

**SCRUTINY COMMITTEE**

**Friday, 11th December, 2015**

**2.00 pm**

**Darent Room, Sessions House, County Hall,  
Maidstone**







## AGENDA

### SCRUTINY COMMITTEE

**Friday, 11th December, 2015, at 2.00 pm**      Ask for:      **Joel Cook / Anna Taylor**  
**Darent Room, Sessions House, County Hall, Maidstone**      Telephone:      **03000 416892 / 416478**

#### Membership

Conservative (6):      Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman),  
Mr E E C Hotson, Mr A J King, MBE, Mr L B Ridings, MBE and  
Mrs P A V Stockell

UKIP (2)      Mr H Birkby and Mr R A Latchford, OBE

Labour (2)      Mr G Cowan and Mr R Truelove

Liberal Democrat (1):      Mrs T Dean, MBE

Church  
Representatives (3):      Mr D Brunning, Mr Q Roper and Mr A Tear

Parent Governor (2):      Mr P Garten and Mr G Lawrie

*Tea/coffee will be available 15 minutes before the start of the meeting*

*County Councillors who are not Members of the Committee but who wish to ask questions at the meeting are asked to notify the Chairman of their questions in advance.*

#### Webcasting Notice

Please note: this meeting may be filmed for the live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council

By entering into this room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

## **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

### **A - Committee Business**

- A1 Introduction/Webcast Announcement
- A2 Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meeting held on 20 October 2015 (Pages 5 - 10)
- A5 Select Committee Update (Pages 11 - 14)

### **B - Any items called-in**

### **C - Any items placed on the agenda by any Member of the Council for discussion**

- C1 Unaccompanied Asylum Seeking Children - funding from Government (Pages 15 - 30)

### **MOTION TO EXCLUDE PRESS AND PUBLIC**

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of part 1 of Schedule 12A of the Act.

## **EXEMPT ITEMS**

- D1 Exempt minute of Scrutiny Committee held on 20 October 2015 (Pages 31 - 34)

Peter Sass  
Head of Democratic Services  
03000 416647

**Thursday, 3 December 2015**

## KENT COUNTY COUNCIL

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### SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 20 October 2015.

PRESENT: Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman), Mr H Birkby, Mr G Cowan, Mrs T Dean, MBE, Mr E E C Hotson, Mr A J King, MBE, Mr L B Ridings, MBE, Mrs P A V Stockell and Mr A Terry (Substitute for Mr R A Latchford, OBE)

ALSO PRESENT: Mr G K Gibbens

IN ATTENDANCE: Mr A Wood (Corporate Director Finance and Procurement), Mr A Ireland (Corporate Director Social Care, Health & Wellbeing), Mr B Watts (Group Leader - Litigation and Social Welfare), Mrs A Tidmarsh (Director, Older People & Physical Disability), Mr R Fitzgerald (Performance Manager) and Mrs A Taylor (Scrutiny Research Officer)

### UNRESTRICTED ITEMS

**81. Minutes of the meeting held on 11 June 2015**  
(Item A4)

1. One typographical error was noted in minutes item 79 para 15 which should have read 'Mr Burr'.

RESOLVED that subject to the above correction, the minutes were an accurate record of the meeting on 11 June and that they be signed by the Chairman.

**82. Dates of Scrutiny Committee meetings in 2016**  
(Item A5)

RESOLVED that the Committee note the following dates for Scrutiny Committee meetings in 2016:

Tuesday 19 January 2pm  
 Tuesday 8 March 10am  
 Thursday 14 April 10am  
 Tuesday 7 June 10am  
 Wednesday 27 July 10am  
 Wednesday 21 September 2pm  
 Wednesday 9 November 10am  
 Thursday 15 December 10am

**83. Update on Select Committees**  
(Item A6)

RESOLVED that the Committee note the progress of the Select Committees on Corporate Parenting and Energy Security.

**84. Key Performance Indicators Update - Adult Social Care**

*(Item C1)*

1. Mr Gibbens, Cabinet Member for Adult Social Care introduced this item explaining that it was a serious issue affecting Adult Social Care. Many other authorities were also suggesting similar stresses on their Adult Social Care services as the demand for services increased and the budgets decreased. The difficulties experienced in Kent were mirrored throughout the country.
2. Mr Gibbens discussed the discharge rates in hospitals, there had been a spike in admissions to Accident and Emergency (A&E) units in Kent during Dec '14 - Jan '15 and this was an ongoing pressure on the service, there was exceptional demand on A&E services. Kent's Adult Social Care Service had been very successful in keeping elderly people at home, there was a focus on independence particularly as people were living longer.
3. It was necessary to look at doing things differently, in September Mr Gibbens had written to the Chief Secretary to the Treasury setting out the challenges on health and social care and the need to move forward with integration, there was an ongoing and increased focus on care in the community.
4. The Service had also looked at innovative models of working, particularly to support carers. Officers were working with NHS colleagues to support the process of integration. The information contained within the agenda dated back to June 2015 and was therefore slightly out of date but still worthy of discussion.
5. Mr Ireland referred Members to the two performance indicators which had originally been of concern to members. These were 'Number of Promoting Independence Reviews completed' and 'Percentage of Delayed Discharges from hospital with Adult Social Care responsible'. Both these indicators had improved however they both remained significant issues. There was significant pressure on hospitals which were working at 99% occupancy level in September 2015, this was no longer a winter issue, it was affecting hospitals all year round. Two acute trusts in Kent were in special measures and all trusts were seeing an increase in demand along with pressure to control the flow of people through hospitals, there were admission issues as well as discharge issues.
6. There was also a market issue, and the ability to meet the demand with adequate staff, resources were stretched. The process of developing enablement services played a critical part. In relation to Health and Social Care there was a huge workforce issue, increased use of agency doctors, nurses and social care professionals added to the financial pressures. A combination of increased demand and a decreasing workforce meant it was crucial to manage the demand, through-put and increasing enablement and discharge protocols.
7. Mrs Tidmarsh set out some different approaches adopted by the service, some additional funding had been received last winter and the services was working on integrating health social care. It was necessary to move away from traditional solutions towards different ways of working, increased working with the voluntary

sector such as 'Crossroads'. Care Navigators were not in almost all of the hospital sites, they helped people to understand what was available to them in the community. Enablement support had increased decisions by patients being made at home which was positive. North Kent had seen the implementation of an integrated discharge team in the hospital service. The Kent Health and Wellbeing Board had also formed a task force to look at workforce issues.

