

MEETING:	ADULT SOCIAL CARE AND STRATEGIC HOUSING SCRUTINY COMMITTEE
DATE:	26 JULY 2010
TITLE OF REPORT:	UPDATE ON THE EXECUTIVE'S RESPONSE TO THE REVIEW OF TRANSITION FROM LEAVING CARE TO ADULT LIFE
PORTFOLIO AREA:	ADULT SOCIAL CARE, HEALTH AND WELLBEING

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

- 1 To update the Committee on the progress made since the report and action plan were produced in 2008.

Recommendation(s)

THAT

- (a) the report be noted;
and;
- (b) areas of concern continue to be monitored.

Reasons for Recommendations

- 2 To enable the Committee to carry out its function in relation to the Adult Care Services and transition from Leaving Care to Adult Life.

Background

- 3 A report was produced and presented to scrutiny committee in 2008. An action plan was produced labelled Appendix 2 in the original report.

This action plan has been updated with an additional column that shows the current position and proposed actions. This is Appendix 1 in this report

The same numbering has been used as was in the original report to allow comparisons to be made

Key Points Summary

- In the period between the producing of the previous report in 2008 and this update being written, there has been virtually a complete change of senior managers for both Safeguarding and Vulnerable Children and for Adult Care Services. In Children's Services an extended leadership team has been formed to develop a "one" service approach.
- Since the original action plan was developed, there has been additional government guidance on improving outcomes for Looked After Children and Care Leavers, adding to the role of Independent Reviewing Officers and aiming to improve the health and wellbeing of this vulnerable group.
- The issues identified in the original action plan have all been addressed and for some the outcomes have changed as the work has progressed (Revised Action Plan attached Appendix 1).
- The re-launch of the Children In Care Council has provided a valuable means of capturing the views of children and young people, and together with the 6 weekly consultation event, enables senior managers to use these to inform service development aimed at improving outcomes for them.
- The restructuring of the Safeguarding and Vulnerable Children's Division of the Children and Young People's Directorate will enable the workers in the newly formed Looked After Children's Team (Named CHYP Team by the young people in the Children In Care Council) to focus better on the needs of Looked After Children and Care Leavers, as they will not have the conflicting demands of having to manage Child Protection cases as well. This has proven to be the case in beacon authorities.
- The transition from Leaving Care to Adult life remains an issue for some care leavers, particularly those with mild to moderate mental health needs and those with mild learning disabilities as they do not meet the eligibility criteria with its necessarily high thresholds to access Adult Care Services.
- The reformed transition strategy group presents an opportunity for those involved to meet to discuss issues and identify solutions. This commenced meeting regularly from May 2010.
- Following the unsuccessful bid for a dedicated health worker to work with care leavers the Lead Nurse for Looked After Children is making a new bid for an additional post to be able to address some of these issues and to be able to sign post these young people to other services.

Changes since the review was written

LEGAL FRAMEWORK

- 4 The Children and Young persons Act (2008) is being phased in. Some of the guidance to some of the bullet points below are out for consultation.
- 5 The principal provisions of the 2008 Act are:
 - Local authorities will be empowered to enter into arrangements with other bodies in the discharge of its care functions, but may not delegate such functions to other local authorities
 - The securing of sufficient and appropriate accommodation for children in local authority care

- An amendment to the duties of local authorities to enable them to appoint Independent Reviewing Officers, such Officers to be independent of the local authority
- Local authorities will be obliged to visit young people in its care
- There will be a designated member of staff at maintained schools whose specific responsibility it will be to promote the educational achievement of children in care who attend that school
- The local authority will have a duty to provide assistance to young persons who are in care or who have recently left care to pursue education and training
- The local authority's power to make cash payments to children in need and their families is extended i.e. this power can be exercised by an authority in circumstances which are not exceptional. (s.24)
- Individuals who are responsible for caring for disabled children can be assisted by being given breaks from their care duties (s.25)
- The Chief Inspector of Education Children's Services and Skills will have enforcement powers in relation to a person who is failing to comply with a requirement relating to a child's home etc.
- The rights of relatives who are entitled to apply for a residence order or a special guardianship order without leave of the court is now extended to include those with whom the child has lived for a continuous period of one year
- A pilot scheme will be established to monitor how local authorities enter into arrangements with other bodies in respect of their care functions: the scheme will commence on the day that s.1(1) of the 2008 Act comes into force and will end on the day that s.4 comes into force, or at the end of the five year period following the Act coming into force, whichever is the earlier

