

CHILDREN AND EDUCATION SCRUTINY COMMITTEE	AGENDA ITEM No. 6
6 SEPTEMBER 2021	PUBLIC REPORT

Report of:	Lou Williams, Director of Children's Services	
Cabinet Member(s) responsible:	Councillor Lynne Ayres, Cabinet Member for Children's Services and Education, Skills and University	
Contact Officer(s):	Lou Williams, Director of Children's Services	Tel. 01733 864139

PETERBOROUGH SUFFICIENCY STATEMENT

RECOMMENDATIONS	
FROM: Cllr Lynne Ayres, Cabinet Member for Children's Services & Lou Williams, Director of Children's Services	Deadline date: N/A
<p>It is recommended that Children and Education Scrutiny Committee:</p> <ol style="list-style-type: none"> 1. Agree that the implementation of the Sufficiency Statement should proceed, and: 2. Thank the children in care for their contribution to developing the Statement, and: 3. Note the arrangements in place to safeguard and promote the welfare of all children and young people in care, and: 4. Note the positive outcome of the Ofsted Focused Visit that took place in Peterborough in June 2021. 	

1 ORIGIN OF REPORT

1.1 This report was requested by the Children and Education Scrutiny Committee

2. PURPOSE AND REASON FOR REPORT

2.1 Every local authority with children's services obligations is required to publish a Sufficiency Statement, which describes how the local authority provides services to support families and avoid the need for children to come into care whenever possible, and to do everything possible to ensure that there are a sufficient number of placements available locally for those children who do need to come into care.

2.2 The Peterborough Sufficiency Statement is appended to this covering report as Appendix 1.

2.2 This report is for the Children and Education Scrutiny Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council:

1. Children's Services including :
 - a) Social Care of Children.
 - b) Safeguarding; and
 - c) Children's Health
 - d) Targeted Youth Support (including youth offending).

- 2.3 This report is directly linked to the Council’s Corporate Priority to safeguard vulnerable children and young people.
- 2.4 This report is directly linked to the Council’s Corporate Parenting Pledge, since it is concerned with ensuring that our children and young people in care benefit from stable placements that are matched to individual need.

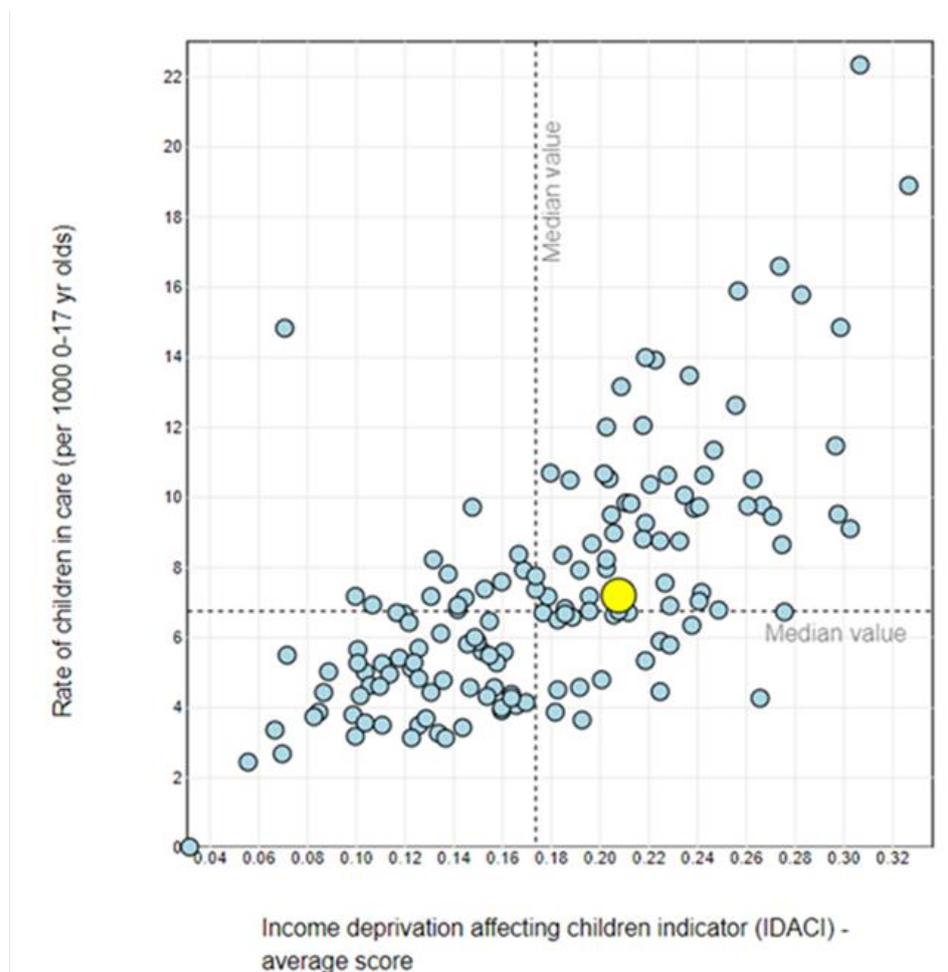
3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