8. Many nursing homes had had difficulties in recruiting; work was being done to increase the attractiveness of a career in nursing and domiciliary care, for example rotating posts and the development of career pathways. The workforce group was also looking at the image of social care and attracting young people into social care, much of the promotional information was being updated.
9. A Member quoted a personal example of the care his family had received within the last 9 months through the Adult Social Care Services and this had been first class care. The pressures on the service were understood but what would the Council do if it continued to be unable to recruit was there any confidence for the future? Mr Ireland explained that by working differently there was confidence for the future, if the service continued as it was it was very difficult to see how things could improve without significant additional funding. It was necessary to change the pattern of demand with fewer people requiring the use of long term services. There were opportunities for other organisations to be involved and promote people getting back to their own home. There had been an increase in the number of people going through enablement which had produced good results however this was a longitudinal study which was ongoing. The Local Government Association had employed Newton Europe to review short term pathways in hospitals, there were savings to be made and the needs of those who need placements were growing. There had been an increasing in requirements for nursing care and specialist services such as for dementia sufferers and a decrease in standard residential care.
10. Mrs Tidmarsh explained that the housing sector was working with Local Authorities to look at alternatives for residential care. Extra care sheltered housing was the answer to frail elderly people who did not yet need nursing care.
11. Many Members commented on the excellent service their families had received from the Adult Social Care Service, KCC was doing an excellent job at supporting people in their own home and there was a need to continue to invest in care. Mr Gibbens responded to a comment about the current consultations on care homes in the county – these consultations were due to run until 20 December and would be discussed at the relevant Cabinet Committee.
12. In response to a question about the funding received earlier in the year Mrs Tidmarsh explained that this was one off funding and there was not yet any indication of any similar funding this year.
13. There was a discussion around the role of voluntary organisations such as Age Concern which was considered an effective and economical way of extending support, there were some funding issues around the volunteer service but it was agreed that the use of the voluntary sector was increasing vital. A question was raised about retaining Pins for nurses with limited use once they had retired for

example. This was currently prohibitively expensive. Mrs Tidmarsh agreed to take this issue forward.

14. Referring back to Mr Gibben's letter to the Chief Secretary to the Treasury the Scrutiny Committee agreed to write a brief follow up letter to the Chief Secretary to the Treasury confirming that following the scrutiny by the Committee members were convinced about the severity of the situation.
15. With the aging population and the increasing desire for elderly and vulnerable people to stay in their own homes family choice was fundamental to the process. A member asked whether the Council should, or could, have invested earlier in the county's care homes? Mr Ireland explained that this was not a realistic option; the key issue was the availability of appropriate beds. There was a need for more nursing home and more specialist beds. Families had to be prepared to wait for particular beds and there was the added complication of the appropriateness of waiting in an acute hospital bed until the desired bed became available. The Council was not able to run nursing homes, so it wasn't possible to convert existing homes and run them. If other businesses had a desire to run existing care homes as nursing homes this would alleviate some of the pressure, however this had not happened. There was a need for more extra care sheltered housing and fewer residential care home beds. Mr Gibbens explained that there was no option for continuing as things were, there was a need for different accommodation. Mr Ireland confirmed that the Community Care Act 1993 put a duty on local authorities to ensure 85% of services were in the independent sector. This statutory basis did not encourage investment in care homes, this was a direct response to the policy requirement.
16. In response to a question about the budgetary pressures within other authorities in Kent and whether other authorities were coping with the difficulties Mr Gibbens confirmed that in discussions he had had with other authorities their budgets were stretched, and they were experiencing similar strains as seen in Kent. It was considered that the coastal fringes attracted significant numbers of older people and there was a general concern across adult social care about the long term budget situation.
17. In response to a question Mrs Tidmarsh explained that the authority was looking at the impact of the enablement service, it was not the case that people who were assessed as needing care were not provided with care. Increasing age and increasing fragility accompanied with dementia meant that the enablement service was working hard to ensure that people could live as independently as possible, however there would be regular reviews of the needs of individuals. There had been an increase in the use of telecare and occupational therapy equipment people were also being helped by other services including the voluntary sector.
18. A Member queried the Social Care budget, it was understood that there would be an additional significant savings target next year, would it be possible for the Council to deliver this target? Would the thresholds for care change? Mrs Tidmarsh confirmed that the thresholds were set out in the care act and these would not be changed. Mr Ireland confirmed again that the threshold eligibility criteria had not changed.

