

<b>Decision maker:</b>	<b>Cabinet member children and families</b>
<b>Decision date:</b>	<b>Friday, 22 January 2021</b>
<b>Title of report:</b>	<b>Strengthening the recruitment of Council Foster Carers</b>
<b>Report by:</b>	<b>Childrens joint commissioning manager</b>

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to result in the council making savings which are significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## **Wards affected**

(All Wards);

## **Purpose**

To approve the business case for investment in commissioned marketing and engagement services to strengthen the council's in-house fostering service, increasing the number of general and specialist foster carers and reduce the reliance on the more costly IFA (independent fostering agency) sector in line with Herefordshire's County Plan and Children and Young People's Plan.

## **Recommendation(s)**

**That:**

**(a) the business case described within paragraphs 9-37 is approved**

**(b) a contract is openly tendered for the provision of a professional marketing and engagement service, at a value of up to £261k over up to five-years for award by the Director for Children and Families under the Chief Executive's scheme of delegation, which authorizes that commissioning for children's services may be undertaken by the Director for Children and Families, and following the council's Contract Procedure rules**

## **Alternative options**

1. Do nothing. There is no evidence to suggest that continuing 'as-is' would increase the number of new fostering household approvals.
2. Invest additional resources into the in-house fostering service to form a small dedicated marketing and engagement team. This could involve expanding the existing 1.5fte marketing and recruitment officer roles and introduction of a new fostering marketing and engagement lead. Aside from new investment into staffing, team resources would include other running costs, with total team spend estimated at £120k per year. The service has previously had some difficulty in recruiting to and retaining marketing roles, which could also be an issue for a dedicated team.

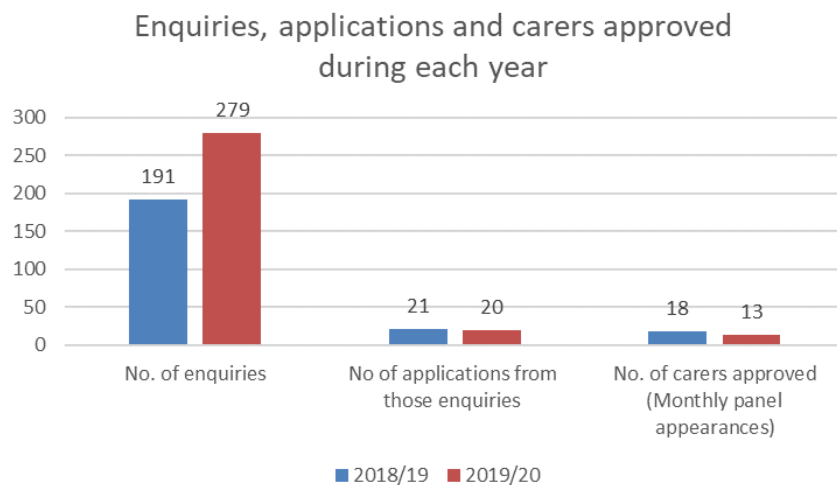
## **Key considerations**

3. Councils have a duty to make arrangements for the accommodation and care of children for whom it has a responsibility, pursuant to Sections 20 - 23 and 31 of the Children Act 1989.
4. Section 22G of the Children Act 1989 ('the 1989 Act') requires local authorities to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area which meets the needs of children that the local authority are looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area ('the sufficiency duty').
5. The sufficiency duty requires local authorities to do more than simply ensure that accommodation be 'sufficient' in terms of the number of beds provided. They must have regard to the benefits of securing a range of accommodation through a number of providers. The accommodation must also meet the needs of children.
6. The council's preference is to place with suitable foster carers within its own in-house fostering service before considering placement in the independent sector, as a way of ensuring children can be placed locally and of managing costs.
7. In 2015, there were 92 general and specialist carer households approved by the in-house fostering service. Since then, the in-house pool has shown some growth but has since declined to return to 2015 levels. At the same time, the number of children and young people in care increased by c.70, leading to greater reliance on independent fostering agencies (IFAs) and residential accommodation.
8. The in-house service approved eighteen new carer households in 2018/19, reducing to thirteen in 2019/20. The pool of approved general and specialist fostering households declined to 91 in 2020. At that time, the council's placement sufficiency strategy estimated that the pool needed to be around 110-135 households in order to be on track to meet

placement demand and reduce reliance on more costly independent agency placements by 2024/25.

