

Report for:
INFORMATION

Item Number:

Contains Confidential or Exempt Information	NO
Title	Corporate Parenting Principles; Local Offer and extending Personal Adviser support to all care leavers to age 25
Responsible Officer(s)	Carolyn Fair/Judith Finlay
Author(s)	Marcella Phelan
Portfolio(s)	Cllr Binda Rai – Lead Member Children and Families
For Consideration, By	Corporate Parent Committee
Date to be considered	22 nd March 2018
Implementation Date if Not Called In	
Affected Wards	All
Keywords/Index	Care Leavers local offer: Corporate Parenting, Support to age 25

Purpose of Report:

To update Members of changes in Corporate Parenting principles including a requirement to publish a local offer to care leavers, new responsibilities to extend support from local authority personal advisers to all care leavers up to age 25. There is also a new requirement to expand the role of both designated teachers and Virtual School Heads to include the provision of information and advice to certain previously looked after children and their families. The new requirements will take effect from 1st April 2018 and the local offer needs to be published by 1st January 2019.

1. Recommendations

- 1.1 That Members note changes in corporate parenting responsibilities as set out in the Children and Social Work Act 2017.
- 1.2 That Members note the requirement to publish a local offer and extend personal adviser support to all care leavers aged up to 25 (currently ceases at age 21)
- 1.3 That Members note revised responsibilities in relation to the role of the Virtual School head and the designated teachers.
- 1.4 That Members ask Officers to consult with the Children in Care Councils and bring back further reports in June 2018 updating progress on the local offer and implementing the new requirements.

2. Reason for Decision and Options Considered

2.1 The programme has significant implications for the authority in its Corporate Parent role and how we support looked after children, care leavers and their families.

2.2 Information on limited additional funding to support implementation has just been received nationally. It is not yet clear what this will translate to locally. This is part of the New Burdens assessment. A government consultation process on the new proposed new guidance lasted 6 weeks and concluded in November 2017. Following this in February 2018 the government published additional guidance with its response to the consultation alongside statutory guidance for local authorities.

3. Key Implications

3.1 The Children and Social Work Act received Royal Assent on April 27 2017. Full implementation is expected from April 2018. New legislative duties include:

- Corporate parenting principles in relation to care and pathway planning
- A local offer for care leavers
- Extending support from local authority personal advisers to all care leavers up to age 25
- Expanding the role of both the Virtual School Heads and the designated teachers to include the provision of information and advice to certain previously looked after children and their families. (See Appendix 2)

3.2 The guidance re emphasises that the role that local authorities play in looking after children is one of the most important they do. Members should frequently ask themselves – “Is this good enough for my children?”

A strong ethos should mean that everybody from the Chief Executive down and elected Members through to front line staff prioritise their needs and that there is an embedded culture to support this right across the Council. The roles of the DCS and the Lead Member should set the tone for this across the Council. It is also vital that all parts of a local authority beyond those directly responsible recognise they have a key role too.

3.3 The corporate parenting principles set out 7 key areas that all those working across the local authority – including housing and council tax – have towards achieving the best outcomes for looked after children and care leavers. These are not new requirements but are a re-emphasis of existing duties.

In order to thrive there are 7 key principles that local authorities must address as part of their responsibilities:

- i) To act in the best interests and promote the physical and mental health and well-being of those children and young people
- ii) To encourage those children and young people to express their views, wishes and feelings
- iii) To take into account the views, wishes and feelings of those children and young people
- iv) To help those children and young people gain access to and make best use of services provided by the local authority and its relevant partners
- v) To promote high aspirations and seek to secure the best outcomes for those children and young people

- vi) For those children and young people to be safe and have stability in their home lives, relationships and education and/or work and to prepare those children and young people for adulthood and independent living.

This is not seen as a formulaic approach but embedded in behaviours and attitudes across the Council.

