

# LOOKED AFTER CHILDREN

## ABBREVIATIONS

It will help the reader to refer to this when reading through the report.

APA	Annual Performance Assessment
BAAF	British Agencies for Adoption and Fostering
BME	Black and Minority Ethnic
BVPI	Best Value Performance Indicator
BVPP	Best Value Performance Plan
CAFCASS	Children and Family Court Advisory and Support Service
CAMHS	Child and Adolescent Mental Health Services
CSCI	Commission for Social Care Inspection
CIN	Children In Need
CP	Child Protection
CPA	Comprehensive Performance Assessment
CPR	Child Protection Register
CRB	Criminal Records Bureau
CSP	Community Safety Partnership
DCC	Derby City Council
DCP	Derby City Partnership
DipSW	Diploma in Social Work
DVD	Digital Video Disc/Digital Versatile Disc
EET	Employment, Education and Training. [Mis-acronym for ETE]
EP	Educational Psychologist
ETE	Education, Training and Employment
EWO	Education Welfare Officer
FC	Foster Care/Foster Carer
GAL	Guardian Ad Litem
GCSE	General Certificate of Secondary Education
GP	General Practitioner
HB	Housing Benefit
ID	Identification
IFA	Independent Foster Agency
IRO	Independent Reviewing Officer
KS2	Key Stage 2
LA	Local Authority
LAC	Looked After Children
LPSA	Local Public Service Agreement
OFSTED	Office for Standards In Education
PASSPORT	Not an acronym; Derby scheme to promote independent living skills by hostel dwellers
PCT	Primary Care Trust
PEP	Personal Education Plan

QP	Quality Protects
Sec 47	Section 47 [of the Children Act 1989]; duty to investigate the circumstances of a child at risk
SENCO	Special Educational Needs Co-ordinator
SMS	Short Messaging Service; texting
WLB	Work Life Balance
YAS	Young Asylum Seekers
YP	Young Person/People

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**An Appendix containing bullet points from the evidence-gathering meetings held between 24 and 28 July 2006, shown by main category, is available on request by phoning 01332 255596 or e-mail [rob.davison@derby.gov.uk](mailto:rob.davison@derby.gov.uk)  
A copy has been placed in each political group room.**

## FOREWORD

This is the first topic review by Derby's new Children and Young People Commission. The creation of the new department is the biggest structural change since Children's Departments and Welfare Departments merged to form Social Services Departments in 1972. Now in 2006 the melding of education and children's social care is likely to take time to form a new identity. Selecting looked after children as the first topic has brought the benefit of covering both component services. When considered along with social work, fostering and residential placements, adoption, health, and leaving & aftercare, the education of looked after children seems to be just one aspect. But it has wider consequences, as – to adopt the words of central government getting it right for young people in public care is about getting it right for all children and so is 'a test of the effectiveness of the general policies and practices of a local authority'.

The following Terms of Reference had been agreed by the former Social Care and Health Commission on 3 October 2005 and confirmed at the inaugural meeting of the Children and Young People Commission:

The Commission will:

- examine whether the number of looked after children in the city are high compared with comparator authorities and if so to consider ways to safely reduce the gap
- understand the triggers for children entering the child protection register

To address pressures on children services the Commission will consider:

- How can Derby City Council attract and retain qualified children's social workers? What are other Authorities doing to solve this problem?
- How can Derby City Council attract and retain good quality foster carers? What are other Authorities doing to solve this problem?
- What suggestions have LAC got to attract both social workers and carers?
- What suggestions have LAC, carers and social workers got that could improve the service provided by Derby City Council?

and will

- Examine staffing resources available per LAC in Derby compared with comparator authorities.
- Evaluate the evidence and make recommendations to the Council Cabinet

The evidence gathering for the review took place during the week 24 to 28 July. The core group of members who conducted the July interviews with the range of stakeholders met again, in September, to form conclusions and recommendations and then used e-mail to refine those. Coincidentally, during the drafting of this report the Children Act 1989 marked - on 14 October – fifteen years as the durable legislation designed to protect children *and* in the same week a green paper was published to improve the experience for looked after children in future.

Recommendations necessarily focus on areas having the potential for improvement and our report includes a number of recommendations regarding the services received by Derby's looked after children. The length of the summary, below, must not be misinterpreted as meaning there is a lot wrong: there is not. Reading the full report gives the context and includes many examples of things going right. The shaded box at the *start* of each the sections give a selection of comments from the stakeholders. A shaded box at the *end* of a section gives an extract from a script written and performed by looked after children.

Like the product of other topic reviews, this report is intended to be a long life document with progress to be periodically monitored by the Commission.

Cllr Williams	Cllr MacDonald	Cllr Allen	Cllr Higginbottom	Cllr Ginns
Chair	Vice Chair			

## **SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS**

### **LEGAL, POLICY AND SOCIAL WORK PRACTICE**

CONCLUSION A The Department is to be congratulated on the strides made regarding the recruitment and retention of social workers and in related social care professions; it is essential that work is continued.

CONCLUSION B Extra hours worked routinely by social workers in the evening and at weekends are masking workload pressures. Getting the job done this way is not sustainable, as it will drive good staff to work in better resourced functions or for other authorities and therefore risks re-creating high vacancy levels.

RECOMMENDATION 1 Managers and staff should accurately record all time spent working, including evenings and weekends, to enable decision and budget makers to have a true picture of the extent of the problem and allocate resources more accurately.

CONCLUSION C There was a widespread recognition that too great a proportion of social work and family support time was spent on paperwork, squeezing the time for direct work with families and looked after children – possibly to the extent that outcomes are affected.

RECOMMENDATION 2 A twin approach is needed to minimise the time spent by social workers and family support workers on administration: making sure all the tasks that *can* be undertaken efficiently by administrative staff *are* undertaken by them; using computer software to link form filling and report writing to replicate information for Section 47 enquiries, care proceedings, looked after children reviews and adoption processes.

RECOMMENDATION 3 Generally training budgets need to be protected in order to promote the professional development of staff; there needs to be sufficient staffing capacity to allow team members to be released to take up appropriate training opportunities.

CONCLUSION D Supporting the achievement of a DipSW by experienced family support workers etc is a good investment, as age and circumstance mean they tend to be settled locally and know they like the profession: they are likely to stay in social work and stay on the City Council pay roll.

RECOMMENDATION 4 The budgets that allows the ‘home growing’ of qualified social workers, through the training of family support, community care and residential care workers need protecting – and ideally expanding.

CONCLUSION E As 90 to 95% of family proceedings court outcomes are what the case social worker proposed, that suggests that the engagement of experts often adds delay rather than value.

RECOMMENDATION 5 There is a national need to raise the status of social workers in court proceedings, to have them accepted as professional experts, and achieve a concomitant reduction in the use of other experts. To initiate a campaign the Council should express these views in writing to the Secretary of State and Lord Chancellor, copied to lead members and directors for children and young people and the professional journals.

RECOMMENDATION 6 The Chief Executive, as chair of the Community Safety Partnership, should engage with the Court Service with a view to reducing waiting times at the Youth Court; this might be achieved through indicative hearing times being given in advance and SMS alerts on the day.

RECOMMENDATION 7 i) Looked after children should be asked periodically whether there are wider family members – aunties, uncles, cousins etc - with whom they might wish to have contact; ii) a lack of time to provide transport by social worker, residential worker and foster carer should not be an obstacle to such contact – CRB-cleared volunteer drivers should be used and, when needed, the costs of overnight accommodation re-imbursed.

RECOMMENDATION 8 The Council should explore with representatives of looked after children the desirability of an adult befriending scheme; this might be along the lines of an adoptive auntie or uncle or the American “big brother, big sister” concept.

RECOMMENDATION 9 Although there was no evidence that Derby’s Child Protection Register thresholds were misplaced, the comparatively high number of registrations means there would be merit in an inter-authority bench marking exercise.

RECOMMENDATION 10 The reported difference in the ratio of children and families social care staff between Derby (35 per 10,000 children) and Nottingham (48 per 10,000 children) needs examination. The Commission wishes to have this question answered: is the difference a reason for our social workers needing to work in the evening and at the weekend?

CONCLUSION F The Independent Reviewing Officers do fight the corner of looked after children, including the due weighing of the child’s preference when decisions are being taken about which school to attend.

RECOMMENDATION 11 Council Cabinet should protect Family Support staffing levels when considering future revenue budgets.

## **PLACEMENT OF LOOKED AFTER CHILDREN**

### **FOSTERING**

CONCLUSION G All the managers and staff involved in the recent development of the fostering service are to be commended for achieving a first class standard for the benefit of the carers and the children they look after.

CONCLUSION H The single largest contribution that could be made to budgetary control would be to achieve a net increase of about 55 in the pool of in-house foster carers, so that future placements are not normally made with IFAs.

RECOMMENDATION 12 The Council must complete the move to Fostering Network-recommended allowance levels.

RECOMMENDATION 13 Foster carers in the employment of the City Council should as of contractual right have up to 3 working days per year to attend reviews and other meetings about the child(ren) in their care; through the Derby City Partnership other employers should be encouraged to do the same.

RECOMMENDATION 14 To make the fostering task easier, the Council should consider giving non-cash incentives to its foster carers, for example, free parking or bus pass, free entry to leisure centres.

RECOMMENDATION 15 There should be closer collaboration between councils over the recruitment of foster carers in the region, including co-ordinated, jointly funded marketing campaigns.

RECOMMENDATION 16 There should be a record kept of the number of 18+ year olds who continue to reside at the foster carer's address.

RECOMMENDATION 17 Because of the high number of mixed heritage looked after children, there should be increased cultural awareness training so that every child can learn about *all* aspects of their background.

RECOMMENDATION 18 The 'Roller Coaste'r fostering recruitment DVD should be shown at the beginning of a full Council as the web-cast makes it accessible to a wider audience; it should also be shown at a round of Area Panel meetings.

## **RESIDENTIAL**

CONCLUSION I The current standard of doors, furniture etc in the children's homes does not appear fit for purpose. The need is to marry up the 'feel' of a non-institutional, homely environment with a robust quality able to withstand the wear-and-tear of energetic teenagers.

RECOMMENDATION 19 The Council Cabinet Members for Children and Young People and for the Environment be requested to jointly consider the specification for fixtures and fittings and repair standards in the five children's homes and report back to the Commission the outcome.

RECOMMENDATION 20 Each Council children's home should have broadband access for staff and residents.



