query relating to the consultation process you can contact the Consultation Unit by:

Telephone: 01928 794888

Fax: 01928 794 113

e-mail: consultation.unit@dfes.gsi.gov.uk

Which of the following best describes you:

<input type="checkbox"/> Child in care (under 13)	<input type="checkbox"/> Child in care (under 18)	<input type="checkbox"/> Care leaver
<input type="checkbox"/> Foster carer	<input type="checkbox"/> Residential carer	Professional working with young people
<input type="checkbox"/> Volunteer working with young people	X Other	Local Authority

Please Specify:

This response is from Derby City Council – predominantly provided by the Lead member for Children and Young People and the Officers of the Department for Children and Young People.

If you work with children or young people in care, which best describes the organisation you work in:

✓ Local authority	<input type="checkbox"/> School	<input type="checkbox"/> Further or higher education institution
<input type="checkbox"/> Private sector organisation	<input type="checkbox"/> Voluntary and community sector organisation	<input type="checkbox"/> Health organisation
<input type="checkbox"/> Youth justice organisation	<input type="checkbox"/> Other	

Please Specify:

The Council's Department for Children and Young People is a fully integrated Department with a Director for Children and Young People. It brings together those services previously covered within the Education Department and Children's Social Services.

Chapter 1: The need for reform

1 Are the elements we suggest for our 'pledge' the right ones?

☒ Yes

☐ No

☐ Not Sure

Comments:

There is significant concern that improved resourcing will be required to meet the pledge on Placement Choice.

The 'pledges' should also be applied to care leavers over the age of 18 years as well as C&YP up to 18 years. There should be a specific pledge concerning the emotional and mental well being of LAC. Indeed the whole paper would have benefited from a Chapter on Health including emotional and mental Health. CAMHS services have a crucial part to play in delivering better outcomes for LAC and currently there is a significant shortfall.

There should also be a pledge concerning the provision for LAC with opportunities to make and maintain friendships with their peers.

2 Are there other key barriers to attainment which we should address in order to transform outcomes?

☒ Yes

☐ No

☐ Not Sure

Comments:

Status, training, qualifications and condition of the work force. Recruitment and retention of social workers – LAC need social care workers who stay long enough to make a difference and provide greater continuity and meaning or a child.

There is significant concern over the achievability of placement choice.

The emphasis on school improvement and results in SATs and exams has meant that LAC and other groups who are less likely to achieve well have been marginalised, whilst time and effort is invested in "borderline" children so that they can be moved up from one grade level to another. One way to address this is to give some weighting to the achievements of LAC so that schools don't feel penalised in admitting them. Solid educational provision – attendance/attainment and performance indicators could be maintained separately for LAC, in an effort to encourage schools to accept LAC and work with them robustly. Currently there remains a disincentive to schools to accept LAC.

Availability of psychological assessment and support at the point of need is a significant shortfall – see comments in 1 above.

Chapter 2: Children on the edge of care

3 What more can be done to reassert the responsibility of parents and help them to fulfill those responsibilities?

Comments:

One of the main concerns for parents is that the involvement of outside agencies implicitly criticises their skills and this can lead to anger, rejection of support, or rejection of the child. Particular attention should be given to developing empowering approaches such as video interactive guidance that emphasise and build on the skills parents do have.

Responsibilities of Parents: Consideration should be given to the introduction of a new offence, not of abandonment, but failure to exercise reasonable PR to be pursued in Civil Courts by Local Authorities.

Links between Adults and Children's Services: Consideration should be given to introducing a legal requirement on all services to pay particular regard to transitional measures and the requirement of young adults and to co-operate in the year before and after transition.

Consideration should be given to charging the small number of wealthy parents whose children become Looked After.

4 a) Do you agree that there is a need for a more systematic approach to sharing effective practice in children's services?

✓ Yes

☐

No

☐

Not Sure

Comments:

Sharing effective practice: A national training programme should be commissioned.

Additional time is needed for Social Care Workers to keep abreast of new developments, thinking and approaches and to attend training.

Children's Services Departments and Trusts should ensure there is a designated lead management responsibility for keeping abreast of developments and for the dissemination of information in relation to LAC.

The CWDC has a vital role to play in this area.

4 b) If so, how can we ensure maximum impact in supporting evidence-informed commissioning and practice?

Comments:

Promote a culture of continuous improvement rather than one that is dominated by targets, the overemphasis on targets and inspection can divert resources into more defensive practice. Regular audit and robust Quality Assurance systems specifically for LAC should be put in place.