- 4.1. All local authorities who have responsibility for children in care are required to publish a sufficiency statement.
- 4.2. Sufficiency statements should set out what steps the local authority will take in order to ensure that as many children and young people in our care are able to live in placements [usually foster homes] that are within or close to the City, enabling them to retain links with communities and families, except where to do so would not be in their best interests.
- 4.3. Local authorities are not under any obligation to provide all placements for children in their care. Placements may be provided by Independent Fostering Agencies and independent sector providers of residential children’s homes.
- 4.4. The Sufficiency Duty is described in the 2008 Children and Young Person’s Act as: ‘A whole system approach which delivers early intervention and preventative work to help support children and their families where possible, as well as providing better services for children if they do become looked after. For those who are looked after, Local Authorities and their Children’s partners should seek to secure a number of providers and a range of services, with the aim of meeting the wide-ranging needs of looked after children and young people within their local area’.
- 4.5. The Peterborough Sufficiency Statement 2021-24 is attached as Appendix 1 to this report. It provides a detailed analysis of the population of children looked after by Peterborough City Council. This is not a static group – many children and young people who come into care leave care again quite quickly. This might be because the issues that caused the child to come into care have been addressed and they are able to return home. It may also be because they have left care to be adopted, or to live permanently with a [usually] relative under a Special Guardianship Order. Some children and young people – often those who have complex disabilities – are in care as a result of having a number of overnight short breaks from their families, but continue to live for the majority of the time at home. A significant proportion of the overall population of children in care, and particularly those who come into care aged 5 and above, will remain in care until they reach 18 years of age.
- 4.6. Our Family Safeguarding approach is proving very effective in preventing children and young people at greatest risk of poor outcomes from coming into care. The model includes the secondment of adult facing practitioners who are expert at supporting parents to address issues such as domestic abuse, substance and problematic alcohol misuse and emotional and mental ill-health, allowing children’s social workers to work directly with children and assess the impact of the changes their parents are making on their ability to provide secure and loving homes for the children.
- 4.7. The success of this approach is illustrated by the following chart: ¹

¹ Chart sourced from: The Children’s Commissioner CHILDRN tool: <https://www.childrenscommissioner.gov.uk/chldrn/>



- 4.8. There is a close correlation between the rate of children in care and the level of deprivation as measured by the Index of Deprivation Affecting Children Index, or IDACI. In the chart above, deprivation increases to the right of the horizontal axis. Peterborough is the authority indicated by the larger yellow circle. A vertical line drawn through any of the 'blobs' [each of which represent a local authority] shows authorities that have similar levels of deprivation. Peterborough has a rate of children in care that is close to the median, but significantly higher levels of deprivation than the median.
- 4.9. The characteristics of children in care change over time, reflecting changes in the broader community as well as changes in practice. Changes like these mean that there is an on-going need to review the availability of local placements for children in care.
- 4.10. The majority of children and young people live in foster families, with 73% of Peterborough children and young people living with foster carers, and a further 4% living in fostering arrangements with connected carers. The majority of the remainder live in residential children's homes or, for some of those aged 16 and 17, in semi-independent provision. The sufficiency statement is concerned with ensuring that we are taking steps to ensure that children and young people living in foster placements, residential care and semi-independent living are, as far as possible and in line with their specific circumstances, able to be looked after locally.
- 4.11. Our ambition remains to build the number of our own fostering households, and we have been successful in recruiting our own carers following investment in this area. We now operate a joint approach to recruitment and marketing with Cambridgeshire County Council, together with a shared training and assessment service.
- 4.12. Independent Fostering Agency foster carers provide an important service, with no local authority able to place all their children with their own carers. We work closely with fostering agencies to develop positive relationships so that we can place more of our children and young people with their carers, but not all Independent Fostering Agency carers with vacancies will live in or close to Peterborough.