RECOMMENDATION 21 All members of the Council should be strongly encouraged to be active Corporate Parents by being CRB-checked and undertaking visits to the Council's children's homes.

## **ADOPTION**

CONCLUSION J The Commission was very impressed by the decision making processes in the Adoption team: every step is taken to obtain the right decision.

CONCLUSION K The Commission would wish to take up the suggestion of the Head of Service that its members periodically meet up with adopters.

RECOMMENDATION 22 Recruitment of potential adopters for older and other hard-to-place children should be considered on a regional basis via the existing consortium of authorities; locations could include East Midlands Airport, Trent Barton buses and Midland Mainline.

CONCLUSION L Senior managers had been willing to approve all the options proposed that could reduce the impact of being two staff members short in the Adoption Team.

## **HEALTH**

RECOMMENDATION 23 As there was a consensus among witnesses that CAMHS' capacity was inadequate for the number needing its services, the new Derby Primary Care Trust should be asked to augment the service.

RECOMMENDATION 24 There should be a change of practice by CAMHS so as to give a priority to looked after children for assessment, though not for treatment which should continue to be based on need.

RECOMMENDATION 25 The CAMHS pilot at Moorfield Children's Centre should be made permanent and rolled out to the other four homes.

CONCLUSION M The creation of a permanent 30 hours nursing post to cover looked after children and care leavers is to be welcomed.

## **EDUCATION**

RECOMMENDATION 26 The creation of a single Children and Young People Department offers the opportunity to deliver updated co-ordinated awareness training for all school governors and in-depth training for designated governors. Appropriate training should be included in the training programmes for governors and staff.

RECOMMENDATION 27 The involvement of looked after children in reviews should be used to check whether the child knows who the designated teacher is at their school *and* discreetly check whether she or he would feel comfortable approaching that teacher with a problem.

RECOMMENDATION 28 As the model, draft 'School Policy for Looked After Children' can achieve a de facto city-wide protocol about roles and responsibilities, including those of designated teachers, it is essential the draft is finalised and that all governing bodies are encouraged to adopt it.

CONCLUSION N The regular statistical reports to the Corporate Parenting Sub-Commission should include the percentage of looked after children with an up-to-date Personal Education Plan.

RECOMMENDATION 29 The creation of a single Children and Young People Department should be used to recognise 'Derby Beacon Schools' as a local scheme to share the best practice between schools in the education of looked after children, with a focus on the successful management of the difficult issues.

CONCLUSION O This review has raised issues about school attendance of children living in the Council's children's homes: this needs to be looked into further by the Director.

RECOMMENDATION 30 The proven skills and tactics of the Leaving Care Team may be transferable to the work with younger, looked after children and the residential service should consider drawing on that to promote school attendance.

RECOMMENDATION 31 To encourage learning by children who not attend school, a scheme based on the PASSPORT concept in hostels should be considered in order to give credit for educational and other positive activity.

RECOMMENDATION 32 A constructive alternative should be developed for older looked after children who will not attend school. This might be based on the Leaving Care team's highly successful trainee placement scheme that helps the school leavers, but honed to offer an age appropriate experience, for example, in the voluntary sector.

CONCLUSION P There is clearly no magic solution waiting to be discovered that would persuade all school non-attending children to change habits. Therefore the need is to keep abreast of what produces improvements elsewhere. The Sub-Commission should be kept abreast of successful initiatives in other councils.

CONCLUSION Q Schools in relatively affluent suburbs are not well experienced in, and do not get resourced for, dealing with damaged children in adoptive families.

RECOMMENDATION 33 funding for fostered or adopted children to meet special needs and provide behaviour therapy, extra tuition etc should follow the child and not be limited, as now, to schools in deprived wards.

## **LEAVING AND AFTER CARE**

CONCLUSION R The Leaving Care Team are to commended on their success.

RECOMMENDATION 34 Council Cabinet be informed that it is essential that the LPSA-funded post promoting Employment, Education and Training be continued when the funding time-expires.

# SECTION ONE – LEGAL, POLICY AND SOCIAL WORK PRACTICE

'The vacancy level had been 40% but has been much reduced through the retention policy'. 'Most social workers put in extra hours every week to get the job done – this is constant so never gets reclaimed'. 'One of the young people was very complimentary about their social worker .... a less complimentary opinion was also expressed by another young person'.

"Twin tracking" is now standard ie providing family support while concurrently planning for permanence in case not successful'. 'In DCC one person takes decisions on care proceedings, which ensures consistency'. 'The Court protocol now says proceedings should be completed in 40 weeks and it is adhered to by the Derby judge – he keeps cases on track'. 'The [family] courts need to see social workers as experts in their own right which they don't currently'.

'With the current structure, the LAC service struggles to get the priority it needs: the mixed case load tends to see a hierarchy of priorities: court, [then] child protection, then LAC. Disaggregation will see a specialist LAC team created - but this needs to be adequately resourced if services to LAC are to be improved'. '... if there was more social work time for direct work with a LAC, that could develop their education etc achievements and aspirations'. 'If child is looked after for more than 6 weeks the prognosis for return to family home is poor'. 'There are always finance issues that come into planning for children'.

## BACKGROUND:

1. A major project for the Council and its partners during the last two years has been 'Integrating Children's Services'. This involved bringing together the Council's education and children's social services into one new department, and closer integration of partnership agencies, as required by the Children Act 2004. That has necessarily involved countless hours of senior managers' and members' time. However, most front line children and families social workers' practice has continued to be governed by legislation largely unchanged for 15 years.
2. The Children Act 1989 with its associated regulations, rules of court and volumes of guidance provides the main framework governing the Council's responsibilities to safeguard and promote the welfare of children within its area. The biggest change over the time was through the Adoption and Children Act 2002 which aligned adoption with the 1989 Act.
3. In the Act stress is placed on services to children in need 'to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs'. These tend to be referred to as 'preventative' services because, if successful, they can prevent family

breakdown and avoid the need for court proceedings and the possible removal of the child from the family home. However, although social workers' caseloads include families where there are 'children in need', preventative services would form a topic review in itself. This review was limited to case management in respect of looked after children.

4. Some LAC are 'accommodated': living in foster care or a children's home with the agreement of their parents – it might be long or short term and may link to improving parenting. Other LAC will be under a care order/interim care order made by a court. For all court proceedings under the Act the welfare of the child is the paramount.
5. The Commission had the benefit of six distinct but overlapping perspectives of field social work, those of: the Assistant Director and the Children's Planning and Commissioning Manager, field social workers themselves, their managers, the independent reviewing officers, guardians ad litem and looked after young people.
6. As well as explaining their own role, a social worker sees the whole picture of the child's placement, health, and educational experience and so is able to comment on how well things work in practice
7. In court proceedings the parents and the Council will both be legally represented. In this adversarial environment a Guardian Ad Litem – an experienced social worker - represents the interests of the child in court. Through the course of their work GALs accumulate knowledge of the ways of working, range and standards of services within one or more local authority. Not being employees of a council they can bring an informed and completely detached viewpoint.
8. Independent Reviewing Officers, like social workers, sees the whole picture of placement, health, and education services for LAC. The IRO role, as the name suggests, imports a degree of independence - and that offers a slightly different perspective about how well things work in practice.
9. An overarching theme for the interviews with the professionals had been: is Derby providing good solid social work – children getting visited regularly, reviews being held, plans being made and delivered, and quality seen in social workers' practice? Do LAC become young adults with high achievements and, for their future, high life chances?
10. The sixth perspective was from looked after children themselves, they are the customers and uniquely qualified to comment on how well the public services actually meet their needs.

#### **WHAT THE EVIDENCE TOLD US ABOUT LEGAL, POLICY AND SOCIAL WORK PRACTICE ISSUES**

11. A strategy of recruitment and retention had been the response to chronic social work shortages with vacancy levels that had reached 40%. At the time

of the review vacancy levels were about 10%. That is a startling achievement given the national shortage qualified social workers. It does not detract from that to add that the recruitment and retention strategy needs to be continued, for two reasons. Firstly, there will inevitably be staff turnover as individuals retire or perhaps gain a promotion with another authority and there is not a national surplus of qualified staff to replace them. Secondly, there is question about the sustainability of current working patterns.

12. It was clear that extra hours are being worked routinely by social workers in the evening and at weekends just to get the job done. It shows the professionalism of our social workers and is commendable. But it masks workload pressures and is not sustainable. If those workloads persist it will drive good staff to work in better resourced functions in our Council or to practice as field social workers for other authorities. In short it risks re-creating the high vacancy levels the strategy was designed to defeat.
13. We learnt that social workers often don't complete the work:life balance records because there is never the opportunity to recoup hours owed. One witness posed the rhetorical question: with WLB, where's the balance?
14. The Commission recommend that managers and staff should accurately record *all* the time spent working, including evenings and weekends, to enable decision and budget makers to have a true picture of the extent of the problem. Although our social workers may see this recommendation as more paperwork, we would ask them to bear with us: the Council has the value of being 'open, transparent and honest in everything we do' and the results can allow budget shapers to staff allocate resources more accurately.

**CONCLUSION A The Department is to be congratulated on the strides made regarding the recruitment and retention of social workers and in related social care professions; it is essential that work is continued.**

**CONCLUSION B Extra hours worked routinely by social workers in the evening and at weekends are masking workload pressures. Getting the job done this way is not sustainable, as it will drive good staff to work in better resourced functions or for other authorities and therefore risks re-creating high vacancy levels.**

**RECOMMENDATION 1 Managers and staff should accurately record all time spent working, including evenings and weekends, to enable decision and budget makers to have a true picture of the extent of the problem and allocate resources more accurately.**

15. It is in the nature of children's social work that every phone call, meeting and action needs to be recorded. Yet there was strong viewpoint that too great a proportion of social work and family support time was spent on paperwork. This had the effect of squeezing the time for direct work with families and looked after children and the implication that this was to the extent that outcomes are affected. One description was that for families or foster carers

a visit is the duration of the visit. For the social worker or family support worker a visit is the visit itself plus the writing up.

