

# 10 questions to ask if you're scrutinising services for looked after children

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# Introduction

This guide has been produced by the Local Government Association in partnership with the National Children's Bureau. It follows on from a previous guide produced by the Centre for Public Scrutiny (CfPS) for Local Government Improvement and Development and forms part of a suite of offers for elected members and others working in children's services.

The Centre for Public Scrutiny is an independent national charity which carries out research, supports online networks and provides training, development and events to promote and improve public scrutiny and accountability across government and the public sector.

The Local Government Association has sector-led improvement as a key corporate priority. Councils are the most improved part of the public sector, and local politicians and senior managers lead the transformation of place. A significant sector-led improvement programme is established in children's services with governance provided through the children's improvement board and funding to the board from the Department of Education (DfE).

The National Children's Bureau is a leading research and development charity working to improve the lives of children and young people, reducing the impact of inequalities. It works with children, for children to influence government policy, be a strong voice for young people and frontline professionals, and provide practical solutions on a range of social issues.

The National Children's Bureau has been funded by the Department of Education to develop materials that will support councils in their role as corporate parents. More detailed briefings on specific topics of relevance to corporate parents and self-audit tools are being developed by the National Children's Bureau and will be available shortly. A National Voice, an organisation providing a voice for looked-after children and care-leavers, is also producing 'top tips' for corporate parents on working with their children in care council.

This guide aims to provide clear and succinct advice for scrutiny members and officers on the key issues to cover in a scrutiny review of corporate parenting, as well as jargon-busting, links to further information and case studies.

The ten question areas can be used by overview and scrutiny committees (OSCs) to scope a review that takes an overview of all services relevant to looked-after children, or to focus on an area of particular interest. They can also be used by corporate parenting groups or other elected members to support them in their ability to scrutinise and challenge the service provided by their council to looked-after children.

If corporate parents are to assess whether the standard of care would be good enough for their own children, they need good quality information on which to base their judgements. These questions will provide a framework to structure this information.

# Key points

Children in the care of a local authority are one of the most vulnerable groups in society. The majority of children in care are there because they have suffered abuse or neglect. At any one time around 65,000 children are looked after in England, although over 90,000 pass through the care system each year. There has been an overall increase in the numbers of children entering care since 2007 and a rise in the proportion who are removed through the intervention of the courts as opposed to coming into care by agreement with parents.

When they are elected, all councillors take on the role of 'corporate parent' to children looked after by their local authority. They have a duty to take an interest in the wellbeing and development of those children, as if they were their own. Although the lead member for children's services has particular responsibilities, the role of corporate parent is carried by all councillors, regardless of their role on the council.

Overview and scrutiny offers a key way in which councillors can fulfil this responsibility, by giving them the opportunity to ask searching questions of a range of service providers and assure themselves that children in the care of the local authority are being well looked after.

Overview and scrutiny also offers opportunities for councillors to hear directly from children looked after by the authority and to ensure that their voices are heard

when considering the effectiveness and impact of services. This should include not just children's social care, but other services which may have an impact on the lives of children in care (including care-leavers and those on the edge of care), such as housing provision, crime and feeling safe in the community, access to public transport and the quality of schools and leisure activities.

In April 2011 the government introduced new regulations and guidance to improve the quality and consistency of care planning, placement (where and how children are looked after) and case review for looked-after children. It includes statutory guidance on independent reviewing officers, the 'sufficiency duty' requiring local authorities to ensure there is enough accommodation locally for looked-after children, as well as guidance on improving their educational attainment. This was part of the implementation of the Children and Young Persons Act 2008, and it updated and consolidated previous guidance on the Children Act 1989 and other legislation.

Local authorities are required to collect data about their performance in relation to looked-after children, and to report this to the Department for Education. This data is published annually and, although it is no longer accompanied by targets, provides a useful benchmark for comparisons between an authority's present and past performance and with that of other authorities.

# Jargon busting

## 'Looked-after children', 'children in care'

The terms 'looked-after children' or 'children in care' refer to all children under the age of 18 being looked after by a local authority. It includes both those subject to a care order under section 31 of the Children Act 1989 (see below); and those looked after by a voluntary agreement with their parents under section 20 of that Act. Once they become looked-after, children may be placed by the local authority with family members, foster carers or in a residential children's home. The purpose of the 'care' system is to look after children where parents are unable to do so, for a variety of reasons. These include situations where parents are abusive or cannot provide adequate care for them, or where there is no parent or relative available, such as asylum seeking children or those whose parents have died.

## 'Care leavers'

Care leavers are those who have been in 'care' for at least 13 weeks from the age of 14 onwards and therefore qualify for services to support them once they leave. This support should be provided up to the age of 21 or until they have completed their education if this is longer.

## Care order – Section 31 Children Act 1989

Care orders are made by the court if a 'threshold of significant harm' is reached and there is no likelihood of improvement in the standard of care provided for a young person. The local authority then shares parental responsibility with the parent(s) and can make the decisions that a parent would normally make. A care order expires when the young person reaches 18 or when another Order is made placing the child with an alternative family, such as an adoption or 'special guardianship order'. It can also be discharged by the court before the age of 18 if it is considered that the child would no longer be at risk of harm if they returned home.

## Children 'at risk' of harm

These are children where there are concerns that they are suffering or are likely to suffer harm through abuse or neglect. Children considered 'at risk' have a 'child protection plan' which should be regularly reviewed.

