

Review of the Transition from Leaving Care to Adult Life

**Report by the Scrutiny
Review Group July 2008**

...Putting people first
...Promoting our county
...Providing for our communities
...Protecting our future

Quality life in a quality county

Note

The Adult Social Care and Strategic Housing Scrutiny Committee approved the recommendations set out in the Transition Review Group's report, as presented to it at its meeting on 24 July 2008.

Chairman's Foreword

On behalf of the Review Group I would like to thank all those who have helped to contribute to this report. In particular I am grateful to those young people who gave up part of their evening to meet the Group.

The Group was pleased to receive assurance that outcomes for looked after children are generally positive in Herefordshire. However, it was clear that these young people face considerable challenges and there remains a gap when compared with outcomes for their peers.

The Group hopes that its recommendations will be accepted and contribute to improving the lives of looked after children and young people.

I would like to add particular thanks to Mr Richard Kelly and Mrs Denise Strutt who gave their time to the review as co-opted members.

Councillor J E PEMBERTON
Chairman of the Review Group

REVIEW OF TRANSITION FROM LEAVING CARE TO ADULT LIFE

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1. Introduction

- 1.1 The Adult Social Care and Strategic Housing Scrutiny Committee and Children's Services Scrutiny Committee agreed in 2006 to scrutinise the Transition from leaving care to Adult life. The Scoping Statement for the Review as originally agreed is attached in **Appendix 1** together with a list of other matters identified subsequently for possible consideration. The Committee appointed a Review Group to carry out the Review comprising Councillors JE Pemberton (Chairman), H Davies, G Lucas, RV Stockton, Mr R Kelly (Voluntary Sector representative) and Mrs D Strutt (Headteacher Whitecross High School and Specialist Sports College). Councillors PA Andrews and WLS Bowen supported the Review in their roles as Chairman and Vice-Chairman of the Adult Social Care and Strategic Housing Scrutiny Committee.
- 1.2 The overarching purpose of the Review was to review the Council's approach to transition issues for looked after children with support needs from childhood to adult life and to investigate how improvements can be made to the transition process. As a report to the County Councils Network observes: "The transition to adulthood if not handled well can negatively impact upon young people's development and progress and place further strain on local authority care services in the longer term".
- 1.3 This report summarises the key findings of the Review and contains recommendations for the Executive.
- 1.4 The Review Group would like to express their thanks to those who submitted evidence and participated in interviews during the Review.

2. Method of Gathering Information

i. Documentary submissions

- 2.1 The Review Group considered a substantial amount of documentation during the course of the Review.
- 2.2 This documentation included a series of briefing papers prepared by Herefordshire Council officers to inform the Review and short notes prepared by several witnesses to support their interactions with the Review Group.

ii. Witness interviews

- 2.4 The Review Group held interviews with a number of key witnesses to enable specific issues to be discussed in detail. The list of witnesses interviewed is set out in Appendix 2.
- 2.5 The Review Group also met some young people who had been in the looked after system, to discuss their experiences directly with them. This took place in the early evening at Centre 18 in Hereford. Centre 18 is a building designed for young people providing a setting both for informal group work and evening activities and for more formal meetings as well. The Group found this meeting particularly illuminating and helpful.
- 2.6 This discussion was supported by material prepared by local young people at Dinedor Outdoor Centre as part of National Care Leavers Week in 2007. The focus of National Care Leavers Week was 'Brighter Futures - What Makes a Difference?' In one piece of work focusing around the 'What Makes a Difference' element the group identified five topics where they felt there were areas where improvements could be made and where things were likely to go wrong: statutory review meetings, change of social worker; change of placement; transferring to an

Aftercare worker from a social worker; and moving into their own flat. These issues are reflected and commented on in section 17 of this report.

3. Legal Framework

- 3.1 When the Review commenced, the key piece of legislation governing the Council's work with care leavers was the Children (Leaving Care) Act 2000 implemented in October 2001. The main aim of the Act was to improve the life chances of young people who depend on the Council in place of a family. Its provisions were based on what good parents would normally expect to provide for their child.
- 3.2 The Act placed specific duties on local authorities as a whole to act as corporate parents to young people who have been in their care. These included responsibilities to provide for them financially, make sure they have suitable accommodation, support them in building a career and keep in touch after they have moved into independence.
- 3.3 As part of the Government's stated commitment to fundamentally reform services to children and young people who are in the care of local authorities, a Green Paper: Care Matters: Transforming the Lives of Children and Young People in Care, was launched in October 2006. This was followed by a White Paper: Care Matters: Time for Change, published in June 2007. The Children and Young Persons Bill was placed before Parliament in November 2007 to give legislative force to the White Paper's key elements. An implementation date has not yet been confirmed, but local authorities and partner agencies are expected to be considering and planning their response and to be incorporating this into the development of Children and Young People's Plans.
- 3.4 The Group has noted the report to the Cabinet Member (Children's Services) in April 2008 setting out a range of actions to be taken in response to the Bill. This identifies seven key areas for improvements to services for children and young people who are in the care of local authorities. These are: Corporate Parenting, Family and Parenting Support, Care Placements, Education, Health and Well being, Transition to Adulthood, Workforce and Practitioners. The report summarises Herefordshire's position in relation to each of these areas, together with the proposed response. A copy of this report is attached at **Appendix 3**.
- 3.5 The law is clear that in the UK people become adults at age 18. A Care Order made in respect of a child expires at age 18. However, the transition to adult life spans a broad period before and after that date. The Review focused on young people in public care who were eligible for Aftercare Services.
- 3.6 The primary focus was on young people in the care of Herefordshire Council (whether or not resident in Herefordshire). The 2000 Act states that the authority which last looked after a young person will continue to have responsibility regardless where that young person moves to in the Country
- 3.7 A secondary focus was on young people who are resident in Herefordshire but in the care of other local authorities. Relatively little is known about the ongoing needs of young people from other local authorities who are placed in private sector residential or fostering placements in Herefordshire and then decide to stay in the area once they are out of care. There are believed to be around 150 young people from other local authorities placed in Herefordshire. Herefordshire places about 25 to 30 children in other local authority areas at any one time, often to access specialist resources not available locally or to enable placements with relatives.
- 3.8 The review included young people in care who have disabilities, but not those with additional complex needs such that they are not likely to be able to live independently into adulthood without continuing high levels of support. By and

large, this latter group transfer direct from Children's' Disability Services to Adult Services. Currently, the number of looked after children coming into this group is very small, perhaps one or two per year. This may change if proposals in the Care Matters agenda, which relates specifically to looked after children, result in larger numbers of children with disabilities being embraced within the care system and hence potentially eligible for Aftercare services.

