

CABINET MEMBER MEETING

Agenda Item 13

Brighton & Hove City Council

Subject:	Commissioning Strategy for services, assessments and placements for looked after children and children in need who are at risk of care or custody		
Date of Meeting:	12th September 2011		
Report of:	Strategic Director People		
Contact Officer:	Name:	Steve Barton	Tel: 29-6105
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Key Decision:	No	Forward Plan No. N/A	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Section 22G of the Children Act 1989 requires local authorities to be in a position to secure sufficient accommodation for looked after children that meets their needs and is within their local authority area. The sufficiency duty is a general duty that applies to strategic arrangements rather than to the provision of accommodation for a particular individual child and applies to children “whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the authority’s area.”
- 1.2 The Commissioning Strategy for services, assessments and placements for looked after children and children in need (the Commissioning Strategy) summarised in section 3 of this report describes:
 - the council’s current commissioning and procurement arrangements to ensure sufficient high quality, value for money accommodation and support services are provided for children who are, or at risk of becoming, looked after; and
 - the strategic plan to improve those arrangements to ensure sufficiency in the future as part of the council’s value for money and commissioning programmes.
- 1.3. This agenda item is directly related to agenda item 11 (Annual Fostering Service report 2010/11) and agenda item 12 (Annual Adoption Agency Report 2010/11).

2. RECOMMENDATIONS:

- 2.1 That the Commissioning Strategy for services, assessments and placements for looked after children and children in need is agreed.

- 2.2 That the arrangements for monitoring the development plan through the Children's Services Value for Money Project are noted.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The full Commissioning Strategy document summarised here was produced by an officer Task Group established by the Value for Money (VFM) Project Board.

Vision and Outcomes:

Brighton & Hove City Council's vision for all children is set out in the Children & Young People's Plan 2009-12 agreed with partners and with children and young people themselves through their consultative forums:

"Brighton & Hove should be the best place in the country for children and young people to grow up. We want to ensure all children and young people have the best possible start in life, so that everyone has the opportunity to fulfil their potential, what ever that may be"

For young people in care:

"Our aspirations for children being cared for reflect those aspirations we would have for them as if they were our own. We know that children in care are often in much greater need than other children and we must ensure they obtain all the help they require. We aim to create a home and community environment that provides every child with a safe, happy, healthy, secure and loving childhood, nurturing their aspirations and enabling them to fulfil their full potential"

(Taken from Care Matters: Time to deliver for children in care 2008).

Current commissioning and procurement arrangements:

Brighton and Hove can evidence that there are effective arrangements in place to ensure high quality accommodation and support services are provided and that an adequate number of placements are available to meet the needs of looked after children. The 2011 Ofsted inspection recognised that the council has worked hard to reduce the number of placements that are out of city and, for those placements that are within the boundaries of neighbouring authorities, the quality of provision is good and there are good interagency working relationships.

Brighton & Hove covers a small geographical area where 89% of all LAC children are placed within 20 miles of the boundary of Brighton and Hove. A placement outside of the local area is appropriate for 4% of those children placed further way (for example it provides necessary safety or facilitates placement with family and friends or prospective adopters).

The local authority continues to work with providers (both in-house and via the independent sector) to provide services and accommodation as locally as

possible and aims to ensure that all children who wish/need to be placed in the local area can be.

Needs analysis:

The Task Group collected and evaluated detailed data and information including:

- a profile of the city's looked after children population, current placement type and benchmark information
- Young people's views.
- a baseline analysis of current processes and systems

The Task Group found that Brighton & Hove has a higher Looked after Children population than the national average and our statistical neighbours. Also, the proportion of children requiring a Child Protection or Children In Need Plan in Brighton & Hove is higher than the national average and statistical neighbours.

Commissioning Strategy:

The commissioning strategy is organised around the six Standards for Commissioning Practice set out in the Sufficiency Statutory Guidance which includes a comprehensive set of best practice standards (see Appendix 1).

The council's commissioning strategy is to:

- be a good corporate parent
- reduce the need for children to come into the care by enabling and supporting families experiencing difficulties to care for their children
- commission and procure assessments, services and placements that are value for money and comply with statutory commissioning standards prioritising in house fostering provision where that can meet a child's needs

As a result the council will take a commissioning led approach to meeting the requirements of the sufficiency duty in the future. This is in line with its new commissioning and delivery structure and builds on the partnership and commissioning arrangements established by the Children and Young People's Trust and the Section 75 agreement with the PCT.