19. A Member asked whether the discharge rates had improved; with an increasing number of people going through the re-ablement service were there deep seated problems within the service. Mr Ireland confirmed that the September figures showed that for delayed discharges the percentage of delayed discharges from hospital figure was 38% (June 2015 was 44%) and the total delayed discharge figure was 80 (reduced from 140 in June 2015). There had been an improvement since the June figures.
20. There was also a query about the workforce, it was considered that the workforce was heavily dependent on immigrant labour, would the tightening of immigration requirements make the situation worse? It was not thought that staff employed by care homes or agencies within social care in Kent was as affected by this issue as the NHS. There were difficulties in recruiting social workers in some areas of the county, particularly Dartford and Gravesham, Officers would again review the position.
21. In response to a query about housing standards for life, in the past building standards ensured that homes were suitable for life, did this still happen? Mrs Tidmarsh explained that as far as she was aware housing standards for life was still a 'standard' but it would be useful to review this.
22. Mr Gibbens concluded by stating the safeguarding was the top priority and with regarding to the budget safeguarding would not be jeopardised. He offered his sincere thanks to those people providing support to the most vulnerable people across the county.
23. The Chairman summed up the meeting, thanking the witnesses for the information they had provided and for answering the questions so fully.

RESOLVED that the Scrutiny Committee thank Mr Ireland, Mrs Tidmarsh and Mr Fitzgerald for attending the meeting and answering Members' questions on this item. A letter would be sent, from the Scrutiny Committee, to the Chief Secretary to the Treasury, referring to and supporting Mr Gibbens letter of 10 September, the focus on safeguarding would also be set out in the letter.

**85. SUMMARY OF EXEMPT ITEM (Where Access to Minutes Remains Restricted)**  
*(Item C2)*

The Committee resolved that under Section 100A of the Local Government Act 2972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of part 1 of Schedule 12A of the Act.

**86. Verbal Briefing on a Procurement Decision**  
*(Item C3)*

The Chairman introduced this item and explained that Mr Wood was present to explain to the Committee what actions were taken throughout the back office procurement process to provide the Committee with a good understanding of the work undertaken to ensure the process was effective, fair and in line with legal requirements and KCC's own policies.

Mr Watts was present to explain the general procurement from a legal perspective, including the standard methods for assessing and responding to legal issues of challenges.

Mr Wood and Mr Watts explained the process to Members of the Committee before inviting questions and providing responses.

Mr King also updated Scrutiny Committee Members on the discussions had at Policy and Resources Cabinet Committee on 18 September.

RESOLVED that the Scrutiny Committee thank Mr Wood and Mr Watts for their clear and eloquent presentations to Members, and thank Mr King for his excellent brief and clear summary of the discussion held previously by the Policy & Resources Cabinet Committee. The Scrutiny Committee did not find any matters of concern when discussing the Procurement Decision.

By: Peter Sass, Head of Democratic Services  
Richard Parry, Chairman of the Scrutiny Committee

To: Scrutiny Committee – 11 December 2015

Subject: **Select Committee Work Programme**

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Summary: To receive an update on the Select Committee Topic Review Programme

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### **Select Committee – Corporate Parenting**

1. (1) This Select Committee under the Chairmanship of Mrs Wiltshire submitted its report to Cabinet on 30 November for comments. It was well received and the Cabinet commended the report to County Council, who will be considering it on 10 December 2015.

(2) This report will now be monitored in accordance with the agreed process, that is an Action Plan will be submitted to the Scrutiny Committee in March 2016 and a meeting of the Select Committee re-convened in December 2016 to receive a report on progress with implementing their recommendations.

### **Select Committee – Energy Security**

2. (1) The Select Committee, under the Chairmanship of Mr Wedgbury, held its inaugural meeting on 22 October 2015 a copy of its agreed terms of reference is attached at **Appendix 1**. The Committee is holding 8 half day sessions to hear evidence from a range of witnesses including KCC officers, academics, colleagues from other local authorities, a big 6 energy provider and a non-renewable energy generator. Members have also had the opportunity to attend a number of site visits such as Dungeness Power Station and the London Borough of Islington. It is intended that the evidence gathering will be completed in January and the Committee will then consider areas of recommendation for its report.

(2) This Committee is due to submit its report to Cabinet for noting and County Council for consideration in April and May 2016 respectively.

## Select Committee – Grammar Schools and social mobility

3. (1) The establishment of the Select Committee was suggested by the Leader at County Council on 22 October and subsequently approved by the Chairman and Spokesmen on this Committee.

(2) Work is underway to establish this Select Committee. The Membership is, Mrs Whittle (Chairman designate), Mr Bowles, Mr Burgess, Mr Hotson, Mr Latchford, Mr Marsh, Mrs Stockell, Mr Truelove and Mr Vye.

(3) The Committee is due to hold its inaugural meeting on 16 December 2015

(4) This Committee is also due to submit its report to Cabinet for noting and County Council for consideration in March 2016.

### 4. Recommendations: that

(a) the Select Committee on Corporate Parenting be congratulated on its report; and

(b) the progress of the Select Committees on Energy Security and Grammar Schools be noted.

*Peter Sass*

*Tel No: 03000 416647*

*e-mail: peter.sass@kent.gov.uk*

*Background Papers – [Report of the Select Committee on Corporate Parenting](#)*

**Select Committee – Energy Security**

1. To clarify the meaning of “Energy Security” and the responsibilities of KCC in ensuring this security.
2. To examine and assess a range of energy generation methods so as to best secure the future energy needs of Kent.
3. To identify existing best practice across the UK and abroad on how best to strengthen a sustainable, reliable energy infrastructure for Kent.
4. For the Energy Security Select Committee to make recommendations after having gathered evidence and information throughout the review.

Approved by Select Committee on 22 October 2015

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By: Peter Sass – Head of Democratic Services  
To: Scrutiny Committee – 11 December 2015  
Subject: Unaccompanied Asylum Seeking Children (Funding Update) – Discussion Item

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Summary: The Scrutiny Committee is receiving an update on the current operational, strategic and financial pressures related to KCC fulfilling its statutory responsibilities in relation to Unaccompanied Asylum Seeking Children (UASC).