9. It is proposed to invest in new marketing and engagement activities with the expectation of increasing approvals to at least thirty per year. It is estimated that placement costs in the region of £2m-£2.6m would be avoided over a five-year period, or £400k-£520k on average per year, compared to IFA placement costs. Further costs may also be avoided as a result other work to improve the retention of carers, reduce unnecessary use of high cost residential accommodation, and reduce placement demand as the number of children and young people in care decreases.
10. When a child or young person is cared for by the council, the following local principles inform how their accommodation placements are commissioned, planned and delivered:
  - i. placements will be needs led and should enable children and young people in care to achieve positive outcomes as they grow-up
  - ii. most children and young people in care should achieve permanence, whether that be through reunification, special guardianship orders, or adoption
  - iii. children and young people are usually best placed in an appropriate and well-matched family environment, and the use of residential accommodation should be rare and is estimated at c.20 placements (this estimate was calculated prior to the COVID19 pandemic and is from the council’s sufficiency strategy).
  - iv. children and young people in care should normally be placed within 20-miles of their home in order to maintain contact with their family, education and community, unless it is not in their best interests to do so
  - v. placements will be stable, of good quality and cost effective
11. Achieving sufficient numbers of carers has become more challenging as the number of children and young people in care and demand for placements has continued to grow and remain above the expected range in relation to Herefordshire’s statistical neighbours (Appendix 1). A review of progress against the expectations for in-house fostering highlighted that:
  - i. A new carer recruitment and retention plan had achieved 46% increase in enquiries from potential carers during 2019/20 compared to the previous year (Fig.1). However, there was a decrease in carers being approved, with 13 in 2019/20 compared to 18 in 2018/19.

**Fig.1**

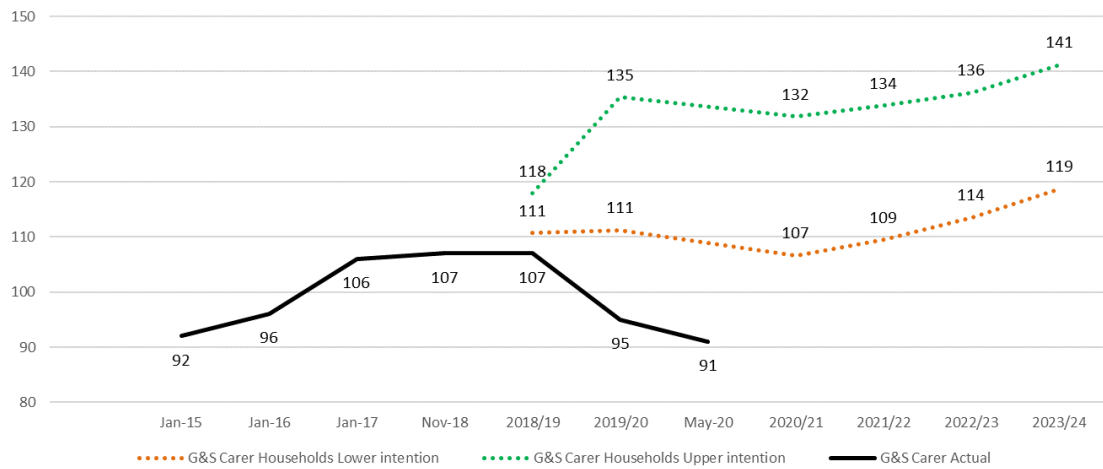


- ii. The net result of fewer approvals, combined with in-year carer resignations and retirements, has been that the general and specialist carer pool further reduced to 91 households by May 2020 (Fig.2). The number of approved general and specialist

fostering households has fallen short of the intended range and has returned to the 2015 level when there were also c.70 fewer children and young people in care.