3.4 Corporate Parent Leadership – This should ensure that looked after children and care leavers are part of the local authority “family”. Members should have regular contact with members of the Children in Care (CIC) Councils. They could have a role in recruitment and advising on content of key job profiles e.g. personal advisers. Local authorities have a key role as employers and should consider ring fencing opportunities e.g. apprenticeships for care leavers. Discussions are currently ongoing with the Apprenticeship Team as to how this could be achieved.

3.5 Local authorities are also under a duty section 10 of the Children Act 2004, to make sure there is co-operation to deliver better outcomes with key partners. These should include housing, immigration, early years, police and criminal justice agencies. Ealing has strong and positive partnerships with its local key stakeholders to deliver better outcomes for our looked after children and care leavers.

3.6 All good parents take care of their children’s physical health and mental well-being and there are many ways local authorities can do this. This should also include understanding challenging behaviour and the impact of early trauma. Close working with health and public health is required including prioritising this group’s needs within the Joint Strategic Needs assessment (JSNA). Local authorities should also ensure access to leisure and cultural services e.g. music, arts, sport etc.

3.7 The second and third principles relate to taking young people’s views and wishes into account at an individual and strategic level. These principles apply to every child and include those with disabilities. Children and young people should also be involved in the design of services. Where after consideration the child’s wishes cannot be agreed there should be a clear explanation of the reasons why.

3.8 Local authorities should advocate and ensure that children access the best services e.g. Good schools in their local areas. They should also ensure that young people have effective and smooth transitions to independence as care leavers, by publishing a clear local offer that sets out the range of services available to them. They should also have access to effective ETE support and advice and their carers should also be able to access this information.

3.9 Corporate parents should promote high aspirations and work towards securing the best outcomes for their looked after children and care leavers eg identifying a good university where they have the potential to succeed and supporting them to get there. At an individual level promoting individual children’s confidence and aspiration is important e.g. establishing mentoring or role model schemes and encouraging work taster days. Also, encouraging work at regional level with other CICs. Ealing has a strong record on improving ETE outcomes but there is still further progress to be made for a number of children and young people.

3.10 Being safe and having stability is seen as a key priority. This is critical in order that children can thrive, have stability in their lives for education and work and build resilience by forging strong and trusted relationships. This includes stability of placements and support for carers and where appropriate access to Staying Put foster

care schemes for care leavers and the new Staying Close model for residential. It also means access to support in transition and support to prevent homelessness and rent and council tax arrears. Ealing is currently piloting an innovative Staying Close programme between Horizons and St Christopher's a local independent sector semi residential provider.

3.11 Preparing for adulthood and independent living is an overarching priority with effective planning to manage day to day life. This can include use of semi independent accommodation and training flats. Good preparation, a gradual transition and flexible ongoing support are key to helping young people achieve a successful move to independent living. This involves local authorities having very close working with housing authorities.

3.12 Local authorities also need to prepare and publish a local offer for care leavers. This should set out services and support the Council will provide in relation to:

- Health and well being
- Relationships
- Education and training
- Employment
- Accommodation
- Participation in society.

Councils should work with their Children in Care Councils in developing their local offer.

3.13 Ealing has begun this work on developing its local offer and consulting with the local Children in Care Councils.

Prior to this officers have been reviewing and updating the current offer and financial policy to ensure it is consistent and meets the requirements of the new legislation. The local offer will include addressing the following areas:

- Health
- Relationships
- Accommodation and pre-tenancy training
- Education and Training
- Employment and Apprenticeships
- Participation
- The Horizons Offer
- The ME Peer Mentoring offer.

Consultation will continue with the Children in Care Councils over the coming months. The Guidance is clear that whilst the new duty takes effect from 1 April 2018, it does involve the local authority first consulting with young people before publishing the local offer. The expectation is that consultation and discussion will take approx. 6-9 months and that the local offer should be published by 1st January 2019 at the latest.

The financial policy will also be updated and will clarify entitlements that are extended up to the age of 25.

A draft local offer is attached as Appendix 1

3.14 Extending support from Personal Advisers to all care leavers to age 25:

Section 3 of the Children and Social Work Act 2017 has introduced a new duty on local authorities to offer Personal Advisers (PAs) to all care leavers up to age 25 if they want this support. This includes those young people up to age 25 who had previously indicated they did not want one.