16. It would seem that there are four overlapping reasons for this, though the Commission cannot know which have the greater influence. Firstly, the legal requirement for various kinds of court and other paperwork – a ‘given’ in this professional environment. Secondly, duplicated paperwork. The IROs said, to paraphrase: ‘There is a lot of paperwork for s/wkrs to do for LAC and there is a lot of repetition of info: adoption panels, courts, reviews, CP conferences – hopefully this will improve with new national system’ The Council should consider the potential for making multi-use of various kinds of recorded information – the scope for software offering a suite of documentation which would allow the write up for one purpose to be automatically logged in corresponding sections of reports for other purposes.
17. The third reason comes back to workload. To adapt the management phrase ‘just-in-time’ it would seem that tasks may necessarily be done with ‘just-enough-time’ to ensure all the requirements are met but without the quality time that might get the best out of the inter-action. This reinforces the need to retain the recruitment and retention strategy and to measure the hours spent working.
18. The fourth reason could lay in whether and to what extent some professional staff are undertaking administrative tasks that could be better done by support staff. The Council needs to make sure that all the tasks that *can* be undertaken efficiently by administrative staff *are* undertaken by them.

**CONCLUSION C** There was a widespread recognition that too great a proportion of social work and family support time was spent on paperwork, squeezing the time for direct work with families and looked after children – possibly to the extent that outcomes are affected.

**RECOMMENDATION 2** A twin approach is needed to minimise the time spent by social workers and family support workers on administration: making sure all the tasks that *can* be undertaken efficiently by administrative staff *are* undertaken by them; using computer software to link form filling and report writing to replicate information for Section 47 enquiries, care proceedings, looked after children reviews and adoption processes.

19. The Commission members are aware that in squaring a budgetary circle a area that can yield savings without an immediate impact is staff training. But like paring back on building maintenance it has consequences in future. We would recommend the Council Cabinet Member to protect social care training budget in the forthcoming nad subsequent budget rounds.
20. In both fieldwork and residential child care the combination of staffing levels and workloads seem to be a barrier to staff participation in training. This message came from residential staff: ‘Budgets don’t allow sufficient staff to be released to attend training courses’. There also needs to be sufficient staffing

capacity to allow team members to be released to take up appropriate training opportunities. For field work, calculations of caseload per social worker need to factor in attendance at training courses several times per year. For residential work, the calculation of staffing requirements needs to factor in double working on several occasions ie cover in the home to release the usual shift worker to attend a course.

**RECOMMENDATION 3 Generally training budgets need to be protected in order to promote the professional development of staff; there needs to be sufficient staffing capacity to allow team members to be released to take up appropriate training opportunities.**

21. A further means of tackling qualified social work vacancies is to increase local supply. Newly qualified social workers are often relatively young and mobile. Those virtues have been successfully used to attract DipSW graduates to Derby to reduce our previous vacancy level. The opposite side of the coin is that until settled in an adoptive town, it is very easy to move again if workloads and conditions appear rosier elsewhere.
22. The Commission believe that family support and community care workers can be a particular of source of 'home grown' potential qualified social workers. Workers with several years of experience know that they like social care, tend to be older in years and more likely to have established roots here. Our Council investing in good, keen family support to gain the DipSw is likely to bring the long term dividend of many post-qualifying years employment on our payroll. Therefore the budgets that allow the 'home growing' of qualified social workers, through the training of family support, community care and residential care workers need, at minimum, protection – and ideally expansion.

**CONCLUSION D Supporting the achievement of a DipSW by experienced family support workers etc is a good investment, as age and circumstance mean they tend to be settled locally and know they like the profession: they are likely to stay in social work and stay on the City Council pay roll.**

**RECOMMENDATION 4 The budgets that allows the 'home growing' of qualified social workers, through the training of family support, community care and residential care workers need protecting – and ideally expanding.**

23. We now move from an aspect where our Council has some measure of leverage locally to an issue where only national policy can have any influence.
24. That issue is the attitude of the courts to the status of social workers. It is worth relaying what the independent reviewing officers told us. They said that the courts need to see social workers as experts in their own right, which they don't do currently.



25. The IROs had said that parties to court proceedings will often want assessments from various professionals which is time consuming. To paraphrase, they had said : 'If a survey was undertaken at the start of proceedings as to what s/wkrs believed should be the outcome, that would be seen to be same as the decision made in 90 – 95% of occasions after all the extra professional opinions had been contributed ... all that has been added by this is delay for the child'. They added that the social worker will have spent far more time with the families than the experts.
26. This strongly suggests there is a national need to raise the status of social workers in court proceedings, to have them accepted as professional experts, *and* to achieve a concomitant reduction in the use of other experts. The Council should initiate a campaign by expressing these views in writing to the Secretary of State and Lord Chancellor, with copies provided to other councils' lead members and directors for children and young people - and to the professional journals.

**CONCLUSION E As 90 to 95% of family proceedings court outcomes are what the case social worker proposed, that suggests that the engagement of experts often adds delay rather than value.**

**RECOMMENDATION 5 There is a national need to raise the status of social workers in court proceedings, to have them accepted as professional experts, and achieve a concomitant reduction in the use of other experts. To initiate a campaign the Council should express these views in writing to the Secretary of State and Lord Chancellor, copied to lead members and directors for children and young people and the professional journals.**

27. One particular frustration recounted to us was frequent down time experienced by staff waiting at the Youth Court. All the cases in the morning are listed as 10 am; all those listed for the afternoon are listed as 2 pm. Further, some of those listed for the morning don't get heard before the lunch adjournment so require attendance in the afternoon as well. To reduce waiting time it would be helpful if indicative earliest times were given eg 10, 10:30, 11 am. Yet in the age of e-government and instant communication, it should be possible to go further, indicative times could be backed by SMS alerts on the morning. We ask the Chief Executive to pursue this.

**RECOMMENDATION 6 The Chief Executive, as chair of the Community Safety Partnership, should engage with the Court Service with a view to reducing waiting times at the Youth Court; this might be achieved through indicative hearing times being given in advance and SMS alerts on the day.**

28. For children unable to live with their parents, contact with wider family members can have special meaning. Commission members sensed that two obstacles may be in the way of that happening for some LAC. One issue – admittedly based on anecdotal evidence – is the social worker confusing a 'no' answer to the question 'can you provide a home for the child?' with the

relation's inclination to have contact with the child. There can be all sorts of reasons why housing a child isn't practical or suitable but day visits, outings and maybe the occasional sleepover might be workable and wanted. LAC should be asked periodically if there are family members with whom they wish to have, or resume, contact.

29. The second issue is the practical difficulties of distance, chauffeuring and funding. It's easier to arrange a visit to Tutbury than Tobermory. Yet if it's not practical for the social worker, residential care worker or foster carer to ferry a child to grandparents other transport options should be explored. CRB-cleared volunteer drivers might be used for longer journeys. The Council should be willing to pay the volunteer mileage rate and, if it makes sense, pay for overnight accommodation. It might be cheaper to fund child and escort to go by internal flight.

**RECOMMENDATION 7 i) Looked after children should be asked periodically whether there are wider family members – aunts, uncles, cousins etc - with whom they might wish to have contact; ii) a lack of time to provide transport by social worker, residential worker and foster carer should not be an obstacle to such contact – CRB-cleared volunteer drivers should be used and, when needed, the costs of overnight accommodation re-imbursed.**

30. Looked after children themselves suggested having a [non-staff] adult to take an interest in them and if requested, maybe provide advice. Such an adult befriending this might be along the lines of an adoptive auntie or uncle or the American "big brother, big sister" concept. This idea needs thinking through with representatives of the LAC.

**RECOMMENDATION 8 The Council should explore with representatives of looked after children the desirability of an adult befriending scheme; this might be along the lines of an adoptive auntie or uncle or the American "big brother, big sister" concept.**

31. During the evidence-gathering week there were several references to the thresholds that Derby applies to child protection registrations. No one said that the thresholds were wrongly set, merely that there was professional debate because the numbers are high relative to comparative authorities. It was suggested that we might wish to recommend inter-authority benchmarking be conducted to double check our practice. That could be a useful exercise. It might be achieved by bringing together one experienced social worker from comparator authorities, putting a number of scenarios to each to independently read through and say what the child protection conference outcome would be in their authority. This could be followed by a pooling of answers and then group discussion about the approach. For robustness some checking would be needed whether terminology means the same and also the locally available range of services to support families.
32. What was noticeable from the data provided was the wide range of difference between councils as to the proportion of case conferences that resulted in

registration. The benchmarking exercise would also allow differing practices to be explored eg whether the triggers for Section 47 investigations are noticeably different.

**RECOMMENDATION 9 Although there was no evidence that Derby's Child Protection Register thresholds were misplaced, the comparatively high number of registrations means there would be merit in an inter-authority bench marking exercise.**

33. The number of children's social workers surfaced as an issue when caseload pressures were being discussed with the social work managers. The ratio of children and families social care staff to children in Derby is 35 per 10,000 children whereas in Nottingham it is 48 per 10,000 children. It needs to be made clear that is broader than field social workers and includes council-employed family support, community care, residential care workers plus social workers in the fostering and adoption teams. It excludes voluntary sector employees in the child care field. Clearly the figures need to be treated with some caution. Yet it needs further exploration, because if the difference in ratio holds true for children and families social workers it could offer at least a part explanation as to why our social workers are needing to work in the evening and at the weekend.

**RECOMMENDATION 10 The reported difference in the ratio of children and families social care staff between Derby (35 per 10,000 children) and Nottingham (48 per 10,000 children) needs examination. The Commission wishes to have this question answered: is the difference a reason for our social workers needing to work in the evening and at the weekend?**

34. As the introduction to this chapter explained Independent Reviewing Officers, like social workers, sees the whole picture of placement, health, and education services for LAC. The IROs are also Council employees but as their title suggests, have a degree of independence to ensure that good decisions are made about LAC. Derby City Council has chosen to have IROs since the attainment of unitary status in 1997; however it has only been a requirement since 2004.
35. The IROs themselves mentioned that central government is concerned that there has not been a single occasion where the power of an IRO to refer serious concerns to CAFCASS has been invoked. The inference is that IROs' independence *may* be too compromised by being on the payroll of the authority making the decisions. An alternative perspective may be that 'bad' decisions get changed because a Council does not want the potential embarrassment of CAFCASS involvement.
36. It was explained that the Derby City Council protocol enables an IRO with concerns about a case to put those progressively through the management chain, ultimately to the Chief Executive – with, of course, the option of referral to CAFCASS if still dissatisfied. So during the interview we were gaining the valuable IRO perspective about how well social workers and the public

services serve LAC whilst also allowing us to reflect on how robust the IRO role is in Derby.

37. We therefore want to place on record the conclusion we arrived at: Derby's Independent Reviewing Officers *do* fight the corner of looked after children, and this includes the due weighing of the child's preference when decisions are being taken about which school to attend. The IROs' views on various issues also helped inform a number of conclusions and recommendations in this report.