This covering report provides summary information which may assist Members in discussion of the item.

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## **1. Background**

1.1 An Unaccompanied Asylum Seeking Child is defined as meeting the following criteria:

- Under 18
- Arrived in the UK without a responsible adult
- Is not being cared for by an adult who has responsibility for them
- Is separated from both parents
- Has applied for asylum in their own right

1.2 Following the significant increase in Unaccompanied Asylum Seeking Children being referred to KCC Children's services in 2015, relevant social care and partner agency services have been severely stretched. Briefing notes have been provided to numerous Cabinet Committees and to County Council over the course of this surge in demand.

1.3 As of November 2015, there were 978 UASC (age 17 or under) in KCC's care. This rise from 416, represents an increase of 135% since May 2015 (average of 93 additional UASC entering KCC care each month). By comparison, the increase between May 2014 and May 2015 was only 89% (220 rising to 416 over 12 months – average of 16 additional UASC entering KCC care a month).

1.4 The attached report from the directorate outlines to the work undertaken to ensure KCC was able to meet its statutory obligations and planned further work to identify a longer term solution.

## **2. Documentation**

2.1 A report has been provided by the Specialist Children's Care directorate, supported by additional information supplied by the Finance and Procurement team. The report details the increased demand and steps taken by KCC in response. An earlier version of this paper was considered by the Children's Health and Social Care Cabinet Committee on Tuesday 1 December 2015.

- 2.2 A letter from the Home Secretary, Education Secretary and Communities & Local Government Secretary sent to all Council Leaders in response to pressures experienced by KCC and other gateway authorities is attached for information. This letter was sent on 24 November to progress the development of a voluntary scheme for the dispersal of UASC.

### **3. Attendance**

- 3.1 The following Council Officers will be attending to provide information to the Committee:

- Andrew Ireland – Corporate Director for Adult Social Care, Health and Wellbeing
- Andy Wood – Corporate Director for Finance and Procurement

### **4. Recommendation**

- 4.1 The Committee may note the report and express comments to the relevant Cabinet Member, Corporate Director or Leader.

### **5. Contact details**

**Report Author:**

Joel Cook - Scrutiny Research Officer  
03000 416892  
[Joel.cook@kent.gov.uk](mailto:Joel.cook@kent.gov.uk)

**Relevant Director:**

Geoff Wild  
03000 416840  
[Geoff.wild@kent.gov.uk](mailto:Geoff.wild@kent.gov.uk)

### **6. Appendices**

- Appendix 1 – Update on Unaccompanied Asylum Seeking Children (Peter Oakford to Scrutiny Committee 11 December 2015)
- Appendix 2 – Central Government letter to all Council leaders (Voluntary UASC Dispersal scheme)

### **7. Background documents**

- [Children's Social Care and Health Cabinet Committee Item C1 – 2 December 2015](#)

**From:** Peter Oakford, Cabinet Member for Specialist Children's Services  
Andrew Ireland, Corporate Director for Social Care, Health and Wellbeing

**To:** Scrutiny Committee  
11 December 2015

**Decision No:** N/A

**Subject:** **UPDATE ON UNACCOMPANIED ASYLUM SEEKING CHILDREN**

**Classification:** Unrestricted

**Past Pathway:** Children's Social Care and Health Cabinet Committee  
2 December 2015

**Future Pathway:** None

**Electoral Division:** All

**Summary:** Since June 2015, Kent County Council (KCC) has seen an unprecedented rise in the numbers of Unaccompanied Asylum Seeking Children (UASC) arriving in the county and subsequently entering KCC's care. UASC now make up more than a third of all children that KCC looks after.

This paper details the steps that have been taken by KCC since June 2015 and builds on verbal and written updates to:

Children's Social Care and Health Cabinet Committee (22 July, 8 September and 2 December 2015)

KCC's Corporate Parenting Panel (3 September and 23 October 2015)

County Council meeting (22 October 2015)

**Recommendation(s):** Scrutiny Committee is asked to **COMMENT ON** and **NOTE** the content of the report.

## 1. Introduction

- 1.1 Prior to June 2015, there had been a relatively steady increase month on month in the numbers of UASC arriving into Kent and becoming accommodated by the Council. Recent world events though have led to a developing crisis within the county and pressure on both KCC services and the services of partner agencies (e.g. Kent Police and local NHS among others). This is well documented within both national and local news.

1.2 The table below details the numbers of referrals relating to individual unaccompanied minors received by KCC children’s services within 2015 to the end of November:

Figure 1

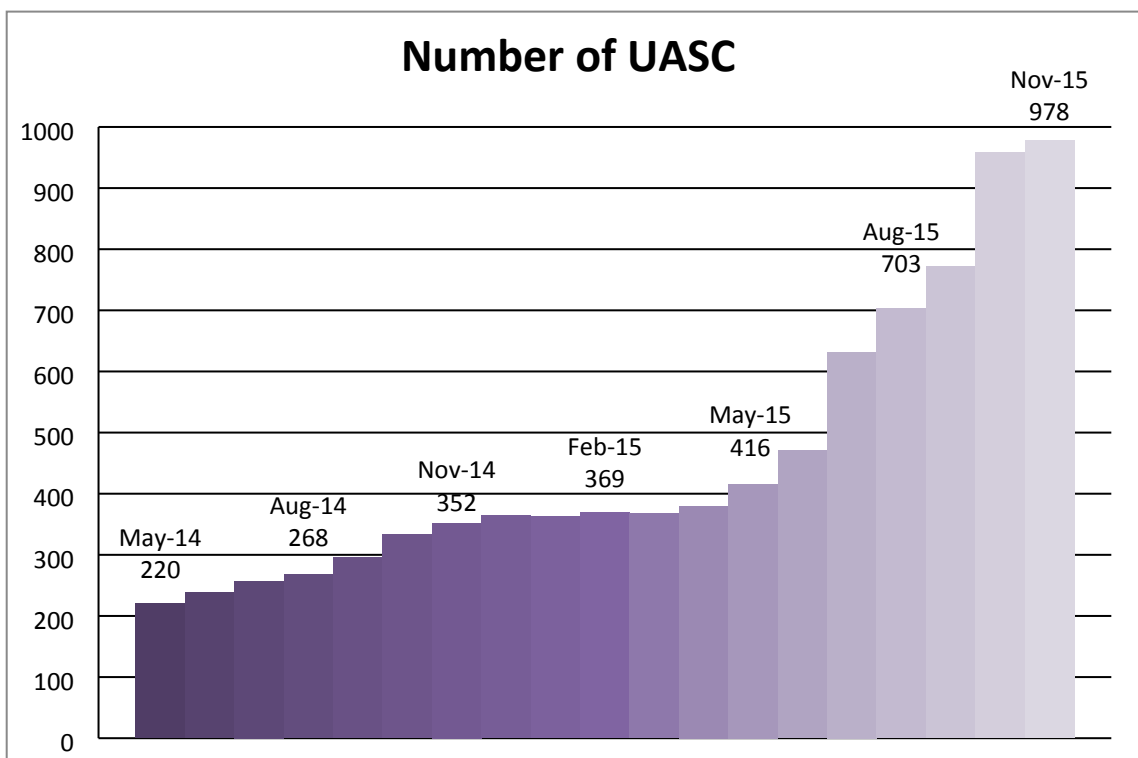
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
31	17	31	13	41	100	181	95	97	214	51	871

1.3 For each child or young person that presents in Dover, there is an immediate need to identify a social worker (and an interpreter if required) who can meet the child and conduct an initial safeguarding and wellbeing assessment at the port. This initial assessment includes making a considered judgement on signs which may indicate for instance that a young person is a different age to that claimed and/or signs that a child may have been trafficked, exploited or harmed. A bed must also be identified in an age-appropriate setting; however temporary, it must be available immediately.

1.4 Recognising that many of these children and young people have had long traumatic journeys, this process must be undertaken in a child-centred timescale; taking a maximum of 24 hours. This is manageable when up to 20 unaccompanied asylum-seeking children present in a month, but it becomes increasingly untenable when over 20 children a day are entering Kent’s care.

1.5 The heightened numbers of new UASC arriving into Kent has created mounting pressure on available placements and staff capacity to meet its statutory requirements i.e. completion of visits, Children and Families assessments, health assessments and Looked After Child reviews etc.

Figure 2  
Numbers of UASC aged 17 or under in KCC’s care



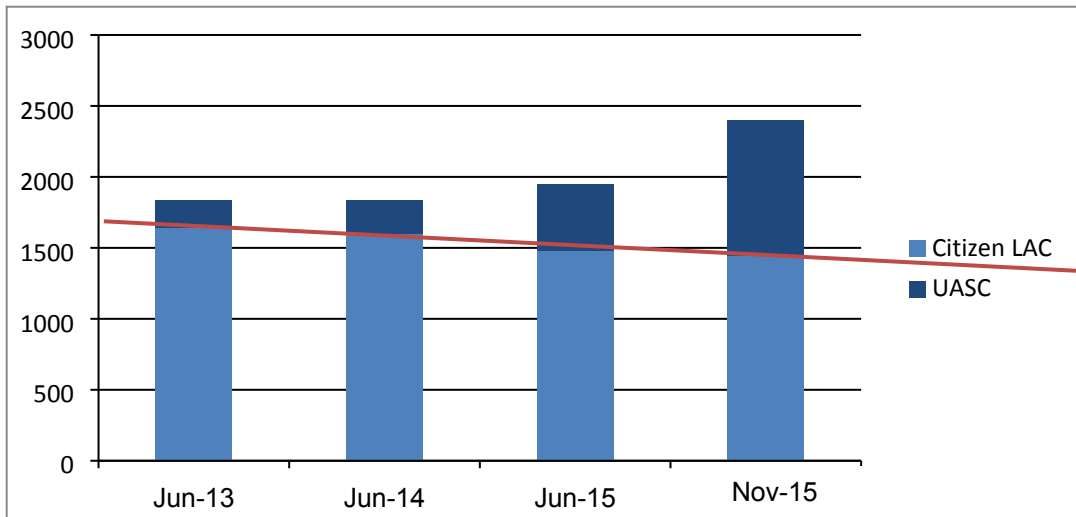


Figure 3  
Total numbers of Looked After Children for whom KCC is corporate parent

## 2. KCC response to the increased numbers of UASC arriving in Kent

2.1 The summer and autumn peaks of new arrivals showed that the current service provision cannot keep pace with these rates of referrals, particularly in relation to:

- Sufficiency of additional accommodation and placements for children and young people;
- Increasing the numbers of front-line Children's social care staff in order to meet the needs of vulnerable children and young people presenting at the port of Dover;

2.2 Whilst KCC's response to this year's UASC crisis has been a commendable effort, it is far from sustainable. There is an ever-mounting pressure on children's social care. This is increasingly having a detrimental impact on the needs of citizen children the Council is already supporting. The pressure on wider services for children and young people is particularly visible in the Access to Resources Team sourcing available placements for Children in Care, the capacity of the Out Of Hours (OOH) service and the availability of school places and medical services.