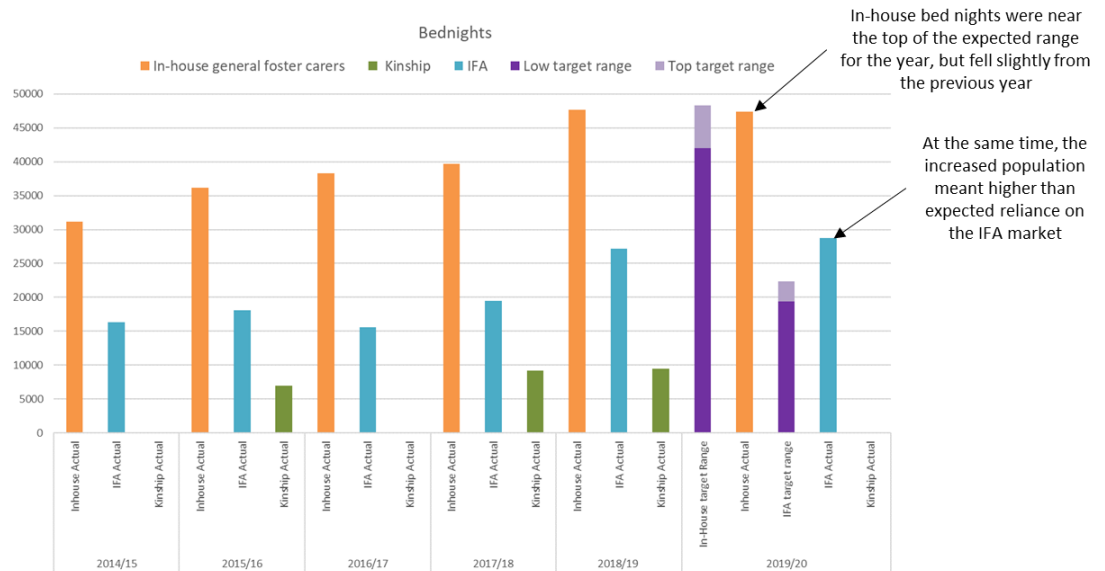
**Fig.2**

Expected General & Specialist Carer Pool  
based on population estimates July 2020



iii. Although the number of approved household has fallen, those households have delivered a significant number of nights of care during the year (Fig.3). The 2019/20 target for the in-house fostering service was to deliver 42,013 to 48,330 general and specialist bed nights, with 47,376 bed nights being achieved. This is a positive outturn, but is a slight reduction on the previous year. At the same time, however, the increased number of children in care led to a 5.9% growth in the purchase of IFA bed nights compared to the previous year. It is estimated this has resulted in an additional cost of £190k during the year, as a result of the additional beds being purchased from IFAs rather than provided in-house.

