

### **SOCIAL & HEALTH CARE OVERIEW & SCRUTINY COMMITTEE**

Date of Meeting	Thursday 29 March 2018
Report Subject	Children's Out of County Placements
Portfolio Holder	Cabinet Member for Social Services
Report Author	Chief Officer (Social Services)
Type of Report	Strategic

#### **EXECUTIVE SUMMARY**

Corporate Resources Overview Scrutiny Committee have referred the provision, and costs associated with Out of County placements for children and young people, to the Social and Health Overview and Scrutiny Committee. Finding appropriate residential provision for children and young people is challenging and costly.

This paper provides an overview of the current challenge in finding appropriate residential placements for children and young people. The report also provides an overview of a project across Social Services and Education portfolios in relation to Out of County Placements. The project has 3 work streams that will develop a more detailed insight into:

- current and future need
- options for support/placements
- the associated costs

The aim of the project is to enable the Council to:

- more proactively respond to identified needs
- better manage demand for placements
- develop the market to be more responsive and affordable
- secure the most cost effective delivery of positive outcomes for children

#### **RECOMMENDATIONS**

1 Committee are asked to scrutinise the approach that is being undertaken to secure the most cost effective delivery of positive outcomes for children.

# **REPORT DETAILS**

1.00	EXPLAINING THE REVIEW OF CHILDREN'S OUT OF COUNTY PLACEMENTS
1.01	National Context
	On 27 October 2017 a report was presented to the WLGA Executive Board relating to 'Pressures on Children's Services' (Appendix 1). The report provides an effective overview of the national context for children's social care. In summary the report identifies that over the past decade across Wales there has been a:
	<ul> <li>25% increase in the number of children looked after</li> <li>32% increase in the number of children placed on the child protection register</li> <li>51% increase in revenue expenditure on children and family services</li> <li>66% increase in expenditure relating to children looked after</li> </ul>
1.02	The paper groups the pressures being placed on children's services into four areas:
1.03	<ul> <li>i. Workforce</li> <li>high staff turnover and vacancy rates</li> <li>a reduction in the numbers wishing to train as Social Workers</li> <li>the increasing complexity of the work leading to more (experienced) people leaving the profession</li> <li>the continuity of relationships with children and families being adversely affected by high turnover rates</li> </ul>
1.04	<ul> <li>ii. External demands and complexities</li> <li>pressures on families as a result of cuts to support services and the introduction of welfare reforms</li> <li>declining emotional wellbeing and increasing poor mental health amongst the population</li> <li>high profile cases/ scandals</li> <li>poor emotional and mental health services for children and young people</li> </ul>
1.05	<ul> <li>iii. Placements</li> <li>increasing complexity of cases and increasing numbers becoming looked after negatively impacting on availability of appropriate placements and leading to high costs</li> <li>an ageing foster carer population</li> <li>increasing costs of residential care</li> <li>lack of consistency in outcomes for children</li> <li>placements being made away from the child's home local authority</li> <li>high costs of external placements</li> </ul>

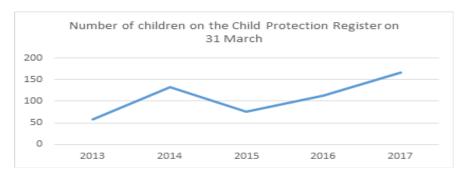
1.06	iv. Legislation and work with courts
	<ul> <li>an increase in the number of care applications made to the Court and in particular children subject to care proceedings</li> </ul>
1.07	Flintshire's position largely echoes this national picture, apart from the staffing turnover and vacancy rates. Whilst ensuring continuity of staffing has been challenging our position is not as stark as those experienced in some local authority areas. A significant challenge has been meeting need within available budget.
1.08	Welsh Councils' overall spend on looked-after children trebled from £76m in 2001-02 to £256m this year. The Welsh Public Accounts Committee is currently undertaking an inquiry into care experienced by children and young people. The Committee has found most local authorities were anticipating significant overspends on their children's services budgets this year. Indeed spend on children's and families' services in Wales is now in line with expenditure on both adults under 65 and on older people. Children's and families' services now make up a third of social services expenditure.
1.09	As part of the national response to the budgetary and services pressures a National Ministerial Advisory Group (MAG) has been established with a detailed work programme aimed at Improving Outcomes for Children. Through its work, the MAG seeks to contribute to reducing the incidences of adverse childhood experiences (ACEs), build resilience within the family, focus on prevention and early intervention and improve outcomes for children in care. National work is also in progress to strengthen placement choices, and the quality of support, for looked after children through: the development of a National Fostering Framework for Wales; a National Adoption Service; and a review of residential commissioning through a National Steering Group. The lead for the national review for residential commissioning is meeting with Senior Managers from North Wales in April 2018.
1.10	In terms of Education provision it is important to note that the Welsh Government is undertaking a reform of the legislation covering children and young people with additional learning needs (ALN). Currently children with significant needs may be subject to a Statement of Special Educational Need (SEN) where the Council is legally bound to meet their individual educational requirements up until the age of 19, as long as the child remains within a school setting. The proposed reforms will replace the current duty and extend the period of responsibility for the young person to the age of 25 and include a range of educational settings including further education establishments and specialist college placements which are currently funded by Welsh Government. The existing budget and associated costs will be allocated to councils along with the associated responsibilities of assessment and decision making for all post 16 education specialist provision. The Additional Learning Needs and Education Tribunal (Wales) Bill is progressing through the legislative process and is likely to be implemented from 2020.