## 'Children in need'

Children in need are a wider group of children and young people who have been assessed as needing the help of services to achieve a reasonable standard of health or development. They have a 'child in need plan' to address the difficulties identified in the assessment

## Interim care order – Section 38 Children Act 1989

If the local authority is concerned that a child is suffering or is likely to suffer ‘significant harm’, they can apply to the court for an ‘interim care order’, which is a time-limited order renewed while care proceedings for the child continue through the courts.

## Emergency protection order section 44 Children Act 1989

An ‘emergency protection order’ removes a child into accommodation provided by or on behalf of the local authority and is granted by the court (or magistrate outside court hours) if there is reasonable cause to believe that the child is likely to suffer significant immediate harm. It is to be used only where the child is thought to be at immediate risk and for a maximum of eight days, although this can be extended by the court for a further seven days. It allows the child to be cared for in a place of safety whilst further enquiries are made.

## The pledge

Each local authority is required to develop a ‘pledge’, setting out its commitments to the children in its care. The Care Matters Initiative envisaged the pledge as a key communication tool between children and young people and the authority responsible for ensuring they receive the parenting they need. Every child and young person’s care or pathway plan should reflect how the commitments made in the pledge will be delivered for that individual child and it is monitored by the local ‘children in care council’ (see below).

## Regulation 33 visits

These are the scrutiny visits that have to be made at least once a month to children’s homes in order to quality-assure the service being provided. This includes checking that the home is compliant with regulations, that the environment is suitable and seeking the views of staff and residents. Where an authority operates its own children’s homes, councillors may be involved in undertaking these visits.

## Children in care councils

The Care Matters Initiative created the expectation that local authorities should set up a ‘children in care council’ to represent the views of looked-after children and to enable them to be involved in developing services. There should also be mechanisms in place for involving young people in care in the recruitment of key staff members, such as the director of children’s services. The local children in care council is also responsible for helping to develop and monitor the implementation of the pledge.

## The ‘sufficiency duty’

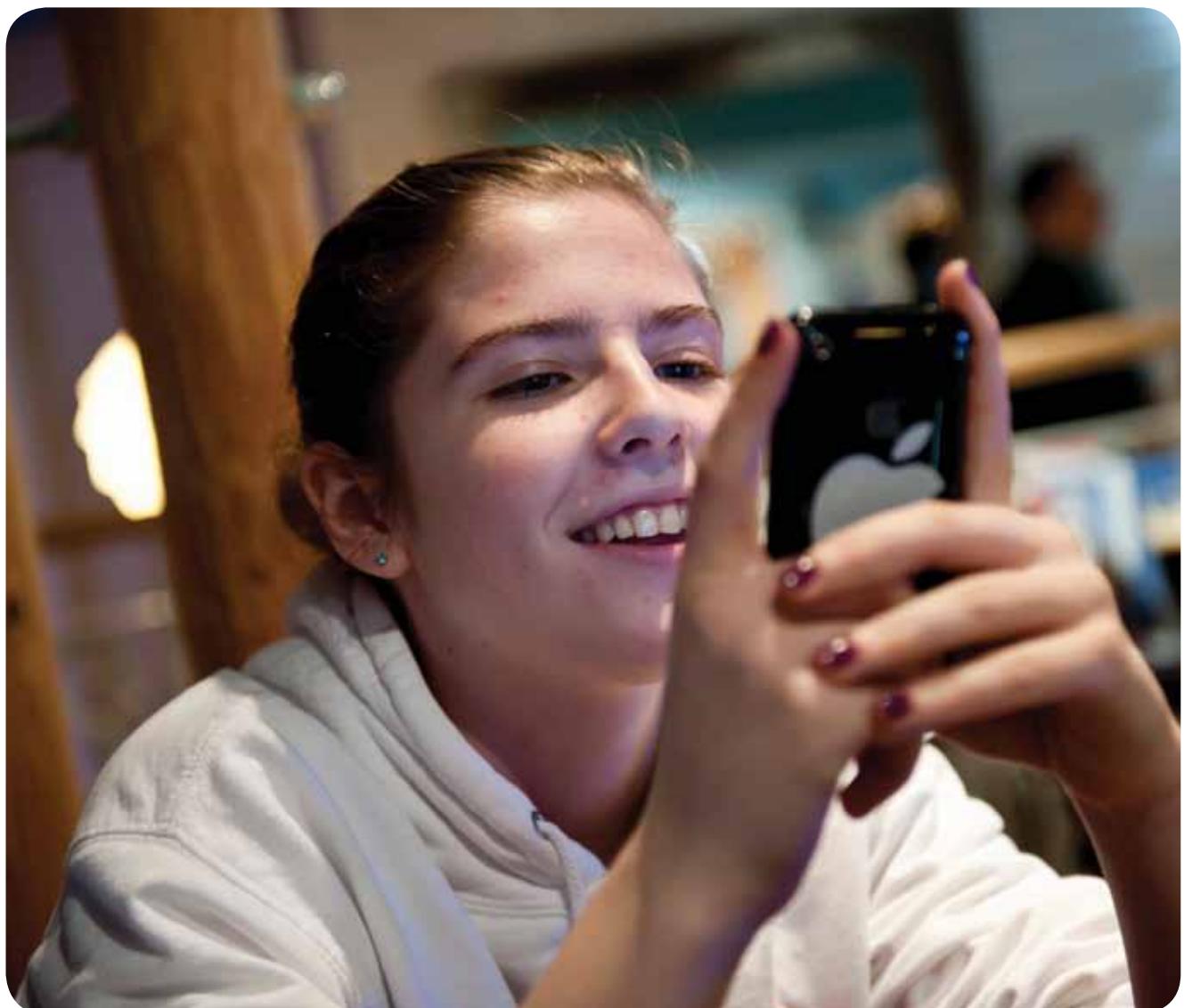
This is a duty placed on local authorities under 22 (G) of the Children Act 1989 (amended by the 2008 Act) to ensure there is sufficient accommodation to meet the needs of their looked-after children. Sufficient accommodation must be provided “where reasonably practical” (lack of resources is not considered a barrier), and having “regard to the benefit of having a number of providers and a range of accommodation”.

