

# CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

## Agenda Item 19

Brighton & Hove City Council

**Subject:** Corporate Parenting  
**Date of Meeting:** 16<sup>th</sup> September 2009  
**Report of:** Director of Children's Services  
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**Wards Affected:** All

### FOR GENERAL RELEASE/ EXEMPTIONS

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Children Act 2004 and subsequent Care Matters framework has placed increased duties upon councils in respect of responsibilities to children in the public care system. Children enter the care system in a variety of ways: on remand to the care of the Local Authority from a juvenile Court as a result of criminal behaviour, as Unaccompanied Asylum Seeking Children, parents can request that their children be accommodated either full time or for short breaks/respite as a family support service (for example with a severely disabled child) or as a result of family breakdown or trauma. However by far the largest proportion of children in care (CiC) both nationally and locally are placed in the care system as a result of an order from a Family Court because they are cannot be cared for safely within their family system, either temporarily or on a permanent basis.
- 1.2 Outcomes for CiC are poorer than those of the general population of children. For example in 2008 in Brighton and Hove just 7% achieved 5 A\*-C grades at GCSE compared to 57% in the general population. CiC are more likely to commit their first offence at an early age with 42% having committed an offence by age 14 compared to 25% of young people who live with their parents and CiC in Brighton and Hove are almost twice as likely to receive a final warning reprimand or caution compared to all children. Not surprisingly poor educational outcomes and higher rates of offending can lead to lifelong difficulties and to an overrepresentation of care leavers in the adult prison population, amongst those who are street homeless or being treated for adult mental health difficulties etc.
- 1.3 The responsibility to care for children who are legally CiC falls upon the whole Council rather than simply upon statutory children's services and legislation stipulates that "all departments and services must treat these

children as if they were their own.” There is now a statutory requirement to have both a lead member for children’s services and a Director of Children’s Services. BHCC must also establish a Children in Care Council which allows CiC to express their views and give feedback on the services they receive. In Brighton and Hove this was launched in March 2009 and is called the Listen Up Care Council or LUCC. In addition the City must develop a Pledge or set of undertakings that outline the commitments that it will make to its CiC (see Appendix One for the draft Pledge).

- 1.4 The Cabinet Member for Children’s Services and the Chief Executive and TMT have received reports and endorsed the intention to launch a Corporate Parenting Forum that will include both elected members and representatives from LUCC. This forum will consider an annual report card on outcomes for CiC, ratify and update the Pledge, ensure that ongoing Council business reflects the needs and aspirations of CiC etc.

## **2. RECOMMENDATIONS:**

- 2.1 That CYPOSC should support the formation of a Corporate Parenting Forum and act as ambassadors for CiC to their respective political groups to ensure that all groups are actively represented and involved both in the forum and at training and briefings.
- 2.2 That Councillors should require any committees or boards that they are members of to carry out a stock take of responsibility in relation to CiC and ensure that this is reflected in future work plans etc.
- 2.3 That CYPOSC should agree to receive and consider the annual ‘report card’ on outcomes for CiC to reassure itself that continued progress is being made for this group of children.

## **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 As of the end of July 2009 in BHCC there are 444 full time CiC and 508 children if those supported by short breaks/respice are included. The City has a higher proportion of CiC than the national average, 79 per 10,000 compared with 64 per 10,000 in benchmark authorities.
- 3.2 Outcomes data:
  - 3.2.1 What is going well?

There is strong progress on many of the outcome measures for CiC in the City. Some examples would be:

    - In 2008 the percentage of care leavers aged 19 who were engaged in education, employment or training was 63.9% compared to the average amongst statistical neighbours of 62.19%

- In 2008 the percentage of care leavers living in suitable accommodation was 94.4% compared to the average amongst statistical neighbours of 82.3%
- The percentage of children having dental and health checks has increased from nearly 72% in 2004 to 94% in 2008, which is above the statistical neighbour average of 85%.
- In 2008 the percentage of children aged 10+ who received a final warning/reprimand or conviction was 1.8% as a proportion of all 10-17 year olds compared to a statistical neighbour average of 2.3%.
- In 2008 10% of CiC missed 25 or more days of schooling during the previous year compared with 13.6% for statistical neighbours with fixed term exclusions falling from 142 in the 2005/6 academic year to 87 in the year 2007/8.

### 3.2.2 What are the ongoing challenges?

Despite the progress in many areas there are ongoing challenges, for example:

- In 2008 10.7% of LAC were identified as having a substance misuse problem which is more than twice the national average of 4.9% and the regional average of 4.3%.
- In 2008 the percentage of CiC who achieved 5 GCSEs at A\*- C grades was 7% compared to an average amongst statistical neighbours of 12.3%.

## 4. **CONSULTATION**

- 4.1 The Listen up Care Council will provide a positive channel of communication between CiC, elected members and officers. Development of the Pledge has involved extensive consultation with CiC and a Corporate Parenting Forum, once established, will support ongoing dialogue and feedback.

## 5. **FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The rise in the council's duties in relation to CiC in recent years has put increasing demands on the children's budget. In 2008/09 the spending on CiC was £19.8m compared with a total spend on children's social care of £40.2m (49%). The total 2009/10 budget for children looked after is £21.4m. Early indications are that this budget is under significant pressure and the current level of activity is not sustainable within existing funding levels.

*Finance Officer Consulted:* David Ellis

*Date:* 7.9.09

### Legal Implications:

- 5.2 The report sets out some of the statutory and regulatory framework for children in care. Where children are suffering or are at significant risk of suffering significant harm (physical, emotional or in terms of their development) as a result of an unreasonable standard of parenting, the local authority are under a statutory duty to assess their circumstances and if necessary accommodate them, either with their parent's consent or by way of court order within care proceedings. Additionally teenagers can request accommodation and if it is clear to the authority that they are unable to live at home, then following recent case law they must be treated in law as children in care. Post the death of Baby Peter there has been a significant increase in the numbers of care proceedings nationally.

If it is assessed that children cannot be safely returned to their parents, and no safe family option can be found the authority have to consider whether the child should remain in foster care or following further assessment whether they should be approved for adoption. Adoptions can only be done with the express approval of the court. The authority has a duty to assess the needs of the children in their care. By their nature many of the children who remain in care in the longer term have a range of special needs and challenges which have arisen before their entry into care. As the report indicates the authority as a whole has a duty to ensure that wherever possible those special needs are identified and the resources of the authority used to address them. For example the admissions policies of schools must give priority to looked after children. In addition the Children Act 2004 places a duty on a range of other public bodies such as the health service to prioritise outcomes for children in their service.

*Lawyer Consulted : Natasha Watson                      Date: 07.09.09*

### Equalities Implications:

- 5.3 Most children who are in the care system come from backgrounds within socially excluded sections of the population. This, coupled with the poor outcomes that can be the result of being a child in care, can lead to long term and serious disadvantage for this group of children.

### Sustainability Implications:

- 5.4 There are no sustainability implications.

### Crime & Disorder Implications:

- 5.5 There are no implications for crime and disorder

Risk and Opportunity Management Implications:

- 5.6 BHCC has an opportunity to improve Corporate Parenting and hence outcomes for CiC and to counter and ameliorate the disadvantage that these children can experience. The risk if this does not happen is that more young people will leave care and enter highly marginalised and challenging sections of the community.

Corporate / Citywide Implications:

- 5.7 Poor outcomes for CiC will reflect on key performance frameworks for BHCC and may impact negatively on overall gradings and judgements for the authority.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Draft Pledge for Children in Care

**Documents In Members' Rooms**

1. None

**Background Documents**

1. None