## 1.11 **Regional Context** 1.12 There are 1,000 children looked after by Councils in North Wales and the number is increasing. The North Wales Population Assessment Regional Plan identifies planed action to respond to the rise in looked-after children and changing demands on fostering services. 1.13 Planned regional actions include the development of regional: specifications for residential care, and residential care with education contracts to underpin placements and ensure clarity of costs and planned outcomes a market position statement setting out the type of residential placements needed to meet regional demand a regional plan for implementing the components of a National Fostering Framework that would add benefit for regional and/or local working 1.14 The development of a co-ordinated approach to the residential care market for children in North Wales will form one of the priorities for the North Wales Strategic Commissioning Board for 2018. Flintshire will have a critical role in shaping and delivering this regional work. The local work delivered through this project will complement the regional work and will ensure pace of delivery in responding to current placement and budgetary pressures. The 'fit' between national and regional work and this project is consistent with the approach Flintshire took in the review of residential care for older people.

#### 1.15 **Local Context**

1.16 Local demand for services over the past 5 years can be summarised as:

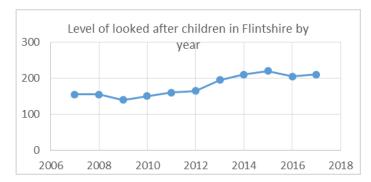
Increasing number and complexity of child protection referrals, with an overall increase of the number of children on the Child Protection Register in the last 5 years:



Source Welsh Gov Stats Wales

The rise in child protection registration is within the context of a national 48% increase in police recorded cases of cruelty and neglect over the last 5 years.

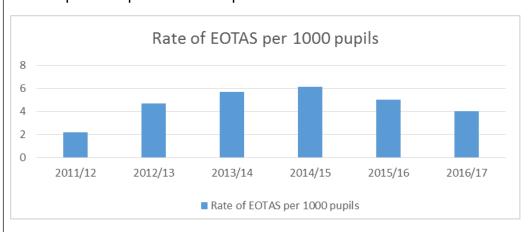
1.17 Increasing demand for accommodating Looked After Children, which has risen incrementally during the last decade as demonstrated in the graph below:



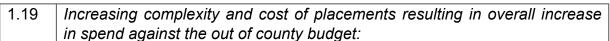
Source Welsh Gov Stats Wales

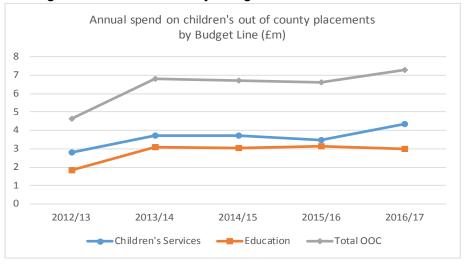
1.18 Significant numbers of children demonstrating high level complex needs for whom specialist education provision is required.

The number of children educated other than at school (EOTAS) has seen a significant rise nationally over the last 5 years with 2015/16 and 2016/17 figures representing a 47% and 37% increase respectively as compared with the figure in 2011/12. These figures typically included children accessing pupil referral units and specialist non-maintained provision such as independent schools. Flintshire has a history of high levels of EOTAS and work has been undertaken with schools to reduce this resulting in a downward trend since 2014/15. Despite this success, there are still significant numbers of children demonstrating high level complex needs for whom specialist provision is required.