5 What more can be done to support links between adult and children's services, particularly in relation to drug abuse and mental health support?

Comments:

The current emphasis on drug abuse may have reduced focus on support for alcohol abuse, which is more common and equally as damaging to the children of alcoholic parents. For children whose parents or carers have alcohol or drug problems it should be mandatory for them to be regarded as children in need. They should then be prioritised for relevant drugs, alcohol and CAMHS services.

There should be a statutory requirement for Children's Services and Adult Services to liaise closely/work in partnership where there are children involved.

Robust transition arrangements are essential for children/young people requiring ongoing services and relevant criteria for service should be developed nationally. This will inevitably carry resource implications.

6 What more could be done to support family and friends carers?

Comments:

Financial assistance should be made available to meet the cost of legal fees for relative carers wishing to apply for Residence Orders / Special Guardianship orders. The financial framework needs to be improved generally.

Arrangements should be made for kinship carers to be provided with support in their own right through dedicated family support services – e.g. by a professional / team with a special interest in kinship Care.

Clarify and cost the distinction between kinship carers and family and friends carers as alternatives for LAC. Do not incentivise children becoming looked after for financial reasons alone. Some high levels of support for Children in Need who are with kinship carers is needed and should be guaranteed based on that need. E.g. Respite care.

7 Is it right for us to work towards an increase in the number of children supported in families and, as a result, a small younger care population with more complex needs?

✓ Yes

☐

No

☐

Not Sure

Comments:

However, we are acutely conscious that at times we support families with young children too intensively for too long – to little / no effect and that this can result in children being removed at an older age when it is increasingly more difficult to place them for Adoption and achieve permanency. Underpinning this is a need for social Care and Children's Agencies to improve their early assessment skills.

The profile of the care population needs more analysis particularly for young people who become LAC at later age – complexity and extent of needs and challenge to carers is often underestimated and the effect on family and communities. Simply reducing number who become LAC could see the problem re-emerge in a different form elsewhere e.g. in drug or offending problems. The evidence on the outcomes of young people who do not become LAC is not yet adequate for the purposes of determining the shape and scope of the entire LAC system.

Chapter 3: The role of the corporate parent

8 Do the proposals in this chapter add up to a sufficient strengthening of the corporate parenting role? If not what more should be done?

☐

Yes

✓ No

☐

Not Sure

Comments:

There is a reluctance in some Agencies in taking their corporate parenting responsibilities seriously. The creation of a Corporate Parenting Board (cf Safeguarding Board) could help to focus attention on the needs of and responsibilities to LAC.

The introduction of minimum standards for LAC Social Workers which are inspected should be considered.

Independent visitor / advocacy services require a fundamental review. Current roles are confused and not effective. If the social worker is able to operate effectively and independent of resource allocation this would meet needs in most cases. A mechanism within LA to allow social Workers to operate with a clear separation between assessment and resource commissioning.

Social workers who work with LAC would benefit from closer contact with

schools to gain some direct experience of how schools work and the best ways of co-operating together to meet the child's needs. This would enhance the Corporate Parenting role.

9 Would a 'social care practice' help give social workers more freedom to support children?

☐

Yes

✓ No

☐

Not Sure

Comments:

The Social Care Practice Model is not supported. In our view it would weaken Corporate Parenting accountability and the profit motive could dilute the focus on needs. It is also essential that the LAC service maintains its broader link with locality and preventative services across the spectrum of children in need. The social care practice model may also lead to a "hollowing out" of existing social work services and making recruitment and retention of social workers to Children's services departments more difficult.

Equivalent investment in local authority services and the creation of improved pay based on a professional / Senior Practitioner basis would be more effective in this area.

See comments in 8 above for mechanisms to help social workers better support children.

10 Should the Independent Visitor role be revitalised and renamed as 'independent advocate' to introduce advocacy as a key element of the role?

✓ Yes

☐

No

☐

Not Sure

Comments:

See specific comments regarding Independent Visitors in 8 above.

Chapter 4: Ensuring children are in the right placements

11 a) Should a 'tiered' approach to fostering placements be developed?

✓ Yes

☐ No

☐ Not Sure

Comments:

Most Authorities have adopted some form of a tiered approach to fostering. Although this may clash to some extent with the voluntary ethos it does provide a mechanism for building carer skills and to enable Local Authorities to better compete with independent sector providers. A tiered approach to foster care does increase costs. The growth in private providers and the consequential increase in costs has created major financial pressures for Local Authorities and reduced our ability to improve and invest in in-house services. Some regulation of IFA fees would be welcomed

Utilising the market to improve placement choice for LAC has failed in respect of the cost / efficiency dimension.