### 2.3 Accommodation and placements

2.3.1 The majority of new UASC entrants to Kent are 16 and 17 year old boys; and make up over 60% of UASC looked after children. The previous flow of new arrivals meant most older, adolescent boys were temporarily housed in the Millbank reception centre (Ashford) for six to eight weeks whilst their Children and Families assessments were completed. Female children and children under the age of 16 were placed directly into a foster placement. The increase in numbers over the year, however created an accommodation emergency in the county and additional housing capacity was required.

2.3.2 Following the sustained drop in arrivals through 2013 to 2014 the decision had been taken to close Millbank Reception Centre. However as 2014 progressed

the numbers started increasing again and so implementation of the closure was paused. By 2015 it was clear that there was unprecedented number of arrivals and the Cabinet Member for Specialist Children's Services was consulted and agreed that the closure should not be implemented. This was noted by the Children's Social Care and Health Cabinet Committee on 22 July 2015.

- 2.3.3 In collaboration with the council's Property and Infrastructure division, a full options appraisal of all buildings held within the council's portfolio was undertaken to urgently identify additional Reception Centre facilities. Ladesfield in Whitstable, a former care home, was identified and considered to be the building most suitable for temporary use, which could also be refurbished and brought into operation quickly.
- 2.3.4 Ladesfield was opened for use on 14 September 2015. It is able to accommodate a maximum of 40 young people at any given time. Although currently providing a source of temporary accommodation for UASC, it remains on course to be demolished in 2016, making way for the neighbouring school's expansion. A commitment has been given to use Ladesfield for only up to 6 months.
- 2.3.5 It was clear from the rate of arrivals and the usage of Millbank that Ladesfield alone would not provide sufficient capacity moving forwards.
- 2.3.6 Appledore (Swattenden Centre, Cranbrook) was originally part funded by the Home Office to be a Reception Centre for unaccompanied children. In partnership with staff within the Early Help and Preventative Services, the Appledore Unit was returned to its former use as a Reception Centre over the course of early September. Currently open, it is able to provide accommodation for an additional forty young people.
- 2.3.7 Despite best efforts to source accommodation locally, the council still has to place children and young people out of the county, some as far away as Hertfordshire. This goes against best practice and statutory guidance. Having to place children outside of Kent is also further complicating the timely delivery of assessments and the support these young people are offered.

## 2.4 Access to information

- 2.4.1 From the end of July 2015, daily update reports have been sent from the Management Information Unit to senior managers within children's services and finance, the Cabinet Member for Specialist Children's Services and the Designated Nurse for Looked After Children in Kent. The report details UASC team caseloads, numbers of UASC who are currently missing and an ongoing illustration of daily referrals. It ensures senior managers have a strong and current knowledge of the issues and challenges faced by front-line staff.
- 2.4.2 Status reports are also shared weekly with the Department for Education (DfE) and the Home Office, in order to inform decision making and maintain transparent communication.
- 2.4.3 The council continues to work closely with United Kingdom Visas and Immigration (UKVI) to ensure decisions are made in a child-centred timescale.

Children's Services has placed a UASC assessment specialist social worker in Dover who is accessible to UKVI within ten minutes of referral.

## 2.5 Section 27 responsibilities and requests for support

2.5.1 Although every effort is made by the Access to Resources Team (ART)<sup>1</sup> to place UASC within Kent, the surge in numbers of children entering the UK is not an issue that could be solely managed and contained locally; national engagement from Government and other local authorities is also required. From June 2015, the council has needed to place increasing numbers of UASC outside of Kent's boundaries. In mid-August, around 100 asylum-seeking children and young people were placed outside of Kent, however as the numbers of UASC have grown, by the end of November 2015 this had risen to over 312.

2.5.2 Alongside work nationally to progress a national dispersal scheme and following discussion with the Department for Education, KCC's Corporate Director for Social Care, Health and Wellbeing sent a letter to all Directors of Children's Social Services in England requesting urgent support under Section 27 of the Children Act 1989.

2.5.3 Section 27 (2) states:

*"An authority whose help is so requested shall comply with the request if it is compatible with their own statutory or other duties and obligations and does not unduly prejudice the discharge of any of their functions".*

2.5.4 As the council does not have the facilities or placements to meet the needs of all the UASC, help was sought in the form of:

- Offers of placements within other local authority areas;
- Offers to take on full Corporate Parenting responsibility under the Children Act for one or more UASC;
- Offers to supervise, on KCC's behalf, young people that had been placed in their local authority area;

2.5.5 Since the request was issued, 19 local authorities have agreed to take over full responsibility for 49 UASC<sup>2</sup>. A further nine local authorities have made an offer and work is ongoing to ensure a young person is appropriately matched and transferred to each offer made.

## 2.6 Additional staff and new UASC teams

2.6.1 The Service for Unaccompanied Asylum Seeking Children (SUASC) Assessment and Intervention Team (AIT) ordinarily comprises one team manager, four social workers, two support workers and a senior administration officer. The team is part of the wider Central Referral Team and is managed alongside the other Central Duty Teams and the Out of Hours service. The team hold new UASC arrivals for six to eight weeks whilst Children and

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<sup>1</sup> Part of Children's Strategic Commissioning

<sup>2</sup> This figure is inclusive of an ongoing arrangement with Brighton and Hove to accept one child per week for ten weeks

Families assessments were completed. The children or young people would then transfer to one of the district Children in Care teams.