**CONCLUSION F The Independent Reviewing Officers do fight the corner of looked after children, including the due weighing of the child's preference when decisions are being taken about which school to attend.**

38. The Commission were concerned about funds earmarked for Family Support being used to support the costs of IFA places. The 2006-07 budget had seen a reduction in the funding of Family Support. The commentary report to the 16 January 2006 meeting of the former Social Care and Health Commission said:

The key issues affecting the 2006/07 budget in the children and family services include:

- *provisions for increased costs of externally purchased placements* in addition to £300k for shortfall in current number of looked after children in foster care
- £758k for new pressures such as from ongoing costs of CLA, in-house fostering allowances whilst making budget savings of £713k through managing vacancies, efficiency savings and *deletion of 6 fte community care worker and family support worker posts*

39. This package was an understandable result of the Member-endorsed search for savings to a) *specifically* help offset the higher expenditure on greater numbers of looked after children and b) *generally* help set a balanced budget for the Council overall. However, the Sub-Commission consider that reductions in the capacity of community care and family support services may result in an increase the numbers of looked after children and therefore compound rather than help cure the budget problems.
40. The problem for the Council is that, compared to children who live with parents or other relatives, almost all looked after children are expensive to support and, unless a successful return home is achieved within 6 weeks, those aged over 5 are likely to need that financial support until 18. In house foster care is usually the least expensive of the care options, but for a 14 year old those costs will probably be borne for 4 years, or for an 10 year old it would be for 8 years. Almost any alternative to in house foster care would be more expensive.
41. A compounding problem is that the Council's pool of foster carers is finite. This means that marginal increases in the total of looked after children are extremely expensive as the knock on effect is greater use of the considerably

more costly independent fostering agencies. As a financial comparison, the costs of increases in the total of looked after children this might be seen as akin to the gearing effect on the council tax of marginal local authority expenditure above government endorsed thresholds.

42. The Corporate Parenting Sub-Commission receives a regular report from the Corporate Director for Children and Young People which provides statistical information on Children Looked After. As well as the overall total, the data shows the numbers placed in different settings.
43. A safe reduction in the number of looked after children has long been a Council policy goal. Yet as with many other authorities the numbers looked after have tended to rise. On 1 August 2006 the total number of Derby's looked after children was 390, an increase of 20 compared to the snap shot on 22 July 2005 when the total was 370. In defying expectations it also breached the budgets constructed around those expectations. For example Annex E to the draft **2005/06** revenue budget included:

This is ... a planned profile for the use of externally purchased services at the beginning and end of the financial year as follows

#### **Placements**

	<b>Start of year position</b>	<b>End of year position</b>
Independent Fostering		
Agencies	40	34
Disabled	9	10
Agency Residential	7	7

44. That reduction was not achieved in 2005/06 and for 2006/07 the IFA budget was raised to fund 40 places. However, the Commission was informed, on 24 July this year that for 2006/07 'an overspend of £372k is expected for the total LAC budget mainly due to IFA use – 49 placements against a budget for 40'.
45. The key purpose of Family Support is that, if successful, it improves parenting skills and so prevents the need for a child to become looked after. Because of grading family support workers are significantly less expensive to employ than social workers. The value-for-money of family support/community care workers has increased as they have taken on more responsibilities – to make a comparison, it is similar to how the NHS has given tasks to nurses that previously were the preserve of doctors.
46. Family Support is not a panacea. It may be provided intensely and over time but not succeed in raising the parents to the threshold of being good enough. In this case the child will become (or remain) looked after. It is also possible that without Family Support interventions that some parents will improve through their own efforts and/or with informal help from close relatives.
47. That conceded it is the case that Family Support frequently does makes the difference between a child being able to be raised by their parents or becoming (or remaining) looked after. A reduction in staffing capacity means

either less time being spent with families or fewer families being helped. Because the costs of looking after a child for the Council are so great, it only requires a small change to the LAC totals to trigger significant overspends.

48. Based on the information supplied, the average costs are as follows:

- Family Support Worker (excluding travel costs) = £27k. Add £2k for travel costs.
- Social Worker (excluding travel costs) = £32k. Add £2k for travel costs.
- In-house foster placement = £15k (£3.6m/240 placements)

IFA = £43k (£2.1m/49 placements)

49. It can be seen from those figures that the shortage of in house foster carers means that the placement of just 4 extra children in expensive IFAs equals the savings generated by reducing the relatively inexpensive family support service by 6 whole time equivalent staff.

50. A further role of the same staff is to prepare reports for Children Act court proceedings regarding the skills of parents and where appropriate their capacity to improve. Shortage of community care/family support workers causes a back log. It is open to the courts to overcome that by commissioning independent reports but then recharging the cost of these to the Council.

51. Taking these factors together, the Commission consider adequate funding of family support to be case of 'invest-to-save'. These sentiments have already been directly reported to Council Cabinet, in a report from the Sub-Commission, in order to influence the development of the 2007/08 revenue budget. Under Section Four there is a similar issue in respect of staffing of the Adoption Team.

**RECOMMENDATION 11 Council Cabinet should protect Family Support staffing levels when considering future revenue budgets.**

'I want to stand out for being good not for being in care'.

# PLACEMENT OF LOOKED AFTER CHILDREN

The following sections deal in turn with the placement of looked after children. Section Two looks at after foster care, Section Three considers residential care and Section Four looks at adoption – a route out of the looked after system. A quarterly report to the Corporate Parenting Sub-Commission provides regularly updated snapshots of all placement types.

‘Derby does very well on placement stability’. ‘Derby has good performance re adoptions of LAC’. ‘Generally there are good links between education, social workers and foster carers’. ‘Keeping children at their existing school is difficult as there are insufficient in-house foster carers’. ‘Some IFAs are excellent – at the other end of the scale some are mediocre’

## SECTION TWO – FOSTER CARE

‘Nationally, every 100 enquiries about becoming a foster carer produces about 10 actual foster carers’. ‘37 new carers were approved by Derby last year, a net gain of 3’. ‘Derby has earned a good reputation for supporting foster carers’. ‘The issue of allowances can’t be ignored – it’s a competitive market’. ‘LAC did not like the idea that someone fostered with the prime motive of maximising money’. ‘LAC developed the fostering roller coaster DVD as an aid to the recruitment of new carers’. LAC ‘suggested local authorities could collaborate to fund tv advertising’. ‘Lengthy school exclusions put a lot of pressure on foster placements’. ‘If a BME child is to be placed with FCs of different ethnic/cultural background, the IRO will check how FCs, workers, school etc will meet the child’s needs’. ‘We need to recruit more BME foster carers through targeted marketing’

### BACKGROUND:

52. Nationally over the past quarter century the proportion of looked after children in foster care has risen to about two thirds. This has been a conjunction of two influences:
- For most of the children unable to live with their own parents, being placed in another family home is better than being raised in institutional care. In some places this became a policy principle, for example, Warwickshire closed all its own children’s homes in the late 1980s – though found it had to re-open some
  - The cost difference between running and staffing a children’s home compared to paying fostering allowances. However insufficient numbers of local authority foster carers for the numbers needing

placements led to the new 1990s phenomenon of independent fostering agencies

53. While the social worker has case responsibility for the looked after young person, it is the foster carers who spend hours every day in their company and do what a committed parent would: encourage, guide, answer questions, solve problems, set boundaries and impose sanctions when needed.
54. Foster carers are not employees but instead receive allowances; they can only be approved by one individual council or IFA at any given time but are not limited to the council area they live in and may be approved by more than one council. About one third of Derby's foster carers live outside the city boundary.
55. Thursday 27 July was devoted to evidence-gathering regarding fostering and adoption and was undertaken at the new Perth Street Centre. Regarding fostering, the day was broken into components, starting with Katie Harris, the Head of Service, followed by an informal lunch with a number of our foster carers - accompanied by looked after children, ranging from babies to adolescents. Afterwards, time was spent with the Fostering Team service managers.
56. The overarching theme was: does Derby have a sufficient pool of well motivated foster carers to enable good matching with the children needing placements? Do they help those they care for to have high achievements and, for the future, high expectations and life chances?
57. Additionally, we had the perspectives of other professionals seen that week, rounded off with views of looked after children.

## **WHAT THE EVIDENCE TOLD US ABOUT FOSTER CARE**

58. It was apparent that at a time in the past fostering allowances had been allowed to lose value. It may be that, as with local authorities' building maintenance or staff training budgets, fostering budgets may have been squeezed to meet other budget pressures. Similarly the consequences become apparent later. Some foster carers may have given up while some certainly went to the developing independent fostering agencies. An insufficient pool of in-house foster carers meant Derby started to make occasional and then more and more frequent use of the IFAs. As IFA fees averaged three times the allowances paid to in-house carers that meant the intended gain from budgetary control was reversed by events.
59. In recent years much work and investment has been put into building up the in-house fostering service. Each foster carer now has their own social worker, separate to that of the child's. It was clear that the fostering social workers will bat for the carer's interests when these do not align with proposed placement decisions for a child.



60. The opening of the Perth Street Centre in May as a base for staff but also a resource for foster carers themselves is a visual sign of the investment in the service. Generally, the package of support given to foster carers has been developed to a level where it is good as anything IFAs can offer – and may well be better.
61. All the managers and staff involved in the recent development of the fostering service are to be commended for achieving a first class standard for the benefit of the carers and the children they look after.
62. Part of those positive developments has been the considerable improvements made to the fees payable to the foster carers, 30-35% in last 2 to 3 years. That – together with the support now offered – has now halted the year on year net loss in total numbers. However, the fee increases still put Derby 12% below the rates recommended by the Fostering Network. The messages given to the Commission were clear: we need to complete the move to the Fostering Network recommended rate.
63. No witness actually voiced what the consequences of not taking that step, but we will. The risk would be that good, potential foster carers choose to be recruited by another council or by an IFA that pays higher allowances. Further, that some of our existing foster carers might do the same. The effect could be to return to annual net losses and reverse the gains derived from the hard work of recent years.
64. It was explained that whereas fostering was often seen as akin to a vocation which people would be in for decades, nowadays it is a task that individuals and couples want to do for a period at a stage in their lives. That means the natural turnover is greater so there has to be continuous recruitment to just maintain the current total of carers. The aim, of course, is to increase the number of in-house carers. The single largest contribution that could be made to budgetary control would be to achieve a net increase of about 50 in the pool of in-house foster carers so that future placements are not – with rare exceptions - made with IFAs.
65. Paying allowances at the Network's recommended rates *together* with the quality support offered would make for a very appealing, marketable and durable fostering agency.