Support should be proactively offered to care leavers at least annually. This new duty will take effect from 1st April 2018.

Officers are currently considering how best to deliver this new requirement with Horizons at the centre of the post 21 offer. It is anticipated that the offer for young people aged 21 plus will be to access a Personal Adviser via Horizons through the 20 plus team or the Horizons Connexions staff or through their key worker if they are placed some distance out of borough. We are still clarifying what additional resource may be available through the new burdens assessment.

3.15 Government consultation concluded in November 2017 and statutory guidance has been published in February 2018. This guidance covers:

- Guidance on the corporate parenting principles, the local offer and extending Personal Adviser (PA) support to all care leavers to age 25: Government consultation response.
- Applying corporate parenting principles to looked after children and care leavers: Statutory Guidance for local authorities.
- Local offer guidance: Guidance for local authorities.
- Extending Personal Adviser support to all care leavers to age 25: Statutory guidance for local authorities.

3.15 It is not yet clear how much demand there will be to take up the new support on offer. Many care leavers are likely to be settled and independent as they move through from age 21-25 but the new guidance will benefit those with complex needs and ongoing challenges in this older age group. The requirement on the local authority is to publish the offer and provide personal adviser support to those aged between 21-25 and currently not in education and to inform all care leavers of this support at least once per year.

Numbers taking up the offer will be closely monitored and reported to this Committee and the service can then adjust to meet the increased demand and available resource. Officers are taking the opportunity to review the way in which we deliver the Leaving Care Service and Horizons support and update these in light of the new legislation and policy changes.

3.16 In addition there are new requirements on the Virtual Head Teacher to extend and offer advice to new groups of children including those on Special Guardianship Orders (SGOs) and adopted children not previously covered by guidance. Ealing's VHT has been considering how best to achieve this locally and had discussions with designated teachers. (See Appendix 2).

3.17 The new guidance emphasises that as Corporate Parents local authorities must have high aspirations for the children they look after particularly in terms of education. The Virtual School Head (VSH) is the lead responsible officer for ensuring that arrangements are in place to improve the educational experiences and outcomes of the authorities looked after children, including those placed out-of authority and

detailed guidance on what this requires is contained in the comprehensive new policy guidance.

3.18 A full Report on implementation of all aspects of the local offer, increased PA support up to age 21 and implementation of the new education reforms will be brought back to the next Corporate Parent Panel in June 2018 along with clarification on the limited additional resource available. In the meantime, arrangements are in place to respond to the new guidance on an interim basis from 1st April 2018.

4. Financial

a) Financial impact on the budget (mandatory)

4.1 The Council's current Corporate Parenting responsibilities are funded by the Department for Education through the Dedicated Schools Grant (DSG) and Pupil Premium Grant. There is no current estimate for potential additional costs for the Council.

4.2 Since the Children and Social Work Act 2017 received Royal Assent the Department for Education has been working with local authority leaving care managers to refine the initial new financial burdens assessment and has consulted the Local Government Association (LGA) and the Association of Directors of Children's Services (ADCS) on an updated draft.

4.3 The Department for Education published the New Burdens Assessment on 26 February 2018. This paper informed that total funding available nationally to local authorities would be £3.029m. The Council is awaiting information on what its allocation will be.

4.4 All costs will need to be contained within existing and additional resources within Children and Families.

5. Legal

5.1 The proposal is set within existing Children Act 1989 and the Children Act 2004, the Children Leaving Care Act 2000 and the Children and Social Work Act 2017. Sections 1-7 of the Children and Social Work Act 2017 made changes to the legislative framework for looked-after and previously looked-after children and care leavers that take effect from April 2018.

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5.2 Sections 1 to 7 of the Children and Social Work Act 2017 (the Act) made changes to the legislative framework for looked-after and previously-looked after children, and care leavers.

5.3 Sections 1 to 3 of the Act introduced corporate parenting principles to which the Council must have regard when exercising its functions in relation to looked after children and care leavers; a requirement to consult on and publish a local offer for care leavers; and extended eligibility for support from a personal adviser to all care leavers up to the age of 25.

