


<p style="text-align: center;">Cabinet</p> <p style="text-align: center;">10 May 2016</p>	 <p style="text-align: center;">TOWER HAMLETS</p>
<p>Report of: Debbie Jones, Corporate Director Children's Services</p>	<p>Classification: Unrestricted</p>
<p>Children Looked After Strategy 2015-18</p>	

Lead Member	Cllr Rachael Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services
Originating Officer(s)	<p>Khalida Khan, Service Manager – Children's Specialist Services</p> <p>Wesley Hedger, Community Insight, Quality and Policy Manager – Children and Adults Resources</p>
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	All

Executive Summary

Children and young people who are in the care of the local authority are among the most vulnerable in our community. They are entitled to the best services that can be provided and achieving this for them requires understanding, commitment and passion from all agencies and individuals who hold a responsibility to provide services for them.

The council has a duty, embedded within its policies and procedures, to support families to care for their own children, using any universal and targeted support available. However, when children cannot live safely within their own extended families the council acquires a corporate parenting duty towards those children. The council also has a duty to ensure sufficient accommodation is available for children looked after and that services are provided to children in need or at risk of entering care or custody – the 'sufficiency duty'.

Recommendations:

The Mayor in Cabinet is recommended to:

1. The overall strategic responsibility for Corporate Parenting lies with the Lead Cabinet Member for Children Services and the Corporate Director for Children Services. The needs of children and young people in and leaving care are also represented on each Children and Families Plan theme group by a Service Manager and/or Service Head, Children's Social Care.
2. Tower Hamlets Council believes that an effective corporate parent needs a comprehensive strategy and joint working arrangements with clearly defined roles and responsibilities.
3. The Mayor in Cabinet is asked to note the contents of the Children Looked After Strategy, and in particular the desired direction of travel and associated cost pressures within Children's Social Care. The Mayor in Cabinet is also asked to consider the action plan, included within the strategy.

1. REASONS FOR THE DECISIONS

- 1.1 All Council Departments and Officers are part of the Corporate Parenting task and have a duty of care towards Looked After Children. This strategy therefore is of concern to them as well as staff in social care and education. Care is a vital part of our child protection system. The majority of young people in care say that their experiences are good and that it was the right choice for them. But we know that more needs to be done to ensure that our children in care are healthy and safe, have the same opportunities as their peers and can move successfully into adulthood.
- 1.2 In Tower Hamlets, we believe that all children can do well and we want all Looked After children and young people to grow and belong, have a fulfilling life, live a healthy, happy life; pursue interests, goals and more.
- 1.3 We will ensure children and young people have time to relax, spend time with family and friends, think about what they want to do with their lives, and have a sense of achievement and purpose.
- 1.4 In Tower Hamlets we believe that children in care should be able to wish, dream, and plan with purpose, supported by teachers, foster carers and social care workers and personal advisors who help them believe in themselves and reach their potential. Being believed in costs nothing and can't be legislated for. It's often the single thing that makes the difference.
- 1.5 As the Corporate Parent to children that can't live at home, we want to create the right framework for front-line staff and carers to do a good job, and they we will continue to hold the system to account. This strategy has been developed using a Child rights Based Approach and is grounded in grounded

in the UN Convention on the Rights of the Child. We believe the Convention stands as a unifying mandate for children's professionals and provides a framework that will ensure all children and young people feel safe and nurtured, are treated with dignity and respect, and are listened to.

- 1.6 We believe that the care of Looked After Children is everyone's business, from health, schools and colleges, police, housing as well as voluntary and community organisations all have the same level of commitment to these children and young people.

2. ALTERNATIVE OPTIONS

- 2.1 Ofsted's inspection of Tower Hamlets safeguarding and looked after children's services in June 2012 commended the borough for its commitment to looked after children and care leavers. The inspection report also praised how this commitment had been effectively articulated within the children looked after strategy (2011/14).

3. DETAILS OF REPORT

- 3.1 We believe that our Children Looked After Strategy sets out the Council's ambition and committed to making a real difference to the most vulnerable of our children, those that cannot live with families.
- 3.2 We know that children's early experiences have significant impact on their development and future life chances. As a result of their experiences before entering care, and during care, children in care are at greater risk than their peers. Their progress and experience whilst in our care then is a key factor for longer term outcomes, that is if their progress and experience is of a good quality they are more likely to do better in adulthood.
- 3.3 Looked After Children are, and will remain, at the forefront of everything we do in Tower Hamlets. The children in our care deserve the best we can deliver for them. We must treat every looked after child as if they are our own.
- 3.4 The accompanying Strategy describes our responsibilities, lines of accountability, our priorities and objectives for the next 3 years and how we plan to achieve them.
- 3.5 This rigorous partnership Action Plan has been based on a Child Rights Based Approach. We will strengthen the Action Plan further to ensure that our activity includes the contribution of all Departments from across the Council. We want to ensure that through a CRBA every Looked After Child feels safe and nurtured, are treated with dignity and respect, and are listened to.
- 3.6 The delivery of the Children Looked After Strategy will be overseen by Tower Hamlets Corporate Parenting Steering Group. Together they will support the partnership to ensure that we deliver on our promises to children and young people in care.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The 2015/16 revised General Fund Budget for Children Looked After is £1.983m. Current forecasts suggest a year end overspend of circa £177k (see table 1). Although the numbers of looked after children may be on a downward trend (325 in 2013/14 and 277 in 2014/15), a reduction in the overall budget in 2015/16 has led to a continuation of the historic overspend in this service. This is due in the most part to the service being linked to client demand and being required to cater for children with a wide range of support needs, therefore it has been challenging to set precise budgets for this particular service area.
- 4.2 Overspends in previous years have been absorbed through rationalisation of resources within the Children's Directorate. The financial implications of the strategy's action plan will need to be identified and assessed as part of the Council's medium term financial strategy before the level of resources available are agreed and confirmed.