## Commissioning

The process by which an authority decides what level and type of services it wants in order to meet identified needs, and seeks providers of those services, often through a competitive process. Increasingly this is done jointly, for example with the local health service, and in the context of looked-after children should be based on an analysis of their needs. Commissioned services should be monitored and evaluated, and constantly reviewed to make sure they are continuing to meet changing needs.

## Independent reviewing officers (IROs)

The Children and Young Persons Act 2008 requires local authorities to appoint a named IRO for each looked after child. Their role is to oversee the child's care plan, monitor the case and challenge the local authority if the plan is not meeting the child's needs or is not being implemented effectively. The IRO must communicate directly with each child they are responsible for to establish the child's wishes and feelings and ensure that these are taken into account.



# 1

# How well does your authority do in commissioning or providing services for looked after children?

## Policy context

As corporate parents, members need access to information to enable you to identify how well your authority is doing in relation to outcomes for your looked-after children, and to any areas for improvement. National performance data will enable you to assess how well your local authority is doing in comparison with others. It is also useful for analysing trends within your own authority.

Ofsted inspections provide an independent perspective on the quality of your service.

As part of the sector-led improvement programme for children's services, the Safeguarding Children peer review is on offer to all authorities. This peer review can be tailored to the requirements of individual authorities and can have a focus on looked-after children. It is important that scrutiny members participate in the peer review process in their authority and also consider the findings of the peer review team. This will provide valuable insight from a 'critical friend' perspective.

Whatever these sources of information tell you, there is always a need for additional local mechanisms for you to judge whether the quality of care provided would be good enough for your own child. Statistics alone are not enough: it is important to ask questions of those responsible about the factors that affect your authority's performance, and to seek qualitative

information about the experiences of the children themselves.

The circumstances and needs of looked-after children vary widely, with some children just spending a short period in care during a family crisis while others effectively grow up in care. Each child must have a 'care plan' that sets out the long-term plan for the child and the action that needs to be taken to provide them with good quality care.

## Questions to ask

Who are your looked-after children in terms of age, gender, ethnicity, religious or cultural background and disability, and what needs and challenges does this profile present?

- Do you have a system for seeking feedback from looked-after children and care-leavers about the services they receive?
- Do you receive a copy of the annual report from the IRO service, and is it used to identify gaps in services?

The services provided must meet the identified needs of the children, while offering ‘value for money’. Members need to ensure that arrangements for commissioning services are effective.

- Do arrangements for commissioning services involve all relevant council departments and other agencies?
- How will any changes in local health service structures, for example the move to GP commissioning, impact on any joint commissioning arrangements?
- Does your local joint strategic needs assessment (JSNA) include information on the needs of your looked after children and care-leavers?
- Do you have mechanism for reviewing the effectiveness of the services you commission, based on outcomes?

Cost comparisons can be one indicator of how your authority compares with others, for example:

- What is the cost of your residential provision by comparison with other areas?
- How much do you spend on out-of-area placements for looked-after children? Is this rising or falling?

London Borough of Enfield developed a commissioning strategy for looked-after children which had the reduction in the number of children placed in residential care as one of its aims. The implementation of this strategy has been effective in this aim, reducing the numbers of looked-after children in residential placements from 17 per cent in 2004 to 6.5 per cent in 2010. This has ensured that more of the most complex young people can benefit from a family setting. The financial efficiencies achieved have been reinvested into preventive services to allow more children and young people to be cared for within their own families<sup>1</sup>.

1 <http://www.c4eo.org.uk/themes/vulnerablechildren/vlpdetails.aspx?lpeid=381>

# 2

## How well do your children in care do at school, both academically and in terms of other kinds of achievements?

### Policy context

A better education for children in care (Social Exclusion Unit 2003) identified five reasons why looked-after children may underachieve in education

- their lives are characterised by instability
- they spend too much time out of school
- they do not have sufficient help with their education if they fall behind
- primary carers are not expected or equipped to provide sufficient support and encouragement for learning and development
- they have unmet emotional, mental and physical health needs which impact on their learning.

Statutory guidance makes it clear that corporate parents must tackle this, and have high aspirations for the children they care for.

"Though some do well, the educational achievement of looked-after children as a group remains unacceptably low. That is why the Children Act 1989 (as amended by the Children Act 2004) places a duty on local authorities to promote the educational achievement of looked-after children."

The way in which local authorities should fulfil this duty is set out in Promoting the educational achievement of looked-after children: statutory guidance for local authorities (DCSF 2010), with a specific section for corporate parents. Responsibility is shared by all schools, including free schools and academies, and the schools admissions code describes the priority governing bodies must give to looked after children.

Personal education plans (PEPs) are completed for all looked-after children within ten days of becoming looked-after and are part of the care plan. There is a joint responsibility for the PEP between the child's school and the local authority children's service.

Ensuring looked-after children have the right support to be able to participate fully in school life, and that their school career is not disrupted by constant placement moves can make a big difference. Looked-after children tell us that they value education and want support to do well.

In one authority looked-after children often missed out on after-school activities and trips because of delays in getting permission from social workers and their managers. As a result of the scrutiny review which brought this to light, the authority changed the system so that social workers could delegate the decision to foster carers, ensuring that looked-after children were not missing out.