11 b) If so, should this be underpinned by a formal qualification framework?

✓ Yes

☐ No

☐ Not Sure

Comments:

Currently there are a range of qualifications that can be used in foster carer training although none are specifically tailored for the fostering role. The CWDC have indicated that they will be examining specific options for foster carers within a new children's services qualification framework and this is welcomed.

12 How can we increase placement choice without increasing financial burdens on the system?

Comments:

Regulation of IFA fees should be considered. Best practice within Local Authority foster care services should be highlighted and promoted. It is difficult to envisage how further role out of tiered approaches to foster care and the development of a formal training framework can be achieved without increasing finance. Adequate funding should be provided to Local Authorities to enable true placement choice to be developed.

13 Should local authorities be required to consider whether disabled children in 52 week specialist residential provision should have the 'looked after' status?

✓ Yes

☐

No

☐

Not Sure

Comments:

This is an extremely vulnerable group of young people and, given the Children's Act notion of the needs of the child being paramount, they should benefit from the safeguards afforded to other LAC.

Chapter 5: A first class education

14 How might the role of the Designated Teacher for children in care be strengthened further?

Comments:

Designated Teachers could provide a mechanism for improvement however consideration should be given to regulating through standards and inspections and the specification of roles for pastoral, curriculum and senior staff and SENCO. Consideration should be given to giving specific responsibility to the Head and Governors. The issue should be included in Ofsted inspections and that the impact on other school targets of meeting the needs of LAC should be taken into account.

15 How would a 'virtual head teacher' best raise standards for children in care?

Comments:

The title "Virtual Head teacher" should be reconsidered. It potentially sets up conflict with Heads and Governing bodies although the concept has merit. There should be a specific senior role in children's trusts for responsibilities in this area, a position with a strategic decision making role including budget capability.

He or she should have direct and easy access to the Director for Children and Young people as the person ultimately responsible for LAC.

16 What more can be done to reinforce the educational role of the carer?

Comments:

The educational role of the carer needs to be made more explicit. Anecdotal evidence that carers do not adequately support education is not sufficient. The educational support provided by staff in children's homes for example needs to be evaluated. The comparison between performance of LAC and all children is not an appropriate measure for the reasons given in the covering letter. Outcomes are too exam-based and realistic assessment of educational capability is not the same as poor or low aspiration. Carers can often find themselves battling against the "system" rather than being supported by it in respect of children who are not able to cope. More research is needed.

Qualified Social Workers need specific training with regard to educational performance, schools, curriculum and related learning issues. See comment in 8 above.

Carers need access to the designated senior officer in the Children's Services Authority who is accountable for LAC. They should also be given a guaranteed right of access to the Head Teacher or their nominated delegate, particularly in secondary schools.

17 Are the measures proposed in relation to the Further Education sector sufficient to achieve a step change in outcomes for young people in and leaving care?

☐

Yes

☐

No

✓ Not Sure

Comments:

Many of the issues of concern for LAC in schools also apply to the 14 – 19 strategy in respect of colleges and FE. LAC and care leavers should have equal rights in this area.

Chapter 6: Life outside school

18 Have we set out the right features in the comprehensive model of health care for children in care?

☐

Yes

☐

No

✓ Not Sure

Comments:

The Green Paper as whole would have benefited from a specific Chapter concerning health in its broadest sense. In particular the importance of mental and emotional good health should be further highlighted with an emphasis on dedicated and targeted CAMHS services. There continues to be a significant deficit in the availability of integrated CAMHS services for Looked After Children.

In addition to the need for additional high quality CAMHS support it is felt that a designated psychologist for LAC would be a positive step.

19 What more could we do to help young people in care to participate in sporting, leisure and cultural activities?

Comments:

Access to normal mainstream leisure and youth facilities for LAC is important. A reversing of the reduced levels of investment in youth clubs and other facilities would be a positive step both in ensuring access for more children and young people in need prior to becoming looked after but also for LAC specifically. The proposal that social workers should have funds at their disposal to support the travel costs and other costs of children, particularly teenagers developing a social life so they can make and sustain friendships is welcomed provided this is properly resourced.

The provision of “passports to leisure” for LAC and their carers families is a positive step in encouraging carers to develop and maintain interests with their looked after children.

20 Is the approach to supporting children in care who enter youth custody the right one?

☐

Yes

☐

No

✓ Not Sure

Comments:

Generally our view is that in the first instance parents should be encouraged and helped to support their children, rather than assuming that the LAC system will provide a form of After-Custody provision for young people who are not the subject of Care Orders. The role of Youth Offending Teams needs to be made explicit in this area.