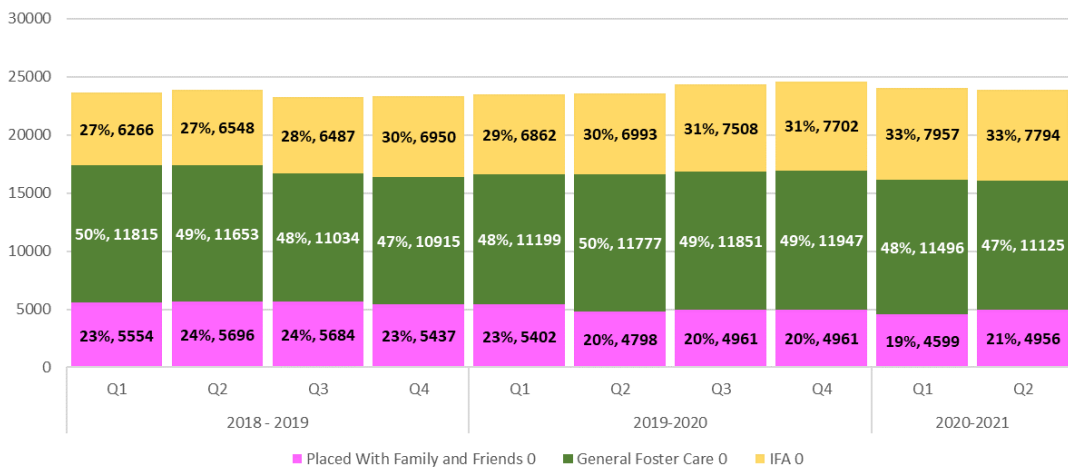
**Fig.3**



iv. The split between in-house and IFA placements has not improved further as expected (Fig.4) . The number of nights of in-house general and specialist foster care delivered per quarter has remained broadly stable over the last 2½ years, while the number of placement nights per quarter with friends and family (known as kinship) has reduced by c.10% during the period. Overall, the number and proportion of IFA nights purchased have increased.

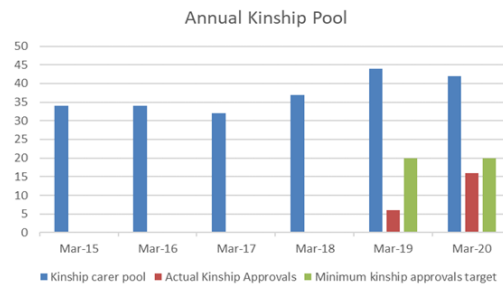
**Fig.4**

Bednights - Main Fostering Types



- v. The service has sought to maximise the opportunities to place more children in kinship care to help reduce demand on in-house general and specialist foster care. Kinship care is where children are looked after by people they already know, which would be identified by social care rather than being a focus of the proposed business case. During 2019/20 sixteen kinship foster carers have been approved (Fig. 4a) and a further three were temporarily approved. The council's sufficiency strategy expects that a minimum of 20 kinship carers are approved each year.

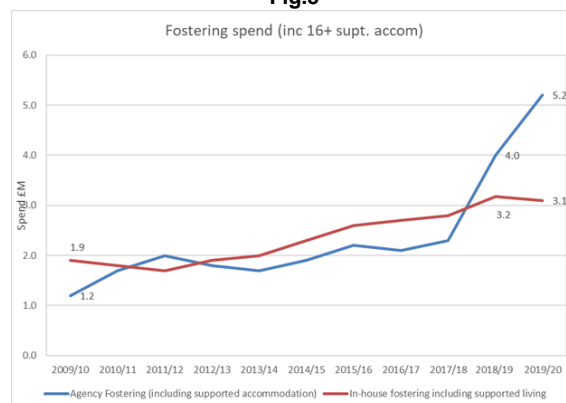
**Fig.4a**



Although year-on-year approvals have improved they have not increased enough to reduce the need for additional G&S carer households while LAC numbers remain high

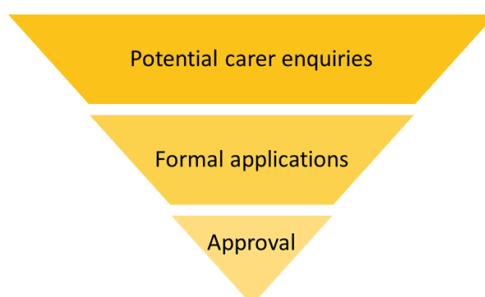
- vi. The in-house fostering service had not delivered the required level of specialist foster carers for the HIPSS (Herefordshire Intensive Placement Support Service) cohort. As of March 2020, fifteen young people in residential care meet the criteria for HIPSS but there are no foster care options available for them to step down.
- vii. The growth in the number of children and young people in care and continued challenges encountered by the in-house fostering service in recruiting and retaining carers has meant increased spend on independent agency placements (Fig.5).