**CONCLUSION G All the managers and staff involved in the recent development of the fostering service are to be commended for achieving a first class standard for the benefit of the carers and the children they look after.**

**CONCLUSION H The single largest contribution that could be made to budgetary control would be to achieve a net increase of about 55 in the pool of in-house foster carers, so that future placements are not normally made with IFAs.**

**RECOMMENDATION 12 The Council must complete the move to Fostering Network-recommended allowance levels.**

66. Some modest suggestions were made to further encourage people to undertake fostering for Derby City Council while also joining forces with other councils to market local authority fostering in the region.
67. One suggestion, that we are pleased to recommend, is that foster carers in the employment of the City Council should have the right to take up to 3 working days per year to attend reviews and other meetings about the child(ren) in their care; currently they have to take annual leave or credit on the flexible working hours scheme. Going beyond that, through the Derby City Partnership other employers should be encouraged to do the same.

**RECOMMENDATION 13 Foster carers in the employment of the City Council should as of contractual right have up to 3 working days per year to attend reviews and other meetings about the child(ren) in their care; through the Derby City Partnership other employers should be encouraged to do the same.**

68. Various witnesses comments helped paint an overall picture as to why looked after children's needs tend to be more expensive than other children's. As a generalisation, LAC can be destructive with clothing, need a lot of activities to keep them occupied - because few are academic - and more likely to damage furniture. They also need a lot of ferrying about, to access those various activities, to keep in touch with siblings and friends and because, unlike other children, they are subject to reviews and medicals. So to make the task of in-house foster carers a little easier, the Council should consider giving non-cash incentives to its foster carers, for example, free parking or bus pass, free entry to leisure centres.

**RECOMMENDATION 14 To make the fostering task easier, the Council should consider giving non-cash incentives to its foster carers, for example, free parking or bus pass, free entry to leisure centres.**

69. Derby's fostering service has a marketing officer and that role has clearly contributed to its recent successful development. Yet resources for advertising and information to recruit new foster carers restrict the area and methods of marketing. With about a third of our carers living outside the council boundary we need to market in the city's hinterland but to do so acting alone would limit the scale and impact. It is also likely to be 'competing' with the council's serving our hinterland.
70. We recommend there should be closer collaboration between councils over the recruitment of foster carers in the region, including co-ordinated, jointly funded marketing campaigns. That could allow advertising on regional television, perhaps all over advertising on a local train set - as happens with the Derwent Valley World Heritage site. In a phrase it makes Trent Barton affordable instead of just Arriva Derby.

71. Readers may think this approach carries the risk that a potential adopter may be recruited by Nottingham City or County or Derbyshire. Ms Harris made clear that potential foster carers do already compare authorities. They decide which agency to apply to on the basis of the fees and the range - and reliability – of the support provided. Part of the reason it is known that the support is good in Derby is because recruits have told the fostering social workers it is why they chose Derby. Therefore, the combination of the existing, quality support with the promise of Fostering Network rates, as we recommend, should make us confident that pooled marketing would be to our net benefit.
72. Paying allowances at the Network's recommended rates *together* with the offered would make for a very appealing, marketable and durable fostering agency.

**RECOMMENDATION 15 There should be closer collaboration between councils over the recruitment of foster carers in the region, including co-ordinated, jointly funded marketing campaigns.**

73. Mention was made that some children who have ceased to be looked after on attaining the age of 18 continue to reside at the foster carers address. Some will be students who return during the vacations, others will be in training or employment; a small number may be taking 'A' Levels a year late if they missed out on schooling due to past life events. But how many stay for different reasons and for how long is not known. It may be that some stay till their early or mid twenties until getting their own place. If so, it shows strong bonds between foster carer and the young adult have formed that continue long after the role of the Council has ceased. We think it would be worthwhile tracking this over time. To do so, there should be a record kept of the number of 18+ year olds who continue to reside at the foster carer's address.

**RECOMMENDATION 16 There should be a record kept of the number of 18+ year olds who continue to reside at the foster carer's address.**

74. Ms Harris informed us whereas 16% of LAC are from black or minority ethnic backgrounds, only 9% of the foster carers are. However the issue is more complex as 80% of children are from dual heritage backgrounds. Therefore, even where a BME child is well matched with BME foster carers, in most cases there will be some aspects of their heritage needs that the placement does not in itself meet. How the needs of dual heritage children are met was explored with Ms Harris. This also applies to single heritage BME children if placed with white families. Foster carers can be supported to learn about the appropriate history, clothing, music and foods that are associated with the child's background. So, foster family meals can include the dishes that birth parents would have served. The child might attend a particular style of dance class connected to their heritage. We were impressed by this pragmatic approach.
75. The need for focussed attention on the recruitment of foster carers from the minority communities was recognised. It is clear though that the 'right' dual

heritage foster care couple will often not be available for a particular child. His or her needs are likely to be part met by the placement itself and therefore the kind of extra steps described will need to be taken. The Commission recommend that there should be an increase in cultural awareness training so that foster carers are more fully equipped to quickly meet all the aspects of a child's background.

**RECOMMENDATION 17 Because of the high number of mixed heritage looked after children, there should be increased cultural awareness training so that every child can learn about *all* aspects of their background.**

76. On the final afternoon of our evidence-gathering week we watched - with some of the LAC involved in making it - the 'Roller Coaster' DVD designed to market Derby's fostering service. Lasting only a few minutes, this very watchable foster carer recruitment aid should be shown at the beginning of a full Council as the web-cast makes it accessible to a wider audience; it should also be shown at a round of Area Panel meetings.

**RECOMMENDATION 18 The Roller Coaster fostering recruitment DVD should be shown at the beginning of a full Council as the web-cast makes it accessible to a wider audience; it should also be shown at a round of Area Panel meetings.**

'I need help to eat well, sleep well and feel comfortable. Let me feel like I'm at home. Treat me like I'm your own child. Don't always take someone else's side in an argument. Don't think I'm going to do what someone else has done and punish me for it before I've done anything wrong'

## SECTION THREE – RESIDENTIAL CARE

‘Some children are extraordinarily hard to live with and in a children’s home its more manageable as staff work shifts’. ‘The need is to improve the access to education of LAC living in the children’s homes including some education on site’. ‘There is a good layer of experienced senior staff in the job a long time’ ‘There is not a sufficient number of quality recruits who stay [on] to become future managers – work needs doing like was done regarding social workers’. ‘The homes have been brought up to CSCI standards through a lot of hard work’.

### BACKGROUND:

77. Over the past quarter century the proportion of looked after children in foster care has risen to about two thirds while there has been a corresponding reduction in the use of residential care. However, children’s homes continue to have an important role. Some LAC are hard to place with the available pool of foster carers. Foster families with young children would not be a suitable match for older children, children who are themselves abusers or have challenging behaviour. A small number of LAC might not want another nuclear family because of the bad experiences with their own, or because they have had repeated breakdown of previous foster placements and do not wish to be set up to fail.
78. Derby City Council has five residential facilities. Moorfield’s Children’s Centre comprises three units providing 17 places in total. There are four children’s homes providing six beds each. The overall capacity for LAC is therefore 41, however a few places might be held for young adults who are finding their feet in a first tenancy, able to return to the home if it doesn’t work out.
79. While the social worker has case responsibility for the looked after young person, it is residential workers – like foster carers – who spend hours every day in their company and do what an active parent would: encourage, guide, answer questions, solve problems, set boundaries and impose sanctions when needed.

### WHAT THE EVIDENCE TOLD US ABOUT RESIDENTIAL CARE

80. The Commission spent an afternoon with the managers of the children’s homes, when the overarching theme was: Are the young people living in Derby’s children’s homes given the best attainable substitute to family care, enabled to develop as rounded individuals and encouraged to strive for good life chances?
81. The managers described the role of Elmhurst as the initial assessment centre and then the issues about life for residents in the homes. Considerable time was spent discussing difficulties about school attendance and also the health

needs of LAC, particularly for therapeutic services. They are reported in the education and health sections of this report.

82. All the children's homes were constructed during the 1970s and an issue for the future will be the need to replace them. More immediate are the standards of fixtures and fittings and the maintenance arrangements. As mentioned under fostering, LAC are more expensive than other children: destructive with clothing, needing a lot of activities to keep them occupied because few are academic and more likely to damage furniture. The homes are prone to repeated internal vandalism and yet the standard for doors and furniture is only that for an ordinary family property.
83. The standard needs to be upgraded so as to be fit for purpose. It is equally important not to swap to an obviously institutional look. With the Council's buying power it should be possible to purchase, at an affordable price, the kind of doors and furniture used in hotels - of robust quality able to withstand the wear-and-tear of energetic teenagers.
84. It was apparent to the Commission that the home managers are disempowered when it comes to the maintenance of the buildings they have charge of. In a phrase they do not own the process of getting their own repairs done. Instead the Environmental Services Department have the responsibility. This seemed to be a 'given' of life, rather than an arrangement chosen because it was necessarily the best available.
85. Clearly there are issues to be addressed. While it would not be right for *us* to offer 'answers' it does need focussed *Member* attention to solve the problems identified. We request the Council Cabinet Members for Children and Young People and for the Environment to jointly consider the specification for fixtures and fittings and repair standards in the six children's homes and report back to the Commission on the outcome.

**CONCLUSION I** The current standard of doors, furniture etc in the children's homes does not appear fit for purpose. The need is to marry up the 'feel' of an non-institutional, homely environment with a robust quality able to withstand the wear-and-tear of energetic teenagers.

**RECOMMENDATION 19** The Council Cabinet Members for Children and Young People and for the Environment be requested to jointly consider the specification for fixtures and fittings and repair standards in the five children's homes and report back to the Commission the outcome.

86. The managers mentioned that a day to day irritation was that the computers in the homes are still on dial up and that both the staff and the LAC often get 'thrown out' of the system. To solve this each of the children's homes should have broadband access for staff and residents.

**RECOMMENDATION 20** Each children's home should have broadband access for staff and residents.

87. The term 'corporate parent' to describe the role of upper tier councillors in relation to their council's LAC was coined in 1998. But the member role goes back to the 1930's. Traditionally, councillors on the children's committee or, after 1972, the social services committee would make visits – in small groups or individually – to each of their children's homes. Derby City Council regained the local children's homes when unitary status was achieved in 1997. As a Commission, we support our Chair's concern that insufficient councillors have recently been willing to take on the visiting role. We therefore strongly encourage all members of the Council to be active Corporate Parents by being CRB-checked and undertaking visits to the Council's children's homes.