- 3.9 People leaving care have the same basic needs as those identified for children in the Every Child Matters agenda, which relates to all children: Staying Safe, Being Healthy, Enjoying and Achieving, Economic Well-being and Making a Positive Contribution.
- 3.10 The Council wishes leavers making the transition to adulthood to be living in suitable accommodation, to be engaged in education, training or employment and in good mental and physical health.

4. Herefordshire's Aftercare Policy

The Council takes seriously its responsibility to act as a 'corporate parent' for young people who have been in its care, and aims to take on the role of a good family in supporting them towards independence.

This means it will ensure young people:

- are not discharged from care until they are prepared and ready to leave*
- are helped to prepare a Pathway Plan which sets out their wishes for the future and maps a route for their achievement*
- have a Personal Adviser who will keep in touch and offer practical and emotional support to help them make a success of independent living*
- are financially supported until 18, and beyond (up to 25) if in further or higher education*
- have support to find accommodation, employment, training and further education, and to plan a career*
- are consulted and included in reviewing and shaping services*
- are able to build and maintain relationships and friendships*
- are supported if they make mistakes*
- are encouraged to believe in themselves and their future*

5. The Current Position in Herefordshire

- 5.1 Currently the Herefordshire Aftercare Team is working with 125 young people. There are 15 to 20 new care leavers (over 16 yrs old) in any one year.
- 5.2 The Council's success as a corporate parent for the children and young people in its care is demonstrated in a variety of ways and was validated by the Annual Performance Assessment (APA) letter in November 2007.
- 5.3 The performance summary taken from the annual performance assessment self-assessment 2008 is attached at **Appendix 4**. This shows continued strong performance across a range of performance indicators for services to looked after children.
- 5.4 However, whilst outcomes for looked after children and young people are generally positive in Herefordshire there remains a gap when compared with other children and young people in the County and there is a risk that this will widen unless continued efforts are made to address the specific needs of looked after children and young people.

6. Accommodation

- 6.1 The Group was informed that since the homelessness service had been brought back under local authority control in April 2006 the Council had been able to have a greater influence on housing provision.
- 6.2 Across the Country care leavers were more likely to become homeless. The Group was assured that the picture in Herefordshire compared very favourably with other authorities. The Homelessness Section prided itself on a proactive approach looking at who would be needing accommodation in 6-8 months time and planning ahead. Statistical evidence supports the Service's success.
- 6.3 The Group noted that, in work by a Government Committee considering the issue of looked after Children, Herefordshire's proactive approach to avoiding homelessness had been regarded as a model of good practice
- 6.4 However, there is a difficulty with care leavers placed in the County by some other local authorities. They do not follow Herefordshire's pro-active approach, therefore sometimes leaving it too late to organise accommodation. There was an issue about how to encourage other local authorities to change approach. It was noted that the Children and Young Persons Bill does propose that people should not be placed in care more than 20 miles from their home.
- 6.5 It remained the case that the biggest housing pressure was for people under 25. More single accommodation was required across the County. The Group highlighted this issue as one the Council needed to address whilst noting that it is identified as a priority in the new Corporate Plan.

Recommendation

The Group recommends that the Council's specific responsibility for care leavers should be borne in mind in seeking to address the issue of affordable housing in the County.

7. Corporate Parent Role

- 7.1 The Group noted and endorsed the statement in the report to the Cabinet Member (Children's Services) on the Children and Young Persons' Bill that there was currently no formal structure in place to enable elected Members to oversee and monitor performance as a corporate parent to the standard proposed in the White Paper Care Matters; Time for Change.
- 7.2 The Group welcomed the proposal to establish a Children in Care Council. The Group noted that the report to the Cabinet Member stated that foundations are in place that should facilitate its development.

Recommendation

The Group recommends that the proposal to establish a Children in Care Council be welcomed.

8. Possible Role for a Virtual Head Teacher

- 8.1 The need for communication between the range of partners and services involved in provision of care has been a persistent theme in every aspect the Group has examined. The provision in the Children and Young Person's Bill giving authorities the discretion to appoint a Virtual Head Teacher for looked after children is therefore viewed as something worth considering. Individual head teachers currently have responsibility for looked after children in their schools. The Group considers that the creation of a post with the ability to have an overview of education outcomes for looked after children in all schools across the County would be beneficial.

Recommendation

The Group recommends that the provision in the Children and Young Person's Bill for a Virtual Head Teacher for looked after children has merit and should be investigated with a view to implementation in the County.

9. Information Technology

- 9.1 The vexed question of the compatibility of computer systems between the various agencies involved in providing services (notably the Primary Care Trust, the Council and Connexions) was a recurring theme in the submissions made to the Group
- 9.2 The Group has noted that Cabinet has recently approved the acquisition of a new software package to replace outdated client systems in social care. It is understood that linkages with health partners are to be considered as an essential part of this process.
- 9.3 The Group noted that there was still some concern over the timescale for delivering the project. It considered that mechanisms should be put in place to measure the effectiveness of the social care solution in addressing the concerns about compatibility that have been identified.

Recommendation

The Group recommends that mechanisms should be put in place to measure the effectiveness of the social care information technology solution in addressing the concerns about compatibility that have been identified.

10. Health Issues

- 10.1 The Group heard evidence from the Designated Nurse, Safeguarding and the Named Nurse for Looked After Children.
- 10.2 The Group considered that a dedicated health worker's time would improve access and health promotion work. There was clearly a need for dedicated health worker resources in care settings for care leavers. It is particularly important that authorities are creative and resourceful in delivering services to young people. For example it would be appropriate if a health worker visited Centre 18 to talk informally as a matter of routine, with provision, if possible, for private discussion.

Recommendation

The Group recommends that the need for dedicated health worker resources in care settings for care leavers should be recognised and appropriate provision made.