- What do looked-after children and young people themselves say about their education and aspirations?

Celebrating the non-academic achievements of children in care and enabling them to benefit from all the opportunities school can offer is also important. Children in care should be cared about and not just cared for.

## Questions to ask

- What results are achieved by looked-after children compared with other children at local schools, and with looked-after children in other authorities?
- How well are children placed outside your local authority area doing at school?
- What plans does the council have to raise the educational attainment of looked-after children?
- Do you have a ‘virtual school head’, designated teachers and designated school governors in place? How effective are these arrangements?
- How are individual children and young people supported to achieve, both within and outside school?
- How are children supported to continue in further and higher education?
- How do schools’ admissions policies treat looked-after children, for example are they able to attend the same school as other children in their foster family, and how many looked-after children get into the highest performing schools?
- Do all looked-after children have a PEP and are these audited for quality?

In one authority a young person was unable to attend an after-school photography course because for two years no-one would buy her a camera: when this came to light during a scrutiny review, councillors intervened and got action taken to sort it out.

- Are looked-after children able to participate in after-school activities and enjoy learning and achievement in all its forms? If not, what are the barriers?
- Does your council have a way to celebrate the achievements (whether sporting, academic, musical, attendance, personal bests) of looked-after children, and are councillors given regular updates?
- Do you monitor the numbers of looked-after children excluded from school, and do you know what alternative provision is available for them?

# 3

## How good is the health and wellbeing of children in your care?

### Policy context

Looked-after children and young people share many of the same health risks and problems as their peers, but they frequently enter care with a worse level of health due to the impact of poverty, abuse and neglect. Evidence suggests that looked-after children are nearly five times more likely to have a mental health disorder than all children.

As with educational attainment, there is statutory guidance on Promoting the health and wellbeing of looked-after children (DCSF 2009). This applies to local authorities, primary care trusts and strategic health authorities but consideration will need to be given to the impact of the NHS reforms.

The health needs of each looked-after child must be assessed within four weeks of a child becoming looked-after and should form the basis of their health plan. As with the PEP, this feeds in to the child's care plan.

Local authorities are also required to make sure that a 'strengths and difficulties' questionnaire is completed to assess for emotional and behavioural difficulties.

### Questions to ask

- What proportion of children's health assessments and dental checks are carried out on time?
- Is there a designated doctor and nurse for looked-after children?
- Are looked-after children a priority group for getting access to child and adolescent mental health services (CAMHS) and how long are waiting times for referrals?
- As an at-risk group, what access do looked-after children and young people get to services to help with substance misuse, sexual health and teenage pregnancy?
- What support is given to foster carers and young people themselves about promoting healthy lifestyles?
- Do you receive regular reports on the health needs and outcomes of looked-after children?
- What do looked-after children and young people themselves say about their health needs and priorities and how well they are met?
- Is this evidence about outcomes and experiences used to inform the commissioning of services?

# 4

## How stable and secure are the lives of your looked-after children while they are in your care?

### Policy context

When children and young people enter care and are placed either with foster carers, in residential homes or even at boarding school, they risk losing regular contact not only with family members but also with friends or other significant people in their lives.

This is exacerbated if the ‘placement’ has to be out of the area, perhaps because of a lack of local foster families or children’s homes. If the placement breaks down, they may have to move again, causing yet more anxiety and disruption. Yet children themselves tell us that stable and supportive relationships are crucial if they are to thrive in care.

Ensuring placements are stable and work well for children and young people is therefore key to their wellbeing. The ‘sufficiency duty’ requires local authorities to take steps to secure sufficient accommodation within the authority’s area which meets the needs of its looked-after children, and they must demonstrate how they are fulfilling this responsibility. To do this, there must be a good understanding of who your children are and what they need.

Every council has to collect data on how far placements are from the child’s home and the number of placements that children experience but the quality of the care offered must also be taken into account. It is not good enough to place a child in a stable placement, within the local authority boundary, if the child is unhappy there.

There are important links with safeguarding: children who come into care should do so at a point where their experiences have not been so damaging that they cannot settle.

### Questions to ask

How stable are your placements? How many children move placements three or more times during a year or remain in the same placement for two or more years?

- What do you know about the children who experience changes of placement?
- What are the needs of children that require them to be placed out of the area of the authority?
- If additional services were provided either by the local authority or by partner agencies, could they be looked after within the area of the local authority?
- How are you fulfilling your ‘sufficiency duty’?

- What choice and information do children and young people have about their placements, for example, do they get to meet potential foster carers or visit children's homes before they go to live there?
- If children have to move placement, what arrangements are made to keep them at the same school, for example transport?
- Are you satisfied that children are supported to maintain relationships with people that are significant to them?
- What do looked-after children say about their placements?

As a result of one authority's scrutiny review, a looked-after children and care leavers' drop-in centre was developed, to provide a safe space for looked-after children and young people to go to find out information and meet support workers and others in one place.



# 5

## How well does your authority do at finding appropriate adoptive families for children for whom it is decided this is the right option?

### Policy context

If a child or young person's birth family have completely broken down or it has been decided that they will never be able to care for the child safely, the best option for a long-term stable family environment may be adoption. The law governing adoption is in the Adoption and Children Act 2002, which aligned adoption practice with the 1989 Children Act, making the welfare of the child the paramount consideration.

The government has recently announced An Action Plan on Adoption (DfE 2012) to increase the numbers of children being adopted from care, and to speed up the process. The measures it proposes include considering the suitability of adoption for children at an earlier stage; streamlining bureaucratic processes that can lead to delay and encouraging a broader range of potential adopters. This includes the relaxation of expectations about matching the ethnicity of children and adopters if this will cause delay.