- 2.6.2 With four social workers, the SUASC AIT would ideally hold no more than 60 children. Prior to bringing in significant numbers of additional staff, the SUASC AIT was responsible for between 250-300 children and young people at any one time.
- 2.6.3 Although the formerly separate UASC service was integrated into the Children in Care service and 18+ service in December 2014, recent surges in the numbers of UASC has meant additional staffing resources have been urgently required in order to ensure the needs of children and young people are met. A new, temporary UASC Service Manager joined the council on 11 August 2015, to offer support and assist in overseeing the additional UASC social workers and team management.
- 2.6.4 A decision was taken corporately in August 2015 that all UASC who have become looked after since June 2015 will become the responsibility of the new Central UASC teams, under the management of the Assistant Director for West Kent and UASC strategic lead.
- 2.6.5 This decision was taken to ensure that newly looked after unaccompanied minors are fully supported, and secondly so as not to overwhelm the existing Children in Care (CIC) teams. If the numbers of UASC becoming looked after had continued to transfer into the CIC teams, each social worker's caseload would have significantly increased which would have negatively impacted on the care and support individually given to children and young people already looked after. UASC already allocated to a CIC social worker will not transfer or face any unnecessary disruption as a result of this decision.
- 2.6.6 Since June 2015 over twenty additional social workers, three team managers and a service manager have now been recruited from agencies to specialist UASC teams. These three new teams, combined with the existing UASC AIT are working with and supporting over five hundred asylum-seeking children and young people currently. Together with the number of UASC the CIC teams are also supporting, this means the council is in total currently looking after over 960 unaccompanied minors aged 17 or under.
- 2.6.7 Urgent action was also taken in collaboration with the authority's IT department to source laptops and create additional Liberi accounts for the new members of staff starting.
- 2.6.8 As the numbers of UASC continue to grow, the council has continued to urgently seek additional social workers. There continue to be recruitment challenges in firstly sourcing qualified, suitably experienced staff and secondly in finding staff who are prepared to work primarily in either West Kent or Dover.

### **3. Funding for UASC**

- 3.1 Historically the Home Office has paid KCC a grant towards the cost of supporting UASC who arrive in Kent and so become the responsibility of KCC. KCC and the other gateway authorities of Croydon and Hillingdon, who receive

a significant proportion of the national UASC arrivals, have consistently challenged the sufficiency of the Home Office grant.

3.2 In March 2015 the Home Office advised KCC that it intended to reduce the funding paid to Kent for UASC. The reductions in the daily per capita rates were:

- Under 16 Year Old from £155 to £114
- 16 & 17 Year Old from £112 to £91

The revised rates remained higher than the daily rates the Home Office were paying nationally of £95 (Under 16) and £71 (16&17 year old). KCC entered into discussion with the Home Office about the basis for this.

3.3 There were no proposals to alter the funding for Over 18 year old UASC Care Leavers which had been set at £21.43/day (£150/week) for a number of years.

3.4 From June 2015 onwards KCC saw a dramatic increase in arrivals resulting in significant increase in the projected financial shortfall to £7.6m. During the summer as numbers continued to increase KCC made a number of representations to the Home Office regarding both practice and financial issues.

3.5 KCC officers and Home Office officials met in October to discuss the financial implications for KCC. At this meeting the financial impact of the increased level of arrivals was discussed. KCC also raised that the current funding levels were a disincentive to other Local Authorities to participate in any voluntary dispersal scheme. This disincentive was particularly relevant when considering post-18 support. The Home Office officials agreed to give thought as to how additional funds could be made available to KCC to meet the particular additional costs it was incurring and incentivise other Local Authorities to participate in a dispersal scheme.

3.6 As a result the Home Office offered a number of measures:

- The Home Office recognised that due to exceptional pressures, KCC's cost of supporting UASC in the current year had increased and a new funding package has been agreed for this year only, with daily rates of:
  - Under 16 Year Old £150, and
  - 16 & 17 Year Old £100

Based on current estimates, this should generate an additional £4.250m to offset our current shortfall on Under18 year old UASC.

- The national rate for Over 18 year old UASC Care Leavers was increased from £21.43/day to £28.57/day (from £150/week to £200/week).

3.7 The net impact of these measures was to reduce the projected shortfall by £5.1m to £2.5m. Breakdown of current financial position is detailed below.

## Revised Home Office Rates

### Projected position for end of 2015/16

		Total UASC	Total Care Leavers	Total Asylum
Days Support		295,162	149,511	444,673
Average Daily Cost		£105	£36	£82
Total Cost	£(000's)	£31,101	£5,431	£36,532
Grant Income		-£30,667	-£3,349	-£34,016
Shortfall/ (Surplus)	£(000's)	£434	£2,083	£2,516

3.8 In addition, Home Office agreed that any Local Authority accepting responsibility for a UASC from KCC during 2015/16 would be entitled to receive the higher rates of £114/day for under 16s and £91/day for 16 & 17 year olds originally offered to KCC in March 2015. Additionally it was confirmed that when these young people become over 18 the accepting Local Authority would receive the higher national rate of £28.57/day.

#### 4. Next steps and the plans for a national dispersal scheme

4.1 All unaccompanied children arriving in the UK become the responsibility of the local authority where they arrive. The majority arrive in the gateway councils of Kent, Croydon and Hillingdon. Under current arrangements, any unaccompanied child that arrives at the port of Dover becomes the responsibility of KCC. During times of crises, this places an unreasonable and excessive burden on the gateway authorities.

4.2 Staff within the council should be commended for their tireless efforts in trying to meet our statutory responsibilities in the face of the enormous challenge that the volume of new UASC arrivals has posed. However, it should be stated clearly that services are at breaking point and the current position is not sustainable. There have been significant discussions between the Home Office, Department for Education (DfE), the Local Government Association (LGA), the Association of Directors for Children's Services (ADCS) as to alternate model of national dispersal which are both financially and logistically viable and ensures children and young people face minimal disruption during the transfer process.