Table 1.

Financial Year	Sum of Revised Budget	Outturn	Current Forecast	Variance
2013/14	2,188,586	2,431,357		242,771
2014/15	2,212,137	2,394,320		182,183
2015/16	1,982,928		2,160,000	177,072

5. LEGAL COMMENTS

- 5.1 The Children Act 1989 is the principle statute relating to the council's duty towards children in need and those that require safeguarding. The Children (Leaving Care Act) 2000 supplements the 1989 Act for young people in and leaving care aged 16-21 year olds
- 5.2 "Looked After" is the legal term for children who are in 'Care'. Children are looked after:
- As a result of being subject to a Section 31 Care Order, the Children Act 1989. The Care Order is made by the family court and results in parental responsibility being shared between those with parental responsibility and the local authority;
 - As a result of being accommodated under Section 20, the Children Act 1989. Being 'Accommodated' means that parental responsibility remains with parents. Being 'Accommodated' is often termed voluntary care and is deemed a 'voluntary' agreement between the child's parents and the local authority.
 - As a result of being accommodated under s.21 Children Act via the youth justice system.

- 5.3 All children who become looked after should be allocated to a qualified social worker who is responsible for planning the day to day care of the child.
- 5.4 The Care Planning, Placement and Case Review (England) Regulations 2010 ('2010 Regulations'), bring together in a single set of Regulations those duties which are at the heart of effective corporate parenting to improve the outcomes of looked after children, namely; effective care planning; ensuring that a child or young person is provided with accommodation which meets his/her needs; and ensuring that an effective review is conducted of the child's case within the specified timescales.
- 5.5 These Regulations are supported by The Children Act 1989 Guidance and Regulations: Volume 2, Care Planning, Placement and Review. This is statutory guidance which must be followed unless there are clear evidence based and cogent reasons not to do so.
- 5.6 The proposed overall strategy accords with the legislative and regulatory framework.
- 5.7 In the exercise of its functions, the Council must comply with the public sector equality duty to eliminate unlawful conduct under the Equality Act 2010, namely the need to have regards to equality of opportunity and the need to foster good relations between persons who share a protected characteristic, including ethnicity, and those who do not.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Accurate management information and analysis underpins strategic development. There is a great deal of information about the council's looked after population, with the most recent annual data attached in Appendix B of the report.
- 6.2 Whilst the number of Bangladeshi children is growing, this group remains slightly under-represented against the local population. Children with a Caribbean heritage (or White/Caribbean) are over-represented within this cohort.
- 6.3 The attached Strategy has been developed using a Child Rights Based Approach. Tower Hamlets approach to child rights has been developed with UNICEF UK. Working in partnership the council has developed seven key principles to act as a framework to consider when putting rights into practice within public services. The action plan is framed around these principles:
- *Dignity*; each child is valued and respected
 - *Participation*; children are informed and have influence over decisions that affect them
 - *Life, Survival and Development*; children thrive and flourish
 - *Non-Discrimination*; each child is treated fairly and protected from discrimination

- *Transparency and Accountability*; children can be confident that services work for them
- *Best interests*; children get the best possible outcome
- *Interdependence and Indivisibility*; each child enjoys all of their rights

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The Strategy outlines the council's approach to early intervention and family support services. Early intervention prevents problems and eases future demand on services by intervening early, thereby delivering better outcomes and value for money.
- 7.2 We know that looked after children in Tower Hamlets tend to be slightly older than children elsewhere in the country. There is also a greater proportion of young people 16 years and over in Tower Hamlets compared to other boroughs within inner London.
- 7.3 Adolescent entrants' to the care system tend to experience a larger number of placements, a more disrupted experience of care, poorer outcomes in education and are at increased risk of struggling when they leave care.
- 7.4 The Strategy outlines how the service will work to understand adolescents on the edge of care and find innovative ways to improve and re-design service delivery to achieve higher quality, improved outcomes and better value for money. To this end, the service will work with the Greater London Authority to explore the possibility of creating a Pan-London solution for delivering and funding Edge of Care services. Work to improve business as usual through the strategy will be undertaken by utilising best practice, problem-solving, supporting and challenging all those involved in the task of caring for vulnerable children and young people.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 Not applicable

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 This is a high risk group who are deemed on most occasions to have experienced or be at risk of experiencing significant harm in birth families. A number of these children and young people may have been abused or neglected for a considerable time and research indicates that aspects of children's development can be, and are, adversely affected by maltreatment, including physical and cognitive development, emotional and social well-being and children's mental health and behaviour. It may lead to social exclusion, criminality, mental health and related poorer outcomes which will impact on them, their families and wider communities. A coherent LAC strategy is critical to ensure once these children are identified they are safely cared for by alternative carers in permanent arrangements. For those children who remain in care the council has a statutory and ethical duty to work with them to deliver

the best outcomes for them. Each young person will have a group of professionals tasked to keep them safe and achieve the best outcomes. The strategy is the overall plan that the service will adhere to, to best achieve this.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 The strategy considers how the local authority should ensure looked after children in contact with youth justice services are provided with appropriate support. The update reflects previous guidance following the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

11. SAFEGUARDING IMPLICATIONS

- 11.1 Care is a vital part of the child protection system. Children's early experiences have significant impact on their development and future life chances. As a result of their experiences before entering care, and during care, children in care are at greater risk than their peers. The strategy is aiming to make care work for LBTH young children and young people.
-

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Children Looked After Strategy 2015-18
- Book of Thought: Children in care draw their thoughts on the Tower Hamlets Pledge

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

Wesley Hedger, Community Engagement, Quality and Policy Manager