These changes will be accompanied by stronger systems for holding local authorities to account, with a new framework for inspection and a new 'adoption scorecard'. This will indicate how each local authority has performed in relation to placing children for adoption and in responding to prospective adopters.

It is important not to forget that there are other ways of securing a permanent home for children within the care system. For some, family and friends may be able to care for them if the right support is available. For others, particularly older children, adoption may be unsuitable but foster carers make the commitment to offer the child a permanent home. These alternative routes to permanency can be secured legally through arrangements such as 'residence orders' or 'special guardianship'.

South Tyneside Council routinely places over 12 per cent of its looked-after population for adoption and is one of the best performing councils in placing them within one year of the decision being made. This has been achieved through the use of 'concurrent planning' in which, if children are not rehabilitated to their birth family, they are adopted by their foster carers<sup>2</sup>.

<sup>2</sup> <http://www.c4eo.org.uk/themes/vulnerablechildren/vlpdetails.aspx?lpeid=363>

## Questions to ask

- What percentage of children have a permanence plan by their second review?
- What percentage of children are placed for adoption within 12 months of the decision to adopt and are subsequently adopted?
- How long does it take to make the decision to place a child for adoption, particularly for new-born babies?
- What is the profile of your children in care compared with prospective adoptive families, and if there is an imbalance, what steps are being taken to address this?
- How are sibling groups treated and what steps are taken to ensure they stay together, whether in adoption, fostering or residential care?
- What is the profile of children waiting for a permanent placement and what are the barriers to finding them a home?
- How long does it take to respond to prospective adopters and what are their views on how they have been treated?
- What do children and young people, for example in your local children in care council, say about adoption processes?



# 6

## How well do your foster care arrangements work?

### Policy context

Nationally, the proportion of children in care placed with foster carers as opposed to children's homes or other placements is about two thirds. Fostering is generally seen as a preferable option because it enables children and young people to live in a family environment.

Foster carers can play a valuable role in stabilising and caring for children from disrupted backgrounds for both short and longer periods of time, but nationally there is a shortage of people willing to take on the role. In the 1990s, independent or private fostering agencies developed and there is now a mixed economy. The way in which foster carers are supported, the fees they receive and their access to information may all play a role in making them feel valued, ensuring that they in turn can value and support the children they look after in the most effective way. The extent to which they hold delegated responsibility for day-to-day decisions on matters such as 'sleep-overs' or school trips can make a difference to their role satisfaction and the child's sense of belonging.

The Foster Carers' Charter sets out the expected commitment that foster carers and local authorities will make. It is designed to be used locally to develop a shared understanding and to encourage challenge.

Some 'family and friends' foster carers are approved only for a specific child, where they have an existing relationship and the local authority has decided that it is in the child's best interests to stay with them.

'Private' foster placements are those where the child's parents have made the arrangement directly with the foster family. The local authority should be informed in these situations so that they can check the suitability of the arrangement and monitor the care being provided.

Dreamwalls project in Southampton provides 'time-out' breaks for foster carers and has reduced by 95 per cent the proportion of foster carers leaving fostering. The cost equated to £674.43 per child per year, and 182 children received the service. Using the social return on investment (SROI) method of calculating value and benefits as well as costs, there was a £1.63 return for every £1.00 invested in the project.

## Questions to ask

- Do you have a sufficient pool of suitable foster carers locally to meet the needs of children needing placements? If not, what steps are being taken to address this?
- What support is given to your foster carers, including family and friends carers, and how easily can they access it, both for themselves and the child in their care?
- What do foster carers themselves say about the support they receive, including out-of-hours support and about their relationships with social workers and other professionals?
- Are there clear arrangements for delegating responsibility to foster carers for day-to-day decisions?
- Is there more 'in-kind' support that would facilitate and make the fostering role easier, such as bus passes, access to leisure centres etc?
- What do looked-after children and young people themselves say about their experience of fostering?
- What is the turnover of foster carers and do you know the reasons why carers leave?



# 7

## How good is the standard of residential care provided or used by your authority?

### Policy context

For some children, a placement in a children's home may be more suitable than a foster home. For example, they may find it difficult to cope with family-based life as a result of their experiences, or because of a strong sense of loyalty to their birth family.

DfE has a challenge and improvement programme for children's homes to support good practice. As part of the programme, it produced a data pack to enable local authorities to examine and compare their use of children's homes (DfE 2011)<sup>3</sup>. Some local authorities operate children's homes themselves but 76 per cent of placements are in the private or voluntary sector. About nine per cent of looked-after children are in residential care and most are over the age of 12. The placements are more likely than foster care to be out of area. Interestingly, some authorities use residential care much more than others.

Councillors have said that taking part in 'Regulation 33' visits or other arranged visits to homes can really bring to life what it is like to live in residential care, although they have to be carried out with sensitivity. Ofsted inspects residential homes and these reports (along with the reports from Regulation 33 visits) should provide a source of information and assurance to scrutiny about the standard of care provided there.

### Questions to ask

- What is the profile of the children placed in residential care by your authority?
- Who provides the residential placements used by your authority and what is their Ofsted rating?
- What are the outcomes of children in residential care compared to the rest of your looked after children?
- Do you have any children placed in 'secure care'?
- How is the experience of children placed in residential care outside the authority monitored?
- How does your use of residential care compare with other similar authorities?
- If your authority operates its own children's homes, what are the arrangements for undertaking Regulation 33 visit and how effective are these?