Sources: EOTAS Pupil Census, Welsh Government





## 1.21 | Defining 'Out of County' provision

- 1.22 The term 'Out of County' has historically been used to reflect provision made 'outside' of the County Council's own provision i.e. care / education provision for children purchased by the local authority. This includes:
  - Residential placements purchased for looked after children
  - Children educated other than at school (EOTAS)
  - Access to specialist residential provision (Education costs)
  - Access to specialist day placement provision (Education & Youth)
  - Additional individual Teaching Assistant support to children in mainstream schools in other authorities
  - Education in a hospital setting due to physical or mental health reasons

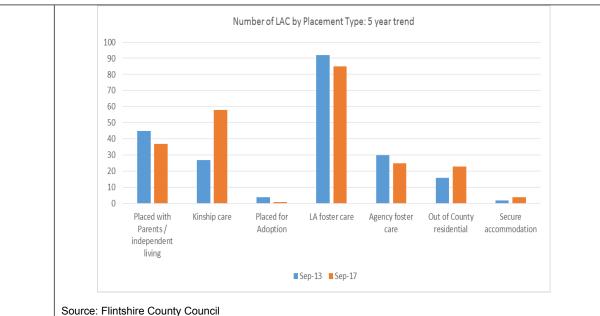
Whilst labelled 'Out of County' some of these services lie within the geographic boundary of Flintshire.

- 1.23 For the context of the project we have running the focus for 'Out of County' is to develop cost effective alternatives to:
  - 1. Residential placements purchased for looked after children.
  - 2. High cost education provision purchased for children with additional learning needs.

#### 1.24 Residential Placements

1.25 Flintshire County Council currently commission "Out of County" Residential Care services for 23 Children via 14 independent providers of Children's residential service in Wales and England (although numbers fluctuate based on need).

1.26	It is hard to describe children's residential care as a single market. In effect there are probably at least three distinct markets; one for children with profound and multiple disabilities, one for children with specific behavioural conditions and one where children have a series of problems stemming from their family and / or environment.
1.27	A high demand nationally for residential placements is impacting negatively on both the availability and cost of placements. It has become increasingly difficult to source suitable placements, one mid-sized regional provider advice that on an average month they can receive 500 referrals. The organisation has 60 registered residential beds with less than a handful available at any one time. The theme of this conversation is reflected across the market. The current lack of placements is contributing to a position where a provider's market is able to charge opaque rates with placements by Welsh LA's ranging from £2,500 to £16,000 per week. The reality is that good practice in matching and planning for safe and positive placements can become secondary in the search to find an appropriate available placement.
1.28	The current average weekly fee for the care of children in residential services paid by Flintshire is £3,565 per week. However, there are placements that exceed the average.
1.29	We know that there is a large cohort of young people in residential provision that will need to remain in that setting resulting in a known budget pressure. We also know that there is a dearth of available placements leading to a significant increase in the weekly cost for new placements. Whilst all efforts are made to find alternatives to residential provision the cases that are presenting are increasingly complex, carry high risks, with no viable alternative. Part of this project will involve an analysis of predicted future demand.
1.30	Placement Analysis
1.31	Looked after Children are placed in a range of settings. Councils have to try to place children with family or friends before other placements which is changing the demands on fostering services (these are known as kinship care). Locally the provision of appropriate kinship placements is double that of 5 years ago.
	This growth in kinship care has been delivered whilst maintaining an inhouse pool of experienced and committed foster carers. The change in placement type over the last 5 years is shown in the graph below:



Course. I miletime county counter

1.32 Whilst the authority has worked hard to ensure we have sufficient experienced and quality foster carers, we have not had the capacity to respond to the pace of demand. Nationally 74% of looked after children at 31 March 2017 were accommodated in foster care placements, a gradual decline in proportion since 2012, when it stood at 79%. In Flintshire 68% of looked after children were supported in fostering placements on 31 March 2017. Regionally the proportion of placements in foster care are:

Local Authority	Children looked after at 31	In foster care	% in foster	
	March 2017	placements	placements	
		·	•	
Isle of	140	102	700/	
Anglesey			73%	
/ trigicacy				
Gwynedd	218	143	66%	
			0070	
Conwy	177	124	70%	
Denbighshire	163	112	69%	
Flintshire	212	145	68%	
Wrexham	210	137	65%	
			,-	

1.33 Investment in fostering is a critical interdependent component of reducing and managing the demand for residential placements. The relatively small number of out of county placements has a disproportionate impact on expenditure.