Management of Staff

- 6 In the Children and Young People's Directorate management there has been many changes in senior managers particularly within the Safeguarding and Vulnerable Children's division where all the senior managers have been in post for less than 9 months. Similarly Adult Care Services has seen significant changes of senior managers.

Staff Structure

- 7 As a result of this significant change of Senior Managers, a service review of Safeguarding and Vulnerable Children Division was produced and put to staff for consultation. There was generally a positive response from both staff and other partners. The review was started being implemented in July 2010. The review proposes the setting up of a team dedicated to Looked after Children and Care leavers. This team will have both Social Workers and Aftercare Workers all in one team. This aim is to build a Looked After service around this team aiming to co-locate this team with the Designated LAC Nurse, CAMHS workers and the education support workers for LAC. This will produce better outcomes for LAC and Careleavers, with smoother transitions from care to leaving care and, where implemented in other authorities, better preparation for moving to independence.

Current Position in Herefordshire

- 8 Currently the Herefordshire Aftercare team is working with 110 young people.
Outcomes for Looked After Children and Young People remain generally positive, but the gap

remains when their outcomes are compared with other children and young people in the county.

Accommodation

- 9 The judgement made in Southwark, finding that homeless 16 and 17 year olds should be treated as Looked After if provided with accommodation, has a profound effect on Aftercare services in Herefordshire as they become entitled to these services if Looked After for more than 12 weeks. They then are entitled to advice and support until aged 21 years. Having to find suitable accommodation for these 40 young people who were previously dealt with by Housing and placed in Bed and Breakfast has put pressure on the accommodation available to Care leavers. A funded agreement has been reached with SHYPP to recruit and support an additional 8 supported lodgings to meet the needs of this group.

Corporate Parent Role

- 10 The Corporate Parenting Strategy for Herefordshire has been rewritten and is in the process of being publicised throughout the Council and NHS. This defines the role of Corporate Parenting, sets up a Corporate Parenting Panel for Herefordshire and contains a three year plan. The inaugural meeting of this panel took place in April 2010 and is due to meet again in August 2010.
- 11 It also defines the purpose and role of the Children in Care Council, which was re-launched in December 2009, following the successful celebration evening "Shine in 09" held early in December 2009. This group now meets monthly and so far has looked at Herefordshire's pledge to Children and young people and proposed a name for the Looked After Children's Team and the workers in it.

Possible Role for a Virtual Head Teacher

- 12 The Education Liaison Support Service (ELSS) for LAC has recently been reviewed and this review was produced for informal consultation. A decision was subsequently made to incorporate this review into the overarching review of the Children & Young People's Directorate. This is now at the formal consultation stage.
- 13 Amongst the proposals in the creation of a Virtual head of School for LAC, with the role of challenging other Head Teachers to produce good education outcomes for LAC in their school. This role may be undertaken by an Educational Psychologist as this has proven to be effective in other authorities.

Information Technology

- 14 The implementation of a new software package (Frameworki) took place in November 2008. Following the Laming Report about Baby P, a Social Work Task Force was set up. Amongst its recommendations was significant changes to the Integrated Children's System (ICS) as social workers were struggling with the various IT solutions used to record their work. This has included major changes to the forms used.
- 15 By the time this report is presented to scrutiny committee, Herefordshire will have implemented the first of two batches of new simplified ICS forms. This happened on the weekend of 12th June.
- 16 The software company has focused on producing a product than can use these revised forms and so an IT solution that can link with the Health System has not yet been produced.
- 17 However, the Lead Nurse for Children in Care and the Designated Doctor have been given access to Frameworki and information about Looked after Children so they have up to date information about who is Looked After and LAC medicals and health assessments can be completed on time.