- 4.13. There is a national shortage of foster carers, and a growing number of children in care nationally [even if numbers in care in Peterborough have remained steady over the last few years]. Foster carers tend to be older, meaning that approved carers may not foster for many years before retiring. Foster placements with foster carers also become unavailable to children newly coming into care, because the foster carer has decided to offer a permanent home for the children they are looking after. This is obviously great for the children in their care, but means that placement choice is reduced. For reasons like these, recruitment must be a continuous activity if numbers of fostering households overall are to be maintained, let alone increased.
- 4.14. As noted above, the other main types of accommodation where children in care live are residential children's homes and semi-independent living arrangements.
- 4.15. The sufficiency statement discusses both types of accommodation, including information about where such provision is located. In terms of residential provision, more children's homes are located in Peterborough and the Fenland area than the rest of the greater Cambridgeshire area.
- 4.16. Peterborough operates our own specialist provision for children and young people with complex disabilities at Cherry Lodge; this provides a high quality of service as recognised by Ofsted, with a current inspection outcome of Good overall.
- 4.17. Peterborough also operates a secure children's home – Clare Lodge. This highly specialist provision is a national resource and at the time of preparing this report, there were no Peterborough young people in placement in Clare Lodge [or indeed, in any secure children's home].
- 4.18. While we do all we can to place children and young people locally, placement matching must be the first consideration. Some provision is so specialist that placements for children with complex needs is always likely to be some distance away. That said, the availability of residential placements has come under extreme pressure nationally over the last 12 months, and while Peterborough places relatively fewer children and young people in this kind of provision compared with the national average, it has proved increasingly difficult to identify provision locally for children and young people in care with particularly complex needs.
- 4.19. The national shortage of residential care has led the Government to take a number of steps including:
- Undertaking a review of the existing children's homes regulations;
 - Initiating a review of placement provision by the Competition and Marketing Authority;
 - Undertaking a national review of services for Children in Care;
 - Announced a capital programme for local authorities to bid for capital funding to provide their own children's homes.
- 4.20. The children's homes regulations form part of the 1989 Children Act. Times have changed significantly since they were written and many, many more children now live in foster care than was the case then. These current regulations are focused around physical buildings, with individual registered managers. The registration process to establish a new home is very long.
- 4.21. Clearly there is a balance to be struck here; it is right that those who want to set up a children's home should be required to evidence their suitability to do so. The issue is that there is no flexibility to act quickly in response to need, or think differently about the type of provision. We regularly face a situation where we have a young person in need of a placement who has very challenging needs. We are a 'Good' authority, which contracts with a number of other organisations that are very experienced in providing care for very challenging young people. Despite this, there is no flexibility for us to set up a bespoke provision to provide the short term intensive intervention that such a young person might need. If that young person is under the age of 16, using anything other than a registered children's home is illegal under the current regulations.
- 4.22. The Competition and Market Authority [CMA] is currently undertaking a review of the children's home market in the UK. There has been a growing concern about the extent to which the cost for placements has been increasing, and the lack of provision for young people with the most complex of needs.

- 4.23. The CMA review will also feed into the broader Care Review, which is being led by Josh McAllister on behalf of the Department for Education. This broader review is looking at whether the current arrangements for working with children, young people and their families continues to be fit for purpose in light of changing risks and needs. The last time that a truly comprehensive legislative review took place was to inform the drafting of the 1989 Children Act. While this remains in many ways a very good piece of legislation, risks and issues have changed since then. The extent to which young people may be at risk as a result of being actively targeted by adults with the intention of exploiting them, for example, and the recognition of the need for children's services and children's health services to work more closely together in situations where young people have significant mental health needs are two such examples of changing issues since 1989.
- 4.24. Peterborough is one of 10 local authorities that will have a particular opportunity to inform this work as we have been selected to participate in a three day visit by the national care review team. They will explore how we promote best outcomes for children in care and on the edge of care, and we will have the opportunity to provide suggestions for the way in which systems, processes and the legislative framework might be further improved.
- 4.25. The government has announced that it is making capital funding available to local authorities to bid for in order to develop their one children's home provision. Successful authorities would need to match fund any capital allowance from Government. Together with Cambridgeshire County Council, officers in Peterborough are exploring whether to seek capital funding to develop additional in-house provision, and updates will be provided to Committee as this work continues.
- 4.26. In terms of the sufficiency statement and continuing to build local capacity for residential and semi-independent provision, our commissioning service will continue to engage in dialogue with the providers on our supplier framework and more broadly. We are also committed to exploring whether there is scope for regional approaches to commissioning of this type of provision.