3 <http://tinyurl.com/82p2qda>

- What do looked-after children and young people themselves say about their experience of living in residential care?
- How are any complaints about standards of care in residential homes and issues such as bullying dealt with? How many are there and what happens as a result?

In Kirklees, looked-after children can access the KicK (Kids in care Kirklees) website. From here they can go on a virtual tour of all the residential homes by watching a video made and narrated by looked-after young people who live there, to tell them what it's like. The website also enables them to 'rate' their reviews and foster placements online, as well as read, listen to and watch first-hand accounts of children and young people's experiences of care.



# 8

## What support does your authority provide to young people leaving care and how effective is it?

### Policy context

For many young people, leaving care can be daunting: they are expected to be independent at an earlier age than their peers, in spite of the additional difficulties that many face. Care leavers are over-represented in prison populations and the unemployed, demonstrating that the experience of being in – and leaving – care still does not prepare young people well for adult life. If looked-after children followed the same paths as other children into further education, training and jobs, it could save the economy £50 million each year.

The Children (Leaving Care) Act 2000 sets out local authorities' responsibilities to develop a 'pathway plan' within three months of every looked-after child's 16th birthday to help them towards independence, with the support of a personal adviser.

Young people cease to be looked after at the age of 18, although some may choose to leave before this. The local authority continues to have responsibilities towards them at least up to the age of 21 and longer if they are receiving education or training. Young people eligible for adult services, such as those with a disability, are also entitled to extended support as care leavers.

Statutory guidance on local authority responsibilities towards care leavers is contained in Children Act 1989 guidance and regulations: Volume 3: Planning Transition to Adulthood for Care Leavers (DCSF 2010). Support may be financial, practical and emotional.

The Staying Put programme enabled children in 11 pilot authorities to remain with their foster carers beyond the age of 18, replicating the experiences of most families. The evaluation was broadly positive<sup>4</sup>, particularly in enabling the young people to remain in education.

In Rotherham Metropolitan Borough Council, scrutiny called representatives from Job Centre Plus, the council's Revenues and Benefits and Care Leavers Services to a hearing following concerns expressed by care leavers about distress caused by late payments of benefits. The NCH Bridges Project reported that since the intervention of scrutiny, delays in processing benefits for care leavers were much reduced. As well as reducing the further risk of social and financial exclusion to vulnerable care leavers, there was also a reduction in the number of emergency payments to care leavers.

<sup>4</sup> DfE (2012) Evaluation of the Staying Put: 18 Plus Family Placement Programme: Final report

## Questions to ask

- How many care leavers is your authority still in touch with a year after they have left the care of the authority? How many are they in touch with after three years?
- What do you know about the outcomes of the children who were formerly in your authority's care?
- How many formerly looked-after young people are NEETs (not in education, employment and training)?
- What support do young people leaving care receive to access housing, tenancy support, employment, access to benefits, further and higher education and training?
- Do you make any provision for young people to stay in their placement beyond the age of 18?
- What do former looked-after children and young people themselves say about their experience of leaving care and the support that is or was provided?

In one authority a specialist scrutiny group on corporate parenting enabled looked-after young people to feed views directly to scrutiny. As a result of this group, the 'care leavers grant' (given to all young people leaving care to buy things for setting up home when they left care) was increased from £750 to £1000. Young people said £750 wasn't enough, members agreed and although officers were initially reluctant, comparison with other authorities showed that the grant level was low, so it was agreed to increase it.



# 9

## How effective is your professional workforce of social workers and others responsible for running services for and working with looked-after children?

### Policy context

It is essential that each child has an individualised care plan based on a thorough assessment of their needs, and this is the responsibility of their allocated social worker. Many authorities have struggled to recruit and retain sufficient numbers of suitably qualified social workers to do the difficult job of working with vulnerable children. This can be a key cause of poor performance but will also have an adverse effect on the experiences of the children and their carers. Children find it distressing to have frequent changes of worker and can feel uncared for as a result.

The IRO service is important both in terms of its ability to challenge individual instances of poor practice and to have an overview of the effectiveness of care planning across the authority. The IRO may be the most constant figure in some children's lives.

While senior officers are responsible for managing staff and services, members can play an important role in checking that there is a skilled and stable workforce in place. Although social workers are key, other council officers should also be aware of their responsibilities to looked-after children, such as those in housing departments, environment and leisure services, education, legal services and the public health service.

### Questions to ask

- What are the levels of social work vacancies, turnover, stress-related sickness, use of agency staff and ratios between newly qualified and experienced social workers and what action are management taking to address these?
- What continuity of social worker support is there for looked-after children and what are the case loads carried by social work staff?
- What proportion of social workers' time is spent doing face-to-face work with looked-after children as opposed to paper work and could this be improved?
- What does the annual IRO report say about the effectiveness of care planning in the authority and is action taken to address any weaknesses that it identifies?
- Are there enough opportunities for social workers to develop their skills and to engage in reflective learning?
- Is there evidence that staff from across the authority and other partners are working together to deliver what looked-after children need?
- What do looked-after children and their carers say about their experience of engaging with social workers and other professionals?
- Are looked-after children and young people involved in recruitment and development of services?

# 10

## What more could be done to fulfil the council's responsibilities as a 'corporate parent'?

### Policy context

Although elected members will not all have the same level of involvement with the service for looked after children, they all share responsibility for satisfying themselves that is good enough. As former Secretary of State Frank Dobson MP's original letter to all councillors about their role as corporate parents, launching the Quality Protects Programme said:

"Elected councillors have a crucial role. Only you can carry it out. You can make sure that the interests of the children come first. You bring a fresh look and common sense. As councillors you set the strategic direction of your council's services and determine policy and priorities for your local community within the overall objectives set by government."