21 What more can be done to support the role of carers in managing behaviour within the home?

Comments:

Easy access to psychological services whether educational or clinical and to CAMHS and therapeutic services is a significant deficit for LAC and their carers. With many cases the complexity of problems is such that support from a “paraprofessional” will not be at a sufficiently high skill level.

Managing behaviour: Specific research on what works requires psychiatry and psychology and Educational Psychology services to work with children's trusts to develop care plans and behaviour strategies. With regard to youth offending matters LAC need more than the restorative justice model. In particular children's homes, the police and CPS need to work with CPS guidance. The policy in respect of welfare/justice needs to be clarified for LAC.

Provision of Parenting Skills Training for Carers

Provision of Consultancy from suitably qualified / experienced staff for carers of children with emotional and behavioural difficulties. (CAMHS)

Chapter 7: Making the transition to adult life

22 Should young people be allowed to remain with their foster families up to the age of 21, including when the young person is at university?

☒ Yes

☐ No

☐ Not Sure

Comments:

Whilst this proposal is supported it is acknowledged that this will reduce the stock of available foster carers, and that this will have an effect on placement choice for other children / young people and will require additional resources.

Improvement in this area could be achieved by redefining the minimum standard of support to care leavers. There should be an inspection framework for leaving care teams.

It is important to acknowledge the wish of most care leavers for greater independence at an earlier age than other young people which is why flexible leaving and after care services are so important.

23 What is the best way of ensuring greater availability of dedicated supported accommodation for young people making the transition to adulthood?

Comments:

Supported accommodation: This needs to be properly costed and also changes to homelessness legislation, grants to housing providers and changes to Supporting People legislation could improve support to young people who are or have been looked after making the transition to adult life.

Further investment for the development of supported lodgings schemes, perhaps supported by former foster carers, would be a positive step.

24 Are there other ways in which we can increase the number of children in care progressing to university?

Comments:

Improving early educational experiences of LAC in tandem with solid CAMHS / therapeutic work and rewarding a wider range of educational achievement would help in improving aspirations and motivation and in all likelihood lead to more LAC going through to a university education.

In Derby we now have 9 young people who were LAC attending University courses. Additional support for them has been provided from existing budgets but without further provision it will be difficult to extend this. LAC should be exempt from all fees and a specific bursary scheme administered outside of the host Authority would be a positive move.

LAC who become university students should not be solely singled out for additional support. This needs to be part of a whole framework of support for vulnerable young people.

Chapter 8: Making the system work

25 Should we introduce a new power for local authorities to intervene in schools performing poorly for children in care?

✓ Yes

☐

No

☐

Not Sure

Comments:

This may prove difficult in practice because of the low numbers of children involved. It would, however help in concentrating the minds of senior management in schools in respect of the needs of LAC.

26 What more should we do to give children in care a greater say in decisions which affect them?

Comments:

There needs to be a greater involvement of looked after children and young people in discussion with Corporate Parenting forums.

The positive use of existing advocacy systems should be encouraged and social workers should be better supported to jointly represent the young person's position.

Reviews that are chaired by skilled IRO's give better representation of the views of the young person and a range of innovative tools are available to ensure these views are properly put forward.

Children and young people should be routinely invited to provide feedback on the quality of their Reviews.

27 How can Independent Reviewing Officers be made more independent and their role strengthened?

Comments:

It is our view that adequate provisions already exists to ensure that IRO's are sufficiently independent and have sufficient strength to carry out their role.

IROs and the review system should be inspected. CSCI (or equivalent) should be able to intervene and scrutinise issues raised by IROs.

28 What key outcomes should we measure to assess whether we are being successful in transforming the lives of children and young people in care?

Comments:

The five outcomes enshrined in 'Every Child Matters' should be the basis for developing measurement of success criteria. In addition to conventional attainment measures quality of life measures should also be used although clearly these can be more subjective.

Monitoring how many of the children of LAC enter the care system is a significant indicator in determining how successful we are in breaking a negative cycle.

Longer term monitoring for adults who have been LAC up to the age of 30 would provide a better bench mark of success. Many adults who have been LAC inevitably take longer to recover from their earlier years traumas.

29 Please use this space for any general comments you would like to make

Comments:

There appears to be a lack of awareness of the recruitment and Retention difficulties in social care, which resulted from creation of ventures such as Surestart. It is important that any initiatives stemming from "Care Matters" do not repeat this.