Health Issues

- 18 There was a proposal to employ a dedicated health worker for Care leavers. An application for funding was made but this was turned down. This remains a key issue for transition to adult life as many care leavers have health issues, particularly relating to low to medium mental health which does not meet the eligibility criteria for Adult Mental Health services.
- 19 In response to the Statutory Guidance for Promoting the Health and Wellbeing of LAC, Health needs to expand their service to encompass Transitions rather than having a dedicated worker.
- 20 The reasons for this are partly child focussed; the child would have the same team supporting their health from when they come into care until they leave. But it is also service led in that the Lead Nurse for Children in Care would be able to provide supervision and guidance for a Band 5 nurse and their could be utilised for Looked After Children and those who are in the Transition to adulthood. If there was a dedicated unqualified worker there may be implications in terms of accountability for their practice.
- 21 In the Statutory Guidance (2009) it makes a compelling case for the need for a high level of input for those leaving care which could not be achieved by an unqualified nurse. On top of this, part role as many of the out of county reviews are done on top of that. The aim to engage in public health activity with Looked After Children and Care Leavers as well as one-to-one work.

Thresholds for Children's and Adult Services

- 22 There remain difficulties about transition from being cared for by Children's Services to services provided by Adult Care Services.
- 23 Adult Social Care is involved in Transitions Work at a strategic level and is well represented at the multi agency operational group. It is at this operational group that information about young people with needs resulting from physical disability, learning disability and mental health is shared and the planning process for the individuals monitored. Should a young person, following assessment, not be eligible for council funded Adult Social Care the operational group would still be able to draw on the knowledge of Adult Social Care for identifying other sources of information and potential support.
- 24 A new Multi-agency Transitions Steering Group has been meeting since May to look at transitions for all young people including care leavers and to produce a strategy to ensure these occur as smoothly as possible. Both Children's Services and Adult Care are represented in this group. There is also a Transitions Board and an operational transitions group that deals with individuals and issues arising around transition. All these groups have the remit to ensure joined up care for young people in transitions and to sign post them to the relevant services to meet their needs.
- 25 In 2003 the Department of Health (DoH) provided councils with a framework for determining eligibility for adult social care so that there was a more consistent approach across England. (Fair Access to Care Services - FACS) In Herefordshire eligibility for adult social care is currently for those people with critical and substantial needs only and this is in keeping with most councils. However in 2009 the DoH consulted on FACS and new guidance was produced in February 2010 with an anticipated greater emphasis on prevention and targeted intervention. Our local processes will be revisited in the light of the new guidance

Personal Education Plans

- 26 These are currently being completed by the ELSS. They produced 98.1% of PEPs on time in

2010/11.

- 27 Once the new Looked After Children's team is established the dedicated Social Workers will be expected to have a greater contribution to produce and have ownership of these plans. Recent guidance has stress that Social workers have the lead role in this process.

Out of County Placements in Herefordshire

- 28 Measuring how many LAC from other Authorities are placed in Herefordshire continues to be a problem. Children temporarily placed in Herefordshire is a key priority for Herefordshire Safeguarding Children Board for 2010/11 and is being led by the Stay Safe Outcomes Group.
- 29 Children's Services are now working to holding this information in one place so that numbers can be monitored and these vulnerable children safeguarded.
- 30 One of the proposals put forward in the ELSS review is for this team to track these children in Education. Children placed in Herefordshire suddenly appearing at Herefordshire schools often causes a problem due to their significant educational need.
- 31 Herefordshire continues to work with the private providers within the county, with whom we have a good working relationship. We are encouraging them to advise us when children come to and leave their establishments or provisions.

