

<b>Meeting:</b>	<b>Children and young people scrutiny committee</b>
<b>Meeting date:</b>	<b>Monday 11 March 2019</b>
<b>Title of report:</b>	<b>Task and Finish Group - Court judgements relating to children and families</b>
<b>Report by:</b>	<b>Chairperson of the task and finish group</b>

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose and summary**

To report the outcomes and recommendations of the Court judgements relating to children and families task and finish group to the children and young people scrutiny committee. The committee will consider the outcomes from the task and finish group and decide if the recommendations should be agreed and reported to the chief executive and cabinet.

## **Recommendation(s)**

That:

- (a) the committee considers the report and recommendations of the task and finish group: Court judgements relating to children and families (at appendix 1 of this report) and determines whether to agree the findings for submission to the executive.**

## **Alternative options**

1. The recommendations proposed in this report represent the outcomes of the Court judgements relating to children and families task and finish group. If there are any additional recommendations which the committee feels should be included these can be proposed and voted upon at the children and young people scrutiny committee, 11 March.

## **Key considerations**

2. The Children and Young People Scrutiny Committee agreed the formation of task and finish group relating to the court judgments concerning children and families was agreed at the committee meeting on 4 February.
3. Two judgements by the High Court in December 2018 found that there had been historic failures in Herefordshire Council in respect of two recent adoption cases and relating to the revocation of a long standing placement order.
4. The task and finish group looked at adoption processes and placement order and the arrangements in place to ensure their appropriate use. The outcomes of the group were intended to: gain assurance that effective processes were in place to ensure the appropriate use of adoption processes and placement orders; and that the scrutiny committee would be involved in the assessment of performance and reporting on progress being made to strengthen current practices and culture around adoption and placement services.
5. The recommendations from the task and finish group are proposed to the children and young people committee to consider approving for submission to the cabinet. Any response to the recommendations from cabinet will be provided to the committee in the new Council term following the elections on 2 May 2019.

## **Community impact**

6. In accordance with the adopted code of corporate governance, Herefordshire Council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development, and review.
7. The recommendations made by the task and finish group contributes to priorities in the corporate plan to: keep children and young people safe and give them a great start in life; and secure better services, quality of life and value for money.

## **Equality duty**

8. 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.

9. If the committee agrees with the findings of the task and finish group, the report will need to be considered by the executive and, depending on their decision, due regard will need to be given to public sector equality duty.

## **Resource implications**

10. There are no direct resource implications resulting from the work of the task and finish group. There may, however, be resource implications to consider by the executive if the proposed recommendations are accepted.

## **Legal implications**

11. The functions of the children and young people scrutiny committee include the powers to:
  - make reports or recommendations to the executive with respect to the discharge of any functions which are the responsibility of the executive; and
  - to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area.

## **Risk management**

12. There are no risks associated with the recommendation and in considering its response the executive will need to assess the risks arising from the scrutiny committee's recommendations

## **Consultees**

13. None

## **Appendices**

Appendix 1 – Court judgements relating to children and families task and finish group report.

## **Background papers**

None identified