**RECOMMENDATION 21 All members of the Council should be strongly encouraged to be active Corporate Parents by being CRB-checked and undertaking visits to the Council's children's homes.**

[**SEE ALSO:** recommendation 3, the issue of staff shortage as an impediment to attendance at training courses was specifically raised in relation to the children's homes staff and recommendations 30 to 32, which relate to the education of children resident in the homes]

## SECTION FOUR – ADOPTION

'The amount of activity is entirely dependent on staffing'. 'Adoption is the permanence plan for children up to 10, but 8 and 9 years often are not placed'  
'DCC will inherit duties for Derby residents who have adopted from other local authorities - but we don't who they are till they announce themselves'  
'Children's difficulties don't go away just because they have been adopted'

### BACKGROUND:

88. Adoption is an institution virtually as old as marriage. For centuries it would mainly have been linked to children being orphaned. 'Unwanted' pregnancies plus the traditional societal frowning on 'single mothers' also meant there was a need for adoptive parents. In the last hundred years modern medicine has made the loss of (both) parents rare and attitudes to lone parents have moved on, both reducing the numbers of children needing a substitute family. However, increasingly during the 20<sup>th</sup> century the British state has set boundaries about 'good enough' parenting and when seriously deficient, protection of the child leads to their removal from the family home. This might be temporary, if parenting skills improve to allow the child's safe return, or permanent.
89. Adoption can be the best option when planning for permanency because it means the child ceases to be looked after, usually, obviates the need for the Council to be involved in their upbringing. But that does mean very intensive vetting of adults applying to adopt and good matching of child to prospective adopters – as a failed adoption would mean the young person has 'lost' two mums/dads.
90. The law governing adoption for quarter of a century was the Adoption Act 1976 until replaced by the Adoption and Children Act 2002 which aligned adoption with the 1989 Children Act – the central tenet of which is that the welfare of the child is the paramount consideration. The 2002 Act introduced post-adoption responsibilities local authorities and these were fully explored during the review.
91. The Council's adoption team's purpose is providing a service for the children though, of course, in doing so it provides the service of assessing, approving and preparing adults who apply to adopt. Throughout the United Kingdom the simple facts are:
- far fewer babies needing adopters than the number of – sometimes desperate – childless applicants
  - far fewer adopters than are needed for children who are older, from ethnic minorities or have disabilities or special needs.
92. Thursday 27 July was devoted to evidence-gathering regarding fostering and adoption and took place at the recently opened Perth Street Centre. As regards adoption, the day was broken into components, starting with Katie Harris, the Head of Service, followed in turn by time spent with the service manager of the Adoption Team and, in turn, of the Post Adoption Team.



The overarching theme was: is Derby do its very best to find suitable adopters for children of all ages and backgrounds who wish to adopted? What's done to ensure the lasting success of matches?

## **WHAT THE EVIDENCE TOLD US ABOUT ADOPTION**

93. Ms Harris described to us the changing policy of the City Council toward adoption. 'Buying in' approved adopters from other agencies had recently been replaced by a rejuvenation of the in-house adoption agency. With 6.5 dedicated social workers in the team, there had been a step change in the number of Derby's looked after children placed for adoption.
94. The Commission was very impressed by the decision making processes in the Adoption team. It was apparent that every step is taken to obtain the right decision for each child and to be fair and transparent to each adult applicant to adopt.

**CONCLUSION J The Commission was very impressed by the decision making processes in the Adoption team: every step is taken to obtain the right decision.**

95. The lunchtime had allowed the Commission to meet foster carers and some of the children they look after. Later in the afternoon Ms Harris suggested that it could be beneficial for Members to occasionally meet adopters and prospective adopters. We have decided that we wish to take up that offer.

**CONCLUSION K The Commission would wish to take up the suggestion of the Head of Service that its members periodically meet up with adopters.**

96. The simple fact is that there are far fewer babies needing adopters than the number of – sometimes desperate – childless applicants. Conversely there are far fewer adopters than are needed for children who are older, from ethnic minorities or have disabilities or special needs. Children over five years are hard to place, and over ten have very little chance.
97. Earlier in the report we recommended there should be closer collaboration between councils over the recruitment of foster carers in the region, and that pooling marketing budgets might allow advertising on regional bus services and through the media. There already exists a regional consortium of local authority adoption agencies. The Commission believes consideration should also be given to the recruitment of potential adopters for older and other hard-to-place children on a regional basis; locations could include East Midlands Airport, Trent Barton buses and Midland Mainline.

**RECOMMENDATION 22 Recruitment of potential adopters for older and other hard-to-place children should be considered on a regional basis via the existing consortium of authorities; locations could include East Midlands Airport, Trent Barton buses and Midland Mainline.**

98. Ms Harris clarified the amount of activity in the adoption team is entirely dependent on staffing. With two of the 6.5 social workers on maternity leave was a 'given' that the activity would reduce: meaning fewer children placed for adoption and fewer applicants approved as adopters. In the case of the adoption team approval was given to backfill the 2 social work posts during the maternity leave. That was recognition that the Council's best interest lay in spending now to save later; the future saving being the avoidance of years of fostering allowances payable in respect of any child that remained looked after. We were informed later that neither position could be filled, perhaps because of the short term nature of the posts. Ms Harris updated us, saying that she has received "magnificent support" from Keith Woodthorpe and senior managers. Agreement had been given to any action that looked like a solution".
99. Actions including increasing the hours of a part time worker, buying in sessional workers time to assist with adoption assessments, and advertising to a permanent, supernummary post. Very short term appointments and agency staff are not answers given the duration of adoption processes and standards required. Successful recruitment will see a new employee commence in new year, reducing the shortfall to one social worker

**CONCLUSION L Senior managers had been willing to approve all the options proposed that could reduce the impact of being two staff members short in the Adoption Team.**

## SECTION FIVE – THE HEALTH OF LOOKED AFTER CHILDREN

‘Children who become looked after are not, as a generalisation, as healthy as the general population of children’. ‘PCTs have embraced the guidance on the health of LAC ... LAC are seen as vulnerable children with additional needs’. ‘The Educational Psychologists now routinely ask schools whether any of their LAC should be seen’. ‘CAMHS would be high up on a list of issues requiring addressing’ ‘Some IFAs have own psychological support which is on tap for their foster carers’

### BACKGROUND:

100. For many of us who have the viewpoint that our National Health Service is universal, free at the point of use and medical services accessible through a GP appointment it is not always obvious why looked after children have not always been well served.
101. The DoH’s consultation document “Providing Health for Looked After Children” explains that ‘Most parents carry in their head important information about their child’s health history and can draw on this when needed. In parallel the child’s GP and other health professionals have records, so information is built up over time and should be readily available. When a child becomes Looked After changes in carer, GP, dentist and other health professionals often meant that this detailed knowledge became difficult to access, got overlooked, or was lost’.
102. It further explains that ‘On top of these basics, there may be other substantial needs. LAC may have a history of being misunderstood, rejected and poorly served by the communities in which they live and the statutory agencies. They have often experienced family break-up, bereavement or abuse. Consequently conduct and anxiety disorders, depression and attentional disorders are particularly common amongst this group of children and young people’.
103. Around the time Quality Protects was launched in 1998 some social workers tended to the view the NHS were only interested in looking after someone who is ‘sick’ rather than taking a more holistic approach to promoting the health of LAC. [1999 MORI research]
104. In contrast to this national picture, the Assistant Director explained that right from the beginning of unitary status in 1997, the experience in Derby has been a very positive history of working with health service professionals.
105. The Commission interviewed Pam Hallam and Lorraine Hopwell from the PCT. The overarching theme was: How well is the NHS geared up to meet the needs of Looked After Children? How have things changed since the launch

of Quality Protects (August 1998) and what desirable improvements remain to be implemented? Health-related aspects arose in other six other interviews.

## **WHAT THE EVIDENCE TOLD US ABOUT THE HEALTH OF LOOKED AFTER CHILDREN**

106. Pam Hallam and Lorraine Hopwell provided a lot of valuable information about how the PCT is now organised to meet the needs of LAC. Generally PCTs were felt to 'have embraced the guidance on the health of looked after children' produced by the Department of Health. The opening paragraphs to this section explained how LAC had often been disadvantaged. Hopefully that is history, as locally the PCT data base means that the location of each child's health records is known. GPs records are also trackable. It still requires the social worker to notify the PCT when a child moves placement.
107. As a generalisation, at the point children become looked after they are not as healthy as the general population of children. Their health can improve dramatically after becoming looked after, because the neglect has ceased and action is taken to promote bodily maintenance. LAC may immediately or at a stage in the future need mental health services.
108. The views of the social work managers, children's home managers, the fostering, adoption and leaving care teams, guardians ad litem *and* independent reviewing officers overlapped considerably. One phrase sums up a shared perspective: 'Generally, LAC get access to the services they need in a timely manner – the exception is CAMHS'. That acronym stands for Children and Adolescent Mental Health Service.
109. All the witnesses liked what CAMHS does; the issue is how long children have to wait to receive the service which was seen as small compared to the need. The Guardians Ad Litem said that therapeutic services are very sparse and the wait is a long time in the context of a child's life. Indeed one of the advantages of an IFA placement, cited by another participant, was that it can give direct access to therapeutic services as part of the package. Another example of the frustration was the comment that LAC get a better service from the clinical psychologists at the hospital than from CAMHS. It is important to note that Derby's problem is far from unique and that lack of capacity in CAMHS is a national issue. That said, it is an issue that falls within the commissioning responsibility of the local PCT to address. We recommend that the new Derby Primary Care Trust be asked to take steps to augment the service.

**RECOMMENDATION 23 As there was a consensus among witnesses that CAMHS' capacity was inadequate for the number needing its services, the new Derby Primary Care Trust should be asked to augment the service.**

110. One varying practice is how a local CAMHS views LAC. It had been explained that in Derby 'CAMHS clinicians say they meet *need*, rather than prioritising

LAC as a *category* '. The social work managers felt that LAC should be given priority. We recommend that there should be a change of practice by the local CAMHS, so as to give a priority to looked after children for assessment, though not a priority for treatment which should continue to be based on need. That would accord with the practice in some other areas, as explained by the IROs. It would help address the IROs concerns that 'damaged LAC need earlier services and earlier assessments to identify the issues'.