11. Thresholds for Children's and Adults Services

- 11.1 Health professionals acknowledged that the vulnerability of care leavers was not recognised as fully as it should be across health services. The Group was informed that there was a transition protocol in place for mental health services but it was acknowledged to the Group that there was a need for work to be done on the transfer between Children's Services and Adult Mental Health Services.
- 11.2 There was an issue over how health needs of looked after children were assessed by the Primary Care Trust to determine whether they would need extra help and support. It was noted that whilst little information was currently collated in some areas it might be required in future in response to Government guidance or legislation. It was suggested that if information were made available, consideration could be given to how services might be commissioned to meet the gap in provision which had been identified between those receiving help from children's health services but who fell below the current threshold for eligibility for support from adult services or where equivalent adult services did not exist.

Recommendation

The Group recommends that a specific piece of work be commissioned, drawing on best practice, on thresholds for eligibility for adult services (with particular reference to care leavers with additional needs, whether physical disability, learning disability or mental health) to ensure that the needs of young people are being met.

12. Personal Education Plans

- 12.1 The Council is required by law to prepare a personal education plan (PEP) for each young person. The PEP was introduced because it was considered that the care plans and statutory reviews were insufficient in promoting and prioritising the education of children in care. It was seen as a vehicle for encouraging dialogue between social workers, carers and schools in order to provide essential information. Most importantly it was expected to raise the importance of the capacity for education to improve outcomes for looked after children.
- 12.2 The Group was informed that personal education plans were difficult to put in place and the link to the Care Pathway Plan needed to be more seamless. The Group has noted in particular that not all looked after children had personal education plans in place.

Recommendation

The Group recommends that the Education Liaison and Support Service should look at the preparation of personal education plans, review their format, and introduce more robust monitoring mechanisms to ensure complete compliance.

13. Out of County Placements in Herefordshire

- 13.1 More looked after children are placed in the County by other authorities than Herefordshire places with other authorities. Reasons for this include the nature of the County and the number of independent care home providers and independent foster carers within it.
- 13.2 Some of these children are educated in the County's schools. However, many private care homes also have educational provision on site.

- 13.3 The private sector does not have to communicate with the Council regarding the children placed with them as that is the responsibility of the placing authority.
- 13.4 The onus is wholly on the placing authority to notify the area where they were making placements. It is regrettable that not all do so. The opportunity should be taken to highlight the importance of such notification in appropriate forums.
- 13.5 There were grounds for concern that the Council was not aware of how many out of County looked after children were placed in Herefordshire.
- 13.6 There is also concern on the part of the health service that it is often unaware of the presence of some very disturbed children and young people sent by other areas to live in private sector establishments.
- 13.7 The Group thought that there should be stronger engagement with private care providers. It was proposed that every provider had the name and contact details of the housing team as well as protocols to govern recommended contact with relevant Council Services.
- 13.8 The Group was also surprised to note that providers had to register with Ofsted but Ofsted would not release information to the Council of who had registered. It considers that the strongest representations need to be made to Ofsted on this point.

Recommendations

The Group recommends:

That the opportunity should be taken in appropriate forums to highlight the importance of authorities placing children in other areas notifying the area where placements are being made.

That every provider has the names and contact details for the housing team and access routes to relevant Council Services.

That the strongest representations be made to Ofsted that the Council must be made aware of independent care providers registered with it, and kept regularly updated to enable the Council to discharge its responsibilities effectively.

14. Rurality

- 14.1 The Group noted the County Council Network's observation on the "impact of rurality on access to services. This will include the availability of public transport, leisure facilities and appropriate housing, but also the cost of provision and time taken up by staff travel. This is a particular issue for young people wanting to find work or training – for supported work and specialist education or training most opportunities are in larger towns."
- 14.2 The Group commend the actions of the Council to counteract the impact of rurality

15. Service Gaps- Mental Health and Learning Disabilities

- 15.1 The Group learned that it appeared that there was no separate system in health in some services for independently identifying looked after children in care and care leavers. This is clearly an issue of concern given the Council's responsibility for looked after children.

- 15.2 The Group welcomed the development of a fast track system for children and young people with mental health problems in the Council's care. This involved keeping track of those in care. The system provided for urgent needs to be dealt within 48 hours.
- 15.3 The Group was informed that the Children and Adolescent Mental Health Services (CAMHS) team was a small team and that more staff would be needed by 2010. Recruitment was understood to be difficult nationally. However, the Group was advised that the Primary Care Trust had budgeted for the need to increase resources and this was welcomed by the Group.
- 15.4 In terms of learning disabilities, the Group was advised that whilst handover arrangements had improved, these were still not working so well as in mental health.

Recommendation

The Group recommended that Health Services consider how they could develop a system to flag up looked after children in care and care leavers and ensure an effective link to the Council's looked after system.

16. Individual Budgets

- 16.1 The Group was informed that between the ages of 16-18, there was a grey area concerning funding for items like school trips and laptops. Some things fell within the Social Work Team budget. Whilst funding existed within the various budgets, it was not clear whom to approach. It would be better if there was one budget so that young people knew who to go to and did not have to worry about the matter. Under Every Child Matters there were proposals for personal allowances, but it was not clear how these would be allocated.

Recommendation

The Group recommends the creation of a single budget for miscellaneous expenditure on young people with clear management arrangements.

17. Issues Raised In Work by Young People

- 17.1 As mentioned earlier in this report, as part of its evidence gathering the Review Group met some young people who had been in the looked after system to discuss their experiences directly with them. Information was presented to the Group on 5 topics where they felt there were areas where improvements could be made and where things were likely to go wrong. These were: statutory review meetings, change of social worker; change of placement; moving to Aftercare from a social worker; and moving into their own flat.
- 17.2 As with any group of people it is important to note that a range of views were expressed.

Statutory Review Meetings

The following are selected comments:

Already Good

"We can make our views known"

"You can find out what everyone's been saying about you"

Areas for Improvement

"They can be too formal"

"People turn up and you don't know who they are"

- 17.3 The Group has expressed some concern at the numbers present at statutory review meetings. The reviews are a statutory requirement and are held at least every six months in order to monitor the progress of the looked after child in relation to issues such as education and health and to ensure that all needs are being met. It was advised that whilst originally focused on the young person, Government guidance led to an increase in the numbers of those present. The Group recognised that the young person (from age 8-9 on) is expected to be involved. It is also important that all those involved in the child's care are present. However this could include school, education support, care home, health, social worker (involving more than one person from each of these service areas) and the independent chair.
- 17.4 It is understood that it varies from young person to young person how they cope with these meetings but it was worrying to the Group that it becomes normal to talk to a group of adults about personal circumstances.
- 17.5 It was noted, in part, that those involved in the care of the young person wanted to show their commitment to the young person and demonstrate to the young person that they were valued. The Group did conclude, however, that it might be possible to strike a better balance and potentially reduce the number of people present whilst recognising that this could not be at the expense of properly assessing a young person's needs.