**Fig.5**



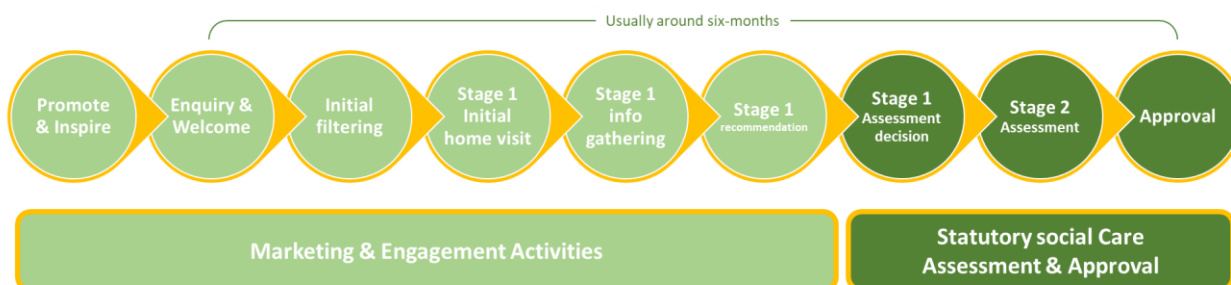
12. The continued reliance on the independent placement sector is not sustainable. A different approach is needed to help recruit more in-house carers. There have been similar challenges for other local authorities, but there is no one-size-fits-all solution. The key challenge (Fig.6) is attracting a sufficient number of good quality enquiries from potential carers that translate into formal applications for assessment and approval.

Fig.6



13. Foster carer recruitment is a process (Fig.7) that can be broken-down into several stages, which can take around 6-months to complete. The main stages are firstly (and the focus of the proposals), marketing and engagement to attract enquires, encouraging applications and gathering information for assessment. These are followed by formal assessment and approval that requires social worker involvement to meet statutory requirements and which will continue to be delivered by the in-house fostering service.

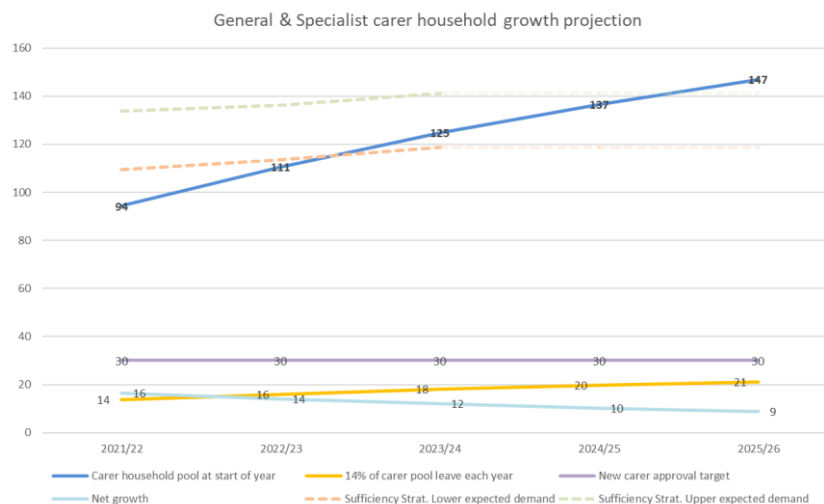
Fig.7



14. While the in-house service can be favourably compared with that of other local authorities, it is important to acknowledge that it is operating within a commercial local market. In the five years to 2020, over twenty independent fostering agencies have provided foster carers within Herefordshire, competing with the efforts of the in-house service to recruit and grow the council's own carer pool.
15. It is difficult to access information about how independent agencies invest in and structure their own recruitment activities. There are examples from the jobs markets that suggest that such businesses place significant importance on carer recruitment. Some have dedicated, but small teams, with one or more full time recruitment officers and a lead manager role with annual salaries ranging from £22k to £45k before any performance bonuses. In some circumstances, a recruitment manager is a member of the agency's senior leadership team and may report directly to its chief executive.
16. There are further examples of recruitment resources from other local authority areas that also show dedicated officer and manager roles with salaries ranging from £25k to £39k.