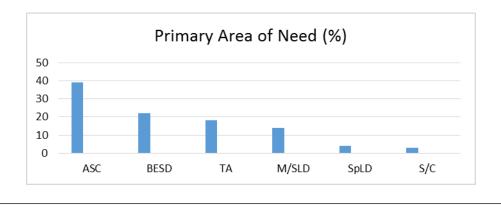
A crude calculation of the cost of placements can be summarised as:

	Average cost of placement per year
Provider	
Local authority fostering	£23,327
Independent Fostering	£43,378
Agency	
Residential Placement	£185,380

- 1.34 There are clear financial advantages in ensuring that we maximise the potential of in house fostering provision. In Flintshire we have a surplus of enquiries from people who are interested in fostering babies and/or young children. Our need is for foster carers who have the skills and experience to support teenagers, including some young people where there may be concerns about their mental health, attachment disorder, substance misuse, self-harm, eating disorders. Work has begun to support a small number of looked after children through the establishment of a Rehabilitation and Prevention Service (RAP) funded through Integrated Care Fund (ICF). The service provides intensive therapeutic support for looked after children with support from experienced foster carers.
- 1.35 The project will identify options for how we can effectively divert demand and strengthen fostering to provide a viable alternative to expensive residential care and independent fostering.

## 1.36 Additional Learning Needs

1.37 The OOC budget allocated to Education & Youth covers a range of provision for a total of 115 children and young people. Currently the expenditure can be categorised against 6 key areas of need namely Autistic Spectrum Condition (ASC), Behaviour, Emotional & Social Difficulties (BESD), Moderate/Severe Learning Difficulties (M/SLD), Sensory/Communication (S), Specific Learning Difficulties (SpLD) and additional teaching assistant support (TA). The following chart shows the percentage spread of these key areas across the OOC placement cohort.



1.38	overall OOC expenditure	however, the severity o	ighest areas of need and f the children's presenting costs for a number of
1.39	proposed project to ens	sure that the full extent	xisting placements in the of the current and future N reform are defined and
2.00	PROJECT SCOPE		
Education and Social Services Programme Boards horizontation commissioned a project to review the approach to Out of Count The project has three distinct work streams, each with identified detailed below.  In summary there are 3 Work streams:			o Out of County provision.
	Work Stream 1 Analysis of Need	Work Stream 2 Understanding and Developing the Market	Work Stream 3 Governance and Decision Making
	<ul> <li>Needs analysis of Looked After Children</li> <li>Needs analysis for ALN</li> <li>Placement Analysis</li> <li>Analysis of alternative options for cohort including edge of care and enhanced fostering</li> <li>Education provision and interfaces with PRU</li> </ul>	Budget profile         Market Profile         Risks         Opportunities      Options appraisal for market development         In-house         ADM         Commissioned         Local         Sub regional         Regional         Schools      Market facilitation	<ul> <li>Placement         Identification</li> <li>Annual funding         arrangements</li> <li>Contract management         <ul> <li>Due diligence</li> <li>Individual</li></ul></li></ul>
	Ψ	Ψ	Ψ
	Profile of current and future needs of looked after children, ALN needs and potential placement/support models	Market Position Statement with specifications for preferred delivery model	Agreed decision making process map and supporting policy (if needed) and cost benefit analysis