Following the comprehensive needs analysis and review of current arrangements the Task Group identified three improvement priorities:

Individual assessment, care planning, strategic needs assessment and commissioning decisions:

- the decision making pathway for commissioning, matching and procuring assessments, services and/or placements to deliver care plans for individual children

Market management and collaboration:

- the balance of arrangements for the in house provision of fostering and adoption placements and the procurement of fostering, adoption and residential placements from the independent sector

- arrangements for the provision of support services to children and young people and/or their families or carers including health, education and other specialist services
- arrangements for pre-birth assessments and the provision of parent and baby assessments and placements

Securing Services:

- establishing consistent evidence based performance management arrangements for both the in house provision of services by the Delivery Unit, through the council's Compact, and through external contract and service specification arrangements for the collection, reporting and analysis of activity and financial data

See Appendix 2 for the Commissioning Strategy Development Plan.

4. CONSULTATION

- 4.1 The strategy was jointly produced by senior managers from the Children's Services Commissioning Team and Delivery Unit.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no specific additional financial resources required to implement the commissioning strategy, however it could have significant financial implications. The commissioning strategy is an integral part of the children's services value for money (VFM) programme and the overall progress of VFM will rely on the successful implementation of the plans stated in the commissioning strategy. The VFM programme forms part of the children's services budget strategy for which detailed financial information is available in numerous other reports.

Finance Officer Consulted: David Ellis

Date: 28/7/11

Legal Implications:

- 5.2 The report and accompanying Commissioning Strategy set out how Brighton and Hove City Council will continue to meet its statutory duties under The Children Act 1989 to provide sufficient accommodation for children in their area, whose welfare requires it. The authority is required to consider the need for a range of accommodation and providers as evidenced by the Strategy.

Lawyer Consulted: Hilary Priestley Senior Lawyer

Date: 15/08 /11

Equalities Implications:

- 5.3 The Commissioning Strategy is compliant with the principles and standards set out in the Statutory Guidance underpinning the Sufficiency Duty which includes

that: 'each individual child or young person should be provided with the most appropriate placement to meet their needs and improve their outcomes'.

Sustainability Implications:

5.4 None

Crime & Disorder Implications:

5.5 In line with the Statutory Guidance this strategy is concerned with services, assessment and placements for looked after children and children in need who are at risk of care or custody.

Risk and Opportunity Management Implications:

5.6 This strategy is central to the Value for Money Programme which underpins Children's Services budget and risk management planning.

Corporate / Citywide Implications:

5.7 The strategy directly addresses corporate critical budgets.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 None

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Required by Section 22G of the Children Act 1989

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Principles and Standards: the Sufficiency Duty

Section 22G of the Children Act 1989 requires local authorities from April 2011, so far as is reasonable, to be in a position to secure sufficient accommodation and support services for looked after children that meets their needs and is within their local authority area.

The sufficiency duty is a general duty that applies to strategic arrangements rather than to the provision of accommodation for a particular individual child and applies to children in need whose welfare requires it.

The Statutory Guidance sets out the principles and standards which underpin this commissioning strategy i.e.

Principles:

The overriding principle of the statutory guidance can be summarised as:

- Having the right placement in the right place, at the right time. This is a vital factor in improving placement stability, which in turn is a critical success factor in relation to better outcomes for looked after children.

The key supporting principles are:

- Each individual child or young person should be provided with the most appropriate placement to meet their needs and improve their outcomes through: quality assessment, care planning and placement decisions.
- The local authority should give preference to a placement with a relative, friend or other person connected with the child and who is also a local authority foster parent

Best practice standards:

- all children are placed in appropriate placements with access to the support and services they require in their local authority area, except where this is not consistent with their welfare;
- the full range of universal, targeted and specialist services work together to meet children's needs in an integrated way in the local area, including children who are already looked after, as well as those at risk of care or custody;
- where it is not reasonably practicable for a child to be placed within his/her local authority area, there are mechanisms in place to widen the range of provision in neighbouring areas, the sub-region or region which is still within an accessible distance (i.e. based on transport links and community boundaries), while still being able to provide the full range of services required to meet identified needs;
- all children with adoption recommendations are placed with an adoptive family within 12 months of that recommendation;
- Children's Trust partners, including housing, work together to secure a range of provision to meet the needs of those who become looked after at the age of 16 and 17, and support the continuity of accommodation beyond the age of 18;
- services are available in adequate quantity to respond to children, including predicted demand for a range of needs, and emergencies;
- in addition to meeting relevant national minimum standards, services are of high enough quality to secure the specific outcomes identified in the care plans of looked after children;
- services are situated across the local authority area to reflect geographical distribution of need;
- all placement providers (including private, voluntary and public sector providers) are linked into the wider network of services and work with these services to offer appropriate support to deliver identified outcomes for looked after children;
- universal services know when a child is looked after and have good links with the range of targeted and specialist services which support him/her, including placement providers;