Recommendation

The Group recommends that the format and effectiveness of statutory review meetings is revisited and a review over three months of attendance at Case Reviews to see what the attendance levels actually were and whether these could or should be scaled down would be helpful.

Change of Foster Placement

The following are selected comments:

Already Good

"I met them before I moved in"

"The new placement was more relaxed"

Area For Improvement

"I had no preparation to move"

"I didn't like the new foster carers"

"My stuff was put in bin bags/got lost/got broken when I moved placements"

- 17.6 The Group recognised that a change of placement was naturally unsettling. It was understood that the Service did recognise the need to manage this issue sensitively.
- 17.7 In relation to the use of bin bags to transport belongings, the Group has been assured that the service considers this approach unacceptable. However, this should be explicitly set out as a requirement in the relevant Council policy.

Recommendation

That the Children and Young People's Directorate gives further consideration to arrangements for the change of foster placement to see if policies and practices can be improved.

That an explicit policy statement prohibiting the use of bin bags to transport belongings when moving placements is prepared and publicised to ensure adherence.

Change of Social Worker

The following are selected comments:

Already Good

"A new person to know"

"A new perspective can be good"

Area For Improvement

"A new person to know" (ie mirror opposite of comment above)

"It would be good for the old social worker to introduce you to the new social worker"

"I wasn't given enough notice"

"It can upset what's going on and change your behaviour"

- 17.8 The Group was given an example of a placement being made outside the County, which had been considered unsatisfactory.
- 17.9 The Group commented that this raised some similar issues relating to change as to the change of foster placement. There were also some suggestions made to the Group that meetings with Social Workers were at variable intervals in part depending on how close the relationship was with the social worker. It again highlighted the need for sensitive management.

Recommendation

The Group recommends that the Children and Young People's Directorate gives further consideration to arrangements for the change of social worker to see if policies and practices can be improved.

Moving into Our Own Flat

"It's a scary responsibility"

The following are selected comments:

Already Good

"I was given a list of important items that I needed to buy"

"My aftercare worker helped me move my furniture"

Area for Improvement

"I need life skills sessions before I move"

"I need help to budget/I haven't got enough money to live on"

"I want to know that where I live will be clean and safe"

"If it all goes wrong I can't go back to my foster carers"

- 17.10 The Group did receive some suggestion that the support available was variable.
- 17.11 As referred to earlier in this report, the Group has noted that the biggest housing pressure in the County is on affordable housing aged under 25. It has recommended that the Council's specific responsibility for care leavers should be borne in mind when seeking to address this issue.
- 17.12 Other observations relating to these points are set out in the sections on moving to aftercare below.
- 17.13 The timing of the move and concerns that it was not possible, having moved, to return to a more formal care setting were discussed.
- 17.14 In general children leave care at 18, unless they have moved out of the looked after system at an earlier age. Even if a young person is living independently, at 17 they are still subject to a care order and the Council's responsibilities remain unchanged.
- 17.15 The Group was advised that it is important to remember that often Young People themselves are keen to become semi-independent. It could be difficult for the Service to advise them in these circumstances. There is a dilemma in that when young people really want to leave the care system it is counter productive to seek to continue to keep them in a home: they would simply abscond. It might in such circumstances be thought better to work with the young people concerned, but with appropriate safeguards around them as they would be more vulnerable.
- 17.16 The Group acknowledged the Service's position but considered there would be merit in revisiting and revising existing policy documents to make clear there was an opportunity to return to a more formal care setting.
- 17.17 A particular concern the Group had centred on was the fact that the change in care circumstances could occur in the middle of GCSEs. It was noted that it was possible that the Government initiative that every child should be in education or training until 18 might translate across to care arrangements which would be beneficial.

Recommendation

The Group recommends that existing policy documents should be revisited and revised to make clear that the opportunity to return to a formal care setting did exist if that was what the young person wanted and efforts should be made to enhance the flexibility of the system.

Moving to Aftercare

The following are selected comments:

Already Good

"Aftercare workers tell us the truth – they tell it like it is and we understand what they are talking about"

"I met my aftercare worker with my social worker several times to start off with"

Areas For Improvement

"Make the change more gradual"

"We should be able to get support after we are 21 if we want it"

- 17.18 There was a strong consensus in the meeting with young people that the transition between social worker and aftercare worker could be made more seamless. It was suggested that meetings should take place a few months before the transfer to aftercare. It was noted that the roles did differ."

Recommendation

The Group recommends that the Children and Young People's Directorate give further consideration to arrangements for the move to aftercare to see if policies and practices can be improved to make the transition more seamless.

Additional observations

- 17.18 There was a general view expressed to the Group that processes could be improved to ensure that they are designed to benefit looked after children and their needs.
- 17.19 Of particular concern to the Group was the strong view that a stigma remained attached to being in care, a feeling on the part of young people that they were being judged and a concern that this continued to translate into the workplace when applying for jobs.
- 17.20 The Group respected this observation, but recognised that this was a broad far reaching issue for society as a whole and as such difficult to rectify. However, it was proposed that where evidence of discrimination was presented to the Council, that the Council should use what powers it can to seek to tackle it.

Recommendation

The Group recommends that where evidence of discrimination is presented to the Council the Council uses what powers it can to tackle it.

18. Corporate Plan Link

- 18.1 The Group hopes that the recommendations, if accepted, will contribute to the following of the Council's top priorities as contained in the Corporate Plan 2008-11: achieving "the best possible life for every child, safeguarding vulnerable children and improving educational achievement.

19. Next Steps

- 19.1 The Recommendations will be reported to the Adult Social Care and Strategic Housing Scrutiny Committee for consideration, with Members of Children's Services Scrutiny committee invited to attend, and, subject to the Committee's approval, recommended on to Cabinet.
- 19.2 The Group also plans to advise young people of the outcome.
- 19.3 Standard recommendations attached to each review provide for the Executive's response to be reported back to the relevant scrutiny Committee and for monitoring to take place.

