

<b>Decision maker:</b>	<b>Director for children's wellbeing</b>
<b>Decision date:</b>	<b>Wednesday 21 February 2018</b>
<b>Title of report:</b>	<b>Leisure vouchers for looked after children and care leavers</b>
<b>Report by:</b>	<b>Children's Joint Commissioning Manager</b>

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

(All Wards);

## **Purpose and summary**

To consider and approve the continuation of access to leisure activities for looked after children and care leavers via a discounted voucher system.

## **Recommendation(s)**

That:

(a) **the council appoints Halo Leisure to provide a framework of discounted leisure vouchers that can be purchased for looked after children and care leavers for a further period of five years from 1 April 2018 to 31 March 2023.**

(b)

## **Alternative options**

1. Payments could be made directly to children and young people, either in the form of cash or via a pre-payment card. However there would be a risk that funds could be used for

unintended purposes. The purchase of activities in this way would also be at additional cost, as the vouchers are discounted (see paragraph 9 for the discounted rates). Pre-payments cards are currently being procured and the children's wellbeing commissioners will work with Halo to explore whether the discounted vouchers could be replaced by pre-paid cards whilst maintaining the discounted rates.

2. Leisure allowances could be included in carers fees. There is also a risk that funds could be used for non-leisure purposes and the discounted element to the voucher system would not be applicable.
3. The council could conduct a competitive tender exercise to contract with a single provider or framework agreement with multiple providers. However, the low value of spend (approximately £10k per year) is unlikely to attract a range of providers that could offer the breadth of activities available through Halo. As the council could not provide any additional funding or activities, this would impact on achieving our corporate parenting strategy and result in fewer children and young people taking part in activities that improve their physical health and mental wellbeing and improve self-esteem and confidence.

## Key considerations

4. In line with National Minimum Standards 2011 and care planning regulations, corporate parents are expected to ensure our children are healthy and active from a health perspective as well as encouraging interests, which include ensuring all our children can swim from a safety perspective.
5. As of November 2017, the looked after children (LAC) population in Herefordshire stood at 310 with 135 care leavers. Of these, 115 children and young people are placed with independent agencies, where access to leisure activities is funded within the weekly fee paid, so outside of the scheme being recommended. This means 75% (330) of the LAC population and care leavers could be supported by the recommended LAC leisure voucher scheme.
6. The total annual budget is £10,000. Vouchers are purchased as needed at the agreed discounted rate, rather than there being a commitment to purchase a block amount each year.
7. There has been an agreement in place between the council and Halo to provide access to leisure facilities at a discounted rate for looked after children and care leavers since 2009. The current agreement, which has been in place since April 2015, ceases in March 2018 and there is no option to renew.
8. Halo is the dominant provider in leisure facilities across Herefordshire that can easily be accessed by looked after children and care leavers. Furthermore, Halo continues to show positive commitment to supporting looked after children.
9. Whilst other providers offer a range of activities, these do not operate across the county and would be unable to offer the full range of activities at a discounted rate.
10. Vouchers are allocated by the council's in-house fostering service and have provided access to a wide range of activities such as gym, exercise classes, swimming pools, tennis and golf at venues across the county. It is important to note the discounted voucher scheme is not available to children and young people in independent agency placements (fostering, residential or supported accommodation), where the weekly fee includes providing access to leisure activities. The weekly fees for agency placements

are fixed as part of regional contractual arrangements, so there is no discretion to reduce the fees and expand the discounted leisure voucher scheme.

11. The discounted voucher system enables the LAC service to purchase only those leisure activities that children and young people wish to access. The voucher types include:

- i) One term coaching course: £39.60 (50% discount)
- ii) Single, personal fitness plan voucher: £10 (for new gym users only - same as public junior price)
- iii) Single activity voucher: £2.30

Activity	Voucher price	Public junior price	Discount (%)
swim	£2.30	£3.20	38%
gym (requires gym card)	£2.30	£3.70	38%
Badminton	£2.30	£7.00	67%
table tennis	£2.30	£7.00	67%
Squash	£2.30	£7.00	67%
outdoor tennis	£2.30	£6.30	64%
9 hole golf	£2.30	£6.75	67%

12. During the period April 2017 to November 2017, 510 vouchers were issued to 111 looked after children and care leavers. Of the vouchers issued, 82% were for single activities, with 17% being for coaching courses.

13. Nearly 50% of the vouchers have been issued to children and young people supported by the in-house fostering team, with 36% and 10% via the LAC and 16+ teams respectively. Work is being planned to promote the scheme to all eligible looked after children and care leavers and allocated social workers or personal advisors, and to improve the monitoring of take-up rates.