These new duties come in to effect from 1 April 2018.

5.4 The Government has published statutory guidance aimed at local authorities to assist in implementing these changes:

- Applying corporate parenting principles to looked-after children and care leavers (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/683698/ Applying_corporate_parenting_principles_to_looked-after_children_and_care_leavers.pdf)
- Local Offer for care leavers guidance (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/683703/Local_offer_guidance_final.pdf)
- Extending Personal Adviser support to all care leavers to age 25 (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/683701/Extending_Personal_Adviser_support_to_all_care_leavers_to_age_25.pdf)

5.5 Sections 4 to 7 of the Act expand the role of Virtual School Heads (VSH) and designated teachers to include certain previously looked-after children (those who left care through adoption, special guardianship or child arrangement orders or were adopted from state care outside England and Wales). The Government has again published statutory guidance aimed at local authorities, schools and school governing bodies to assist implementing these changes:

- Revised statutory guidance on Promoting Education of Looked after Children
- Revised statutory guidance on the Roles and Responsibilities of the Designated Teacher for looked-after and previously looked-after children
- The Government response to consultation on draft statutory guidance on Promoting Education of Looked after Children and Roles and Responsibilities the Designated Teacher

5.6 It is important to note that the VSH role for previously looked-after children is different to that for looked after children, as previously looked-after children have parents or guardians and the local authority is no longer their corporate parent. VSH will be a source of information and advice, but, as for other children, it will be parents or guardians who champion their previously looked-after child's education. The expanded role of VSH and designated teachers will support them in doing this. Section 10 Children Act 2004 requires the Council to make arrangements to promote co-operation with its relevant partners with a view to improving the well being of children within the area.

6. Value for Money

All services need to ensure they are efficient and provide best value.

7. Sustainability Impact Appraisal

N/A

8. Risk Management

There will be risks associated in implementing the new guidance but these will be reviewed on a case by case basis with the aim of reducing risk whilst increasing protective factors for young people.

9. Community Safety

Increasing community safety and reducing risk of young people's involvement in crime and anti-social behaviour is a key part of the new leaving care proposals as care leavers are significantly over represented locally and nationally in the youth justice system

10. Links to the 5 Priorities for the Borough

If none, say so. Please keep to one paragraph.

The 5 Priorities are:

- **Making Ealing Safer**
- **Securing Public Services**
- **Securing Jobs and Homes**
- **Delivering Value for Money**
- **Making Ealing Cleaner**

This new guidance clearly links with a number of the Future Ealing priorities for children, young people, crime reduction and increasing skills and employment opportunities.

11. Equalities, Human Rights and Community Cohesion

By better responding to young people's expressed views regarding their placements and wish to remain locally community cohesion will be enhanced.

12. Staffing/Workforce and Accommodation implications

These implications are being continuously considered as part of the consultation processes for full implementation from April 2018.

13. Property and Assets

There are no property implications.

14. Any other implications:

N/A

15. Consultation

Ongoing consultation with young people, staff and foster carers underpins the proposal. The authority will continue to involve the local Children in Care Councils in consultation for local implementation.

16. Timetable for Implementation

Implementation is from April 2018 and the local offer must be published by January 2019.

17. Appendices

Appendix 1– Draft Local Offer

Appendix 2 – Government Consultation

18. Background Information

N/A

Consultation (Mandatory)

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Justin Morley	Legal	12/3/18	13/3/18	Sec 5 and Throughout
Andrew Reeve	Finance	12/3/18	13/3/18	Sec 4
Carol Yates	Ch and Families	12/3/18		
Carolyn Fair	Ch and Families	12/3/18		
B Macdonagh	VHT	12/3/18	13/3/18	
External				

Report History

Decision type:	Urgency item?
For information	NO
Report no.:	Report author and contact for queries: Marcella Phelan
	First and surname, job title Marcella Phelan Asst Director Children and families Ext 8848 Phelanm@ealing.gov.uk