- 19.4 In addition to this routine monitoring the Group proposes to reconvene twelve months after the approval of any action plan by the Executive to confirm to its satisfaction that improvements have indeed been made.

20. RECOMMENDATIONS

- (a) That the Council's specific responsibility for care leavers should be borne in mind in seeking to address the issue of affordable housing in the County.**
- (b) The proposal to establish a Children in Care Council be welcomed.**
- (c) That the provision in the Children and Young Person's Bill for a Virtual Head Teacher for looked after children has merit and should be investigated with a view to implementation in the County.**
- (d) That mechanisms should be put in place to measure the effectiveness of the social care information technology solution in addressing the concerns about compatibility that have been identified.**
- (e) That the need for dedicated health worker resource in care settings for care leavers should be recognised and appropriate provision made.**
- (f) That a specific piece of work be commissioned, drawing on best practice, on thresholds for eligibility for adult services (with particular reference to care leavers with additional needs, whether physical disability, learning disability or mental health) to ensure that the needs of young people are being met.**
- (g) That the Education Liaison and Support Service should look at the preparation of Personal Education Plans, review their format and introduce more robust monitoring mechanisms to ensure complete compliance. .**
- (h) That the opportunity should be taken in appropriate forums to highlight the importance of authorities placing children in other areas notifying the area where placements are being made.**
- (i) That every provider has name and contact details of the housing team and access routes to relevant Council Services.**
- (j) That the strongest representations be made to Ofsted that the Council must be made aware of independent care providers registered with it and kept regularly updated to enable the Council to discharge its responsibilities effectively.**
- (k) That Health Services consider how they can develop a system to flag up looked after children in care and care leavers and ensure an effective link to the Council's looked after system.**
- (l) That a single budget for miscellaneous expenditure on young people be created with clear management arrangements.**
- (m) That the format and effectiveness of statutory review meetings is revisited and a review over three months of attendance at Case Reviews to see what the attendance levels actually were and whether these could or should be scaled down would be helpful.**
- (n) That the Children and Young People's Directorate gives further consideration to arrangements for the change of foster placement to see if policies and practices can be improved.**

- (o) That an explicit policy statement prohibiting the use of bin bags to transport belongings when moving placements is prepared within 3 months and publicised to ensure adherence.**
- (p) That the Children and Young People's Directorate gives further consideration to arrangements for the change of social worker to see if policies and practices can be improved.**
- (q) That existing policy documents should be revisited and revised to make clear that the opportunity to return to a formal care setting did exist if that was what the young person wanted and efforts should be made to enhance the flexibility of the system.**
- (r) That the Children and Young People's Directorate gives further consideration to arrangements for the move to aftercare to see if policies and practices can be improved to make the transition more seamless.**
- (s) That where evidence of discrimination is presented to the Council, the Council uses what powers it can to tackle it.**
- (t) Subject to the Review being approved, the Executive's response to the Review, including an action plan, is reported to the first available meeting of the Committee after the Executive has approved its response.**
- (u) A further report on progress with respect to the Review be made after six months with consideration then being given to the need for any further reports to be made; discussed and further actions taken.**

The End

REVIEW:	Transition from Leaving Care to Adult Life	
Committee:	Adult Social Care and Strategic Housing and; Children's Services.	Chair: Councillor PA Andrews and Councillor SJ Robertson
Lead Support Officer:	Shaun McLurg, Head of Safeguarding and Assessment	

SCOPING

Terms of Reference
<ul style="list-style-type: none"> To review the Council's approach to transition issues for looked after children with support needs from childhood to adult life. To investigate how improvements can be made to the transition process. Following the review to advise the appropriate Cabinet Member(s) of the best policy to put in place to implement the improvements identified.

Desired outcomes
<ul style="list-style-type: none"> For Members of the Review to have considered the various elements involved in the transition process and how these interrelate with those services performed by the Council's partners. To have considered possible areas of improvement to the transition process and make recommendations on improvement for consideration by the appropriate Cabinet Member(s) and the Council's partner organisations. For any future service to be capable of implementation in collaboration with partner organisations.

Key questions
<p>The questions set out in the IDeA publication 'Getting our House in Order – Better Results for Children and Young People' namely:</p> <ul style="list-style-type: none"> Who is the community/service group? What is the outcome to be improved? How do we know we are making a difference? (criteria) What does the data tell us compared to benchmark/baseline/average? What further data is needed? (soft & hard) What is the story(ies) behind the baseline? – an analysis of what's happening. Who are the partners? (including those who need to be there and are not) What could work? (4 best ideas: 2 x low cost/no cost; 1 x off the wall, 1 x £3 million if you had it) Are solutions deliverable and realistic/SMART? Action plan and resource.

Links to the Community Strategy
<p>The Review Group will identify how the outcome of this review contributes to the objectives contained in the Herefordshire Community Strategy including the Council's Corporate Plan and other key plans or strategies.</p>

Timetable	
<i>Activity</i>	<i>Timescale</i>
Agree scoping statement with the two Scrutiny Committee Chairman including agreeing which Member of the appointed Review Group will be Chairman.	By 17 November 2006
Officers produce briefing pack designed to answer the key questions set out above and suggest expert witness list for approval by Review Group.	By 15 December 2006
Meeting of the Review Group to discuss information provided to them, identify any additional information required and Expert Witnesses.	2 - 12 January 2007
Meeting of the Review Group, Support Officers and all Expert Witnesses to explore information provided in more detail.	13 - 26 January 2007
Limited number of Members to interview Care Leavers and/or former Care Leavers.	27 January - 2 February 2007
Meeting of Review Group and Support Officers to prepare options/recommendations.	3 - 16 February 2007
Review Group to agree final report.	By 23 February 2007
Present final report to Scrutiny Committees.	March
Present options/recommendations to Cabinet.	TBC
Scrutiny Committees consider Cabinet response and action plan.	TBC

Members (Revised June 07)	Support Officers
Councillor H Davies Councillor G Lucas Councillor JE Pemberton (Chair)	Mr S. McLurg (Head of Safeguarding and Assessment)
Councillor RV Stockton Mrs D Strutt Mr R Kelly (and Cllr Andrews and Cllr Bowen)	Mrs S Canham (Head of Adult Learning Disabilities -Social Care) Mr R Gabb (Head of Strategic Housing)