**RECOMMENDATION 24 There should be a change of practice by CAMHS so as to give a priority to looked after children for assessment, though not for treatment which should continue to be based on need.**

111. As we have already made clear, CAMHS services were highly regarded by the range of professionals we met. Particular praise was given about the CAMHS pilot project based at the Moorfields children's home enhanced care unit, which provides direct work with half a dozen very traumatised children. The funding is however time limited. The wish of the children's homes managers was that the Moorfield pilot becomes permanent and that it should be rolled out to the other homes – we hereby recommend that should happen. As well as direct work with residents it would help realise Rod Jones wish that the skills and knowledge of the care staff should be raised so that the homes can develop more therapeutic styles of care.

**RECOMMENDATION 25 The CAMHS pilot at Moorfield Children's Centre should be made permanent and rolled out to the other four homes.**

112. One other issue where quality was praised but quantity was cited as insufficient was the provision of dedicated nursing services. The PCT have funded a permanent post providing 27 hours per week of nurse time split between the children's homes and those in foster care. There as also been a temporary 10 hours per week split between children's homes and care leavers. With about 290 LAC in total and the majority of them placed with foster carers this was not felt to be sufficient. The PCT representatives were of the view that another full time role was needed.
113. The Commission also learnt that in the county area the capacity is higher because the county council jointly funds distinct school nurse posts for LAC. The potholders have to meet competency standards about the additional needs of LAC.
114. Whilst this report was being drafted we learnt that the 10 hour temporary post in Derby is being replaced by a permanent 30 hours post, which is being recruited to and will be funded by the PCT. This will cover fostered children, the residential homes and care leavers and it is welcome news.

**CONCLUSION M The creation of a permanent 30 hours nursing post to cover looked after children and care leavers is to be welcomed.**

'I need help to recover from what's happened to me in my life but I need to do it when I'm ready not when you are ready'.

## SECTION SIX – THE EDUCATION OF LOOKED AFTER CHILDREN

‘The Gatsby Project has been directly supporting about 65 LAC each year’. ‘The Personal Education Plan process is working and improving” and the aim is to increase quality and the young person’s participation’. ‘All designated teachers in secondary schools get an annual visit’. ‘There is a draft model school policy to be recommended to Derby schools to adopt as part of their inclusion policies’. ‘There is a lot of cross border liaison work to implement the East Midlands protocol to improve education arrangements for LAC who cross local authority boundaries’

‘The exit interviews of LAC who change placements often include the comment: please can we keep our same school even if we have to change placement’. ‘Sometimes the teacher will say: don’t move the child, they are doing well here’. ‘Sometimes if it was only about money, children would not have to change schools’. ‘Children should be part of that decision-making’. ‘When a child is fostered, other school children may well not know the child is a LAC..... but they will if they live in a children’s home’

### BACKGROUND:

115. A Barnado’s report in 2001 said: ‘All children who are looked after or accommodated have the same rights and should have the same opportunities as other children to education, including further education. They should also be offered other opportunities for development, such as leisure and extracurricular activities’. It is difficult to imagine that anyone would disagree with those sentiments, indeed it might be thought it is so self apparent that the words did not need be expressed. Yet only the previous year, 2000, new central government guidance had this to say:
116. ‘The education of young people in public care has been characterised by fragmentation and unacceptable levels of failure\*. The underachievement of children in public care, and the failure of agencies to work together in meeting their needs, was one of the key drivers of the Quality Protects initiative. Nationally the situation as reported in 2000 had shown unacceptable levels of underachievement: 75 per cent of care leavers leaving formal education with no qualifications, and between 12 per cent and 19 per cent going on to further education compared with 68 per cent of the general population’. [\*Written in 2000: Guidance on the Education of Children and Young People in Public Care, 2000]
117. Barnado’s research in 2000 helped to explain why it was that the educational outcomes for LAC had been so poor: ‘When children were placed away from home a bewildering number of people may be involved in their care. But there may have been no one who had an overview of the child’s family and care history, no one who took a special interest in the child and could act as advocate in time of trouble as parents would do. In particular:
  - Education and social services departments often did not work together and communicate about the children in their care

- Social workers and education staff frequently lacked knowledge of each other's structures and specialist language. Teachers may have a limited understanding of the care system and may have misconceptions about why children entered local authority care. The initial training of social workers included little information about schools, their organisation or curriculum
  - Most social workers did not think education was part of their core business (which they saw as finding placements and maintaining family relationships).
- [\*Source: Better Education, better futures. Research, practice and the views of young people in public care – Summary, Barnado's, 2001]

118. Derby's attainment of unitary status in 1997 was on the threshold of major change. In August 1998 Frank Dobson launched the Quality Protects programme. One of its declared key objectives was to raise the educational attainment of LAC and close the gap between them and the general population of children and young people. A key target was to 'Improve the educational attainment of children looked after, by increasing to at least 50% by 2001 the proportion of children leaving care at 16 or later with a GCSE or GNVQ qualification; and to 75% by 2003.'
119. The launch of Quality Protects in 1998 prompted local authorities to respond to the challenge in a variety of ways and substantial but time limited QP funds led to a range of education projects. During this period the Gatsby Trust, using charitable funds, began supporting the education of LAC in Derby. In 2000 the Guidance on the Education of Children and Young People in Public Care was published and introduced Personal Education Plans for each looked after child and a designated teacher in each school. The Children Act 2004 was designed to overcome departmental silos by the creation of Children and Young People Departments. By combining education and children's social services, teachers and social workers are now part of the same organisation.
120. The overarching theme for the dialogue with Ms Inwood was: How well is Derby educating its Looked After Children? How have the life chances of Derby's LAC leaving school changed since the launch of Quality Protects (August 1998) – and how does that compare with other local authorities? What improvements remain to be implemented?

## **WHAT THE EVIDENCE TOLD US ABOUT THE EDUCATION OF LOOKED AFTER CHILDREN**

121. Everyone the Commission met who referred to education had praise for the Gatsby Project team. It is clear that part of its success flows from the inspirational yet pragmatic leadership of Pauline Inwood. A transformation has been effected in the perceptions of social care staff and educational staff about each others' functions. There is communication between – and within - the different services about each looked after child and generally high aspirations for their educational achievement.
122. However LAC can be difficult and it was apparent that there is not a universally high standard for managing the response across all Derby schools. Also, there will always be further opportunities to raise standards

and, as the Foreword to this report mentions, getting it right for young people in public care is about getting it right for all children and so is 'a test of the effectiveness of the general policies and practices of a local authority'.

123. Corporate parenting is not limited to the councillor role but applies to governance at individual school level. The creation of a single Children and Young People Department offers a timely opportunity to deliver updated co-ordinated awareness training for all school governors and in-depth training for designated governors. One benefit might be a better understanding by some governors about the consequences of their exclusion decisions for LAC as well as Children In Need, and those on the CPR. Appropriate training should therefore be included in the training programmes for governors and staff.

**RECOMMENDATION 26 The creation of a single Children and Young People Department offers the opportunity to deliver updated co-ordinated awareness training for all school governors and in-depth training for designated governors. Appropriate training should be included in the training programmes for governors and staff.**

124. The Guidance on the Education of Children and Young People in Public Care (2000) has introduced the concept of a 'designated teacher' at each school to champion the interests of LAC. We checked with Ms Inwood how well the system was working and were informed that there is 'rarely a gap and normally the post is held by a senior staff member'. That is to be welcomed. We think though it is worth testing out whether the LAC know who the staff member is and whether the child would feel comfortable approaching that teacher with a problem. The social work managers had explained that during the last year there has been a push to increase the rate of attendance of LAC at reviews. That offers the opportunity to check directly with the child.

**RECOMMENDATION 27 The involvement of looked after children in reviews should be used to check whether the child knows who the designated teacher is at their school *and* discreetly check whether she or he would feel comfortable approaching that teacher with a problem.**

125. We are delighted that a model 'School Policy for Looked After Children' has been drafted and is to be consulted over. This explains why promoting the education of LAC is so important, the role of the LEA and of each school and sets out the duties and responsibilities of designated teachers. Provided all school governing bodies ratify the policy it can deliver a de facto city-wide protocol about roles and responsibilities.

**RECOMMENDATION 28 As the model, draft 'School Policy for Looked After Children' can achieve a de facto city-wide protocol about roles and responsibilities, including those of designated teachers, it is essential the draft is finalised and that all governing bodies are encouraged to adopt it.**



126. Personal Education Plans, like designated teachers, were a requirement of the 2000 Guidance. Each child should have a PEP, the actions should be implemented and the Plan reviewed. One of major changes that Ms Inwood's deft mix of inspiration and pragmatism has delivered is a large increase in the number of LAC who have an up-to-date Personal Education Plan. The goal has to be 100% but the 'realistic target' for July 2007 is 75%. To monitor this - *whilst* hopefully increasing Ms Inwood's leverage with social workers and educationalists - the regular statistical reports to the Corporate Parenting Sub-Commission should from now on include the percentage of looked after children with an up-to-date Personal Education Plan.

**CONCLUSION N The regular statistical reports to the Corporate Parenting Sub-Commission should include the percentage of looked after children with an up-to-date Personal Education Plan.**

127. Many LAC have low self esteem which has the consequence that they tend not to focus on education. Many may be difficult to manage in a classroom setting and if they routinely display disruptive behaviour, the tension arises between meeting their interests and those of the other pupils. None of the stakeholders we met said that was anything but difficult. Sue Lomas made the comment that 'a lot of schools do a lot to keep rather than to exclude LAC' but added that 'some could do more'. As it is the case that some schools are better than others, we think that the best should be encouraged to show how it can be done to others.
128. The links the Gatsby Project have encouraged between designated teachers will have caused good practice to be shared. In addition the Commission consider that the creation of a single Children and Young People Department should be used to recognise 'Derby Beacon Schools' as a purely local scheme to share the best practice between schools in the education of looked after children, with a focus on the successful management of the difficult issues.