This is as valid today as it was then. All councillors should be made aware of their responsibility as a corporate parent, and what this means in practice. As part of this process, it is crucial to ensure that councillors can hear directly from looked-after children about what matters to them. This could be through informal discussions, visits by elected members to children's homes or involving looked-after children when reviewing services.

It is not only councillors who are corporate parents. Council officers across the council (not just in children's services departments) share in the responsibility and other partners also have a duty to cooperate to ensure looked-after children's needs are met.

### Questions to ask

- Does your council have an effective structure for the governance of corporate parenting, including councillors?
- Do looked-after children know who their 'corporate parents' are? What do they say about what they expect from local councillors and others acting as their 'corporate parents'?
- Do all members receive mandatory training on their roles and responsibilities as corporate parents when they are elected and is this refreshed during their term of office?

- Are there appropriate opportunities for elected members to meet and listen to looked-after children and young people, and to celebrate and praise their achievements when they do well?
- Is there an active children in care council which regularly meets with elected members and others in authority (across the council and other partners) to express the views and needs of your looked-after children?
- Is the children in care council happy with the way in which its views influence policy and practice?
- How are children and young people's complaints responded to and what is learnt from them?

One authority has encouraged councillors to 'adopt' a residential home in order to encourage greater responsibility for, and interest in, each home by elected members and provide continuity between visits. These members could be important witnesses to any scrutiny inquiry.



# Case studies

## London Borough of Newham

The Children and Young People Scrutiny Commission carried out a review of the council's new approach to corporate parenting – in particular its targets to reduce the number of children in its care, and improve provision for those who remain in care. The commission endorsed the families directorate's investment of intensive resources into those families with children on the edge of care, at an early stage alongside the immediate removal of children where there are risks to their safety, followed by a permanent placement wherever possible. The commission made a number of recommendations, including increased support for foster carers, and closer working arrangements with partnership agencies. The report is available in the CfPS library:

<http://tinyurl.com/7ko94k2>

## Cheshire East Council

The Children and Families Scrutiny committee undertook a review of fostering services. They identified a need to improve systems and recommended a number of measures to improve the experience of foster carers. They also stated that, in line with the corporate parenting strategy, all corporate policies must consider their impact on looked-after children. The review also suggested related topics for review, such as the 16 plus service. The report is available in the CfPS library: <http://tinyurl.com/6v4kr3r>

## Buckinghamshire County Council

The Children's Services Overview and Scrutiny Committee undertook a review 'Maximising the potential of looked-after children' – examining issues affecting educational attainment of looked-after children in the county, including post-16 and their ability to participate in other aspects of school life. Recommendations focus on support at transition stages and support for foster carers to enable them to better support the children they look after. The report is available in the CfPS library: <http://tiny.cc/g1dt6>

## Rotherham Metropolitan Borough Council

Rotherham Looked-After Children Scrutiny Sub-Panel has undertaken two reviews of corporate parenting. The most recent review made a number of recommendations in three main areas:

- looked-after children council and pledge
- governance arrangements
- training and guidance to elected members.

The report is available in the CfPS library:  
<http://tiny.cc/6pfck>

## Hartlepool Borough Council

The Children's Services Scrutiny Forum undertook an investigation into the provision of support and services to looked-after children and young people. It took evidence from a range of stakeholders including children and young people, frontline staff and carers. It also invited a presentation from a neighbouring authority. A detailed profile of the looked-after population was undertaken to inform the investigation. It arrived at a number of recommendations for improvement. The report is available in the CfPS library: <http://tinyurl.com/7fzanrz>

## Bracknell Forest Council

The council has a specific overview and scrutiny panel that regularly monitors the performance of the children, young people and learning department mainly through review of its quarterly service reports (QSRs), inspection reports and the children's social care statutory complaints report. The QSRs enable the panel to question executive members and officers in detail about trends, pressures and priorities. Specific areas considered recently have included the stability of foster care placements. The report is available in the CfPS library: <http://tinyurl.com/6r4dpgr>



# References and further information

## Key legislation and guidance

### **Children Act 1989**

<http://tiny.cc/qrzro>

### **Adoption and Children Act 2002**

<http://tiny.cc/lf98m>

### **Children and Young Persons Act 2008**

<http://tiny.cc/951i3>

### **Care planning, placements and case review regulations (England) 2010 and statutory guidance**

These documents specify the current requirements for care plans, including health and education plans, placement decisions and monitoring, and case reviews. They consolidate previous regulations and guidance, providing a central source of reference for local authorities' work with looked-after children and can be found on the DfE website: <http://tiny.cc/7xt9g>

### **Promoting the educational achievement of looked-after children: statutory guidance for local authorities (DCSF 2010)**

Statutory guidance setting out the responsibilities of local authorities and their partners in relation to the education of looked-after children. <http://www.torbay.gov.uk/promotingtheeducationalachievement.pdf>

### **Promoting the health and wellbeing of looked-after children (DCSF 2009)**

Statutory guidance setting out the responsibilities of local authorities and their partners in relation to the health of looked-after children. <http://tinyurl.com/yaevzg2>

## Resources

### **Welcome to corporate parenting – a councillor development learning resource**

A booklet and audio CD was produced by Kirklees, Bradford and Calderdale Councils working with a group of looked-after young people.