CAMHS are not being required to provide the services needed to meet the mental health needs of children and young people in Care and there is insufficient availability of psychologists and other relevant therapists.

Omission of any reference to resource issues needs to be addressed in "Next Steps".

30 Please let us have your views on responding to this consultation. For instance did you have any difficulty understanding any of the questions and did you think we had the right number or type of questions?

Comments:

Consultation arrangements have been good. The Green paper is easy to digest, although we disagree with the position that the care system itself is entirely at fault for the poor outcomes of LAC. (See attached letter.) The consultation pro-forma is helpful and a realistic timescale for effective consultation was given.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply ✓

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

✓Yes

☐

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 15 January 2007

Send by post to: Consultation Unit, Area 1A, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ

Send by e-mail to: carematters.consultation@dfes.gsi.gov.uk

Appendix 3

Leaders Letter.

Consultation Unit
Area 1A
Castle View House
East Lane
Runcorn
Cheshire
WA7 2GJ

Your Reference

Our Reference
CW/ rm

Date
10 January 2007

Contact
Councillor Chris Williamson

Telephone *Fax*
01332 258449 01332 256269

E-mail:
Chris.williamson@derby.gov.uk

Dear Sir / Madam,

Care Matters – Consultation response from Derby City Council

I am pleased to provide you with the Council's formal response to the Government Green Paper – Care Matters. Our full response is contained in the attached consultation pro-forma. I would like to make one or two general comments for consideration alongside the pro-forma commentary, some of which will no doubt have been made by many other Local Authorities.

Firstly whilst much of what is proposed is welcomed and would represent a positive step for Looked After Children I would wish to reference Mike Stein's comments in his letter to the Guardian dated 6th December. In Derby we are in the fortunate position of performing well against our PAF key indicators and particularly so for our Looked After Children. Our staff work extremely hard against a challenging financial backdrop to achieve the best outcomes possible. Mike Stein makes the very valid point that to lay the blame wholly at the care system's door for the acknowledged poor outcomes overall is fundamentally flawed. The fact that the Green paper seems wholly predicated on this flawed assumption does not mean the recommendations are equally flawed but the point does, in our view, need reinforcing.

I will not paraphrase the letter here as I am sure you are aware of its content and also the various supportive responses from both the ADSS and Directors of Children's Services. Suffice to say that by promulgating the position that the care system itself is wholly to blame for the unacceptably low outcomes does nothing for staff morale, motivation or confidence and also impacts directly on the children and young people themselves. Some balancing of this position in the planned "Next steps" response would be welcomed and appreciated.

The second point I wish to make concerns resources and again I expect there have been numerous references to the need for adequate resourcing for many of the key proposals to be taken forward. Additional resources do make a difference providing they are managed effectively and targeted. In the current very tight financial climate it will not be possible to achieve some of the fundamental recommendations without the provision of real additional resources rather than a re-badging or re-cycling of existing resources.

Our single biggest threat to Local Authority Children's Services budgets is the cost of placements. In our view this has been further exacerbated by the unfettered growth of private sector provision to the detriment of good quality Local Authority provision. That is not to say that placements within the independent sector do not have a role to play but all too often the level of quality compared to Local Authority provision is not markedly better for the significantly higher cost. We comment on this specifically in the formal response.

My third point relates to health issues for Children and Young People Looked After and in particular to their emotional and mental health and well being. Although there is reference to health matters in the chapter concerned with life outside school the issue is of such significance that we would have expected to see a chapter solely dedicated to this.

Often because of the traumatic experiences that Children Looked After have experienced prior to them entering the Looked After system they suffer from a range of mental health impacts that require specialised and consistent therapeutic work. In our view this is probably the single greatest deficit in supporting those children and their carers in recovering from those traumatic experiences and improving their future outcomes. It is also the case that the general base line of child health indicators is lower for children who become looked after for a range of reasons including diet, neglect, poor education and poor parenting generally. Entering the looked after system will not quickly remedy some of these deficits without additional health input

Finally, we have welcomed the opportunity to be consulted in some detail on the paper. Back to my opening remarks, much of what is contained within the paper is encouraging and would make a difference, backed up with adequate resources. It is also our view that good quality and soundly managed Local Authority services are capable of delivering the vision. I trust our comments will be fed in to the next stage of the process and we look forward to the "Next Steps" document.

Yours sincerely

Councillor Chris Williamson
Leader of the Council

Copy – Cllr Sara Bolton
Keith Woodthorpe, Assistant Director, Specialist Services,
Children and Young People's Services