- there are mechanisms in place to ensure that professionals involved in placement decisions have sufficient knowledge and information about the supply and quality of placements and availability of all specialist, targeted and universal support services within the local authority area;
- The local authority and its Children Trust partners collaborate with neighbouring Children's Trusts to plan the market for services for looked after children and commission in regional or sub-regional arrangements.

The needs analysis has taken account of the definition of sufficiency in the Statutory Guidance i.e. that local authorities must do more than simply ensure that accommodation is 'sufficient' in terms of the number of beds provided and that consideration is given to:

- The potential benefits of securing a range of accommodation through a number of providers, to meet the diverse needs of looked after children and children in need who are at risk of care or custody.
- Providing services and accommodation at the right time in the right place
- Taking a whole systems approach which includes early intervention and preventive services to support children in their families, as well as better services for children if they do become looked after.

(Statutory Guidance 2.9 and 2.10).

Appendix 2: Commissioning Strategy: Development Plan 2011/12

The development plan sets out the timetable for the work on each of the above issues. The work will be underpinned by the following governance and performance management arrangements:

- Implementation of the Commissioning Strategy will be managed by the VfM Project Board and overseen by the Section 75 Joint Commissioning and Management Group
- Outcomes for Looked After Children will be monitored and managed by the Corporate Parenting Group

Ref	Action	Lead	By when?
Individual Assessment, care planning, strategic needs assessment and commissioning decisions			
1.	Analyse the current decision making pathway for commissioning placements for LAC and if required, develop a business case for changes	Sharon/Sue	Sept-11
2.	Analysis the current decision making pathway for commissioning assessments for LAC/CP/CIN cases and if required, develop a business case	Jane/Tony / Rima/And	Sept-11

Ref	Action	Lead	By when?
	for changes	y	
3.	Analysis the current decision making pathway for commissioning support services for LAC/CP/CIN cases and if required, develop a business case for changes	Richard/ Andy/Sue	Dec-11
4.	Strengthen early permanence planning and care planning of parent/baby placements.	Sharon Richard Celia	Sept-11
5.	Increase range of placement options for 16+ e.g. supported lodging	Andy/Sue	Dec-11
6.	Aggregate data, regarding type and number of in-house placements and agency placements for analysis to determine future commissioning and procurement activity.	Daryl/Rob	Sept -11
7.	Clarifying and if necessary change finance coding of sectional workers to differentiate between preventative and contact costs	David Rima	Sept -11
Market management and collaboration			
8.	Review of the framework contract (including evaluation of strengths & weaknesses of the current system and evaluation of alternative options)	Sue	Dec-11
9.	Review the current balance and projected trends of the LAC numbers between in-house and agency placements and if required, develop a business case to expand and/or clarify the focus of the internal fostering provision (spend to save).	Sharon/Su e	Dec-11
10.	Review health contracts which are currently agreed on an annual basis	Vanessa	Sept-11
11.	Review commissioning implications for the need to charge for health checks for every looked after child placed outside Brighton. Options include - pay other LA or outreach in-house	Vanessa	Sept-11

Ref	Action	Lead	By when?
	service.		
12.	Involvement of providers and stakeholders in discussions about future service delivery/commissioning options	Sue/Sharon	On-going
13.	Review joint working arrangements with education and health to pool budgets (CISP)	Steve	Sept -11
14.	Review Barnados contract for securing long term placements for disabled children as per the disability commissioning strategy	Alison/Jenny	Dec-11
Securing Services			
15.	Review the implications of Southwark judgement	Andy	Sept - 11
16.	Review of IRO services	Jane	Sept -11
17.	Develop a costed menu of evidence based interventions	Ellen Rima	Dec-11
18.	Work with adult services more effectively to ensure that staff prioritises child protection issues and that parents of vulnerable children are fast tracked into services	Steve	Dec-11
19.	Implement and review pathway from social work to CAF	Ellen Rima	Sept-11
20.	Review systems to secure respite placements for disabled children as per the disability commissioning strategy	Alison/Jenny	Dec-11

Documents In Members' Rooms

None

Background Documents

None.