## Community impact

14. This scheme supports the principles outlined in the council's Corporate Plan, Children and Young People's Plan and Health and Wellbeing Strategy, through supporting looked after children to enjoy the best possible health. This promotes mental health and emotional wellbeing, by providing access to a range of play, sport, leisure and cultural opportunities. Participating in group sessions also supports children and young people to engage in activities that promote social interaction.

15. As a corporate parent, Herefordshire Council has made a pledge to the children and young people in its care. The pledge commits the council to:

- i. support looked after children and care leavers in developing a range of interests and activities outside school
  - ii. help them recognise their skills and abilities and develop a plan to get the most out of their life, particularly as they get older and leave school
  - iii. ensure they have had the chance to try the different activities they talk about at their LAC review
16. Access to leisure activities for looked after children and care leavers supports Herefordshire's overarching vision for all children and young people - *that we keep them safe and give them a great start in life.*

## **Equality duty**

17. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
18. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.
19. This decision pays due regard to the public sector equality duty by ensuring that the council, as any good parent would, encourages and enables its looked after children and care leavers (some of whom have protected status) to access positive activities that increase their resilience and chances of achieving positive outcomes later in life.

## **Resource implications**

20. The total annual budget for the discounted voucher scheme is £10,000. Whilst recognising this is the same value allocated for 2017/18, savings have been achieved through there being no price increases in the cost of the discounted vouchers to the council.

## **Legal implications**

21. The council has statutory duties concerning looked after and former looked after children under its role as corporate parent. The Children Act 1989 sets out the general duty for the council to promote the welfare of children in its care.

22. These duties are further defined within the Children and Social Work Act 2017, when they come into force these provisions will require the council to act in the best interests, promote the physical, mental health and wellbeing of those children and young people in its care, making sure that they have access to relevant services.
23. The proposal is considered to be compatible with the council's obligations under the Public Contracts Regulations 2015 and related procurement law. The proposal is relatively low value and does not represent a material change to the existing contractual relationship between the council and Halo.
24. The fact that a young person is a looked after child or a care leaver is personal data. Recipients of the vouchers have rights under the Data Protection Act 1998 and forthcoming General Data Protection Regulation to expect that this personal information is safeguarded as far as reasonably possible. To ensure that personal data is processed appropriately and that disclosure risks are minimised, a privacy impact assessment should be undertaken on how the voucher scheme is operated between the council and Halo; in addition there should be a clear contractual expectations put in place to govern the operation of the scheme.

## **Risk management**

25. There is a low risk that children or young people could pass their vouchers to other people. This will first be mitigated by a robust voucher allocation system, managed by the in-house fostering service, to ensure there is no oversupply of vouchers to a child or young person. It will also be further mitigated by monitoring undertaken by the LAC service and the child's allocated social worker to assess whether the vouchers are meeting the assessed needs of the child and to develop their skills to take responsibility.
26. There is a risk that vouchers purchased by LAC services and issued to a child or young person will not be used. This is being managed by LAC services monitoring the issuing of discounted vouchers and Halo recording when a voucher is used to purchase an activity. Discussions are currently being held to agree a monitoring process which complies with data protection regulations, to enable sharing of information between Halo and the council to ensure the child or young person who participates in the activity, is the one who was issued the voucher. This data will be monitored on a quarterly basis and any vouchers which have not been spent within an agreed time, can either be recovered and re-issued to others or cancelled.
27. A £10,000 annual budget has been sufficient to meet demand to date. However if the majority of looked after children and care leavers, who can access the scheme, request vouchers, there is a significant risk that the allocated budget would be insufficient to meet need. This is being mitigated by limiting the allocation of vouchers to one single activity per week, unless the individual's needs are such that they require access to additional activities. If demand exceeds budget, work will be undertaken by LAC services to identify other possible funding sources.

## **Consultees**

28. The Participation and Mentoring Officer and LAC Education Team have consulted with the Children in Care Council and looked after children who had Personal Education Plan (PEP) meetings and visits during September and October 2017. The majority provided positive responses, with some young people commenting that they found the vouchers really useful and would not participate in specific leisure activities without them.

However there were some negative comments which included:

- "would like more of them and want to be able to access them more easily"
- "I found it embarrassing having to give vouchers in"
- "I do lots of things and it is really difficult regarding classes as I would have to ask my social worker for some for their lessons. Last year I was given a pile of them so did extra things only to be told that then I can only have one a week now"
- "I don't know about these"

29. The feedback has been considered and action is being taken to ensure all looked after children and care leavers are aware of the discounted voucher scheme and how vouchers can be acquired.

## **Appendices**

None

## **Background papers**

None