Service Gaps – Mental Health and Learning Disabilities

- 32 As mention above Care Leavers in transition still have difficulties in being sign posted to services to meet their needs arising from either low to moderate mental health issues or mild learning disability. The provision of a health worker to work with these and sign post them on to other services when they move into adult life would address this need.

Issues Raised In Work by Young People

Statutory Review Meetings

- 33 Herefordshire Voices project has trained 11 Looked After Children (LAC) so they can chair, if they wish, their LAC Review. This project is known as U-Chair and several Young people have gone on to Chair their own review. Those that attended the course but not chosen to chair their review have all said that they better understand the purpose of the review and have been more willing to participate.
- 34 Further training for U-Chair took place this spring / summer. Further training will be offered to other LAC.

Changes of Foster Placement

- 35 A significant number of children and young people have to change their placement. This process needs to be managed. We now have a Children's Placement Panel with representation from Health and those who provide education, which meets weekly if necessary. Placement moves are part of its remit. The aim is to ensure that the child or young person is appropriately placed and that their education and health needs are met
- 36 **Use of bin bags:** A specific policy is in place to prohibit the used of bin bags to transport belongings. Workers seem well informed about this policy. At the recent round of quarterly contract monitoring meetings this policy was raised with every provider. Some already had policies in place and all agreed to advise and support their carers to make sure that black bags and carrier bags were not used when children and young people change placement.

One breach of this policy was identified and the provider said they would investigate why this had happened as this was against their own policies.

Changes of Social Worker

- 37 With the setting up of dedicated team for LAC many children will have to change their social worker. This process will need to be well managed with formal introductions and hand over visits.
- 38 Other authorities have found that the turn over of social workers and the need for children and young people to change workers decreases significantly once the children and young people are dealt with by a team structured in this way.

Moving into our own flat

- 39 One of the focuses of the new LAC team will be to improve children and young people independence skills prior to them moving to independence. Some young people are choosing to remain with their foster carer when they reach 18 as do other young people in society. We encourage this and convert the placement to supported lodgings.
- 40 We also have included in the Corporate Parenting Strategy the concept that young people have the right to change their mind.

Moving to Aftercare

- 41 The new Lac team will have both social workers and Aftercare workers in one team with the aim that transition from one worker to the other will be gradual and seamless, and for a period of time the young person will have two workers. This proposal has been well received by both social work staff and children and young people.

LOOKED AFTER CHILDREN

- 42 When consulted those children and young people who attend the Children in Care Council were very clear that they do not want to be called 'Looked After' or 'in care'. This is reflected in their choice of name for the LAC team of Children and Young People's Team (CHYP). They want the social workers in the team to be CHYP Social Workers, and the support workers to be CHYP Support Workers.

WORK OPPORTUNITIES FOR LAC AND CARELEAVERS

- 43 The government are currently launching a project called Care2Work aimed at creating work opportunities for those who we are corporate parents. The Children in Care Council is currently looking at what help they think they need to help them successfully move into the world of work.

Community Impact

- 44 The work of the Children and Young People's Directorate and Adult Care Services have wide ranging community impacts, benefiting young people and adults across Herefordshire.

Financial Implications

- 45 Other than the funding of a health worker for care leavers, all the other actions and services can be met within existing budgets.

Legal Implications

- 46 The use of budgets including grants must comply with the legal requirements associated with each funding stream and the conditions of specific grants.

Risk Management

- 47 The risks are set out in the body of the report, in terms of the potential unmet needs that some care leavers have as they do not meet the eligibility criteria for Adult Care Services

Consultees

- 48 The Children In Care Council has been consulted about some of the issues raised in this report. They have recently discussed access to Higher Education and have requested more information about the funding available to them if they access these services.

Appendices

- 49 Appendix 1 is attached and referred to in the body of the report.