On the basis of the discussions, a number of key themes were identified for further exploration by the Review Group. These were as follows:

- The role of corporate parent continues beyond the age of 18 up to and including the age of 24 for care leavers in continuing education
- The role of the corporate parent, and therefore the scope of the Review, should cover the role of a wider group of agencies eg CAMHS, Probation, Prison Service etc
- The primary focus of the Review should be looked after children and care leavers who are the responsibility of Herefordshire but the review should also address looked after children and care leavers in Herefordshire from other Local Authorities
- Whilst the review will cover those care leavers who have continuing needs such as learning disabilities and mental health problems, those with more profound and multiple disabilities will not be included within the scope of the Review
- The Review Group should take a particular interest in the issue of appropriate accommodation for 16 to 18 year olds, including supported lodgings, 'halfway house' options etc
- The Review should be informed by learning from other projects and schemes regionally and nationally eg sexual health, teenage pregnancy etc
- The Review should scrutinise Pathway Plans and how successful these are in identifying and meeting the needs of care leavers

Appendix 2

Name(s)	Position (s)
Stuart McFarlane	Team manager – Safeguarding and Assessment Services
Derek Allen	Change Manager Homelessness
Lynne Renton	Designated Nurse Safeguarding
Anna Cassin	Nurse – Looked after Children)
Sally Simmonds,	Operational Manager for Community Mental Health Services
Annie Bushby	Education Liaison Co-ordinator (Children and Young People in Public Care)
Yvonne Clowsley	Children’s Health Commissioner
(Representatives of Connexions)	

CHILDREN AND YOUNG PERSON'S BILL

REPORT BY HEAD OF SAFEGUARDING AND ASSESSMENT

REPORT TO CABINET MEMBER CHILDREN'S SERVICES

DATE REPORT CONSIDERED AND DECIDED BY CABINET MEMBER: 8 APRIL 2008

DATE DECISION CAN BE IMPLEMENTED: 8 APRIL 2008

Wards Affected

County-wide

Purpose

To update Cabinet on the Children and Young Person's Bill and seek approval for a range of actions to be taken in response to this

Key Decision

This is not a key decision.

Recommendations

- THAT**
- (a) **The content of the Children and Young Person's Bill 2007 and the implications for children's services in Herefordshire are noted;**
 - (b) **The proposed response to the Children and Young Person's Bill as outlined in Appendix One is endorsed;**
 - (c) **A Looked After Children Council is established and delegated powers are given to the Cabinet Member for Children and Young People and Director of Children's Services to progress this;**
 - (d) **The Head of Safeguarding and Assessment progresses this work, including dissemination to partner agencies, and reports back to Cabinet in 6 months on progress against the agreed actions.**

Reasons

The above recommendations are required in order to ensure that Herefordshire Council responds in a robust and timely manner to the implications of the Children and Young Person's Bill.

Considerations

1. As part of the government's stated commitment to fundamentally reform services to children and young people who are in the care of local authorities, the Green Paper *Care Matters: Transforming the Lives of Children and Young People in Care* was launched in October 2006.
2. On 18 January 2007 a report was presented to Cabinet by officers and young people outlining the formal response to the consultation submitted on behalf of Herefordshire.
3. In response to the consultation, The White Paper *Care Matters: Time for Change* was published in June 2007 by the Department for Children, Schools and Families (DCSF).
4. The *Children and Young Person's Bill* was subsequently placed before Parliament in November 2007 to give legislative force to the key elements of the White Paper and this is currently at third reading stage in the House of Lords.
5. Accompanying *Regulations and Guidance* for local authorities are being developed to strengthen the provisions of the Bill.
6. Whilst an implementation date for the *Children and Young Person's Bill* has not yet been confirmed, local authorities and partner agencies are expected to be considering and planning their response and to be incorporating this into the development of Children and Young People's Plans.

7. There are seven key areas identified for improvements to services for children and young people for are in the care of local authorities. These are:
 - Corporate parenting
 - Family and parenting support
 - Care Placements
 - Education
 - Health and well being
 - Transition to adulthood
 - Workforce and practitioners
8. A summary of Herefordshire's position in relation to each of these areas, together with the proposed response, is set out in Appendix 1.

Financial Implications

It has been recognised that there will be additional costs incurred in responding to the challenges of the Children and Young Person's Bill, for some elements of the proposals and so additional revenue funding is to be made available through the Area Based Grant.

Whilst the allocations are not ring fenced, the indicative allocation for Herefordshire is as follows:

2007-08	£7,000
2008-09	£86,000
2009-10	£115,000
2010-11	£131,000

The proposals for this funding, which is referred to as the Change Fund in the *Care Matters* White Paper, are:

- Reviewing and developing Corporate Parenting arrangements
- Improving systems for children's participation through Children in Care councils
- Developing care pledges
- Improving strategies for planning and commissioning provision for looked after children to improve placement choice and stability
- The fund can also be used to help collect the new data for the annual return to government on the emotional and behavioural health of looked after children, as well as other initiatives outlined in Care Matters designed to benefit this group

It has also been indicated that additional capital funding will be made available. Further details of this are still awaited.

Risk Management

Whilst outcomes for looked after children and young people are generally positive in Herefordshire, there remains a gap when compared with outcomes with other children and young people in the county and there is a risk that this will widen unless continued efforts are made to address the specific needs of looked after children and young people.

Alternative Options

There are no alternative options being put forward for consideration

Consultees

The Children and Young People's Directorate Management Team

Key members of the Children and Young People's Directorate

Appendices

Appendix 1 - The Children and Young Person's Bill: Implications for Herefordshire

Background Papers

Care Matters: Transforming the Lives of Children and Young People in Care Green Paper
October 2006

'Care Matters: Transforming the Lives of Children and Young People in Care' Cabinet
Report 18 January 2007

Care Matters: Time for Change White Paper June 2007

Children and Young Person's Bill November 2007

Appendix One

The Children and Young Person's Bill: Implications for Herefordshire

The overall objectives of the Children and Young Person's (CYP) Bill are to:

- Reduce the incidence of factors which lead to children entering care
- Give children a far more positive and supportive experience of care
- Increase positive outcomes for children in an leaving care

This paper summarises the key proposals from each chapter of the *Care Matters: Time for Change* White Paper, highlighting any implications for Herefordshire and outlining any proposed actions in response.