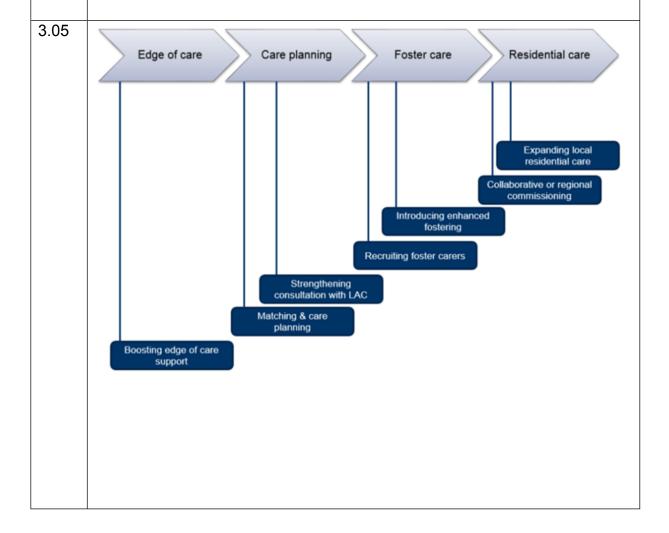
3.00	Progress: Work stream 1: Analysis of Need and demand
3.01	The Project commenced in January 2018 and work stream 1 has been completed. The work stream has provided an analysis of our looked after population and children with additional learning needs. The key emerging themes are:
	Social Services  Low rate of looked after children when compared nationally  66 compared to an All Wales average of 95 (See Figure 1 in Appendix 2)
	<ul> <li>High proportion of older children coming into care</li> <li>Operational knowledge reflects the challenge of young people aged 14+ becoming looked after with complex needs</li> </ul>
	<ul> <li>Children coming into care on a s76 (voluntary agreement) but this not continuing through to a care order</li> <li>Could these children and young people be supported in different ways than becoming looked after?</li> </ul>
	<ul> <li>An increase in Kinship care and shortage of foster carers aligned to the profile of the looked after children requiring support:         <ul> <li>Children aged 14+</li> <li>Large sibling groups</li> </ul> </li> </ul>
3.02	Education
	<ul> <li>Low levels of children entering education with specific behaviour, social &amp; emotional difficulties (BESD) compared with increasing levels of exclusion due to violence and aggression.</li> <li>There are high levels of children with social communication and language difficulties entering school who are presenting with associated behavioural difficulties which are increasingly challenging for schools to respond to.</li> </ul>
	<ul> <li>Social communication and behaviour, social &amp; emotional difficulties are the primary reasons for education day placements to be commissioned.</li> <li>The main reasons for looked after children accessing out of county educational placements are BESD and moderate/severe learning difficulties.</li> </ul>
	<ul> <li>Increasingly advice from professionals is indicating the need for a therapeutic approach/provision in response to individual needs.</li> </ul>
3.03	What is clear is that if we are to successful reduce the need for out of county provision then we need to review the efficacy and capability of services that provide targeted interventions to children and families to prevent needs from escalating and to build family resilience. This includes services that enable support to step up/down and provide viable alternatives to residential provision e.g. through enhanced foster care. As well as strengthening early intervention in education services and developing the skills and expertise of staff within our schools.

### 3.04 Emerging service model for looked after children

When considering data for looked after children it is timely to consider the outcome of research undertaken by Cordis Bright into looked after children placed out of area. The research compared service provision across 13 local authorities in London. Notably, the research concludes:

"Our analysis suggests that there is little connection between changes in the proportion of looked after children placed out-of-area and (a) total number and/or changes in the total number of looked after children; (b) rate and/or changes to the rate of looked after children per 10,000 children; (c) change in average spend per looked after child; or (d) changes in the usage of different types of placement."

The research identified that focus is needed on initiatives designed to reduce the number of children who are placed out of county from the outset. The emerging model for these initiatives reflects the issues identified in our own data analysis and the reality that to reduce, and manage, residential provision there is a need to ensure an effective continuum of services. This was in line with the finding of Red Quadrant whose review of social services in Flintshire included a review of County Placements and processes. The review found that children had been appropriately placed into residential care based on their presenting needs, but also identified that viable alternative approaches were not available, meaning that in some instances residential provision was the only option. The following narrative places the Cordis Bright model in a local context:



## 3.06 | Support for families with children on the Edge of Care

A new structure for Children's Services was implemented in 2015. The new structure incorporated a new Targeted Support Team. The Team provides a range of targeted services to support children and families who have care and support plan needs. These children are categorised as 'CASP's' (care and support plans) and the term replaces the concept of 'CIN' (child need) which was changed under the Social Services and Well-Being Act. The Team have well developed services to provide edge of care services to families, in particular an adolescent strategy provision which is aimed at intensive support to prevent children becoming looked after.

Through this project we are undertaking a review of effective edge of care service models across the UK, and identifying options for enhancing Flintshire's Targeted Support Team, retaining and building on existing good practice.

It is also proposed that we review our approach to supporting older children and whether it is always realistic that significant improvements in protection and outcomes can be achieved through removal, and if this is necessary, through placement in residential provision. Our experience is that young people often return to their family at aged 18. Any approach would require close working with Legal Services to ensure that decisions, and approaches, are appropriate and in the best interests of young people. This would require support models with inherent risks, often associated with the young person's own behaviour.