17. Herefordshire's in-house service currently includes 1.5fte roles at grade HC6 (salary range £21k-£25k per year) allocated to carer marketing and recruitment, however 0.5fte of these has been vacant since the start of this financial year. The roles sit within a much wider team of social workers that are responsible for assessing carer applications and supervising approved carers.
18. It is proposed to make an additional investment into the council's carer marketing and engagement activities (Fig.7) with the aim of increasing the number of new carer applications and approvals. The key activities include the following, up to the point that a prospective carer submits a formal application for statutory assessment:
- Targeted inspirational promotional marketing to attract enquiries
  - Ensuring enquirers receive a quick response and are made to feel valued and welcome
  - Initial filtering of unsuitable enquiries to ensure that time is focused on those prospective carers with real approval potential
  - Undertake initial home visit and checks to gather more information about the prospective carer, with further filtering as appropriate
  - Follow-up the initial visit to encourage the prospective carer to progress their formal application, gathering relevant information to enable a recommendation for Stage 1 approval
19. The intention will be to approve at least thirty new general or specialist carer households per year over a five-year period (Fig.8) to both increase the number of carers available and to provide a breadth of skills and capabilities that enable children with a wide variety of needs to be placed successfully. This target allows for normal turnover among the carer pool, for example due to retirement or resignation, which averaged at 14% of carers leaving the general and specialist pool over 2016-2020. Achieving the target of thirty new approvals will deliver a net growth in the carer pool each year and mean that the service would be on track to meet expected placement demand within three years. Net growth could be further increased if the leaver rate can be reduced from the 14% average as a result of plans the fostering service has to retain more approved carers.
20. As the enquiry to approval process can take up to six-months, the number of approvals in 2021/22 will include any applications arising from in-house marketing work delivered in 2020/21. Ongoing work includes updates to the service's online content, offering virtual 'drop-ins' for prospective carers, Facebook adverts and optimizing the Council's Google search position among competing local independent agencies.

**Fig.8**







## Community impact

23. Increasing the number of in-house foster carers supports the principles outlined in the council's county plan and Herefordshire's Children and Young People's Plan, including:
- i. Ensuring all children are healthy, safe and inspired to achieve
  - ii. Ensuring that children in care, and moving on from care, are well supported and make good life choices
  - iii. Protecting and improving the lives of vulnerable people
  - iv. Spending public money in the local economy wherever possible
24. The proposals will have a direct effect on the lives of **children and young people in care** and will support the council in its role as corporate parent. It seeks to ensure that more children and young people can be placed in a family setting local to home, when it is in their interests to do so, and that they are able to maintain contact with their families, education and communities. The proposals will also form part of a programme of activities to ensure that there is more appropriate fostering capacity available to prevent children being placed into residential care because there is no available alternative for them. It can also be anticipated that more young people are able to 'stay-put' with their foster family as they transition to adulthood.
25. While the focus of the proposals is on growing the pool of general and specialist foster carers, it is anticipated that marketing and engagement activities will also attract prospective hosts for 16+ supported lodging placements and specialist carers that could offer short breaks for disabled children and their families.

## Environmental Impact

26. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
27. By growing the number of approved in-house foster carers, it is expected that more **children and young people in care** will be able to be placed closer to home where it is appropriate to their needs. This will have some positive reduction on the need for social workers to travel further distances, and associated carbon emissions, to conduct statutory visits to children in their placement.

## Equality duty

28. 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.
29. 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. Providers will be made aware of their contractual requirements in regards to equality legislation.
30. Before a child or young person is placed, a professional assessment of their needs is undertaken so that any specific equality issues can be identified. The individual’s assessment and specific equality requirements informs their care planning to ensure that an appropriate placement is provided for them. The proposed contract will seek to recruit carers that will be a good match to the diversity characteristics of Herefordshire’s children and young people in care. This will include scope to target promotion and recruitment to attract a more diverse make up of foster carer to further enable the council to place children that may share a protected characteristic where that is appropriate.

## Resource implications

31. Regardless of whether a commissioned or in-house approach is adopted, there will be a need for additional social worker capacity to undertake carer assessments if the expected increase in applications is achieved. A full time post has been costed at £49,822 in 2021/22, which can be partly funded by the reallocation of resources currently assigned to the vacant in-house marketing officer role.
32. It is proposed to invest in a new contract for the provision of a new fostering marketing and engagement service, with an expected value of £50-55k per year for up to five years.
33. The additional investment to meet the combined delivery costs (table 1) would be £86-£94k, which can be funded from ‘getting to good’ resources.