Chapter 1: Corporate Parenting

Children who are looked after by the local authority have a unique relationship with the services that are there to support them. The responsibility of councils in fulfilling their complex responsibilities for them has become known as 'corporate parenting'. Strengthened governance arrangements for councils acting as corporate parents for children in care are identified as a key area for improvement:

'The aspiration that the State has for these children should be no less than each parent would have for their own child. We must ensure that they receive the security, support and schooling they need to reach their full potential and lead a happy and fulfilled life.'

To improve the role of the corporate parent, the government expects every local authority to set out a 'pledge' to children in care, and put in place arrangements for a Children in Care Council, with direct links to the Director of Children's Services and Lead Member.

HEREFORDSHIRE POSITION

The Council's success as a corporate parent for the children and young people in our care is demonstrated in a variety of ways and was validated by the Annual Performance Assessment (APA) letter in November 2007. However there is currently no formal structure in place to enable Elected Members to oversee and monitor performance as a corporate parent to the standard proposed in the White Paper.

The Council is well placed to develop a Children in Care Council and there are several existing points of contact which could be built on in order to develop this. Firstly, Independent Reviewing Officers, Social Workers and Aftercare Workers have a good track record of effective engagement with children and young people and rates of participation in statutory review meetings are high compared with national and comparator authorities. Secondly, young people's collective views on services are gathered via an activity and consultation programme run by the *Voices* participation team. The *Voices* magazine, produced regularly by and for young people, reaches all looked after children aged 10+. Over 75% of looked after children and young people, and some care leavers, have attended events organised by *Voices* this year. Finally, a small 'children's panel' is already in place and discussing a range of policy and practice issues affecting looked after children and young people.

Proposed Action

1. Herefordshire's pledge for looked after children and young people, introduced in 2002, needs to be refreshed in the light of Every Child Matters and the CYP Bill, involving children and young people and key partners.
2. A Children in Care Council should be formally established.

CHAPTER 2: FAMILY AND PARENTING SUPPORT

The White Paper outlines the need to strengthen provision for children and their families to avoid, wherever possible, the need for local authority care. In order to achieve this, a gradual shift of resources towards early intervention and support for parents is expected. In addition, the CYP Bill introduces a strengthened legal framework to promote children's placement with extended family and friends with the security of a court order.

Herefordshire Position

The proposals within this chapter are for the most part reflected in the priorities identified in the Children and Young People's Plan 2008-11, which is currently out for consultation. Work is in hand to ensure that the workstreams that will flow from the Plan are aligned with the local Support for Families Strategy and Children with Disabilities Strategy.

CHAPTER 3: CARE PLACEMENTS

The new proposals include:

- A new statutory duty to secure a sufficient and diverse provision of quality placements within the local authority area underpinned by a needs assessment measuring current and anticipated need for placements
- A strengthened statutory framework so that a local authority may not place a child out of its local authority area unless it is satisfied that this is in the child's best interest

Herefordshire Position

Performance data confirms that placement stability for children and young people is consistently high in comparison with national rates and comparator authorities. Rates of children placed out of herefordshire are also low, although the numbers of children and young people in external placements is increasing.

Proposed Action

3. Conduct a high level needs assessment to inform future commissioning of placements. The White Paper estimates this would cost £10,000 per authority.

CHAPTER 4: DELIVERING FIRST CLASS EDUCATION

A duty will be placed on the governing bodies of maintained schools to appoint a member of staff to be responsible for promoting the educational achievement of registered pupils in the school who are looked after.

Research shows that children who move schools at KS4 are likely to have lower attainment than those that do not move. The government proposes that looked after children should not have to move school as a result of a change in care placement unless it is for exceptional reasons. It is made clear that the cost of transport should not act as a barrier.

Local authorities will have the power to direct schools to take looked after children even if full, to ensure they have a high priority at transition and are awarded a place in the school which best meets their needs.

There will be an allowance up to £500 for each looked after child who is not reaching expected standards to support their educational and developmental needs. Further guidance is expected on the detail.

Absence rates of looked after children remain higher than other pupils and so there is an increased expectation that strategies are put in place to address the issues.

The White Paper proposes a 'Virtual Headteacher' role for looked after children which is currently being piloted in 11 local authorities. The purpose of the role is to provide increased challenge and support in order to ultimately raise the achievement of looked after children.

Further guidance is expected on using exclusion as a very last resort for looked after children by promoting more resilient strategies for management of children in school. In some local authorities areas a 'zero tolerance' approach has already been adopted and this is regarded as best practice.

Herefordshire Position

Since 1999 all maintained schools in Herefordshire have identified a named designated teacher for looked after children. This has worked well in practice, and the lists are updated every year.

Whilst every effort is made to avoid moves for KS4 young people, there are occasions when this does still happen. Where a change of placement move does take place every effort is made to ensure continuity of school placement, including the provision of transport where this is feasible.

The Admissions Code has, for the past two years, stated the priority for looked after children, with all schools having effected a change in their admission policies for the cohort entering school in 2008. Children who are placed for adoption in Herefordshire also benefit from this practice where this is supported by professional advice.

Despite tighter monitoring and additional resources we have failed to make a significant impact on the attendance of looked after children in Herefordshire.

The tasks expected of a Virtual Headteacher are currently divided between a range of services, notably the Education, Liaison and Support Service (ELSS) and the School Improvement Service (SIS).

Proposed Action

- 4. Further develop strategies to increase attendance by looked after children and decrease the number of school exclusions, including exploring the possibility of adopting a 'zero tolerance' policy.**
- 5. Review the ELSS Service and explore the viability of a 'Virtual Headteacher' role in Herefordshire.**

CHAPTER 5: PROMOTING HEALTH AND WELLBEING

Research indicates that looked after children have poorer health outcomes than other young people and are less likely to be in good health as adults. The *Care Matters* White Paper proposes a package of measures to promote improved outcomes in terms both of emotional wellbeing and physical health. During 2008 an updated version of *Promoting the Health of Looked After Children (2001)* will be published, outlining roles and responsibilities and addressing key issues such as health assessments and health promotion. This document will be issued as statutory guidance to healthcare agencies and local authorities.