**RECOMMENDATION 29 The creation of a single Children and Young People Department should be used to recognise 'Derby Beacon Schools' as a local scheme to share the best practice between schools in the education of looked after children, with a focus on the successful management of the difficult issues.**

129. The review has raised issues about school attendance of children living in the Council's children's homes. It was, in fact, one of the few aspects where the different participants seemed to have differing views about the extent of non-attendance. In part the perspectives might vary because some of the children have a school place but have a part time timetable. That would mean those children would be likely to present in the home for part of the week during school hours.
130. It was the residential managers who observed that 'Education can be the consistent thing left for a number of newly looked after children but it can quickly go downhill... as they are joining a culture of non-attendance'. Ms

Inwood said that, for all LAC, the number of permanent exclusions hadn't exceeded more than two or three in the past few years; however, fixed term exclusions are more frequent and pose 'a major coping problem for carers' and that applies whether the child is fostered or in a home. Added to that, staffing levels mean it is 'not feasible for a children's home to deliver young people to different schools and provide cover at base for not attending'. Together, this adds up to a problem for the care staff.

131. The homes managers had a concern about children being required to change schools when, for some, that had been the one element of continuity when they became looked after. They had readily acknowledged that for some children a move was right, as long journeys may not be in their best interest. In other cases the feeling was that a move was being required to save money in the assessment and care planning budget which pays for taxis.
132. So the deductions the Commission could make are: a child in a residential placement is likely to be subject to peer influences which discourage school attendance. It may take a strong will for a new resident to resist that. A child who has been a good school attendee at a school in which they are settled may cease to be a good attendee if they are required to start at a new school if they don't agree with the change and are worried about having to make new friends in an unfamiliar place.
133. These are complex issues which require conversations between the different LAC service managers and budget providers, co-ordinated by Mr Flack or his nominee

**CONCLUSION O This review has raised issues about school attendance of children living in the Council's children's homes: these needs to be looked into further by the Director.**

134. With school attendance from the children's homes being significantly lower than that for children in foster placements, it prompts the question: what would it take for school to matter to the residents? The homes' staffs will have reflected on this time and again – as will teachers and social workers. We hope the children home staffs do not interpret the following proposal as implying any failing on their part. It is simply that school attendance needs to be higher so any new approach is worth trying. During our evidence-gathering we met the Leaving and After Care team and had been impressed by the various tactics use to successfully engage with the young adults. Some of those who are coaxed into making responsible choices for their futures are likely to be the same ones who would have been unco-operative a few years earlier. Therefore, with nothing to be lost, we consider that the skills and tactics of the Leaving Care Team may be transferable to the work with younger, looked after children. The residential service should consider drawing on that to promote school attendance.

**RECOMMENDATION 30 The proven skills and tactics of the Leaving Care Team may be transferable to the work with younger, looked after**

**children and the residential service should consider drawing on that to promote school attendance.**

135. The homes' managers said there is need to improve the access to education, in the wider sense, of LAC living in the children's homes, including provision of some education on site. They were clear this would be a supplement to, rather than a substitute for, the statutory school provision that is taken up to variable extents. The Commission agree there could be mileage in that suggestion but that it would need to have the 'carrot' of adding to a portfolio of validated knowledge and experience. It also needs to have practical bias given that LAC are, to generalise, not academic. We think a model that might be capable of adaptation for this age group, is the PASSPORT concept used in hostels to promote and validate residents' coping skills. For LAC the purpose would be give credit for educational and other positive activity in youth or voluntary organisations. This should run in parallel with school-based academic achievement so it is not seen as a substitute to r non-school attendance.

**RECOMMENDATION 31 To encourage learning by both children who do and do not attend school, a scheme based on the PASSPORT concept in hostels should be considered in order to give credit for educational and other positive activity.**

136. Ms Inwood said that there were 'a small proportion of older children who have made the decision for themselves not to be engaged in education'. In these cases there was clearly not a lot that the schools could be expected to do, though her team will facilitate a LAC to re-access formal education, eg enabling someone who is ready to take GCSEs a year (or more) late. We recommend that a constructive alternative should be developed for such older LAC who will not attend school. This might be based on the Leaving Care team's highly successful trainee placement scheme that helps the school leavers, but honed to offer an age appropriate experience, for example, in the voluntary sector.

**RECOMMENDATION 32 A constructive alternative should be developed for older looked after children who will not attend school. This might be based on the Leaving Care team's highly successful trainee placement scheme that helps the school leavers, but honed to offer an age appropriate experience, for example, in the voluntary sector.**

137. The Commission was very impressed by the strides made in Derby. The witnesses' descriptions of inter-agency working and the better mutual understanding by professionals of each others' roles stand in complete contrast to the national picture of less than a decade ago, as painted in the opening paragraphs to this section. There is still a long way to go before LAC gain the same level of academic achievement as the general population of young people.
138. There is clearly no magic solution waiting to be discovered that would persuade all the children who avoid school attendance to change their habits.

Therefore the need is to keep abreast of what produces improvements in other council areas. We ask that the Corporate Parenting Sub-Commission be kept abreast of successful initiatives in other councils.

**CONCLUSION P There is clearly no magic solution waiting to be discovered that would persuade all school non-attending children to change habits. Therefore the need is to keep abreast of what produces improvements elsewhere. The Sub-Commission should be kept abreast of successful initiatives in other councils.**

139. Last but not least we wish to flag up concerns that came to light during our discussions with the adoption professionals. The new responsibilities under the Adoption of Children Act for post-adoption support were described to the Commission. In short, for the first three years the new responsibilities remain with the placing authority but beyond then, if the family had adopted a child from elsewhere or have relocated, to the council where they live. The 'receiving' authority is unlikely to know such an adoptive family is resident until they ask for help. Families are unlikely to ask a council for help unless they are at crisis stage.
140. Of course, all county and unitary councils are in the same situation so it is not a matter of an 'unfairness' being created. There is a shared disadvantage that all councils are equally unable to plan. An issue the discussion also raised was that secondary schools in relatively affluent areas lack both the experience and resources of the inner city schools to understand and respond to high level needs. This may also apply to some fostered children.
141. We recommend that finance, social care and education officers should explore how funding for fostered or adopted children to meet special needs and provide behaviour therapy, extra tuition etc might follow the child and not be limited, as now, to schools in recognised deprived wards. This will enable the schools to ensure that treatment and extra staffing is equal to all CLA and not just those in certain wards.

**CONCLUSION Q Schools in relatively affluent suburbs are not well experienced in, and do not get resourced for, dealing with damaged children in adoptive families.**

**RECOMMENDATION 33 funding for fostered or adopted children to meet special needs and provide behaviour therapy, extra tuition etc should follow the child and not be limited, as now, to schools in deprived wards.**

'Most teachers always complain about the bad things to our carers but never talk about the good stuff – and there is no point being good then. It would be easier at home for us if our carers knew when we were doing well'.

## SECTION SEVEN – LEAVING AND AFTERCARE

‘Looked After Children have to make the transition to adulthood faster than young people living with their parents’. ‘I need to take some risks or I’ll not be able to cope when I leave care’. ‘Under a new arrangement LAC are allocated accommodation before their 18<sup>th</sup> birthday by the Housing Options Centre – with whom there are good relations’. ‘If a 20 year old wishes to go to university ‘it would happen’....’ ‘Care leavers being in employment, education or training on 19<sup>th</sup> birthday’ - Derby is 2<sup>nd</sup> highest on this measure for its comparator group’

### BACKGROUND:

142. The Children Act 1989 has proven a durable legislative framework for protecting children, supporting children in need, and for those who cannot - for a variety of reasons - live with their parents, looking after them in foster and children homes placements. However it was concerns about the low achievements of LAC that prompted the Quality Protects initiative and led to the Children (Leaving Care) Act 2000. The 2000 Act, effective October 2001, placed a new duty on councils to advise, assist and befriend looked after children to promote their welfare *after* they have ceased to be looked after. This applies to 21, or in certain cases, until 24 years of age.
143. To aid the transition to adulthood and independence, councils must carry out an assessment of needs to determine what advice, assistance and support is appropriate for the young person and to prepare and keep under review an individual ‘pathway plan’. This covers such issues as accommodation, health, education, employment, and financial, social and emotional support. Further, a ‘personal adviser’ should be appointed when the young person is about 15 and ½ years old to ensure they receive opportunities to improve life chances. This might include arranging practical support like private tuition, cooking and budgeting skills.
144. This was the overarching theme for our dialogue with Ms Lomas, her staff and the care leavers: How well does Derby prepare and support its looked after children in their transition to independent adulthood? When young people cease to be looked after, at 18, do they already have high achievements and, for their future, high life chances? If there’s a set back, are we there for them?

### WHAT THE EVIDENCE TOLD US ABOUT LEAVING AND AFTER CARE SERVICES

145. The reason for the launch of the Quality Protects programme from 1998 and the passing of the care leavers’ legislation in 2000 was the record of generally poor outcomes for adults who had previously been looked after. As part of our review the Commission spent a morning discussing leaving and after care with Sue Lomas, her staff and two care leavers. Ms Lomas’s team is known

as 'Aspire' and what they had to describe we found truly inspiring. A day in the life of leaving care worker was described, providing a useful scene setting.

146. Aspire aim is to have all the young people in employment, education or training by the time they cease to be looked after at 18. The LPSA had funded a project worker to promote the education, training and employment. The post is clearly successful because in Derby care leavers are actually more likely to be in work or education than the general population of young people. One very successful scheme is to place 6 trainees in different parts of the City Council. It provides a good preparation for employment by introducing young people to the structures and discipline of a work environment. Some go on to secure permanent jobs – achieved entirely on merit.
147. The team's premises have an endlessly updated good news board of the young adults' achievements. An annual achievements day had been replaced by a more flexible system that operates around the year. The morning included the presentation of a certificate to a care leaver who was about to go to university.
148. The Leaving Care and After Care Team are to commended on their successes. When asked what their priority would be for the team's future, the Aspire representatives answered it would be the mainstreaming of the ETE post when LPSA funding expires shortly. We agree it is essential that funding is found to continue the post. It would not be possible to maintain the excellent outcomes currently achieved without a dedicated officer to do the work. We therefore recommend Council Cabinet to pick up the funding of the post from the point when LPSA sources cease.

**CONCLUSION R The Leaving Care Team are to commended on their success.**

**RECOMMENDATION 34 Council Cabinet be informed that it is essential that the LPSA-funded post promoting Employment, Education and Training be continued when the funding time-expires.**

'I want to do well and to get on in my life. I need to talk to someone who understands me and can give me good ideas about what I can do in the future. I need that help to be given while I am at school and after I have left'.

The last message ...

‘And one more thing – and this is for all of you corporate parents – it can be very annoying when you arrange something for me but my social worker, or school, or my carers or family, don’t know what has been sorted out. Please talk to each other’