**Table 1: Delivery costs**

	2021/22	2022/23	2023/24	2024/25	2025/26	5-year total
Assessing social worker	£ 49,822	£ 51,068	£ 52,344	£ 53,653	£ 54,994	£ 261,881
Reassignment of existing Marketing officer resource	‑£ 13,967	‑£ 14,316	‑£ 14,674	‑£ 15,041	‑£ 15,417	‑£ 73,415
Commissioned marketing & engagement costs	£ 50,000	£ 51,000	£ 52,020	£ 53,060	£ 54,122	£ 260,202
<b>Total</b>	<b>£ 85,855</b>	<b>£ 87,752</b>	<b>£ 89,690</b>	<b>£ 91,673</b>	<b>£ 93,699</b>	<b>£ 448,668</b>

34. It would be expected that new approved carers will be able to provide stable placements for children and young people in care. This will avoid the need for more costly independent agency placements and mean that the compound financial benefit will be spread across multiple years while a child remains in placement.

35. The historic in-house occupancy rate has been 1.2 children placed per carer household, recently increasing to 1.5 per household. Assuming that 86% of the new carers are retained as the pool grows each year, it is estimated that placement costs in the region of £2m-£2.6m would be avoided over a five-year period, or £400k-£520k on average per year, after delivery costs (table 2). Further costs may also be avoided as a result other work to improve the retention of carers and reduce placement demand as the number of children and young people in care decreases.

**Table 2: Placement cost avoided**

(after delivery costs, compared with IFA fees, and assuming 86% of new carers are retained each year.)

	2021/22	2022/23	2023/24	2024/25	2025/26	5-year total
1.2 occupancy rate	£ 154,976	£325,398	£441,886	£ 516,283	£ 558,156	£ 1,996,699
1.5 occupancy rate	£ 215,183	£428,686	£574,780	£ 668,272	£ 721,119	£ 2,608,040

36. There are currently 1.5fte roles allocated to marketing and recruitment within the in-house service. It is preferred to retain the experience of the 1fte role within the fostering service to enhance the support that is available to existing approved carers. The 0.5fte marketing role is vacant, this resource can be reallocated to the proposed costs as shown by Table 1.
37. As part of preparing a service specification for tender, the interface between the proposed contract role to gather Stage 1 information and the in-house responsibility for Stage 1 application decisions (Fig. 7) will be set-out in greater detail with the in-house service. This will determine any impact on the remaining 1fte recruitment role, which could include refocusing the role or TUPE to the new contracted provider with consultation with the post holder being required.

## Legal implications

38. Councils have a duty to make arrangements for the accommodation and care of children for whom it has a responsibility, pursuant to Sections 20 - 23 and 31 of the Children Act 1989.
39. Section 22G of the Children Act 1989 requires local authorities to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area which meets the needs of children that the local authority are looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area.
40. The local authority must ensure that the placement is such that—
- (a) it allows C to live near C's home;
  - (b) it does not disrupt C's education or training;
  - (c) if C has a sibling for whom the local authority are also providing accommodation, it enables C and the sibling to live together;
  - (d) if C is disabled, the accommodation provided is suitable to C's particular needs.
41. The duty upon the local authority requires it to do more than simply ensure that accommodation be 'sufficient' in terms of the number of beds provided. They must have regard to the benefits of securing a range of accommodation through a number of providers. The accommodation must also meet the needs of children.
42. It is therefore a necessity that the local authority has sufficient accommodation to satisfy the above criteria and should do everything within its powers to promote and attract local foster carers to ensure children's wellbeing is at the forefront of the process.
43. The Transfer of Undertakings (Protection of Employment) Regulations will apply if it is approved for there to be a Contract for the Provision of a Professional Marketing and Engagement Service to strengthen the Council's In house Fostering Service.

44. The procurement of the service will need to comply with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 (as appropriate).