Safeguarding Children placed at Distance

- 4.27. As noted above, we do all we can to ensure that children and young people remain placed close to or within Peterborough. Of our children and young people in care, 62% are placed within 25 miles of their home address, with a further 19% living between 25 and 50 miles from their home address.
- 4.28. A number of those children placed further than 50 miles from their home address will be placed for very positive reasons. A few children have moved home with their foster carers, with whom they are permanently matched, for example. Some will be living with relatives or connected carers as an alternative to being placed with regular foster carers. Others – often those with complex disabilities – will be living in carefully matched specialist placements of which there may be only a few available across the country.
- 4.29. A number of children and young people are placed at distance because of a lack of local provision, however. Some of these children and young people will be in residential placements while others will be placed in foster care. As noted elsewhere in this report, there is a national shortage of placements for children and young people in care, and this can result in authorities having to place at distance if they are to identify a good match in placement terms for the individual child or young person.
- 4.30. As also noted above, Peterborough has a relatively low rate of children in care; this means that a higher proportion of those in our care will have more complex needs. It is this group of children and young people for whom identifying a placement that will meet their needs locally is most challenging.
- 4.31. Ofsted undertook a focused visit to Peterborough in June 2021, specifically concentrating on our services for children in care. Focused visits are followed by a published letter highlighting strengths and areas for continued development; this is attached to this report as Appendix 2. In their findings following this visit, inspectors said:

'While there are challenges with placement sufficiency, children in care experience stable placements. Although the proportion of children in care living more than 20

miles from home is relatively high, most are living with foster carers who understand their needs and are supported by social workers who know them and their histories.’

- 4.32. Where children are placed at distance, we undertake a number of steps to ensure that their wellbeing continues to be closely monitored and promoted.
- 4.33. This begins by assessing the suitability of the placement and the extent to which it meets the needs of the individual child or young person. We generally only make placements with providers who have been assessed as being Good or better in their most recent Ofsted inspection. In a very small number of situations, we will place a child or young person with a provider who has been graded Requiring Improvement, but only when there are compelling reasons to do so, and where we can see evidence of a robust improvement plan from the provider. We take care to match the needs of the individual child or young person closely with the placement. We also take up references about the provider from other local authorities who have made placements with the provider.
- 4.34. Children are of course regularly visited by their social workers, but this is not the only way in which we monitor the quality of the placement and the progress being made by the child or young person. Independent chairs [or reviewing officers] are experienced social workers who chair children’s statutory child care reviews. They also remain in contact with the children and young people on their caseload and make visits to children outside of formal review meetings.
- 4.35. Independent chairs are able to use a system of case alerts to raise any issues of concern about any aspect of the child’s care. Where a chair remains concerned after receiving a response for the team manager, they can escalate their concern to an Assistant Director and, rarely, to me as Director of Children’s Services.
- 4.36. Peterborough City Council subscribes to the MOMO, or Mind of My Own, application. This provides a secure way in which children and young people in care can communicate with their social worker or reviewing officer directly and at any time. All children and young people in our care also have access to an independent advocacy service.
- 4.37. Our Commissioning Service, which is responsible for sourcing placements for children and young people from external providers, operates a variety of checks and balances to ensure that we use providers that promote the wellbeing of children and young people in their care. We use framework contracts which are only open to providers who can evidence a range of minimum standards. We also undertake separate visiting and monitoring visits to local providers and are members of local authority commissioning partnerships where other local authorities undertake monitoring visits to providers in their local areas, and share these across the partnership.
- 4.38. Our virtual school is responsible for facilitating good educational outcomes for all children and young people in our care, including those placed at distance. Regular monitoring of progress being made in educational settings is another way in which we can maintain oversight of how a child or young person is progressing, since things like unauthorised absences from education settings, or a decline in progress may indicate a broader issue that needs to be addressed.
- 4.39. Ofsted continues to undertake regular monitoring and inspection visits to children’s homes and Independent Fostering Agencies. In the event that any provider moves to a requiring improvement or an inadequate judgement, we immediately review the position for any children and young people placed with that provider. This does not always mean that we will seek to move a child or young person. An Independent Fostering Agency, for example, may receive an inadequate judgement from Ofsted, but a child in care can still be placed with a very good foster carer providing them with excellent care and stability. In situations such as these, we may increase our visiting and support to the carer, as opposed to moving a child who is settled in their home.