### 3.07 Improving matching and care planning

There are real opportunities to enhance approaches to person centred planning between Education (who have an established approach) and Social Services who are developing their approach under the Social Services and Well-Being legislation.

This would include strengthening consultation with young people. For example look at the area of consultation with looked after children about their placement. Focusing on ways that help identify areas for improvement for looked after children as a whole but also to provide earlier warning of any potential placement breakdown and respond proactively and preemptively. This approach could also look at improving care planning to anticipate and respond to possible placement breakdown. This is especially the case where there is concern that there has been imperfect matching due to limited placement availability.

## 3.08 Enhancing foster care provision.

There are a finite number of people who want to become 'traditional' foster carers. We need to rethink our model and approach to widen the pool of potential people wanting to support young people aged 14+ and sibling groups. We have had some success as initiatives to recruit carers in these areas but we are not meeting demand for placements. The challenge is further compounded as many foster carers do not have properties sufficiently large enough to support sibling groups, or properties that are able to support disabled children.

All options are being considered and are at tentative stages, requiring detailed analysis, before any further consideration.  3.10 Work Stream 1 has provided a more detailed understanding of our Looked after Children population and service models. This work will feed into work	3.09	Developing high quality locally based Residential Care  There are a range of options and approaches that are being explored to help inform potential options. These include exploring additional placements with locally based providers who have plans to extend their provision. Collaborative commissioning on a regional and sub regional footprint to work directly with an independent sector provider to establish new provision, which would in turn possibly enable greater control over the specification and quality of services. Expanding local residential care. For example investigating the feasibility of establishing new, local authority-run children's home provision in North Wales. This approach may increase the control over the nature and quality of provision and link it in with other agencies and programmes of support. The new RISCA legislation provides potential opportunities for new service models, but the detail needs to be fully explored and understood.
	3.10	Work Stream 1 has provided a more detailed understanding of our Looked
	3.11	A detailed schedule of work and reporting has been developed for the project with a dynamic approach that enables approaches to be implemented as the project develops, rather than waiting for project completion which is scheduled for January 2019.

4.00	RESOURCE IMPLICATIONS
4.01	A project lead has been appointed from within the Children and Family Service and will be responsible for overseeing the project plan. Staff within existing roles will support the activities. This will include Officers with Education, Social Services and Finance. The Organisational Change service area will provide a peer review and challenge aspect to the project to support a comprehensive review.

5.00	CONSULTATIONS REQUIRED / CARRIED OUT
5.01	Consultation and engagement with the independent sector will be needed and will be informed by the development of stakeholder analysis and engagement plan.

6.00	RISK MANAGEMENT
6.01	A risk register will be developed as part of the project. This will enable any specific risks to be escalated to Programme Board if needed.

7.00	APPENDICES
7.01	Appendix 1: WLGA Executive Board relating to 'Pressures on Children's Services'

8.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
8.01	None.
	Contact Officer: Craig Macleod, Senior Manager Children and Work force Telephone: 01352 701313  E-mail: <a href="mailto:craig.macleod@flintshire.gov.uk">craig.macleod@flintshire.gov.uk</a>

0.00	OL COCADY OF TERMS
9.00	GLOSSARY OF TERMS
9.01	Adverse Childhood Experiences (ACE's)  ACE's are traumatic experiences that occur before the age of 18 and are remembered throughout adulthood. These experiences range from suffering verbal, mental, sexual and physical abuse, to being raised in a household where domestic violence, alcohol abuse, parental separation or drug abuse is present.
	Care and Inspectorate Wales (CIW) CIW has the powers to review Local Authority social services at a local and national level, to inform the public whether services are up to standard, to promote improvement of services and to help safeguard the interests of vulnerable people who use services and their carers.
	Looked after children Looked after children are children and young people who are in public care and looked after by the state. This includes those who are subject to a care order or temporarily classed as looked after on a planned basis for short breaks or respite care. The term is also used to describe 'accommodated' children and young people who are looked after on a voluntary basis at the request of, or by agreement with, their parents
	Social Services and Well-Being (Wales) Act 2014 The Social Services and Well-being (Wales) Act came into force on 6 April 2016. The Act provides the legal framework for improving the well-being of people who need care and support, and carers who need support, and for transforming social services in Wales