Herefordshire Position

Herefordshire has demonstrated commitment to improving the health of looked after children and care leavers by engaging with the Healthy Care Programme. The programme, developed by the National Children's Bureau (NCB) at the request of government, presents a set of audit, evaluation and action planning frameworks.

These have been adapted in the light of the White Paper to enable local authorities, with their partners, to audit provision against need with a view to commissioning services that address local requirements. A multi-disciplinary Steering Group, chaired by the Head of Safeguarding and Assessment has developed a work plan and reports to the Children's Trust Board.

CHAPTER 6: TRANSITION TO ADULTHOOD

The ambition is to help young people prepare for adulthood and facilitate leaving care at the most appropriate time for them. Extending council responsibilities towards care leavers to an older age gives them the opportunity to draw continuing support from their former corporate parent in the same way that other young adults do from their parents.

This set of proposals can be summarised as:

- Extending the duty to appoint a personal adviser and keep the pathway plan under regular review for all care leavers who are either in education or wish to return to education from the age of 21 to 25
- Supporting councils to provide a bursary of £2,000 for young people entering higher education, and contribute £100 annually to Child Trust Funds for all children who have been in care for one full year who were born after September 2002.

Herefordshire Position

Herefordshire Aftercare Team (HAT) currently adopts a flexible approach to over care leavers over the age of 21 who have additional needs that require a service response until the age of 25.

HAT currently pay a living allowance (£55.00pw) and accommodation costs. Any reasonable education related expenditure is also funded in response to individual need. There is an aim that no care leaver in higher education accrues a student loan debt of more than £3-4,000.

The new cohort of young people that will become eligible for support will result in a significantly increased demand on HAT.

Proposed Action

6. Detailed work is carried out to determine the level of additional resources required within HAT to appropriately support the increased cohort of young people and fund their placement and support needs.

CHAPTER 7: THE ROLE OF THE PRACTITIONER

For the majority of looked after children and young people, the corporate parent is embodied by carers and the professionals they see on a day-to-day basis. This chapter sets out an extensive set of proposals to remodel the workforce with a view to improving children's experience of a service which is consistent, responsive to need, and receptive to their views and feelings.

Some of these proposals, for example piloting independent social work practices' remain controversial and it is difficult to see how these could be delivered safely in the current Social Worker recruitment market. It is likely that the role of Independent Reviewing Officers will also be extended, and further legislation to clarify this is awaited.

Herefordshire Position

Whilst we must continue to challenge existing practice and continue to search for new and improved ways of delivering services, there remains a degree of caution about some of these proposals, in particular independent social work practices. In contrast, extending and strengthening the role of Independent Reviewing Officers would be welcomed, and we await further details in relation to this with interest.

Proposed Action

7. Once further guidance is received, the role of Independent Reviewing Officer is reviewed in the light of the forthcoming restructure of the Children and Young People's Directorate.

PERFORMANCE SUMMARY – REFERENCE LOOKED AFTER CHILDREN

(taken from the Annual Performance Assessment self-assessment 2008)

- Health services for looked after children, including access to them, are very good with health assessments being maintained at 90% in 2007/2008, ahead of statistical neighbours. There is a designated doctor and nurse for looked after children and those requiring dental care have the highest priority of all. Looked after children have priority access to the Community and Mental Health Service and one psychologist has a specific remit for these children and young people.
- Two 8-week “Care2Cook?” courses and some one-off events funded by the Food Standards Agency have been run during 2007/2008. Around 24 looked after children and care leavers aged 14-19 have been involved, several of whom have learning difficulties and/or disabilities. All participants received an award at the annual celebration event, four have already achieved a Food Hygiene Certificate at Level 1, and five more are due to sit this exam shortly. Evaluation (written and a group discussion) by the young people was very positive, especially in terms of social and peer support. Comments from the young people captured in a scrapbook which they helped to create include: ‘*I would now make a roast dinner at home and maybe carrot cake.*’ and ‘*I would like to come again and learn more.*’ Two ‘graduates’ of the first course have continued to develop their skills by helping others who have been in care and aim to pursue careers in catering.
- Healthy lifestyles for children and young people in care are successfully promoted via free access to leisure facilities for them and all members of their foster families. A service level agreement with Halo, the Trust responsible for these facilities, has been in place to secure this provision since 2005 and during 2007/2008, 1059 sessions were accessed by looked after children.
- Arrangements to support looked after children are good. The looked after children population remains stable, averaging 170 per year and 158 in 2007/2008, with the trend moving downwards. The majority of looked after children come into local authority foster care or are placed for adoption (85% in 2007/2008). Only 12% are in residential accommodation which is always considered as the last resort for provision.
- Placement stability over the last 12 months (three or more placements) is good at 6% in 2007/2008, as is long term placement stability at 70%. The recent foster care inspection rated the service as ‘good with some outstanding features’. Support for adopted children and adoptive families is very good and was particularly noted in the recent adoption inspection. There is a low incidence of disruptions for children placed by Herefordshire and with Herefordshire adopters.
- Planning and provision for looked after children is very good. 99% of reviews were completed on time in 2007/2008 and 11.7% of looked after children were adopted in 2007/2008, a significant improvement on 2006/2007.
- Educational attainment of looked after children remains stable, in spite of the difficulties faced by this cohort and the high proportion of children with statements of special educational need (SEN) (39.42% in the full cohort and 40% of those leaving school). 75% of looked after children leaving school in 2007 achieved at least one GCSE A*-G or equivalent, 60% achieved 5 or more A*-G and 15% achieved 5 or more A*-C. Attendance of primary school pupils remains stable with 3.85% of sessions missed. Every school has a designated teacher for looked after children and since 2005/2006, there have been no permanent exclusions of looked after children.
- Participation of looked after children is actively encouraged and 100% of children and young people participate in their reviews.
- The percentage of looked after children who are NEET (not in education, employment or training) continues to show excellent performance with only one care leaver out of the identified cohort not in education, employment or training. The Aftercare Service continues to develop a range of services and opportunities that support care leavers into education, employment and training (EET), including a worker with a specific responsibility to source, facilitate, support and enable care leavers to be in EET. 100% of care leavers aged 19 are living in suitable accommodation. This has been achieved by increasing the number of supported lodgings providers and supported independent living units.