Focused Visit: Children and Young People in Care: June 2021

- 4.40. As noted above, Ofsted completed a Focused Visit to Peterborough in June 2021. Focused Visits form part of the Ofsted Inspection of Local Authority Children’s Services framework, and take place between the main graded inspections. The outcome of a Focused Visit is a letter to the authority that is published, and which sets out the main findings from the visit. No grade is

awarded, but the findings from focused visits are used by Ofsted in preparing for graded inspections of local authorities.

- 4.41. The outcome letter from the visit is appended as Appendix 2 to this report. It is relevant to this report since it comments on the quality of our placement matching for children in care, as well as the very good placement stability rates for children in care in Peterborough.
- 4.42. The quality of the placement is clearly an important factor in terms of delivering good outcomes for children in care and ensuring that they are safeguarded from risk as far as is possible. It is not the only factor, however; to do well in care, children need social workers with whom they can form a positive and consistent relationship, and for those social workers to know them and their histories well, in order that individual care plans for children and young people are of good quality.
- 4.43. The findings from the focused visit include some areas where we can do better – including working to reduce the numbers of children placed at distance from the authority. This is also our aim, as articulated within the Peterborough Sufficiency Statement.
- 4.44. That said, the overall findings from the focused visit are very positive, and something that our staff, foster carers and Members as corporate parents can justly feel proud. As inspectors say in the outcome letter:

‘A conscientious corporate parent, Peterborough City Council looks after most children in its care well.’

And:

‘Children in care are involved in a range of activities that influence service developments and enrich their experiences. These include the recruitment of workers, acting as young inspectors, and leading the development of materials to support new entrants to care and better manage the process when children have a new social worker. Children spoken to are confident that senior managers listen to their views and take action to respond.’

- 4.45. While we must never be complacent, and there are always things we can do to improve outcomes for our children in care, these are very positive comments by inspectors.

5. CONSULTATION

- 5.1 Consultation has taken place with senior officers in preparing this cover report. Children and young people in care participated in the development of the Sufficiency Statement itself.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 Anticipated outcomes from this report include:
- Continued work with key partner agencies and providers to increase local placement options for children in care;
 - That the Scrutiny Committee has a rounded understanding of placement sufficiency issues, and;
 - That the Scrutiny Committee has oversight of the arrangements in place to safeguard and promote the welfare of children and young people in care.

7. REASON FOR THE RECOMMENDATION

- 7.1 The main recommendation in respect to adoption of the Sufficiency Statement reflects that statutory requirement under the Children Act 2008 for all authorities with social services responsibilities to publish a Sufficiency Statement.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 There are no available alternative options.

9. IMPLICATIONS

Financial Implications

- 9.1 There are no specific financial implications arising from this report. Placement costs for children in care represent a significant proportion of the overall spend on children's services, however, and it is generally accepted that increasing local placement choice and in-house fostering provision helps to control overall expenditure.

Legal Implications

- 9.2 As noted in the report, all local authorities with social services duties are required to publish a Sufficiency Statement by the Children Act, 2008.

Equalities Implications

- 9.3 There are no specific equalities implications arising from this report.

Rural Implications

- 9.4 There are no specific rural implications arising from this report.

Carbon Impact Assessment

- 9.5 Increasing local placement choice for children and young people in care would have a positive carbon impact as this would result in fewer longer distance journeys visiting children and in respect of arranging contact with families.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 None

11. APPENDICES

- 11.1 Appendix 1: Peterborough Sufficiency Statement
Appendix 2: Focused visit to Peterborough City Council children's services