Contact: Angie Aspinall, Councillor Development Officer, Kirklees Council, [angie.aspinall@kirklees.gov.uk](mailto:angie.aspinall@kirklees.gov.uk) or 01484 416 930  
<http://tinyurl.com/726mylr>

### **Improving educational outcomes for looked-after children and young people, and improving the emotional and behavioural health of looked-after children and young people**

Two useful knowledge reviews containing detailed evidence of what works, produced by the Centre for Excellence and Outcomes in Children's Services (C4EO), September 2010, available on [www.c4eo.org.uk](http://www.c4eo.org.uk)

## **Putting corporate parenting into practice: developing an effective approach**

Materials to support corporate parents, by Hart, D and Williams, A National Children's Bureau and currently being updated.

[www.ncb.org.uk](http://www.ncb.org.uk)

### **LILAC**

LILAC is a project run by a National Voice. It involves care experienced young people in carrying out assessments of how well services involve and consult with their children and young people, and delivering training on participation and the LILAC standards. [www.lilacanv.org](http://www.lilacanv.org)

### **What young people from CiCCs say... ten top tips for corporate parents**

Suggestions from children in care councils about how corporate parents can work most effectively with them

ANV (forthcoming)

### **Must knows for lead members in children's services – Local Government Association**

<http://tinyurl.com/726mylr>

### **3. How do you know your council is serving the most vulnerable children and young people well?**

Top tip three (PDF, 8 pages, 554 KB)

### **4. How do you know your council is being effective in keeping children and young people safe?**

Top tip four (PDF, 8 pages, 528 KB)

### **Data profiles for local authorities – LG Inform. Register through the LGA website.**

[www.local.gov.uk](http://www.local.gov.uk)

## **Improvement support**

### **Information on children's improvement board**

<http://tinyurl.com/892zfcm>

### **LGA support for members**

<http://tinyurl.com/7bzpoxd>

### **Safeguarding children peer review**

<http://www.local.gov.uk/safeguarding-children-peer-reviews>

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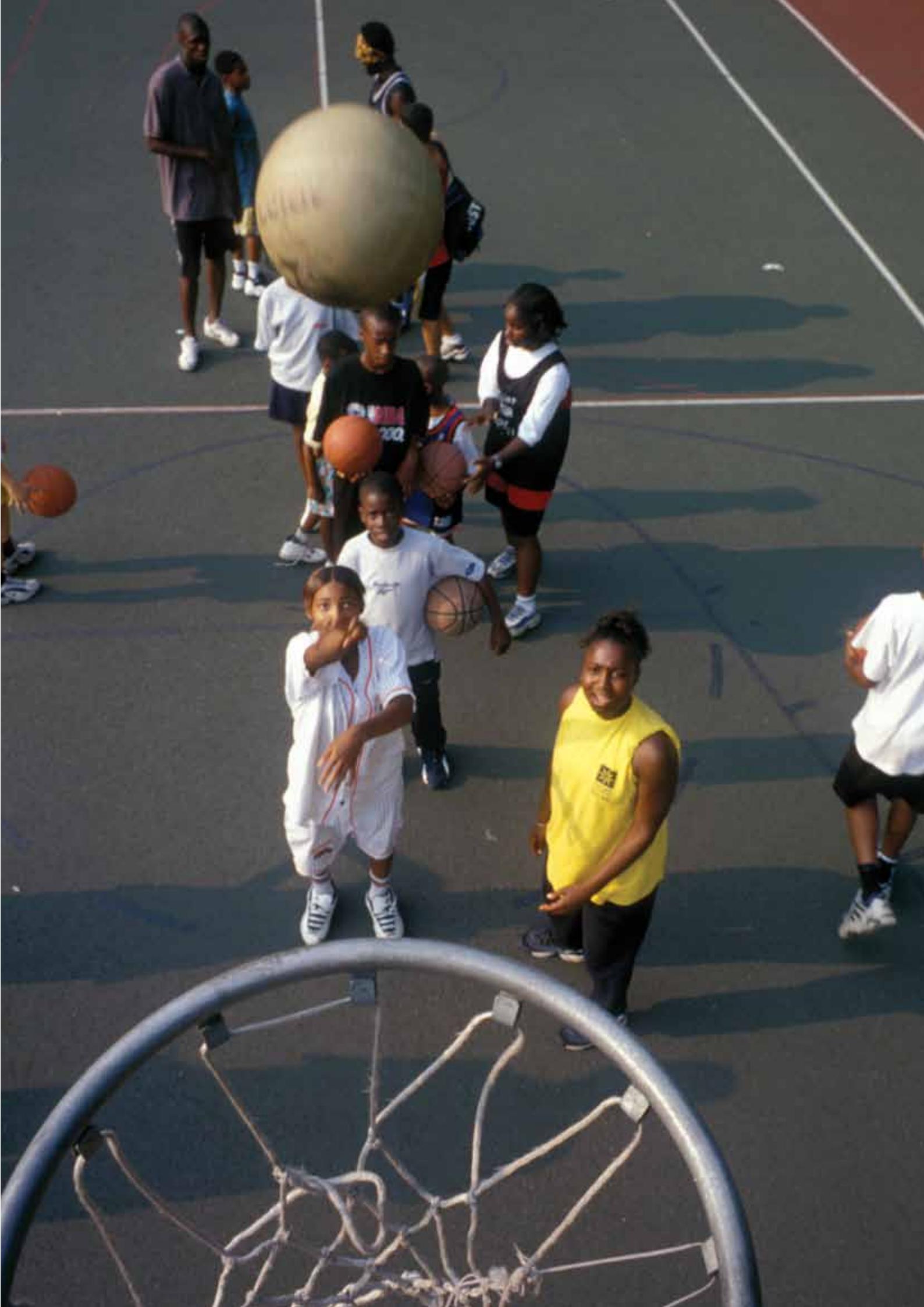
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