## Risk management

### Risk/Opportunity

### Mitigation

45. The in-house service assessed and approved 18 new carer households in 2018/19, reducing to 13 in 2019/20. The proposal is to increase this to 30 per year. Assuming that a contracted provider is successful in progressing sufficient prospective carers to the formal assessment stage, then there could be a bottleneck in the recruitment process that causes delays and leads to some prospective carers withdrawing in favour of an independent agency.
46. Marketing and engagement activities are not responsive to changes in placement demand
47. Poor response from the provider market to a published tender opportunity
48. Implementation timescales (Fig. 9) slip
- It may be necessary to appoint additional assessing social worker capacity and/or expand the use of sessional social workers to complete assessments
- Day-to-day partnership working between the commissioned provider and in-house fostering service will be essential to ensuring that marketing is targeted to the appropriate audiences and so that prospective carers feel engaged valued at each stage of the recruitment and assessment process.
- Experience from other areas suggests that there is an active provider market. Herefordshire could allow time to undertake a local market test, which could also test the appetite to enter into any potential TUPE arrangements
- Delivery will be overseen by a project board within the directorate's transformation programme, which will seek to mitigate any delays and adjust individual timescales if necessary

## Consultees

49. Children and young people are routinely involved in planning their care and placement arrangements. When asked what they wanted from their support packages, responses from children and young people in care and care experienced young people have included:
- Stability
  - We want to be trusted to be there -  
“I was made to leave when they left in the morning”
  - Options of places to go if we can't stay in placement
  - We want to be able to be ourselves
  - We can't be expected to meet your expectations all the time

- Why can't we have a second chance at foster care if it didn't work the first time
- Emotional support - availability
- More placement options
- More city properties
- Why do I get less than X who is in foster care - we are the same age (or they are in an IFA)
- There needs to be a range of old and young foster carers
- Be nice
- For my space to be respected
- Be fun and reliable
- For rules to be clear and flexible based on who I am and what is going on in my life
- Don't judge me based on what is written about me
- Safety
- Have a private space - just for me
- To know how long I am going to be there
- Moving on preparation - we need more preparation to leave from our carers and this to be given early enough
- Close to buses/ trains
- Don't want to be where there aren't any street lights
- Close to shops
- Close to people who support me

50. Occasionally, young people give much more detailed feedback about their placement experiences, the following is an anonymised example:

*'Sarah is very understanding and non-judgmental. When I first went to her she made sure she knew what things I liked and I didn't like. She made me feel comfortable, she ensured that I was happy even when I was going through a tough stage. Sarah let me free in the sense that she doesn't put many boundaries only curfews as to when I have to go in, but we have a safe word and Sarah always knows where I'm going and who I'm with. I like this because it makes me feel safe. I can confide in Sarah in things that I've never confided other people with. I can talk to Sarah about problems, work, relationships, family, mental health, general health, sex and lots more that I usually wouldn't speak to anyone about. I would keep these things to myself.*

*Sarah has always made me feel wanted, never once made me feel upset or hurt. She knows me that well that she can tell when I'm upset, moody or depressed, she asks me if I want to talk about it and if I don't then she respects that. If I tell her something upsetting and I start crying she'll do what's best to her ability to ensure that I'm happy, makes me see things from different perspectives. She never invades my personal space and respects if I need to be on my own or with my boyfriend/friends.*

*Sarah is a very fun person to be around, the amount of laughs and fun memories I have with her are amazing. Sometimes it's the little things that makes me happy, whether that's just sitting in a quiet room with her or talking to her about life. Sarah always makes me see the positive in life, if I have a problem and I was in the wrong she never tells me off for it. She just tells me what I should've done instead. I feel so lucky in living with Sarah, I've never met such an amazing, caring, loving woman like her. She's a star. Sarah is like the mother I never had, she looks after me like a princess.*

51. A briefing has been circulated to political groups for consultation. No feedback was received.

## Appendices

Appendix 1: Herefordshire children and young people in care population trend

Appendix 2: Devon and Warwickshire Approaches

## **Background papers**

[Looked after children and complex needs placement commissioning and sufficiency strategy](#)