4.3 On the 24 November the Home Secretary and the Secretaries for Education and Community wrote to all 151 English local authorities setting out enhanced rates for accepting UASC from Kent and urging them to engage with the voluntary national dispersal scheme. There have subsequently been 4 enquires which are being followed up but there remains a concern that such a voluntary

scheme is not going to address pressure KCC currently faces nor will it deal with any future surge.

- 4.4 In case the voluntary national dispersal scheme is insufficient, amendments have been tabled in the Immigration Bill which would create reserve powers to establish a national dispersal scheme. KCC continues to work closely with the central government and other on this.

## 5. Recommendations

**Recommendations:** Scrutiny Committee is asked to **COMMENT ON** and **NOTE** the content of the report.

## 6 Background documents

None

## 7.

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Home Office



Department  
for Education



Department for  
Communities and  
Local Government

To all Local Council Leaders

24 November 2015

Dear Council Leaders,

### **DISPERSAL OF UNACCOMPANIED ASYLUM SEEKING CHILDREN**

We are writing to set out the ongoing funding arrangements to support the voluntary scheme for the dispersal of unaccompanied asylum seeking children (UASC) from Kent to other local authorities.

The crisis in Syria and events in the Middle East, North Africa and beyond have seen an unprecedented number of migrants and asylum seekers arriving in Europe by sea and several thousand people in Calais trying to reach Britain illegally. As you will be aware, we have seen a sharp increase in the number of UASC arriving in Kent. There are now nearly 1,000 UASC in Kent County Council's care, of which nearly 300 have had to be placed in other local authority areas. This has placed significant pressure on the Council and its social services. We are extremely grateful to all those in Kent for the excellent way in which they have responded to these pressures, but we are clear that a national response is needed to support the county and to ensure UASC get the support they need and are appropriately safeguarded.

Since the summer our officials have been working on a voluntary dispersal scheme in support of that aim. We are grateful to the Local Government Association and the Association of Directors of Children's Services (ADCS) for their continued support in these efforts. On 28 July, Kent wrote to all 151 other local authorities in England with social services responsibilities to request assistance under s27 of Children Act 1989. We recognise the efforts of the 19 local authorities who have responded positively and have accepted UASC into their care from Kent. However, to date only 42 of the nearly 1,000 children in Kent's care have been transferred into the care of another local authority. This is simply not enough. We are clear that local authorities with the capacity to support UASC, who can be some of the most vulnerable children in care, should do so.

The Government is committed to meeting reasonable additional costs for local authorities who take on responsibility from Kent County Council for the care of UASC. The Home Office wrote to ADCS on 3 August to confirm that day rates of £114 for UASC aged under 16 and £91 for UASC aged 16 and 17 would be available to all local authorities taking UASC from Kent, through to the 18<sup>th</sup> birthday of that child. This arrangement was initially for a three month period, but we can confirm that it will continue until the end of the financial

year. Each UASC accepted from Kent aged under 16 will thus attract £41,610 per annum and each UASC accepted from Kent aged 16 or 17 will attract £33,215 per annum.

Discussions with the Local Government Association and other local authorities have also highlighted concerns about the costs that fall later on in relation to their status as former UASC care leavers, for which central government currently pays a contribution of £150 per week for eligible cases. In recognition of those concerns, we are writing to confirm that the funding available for local authorities accepting responsibility between now and the end of the financial year for a UASC from Kent who then goes on to attract leaving care support will be increased from £150 to £200 per week for as long as the former UASC continues to be eligible for leaving care support. This compares favourably to the average cost of supporting care leavers of £120 per week reported in the recent National Audit Office report into care leavers.

We believe this total funding package represents a very generous offer.

As you will be aware, the amount of support provided to local authorities in respect of care leavers is reviewed annually. We have asked our officials to begin a full review of UASC funding to inform decisions about the 2016/17 rates.

We hope that the national dispersal scheme will remain voluntary and operated by local authorities. To make an offer of support or for further information, please email the Kent UASC dispersal team at [UASCdispersal@kent.gov.uk](mailto:UASCdispersal@kent.gov.uk). However, we have also been considering whether these voluntary arrangements should be backed up by reserve powers so that we are well placed to avoid any repeat of the situation which has arisen in Kent this summer and to ensure that dispersal is truly national. We hope to be in a position to provide further detail on that shortly.

We are aware of local authority concerns about the burdens placed on them from having to support migrants without status who qualify as former looked after children. On 11 November, James Brokenshire wrote to the chair of the Local Government Association to advise that he had tabled amendments to the Immigration Bill to prevent adult migrant care leavers who have exhausted their appeal rights and have established no lawful basis to remain here from accessing local authority support under the Children Act 1989. The amendments make alternative arrangements for accommodation, subsistence and other support to this group before they leave the UK.

We are committed to reducing the burdens placed on local authorities and we have asked our officials to continue the dialogue started with local authorities to see what more we can do in respect of the additional costs associated with UASC care such as higher education costs.

In addition, the Government is committed to solving the migrant problem in Calais. We have a strong relationship with the French and significant improvements have been made to the security of the port and Eurotunnel

sites over the last year. We need to continue doing all we can to discourage children and other migrants from making dangerous journeys to reach the UK.

We believe the additional funding to support the voluntary dispersal scheme provides the necessary reassurance for local authorities to participate. James Brokenshire and Edward Timpson will shortly be hosting a roundtable discussion with local government colleagues to review the initial response to this letter, to discuss any remaining issues relating to implementation of the national dispersal scheme and to ensure that we are doing all we can to safeguard the welfare of UASC.

This letter is being copied to Chief Executives, Lord Porter of Spalding CBE and Alison O'Sullivan.



**Rt Hon Theresa May**



**Rt Hon Nicky Morgan**



**Rt Hon Greg Clark**

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