

KENT COUNTY COUNCIL

CORPORATE PARENTING PANEL

MINUTES of a meeting of the Corporate Parenting Panel held in Darent Room, Sessions House, County Hall, Maidstone on Thursday, 28 February 2013.

PRESENT: Mrs A D Allen (Chairman), Mr M J Vye (Vice-Chairman), Mr R E Brookbank, Mrs P T Cole, Mr G Cooke, Mrs E Green, Mr S Griffiths, Mr P W A Lake, Mr L B Ridings, MBE and Mrs J Whittle

IN ATTENDANCE: Ms M MacNeil (Director, Specialist Children's Services), Mr P Brightwell (Performance and Quality Assurance Manager, CIC), Mrs S Skinner (Service Business Manager, FSC) and Miss T A Grayell (Democratic Services Officer)

UNRESTRICTED ITEMS

25. Minutes of the meeting held on 14 December 2012

(Item A2)

RESOLVED that the Minutes of the meeting held on 14 December 2012 are correctly recorded and they be signed by the Chairman. There were no matters arising.

26. Cabinet Member's Oral Update

(Item A4)

1. Mrs Whittle gave an oral update on the following:-
 - **At a recent meeting with Mairead MacNeil and Care Leavers** about entitlements and the Care Leavers' Charter, the need for a 'stage, not age' approach was emphasised. Longer-term funding and flexibility are also needed. These issues will be taken forward and work with Care Leavers will continue.
 - **A meeting on 25 February with the Leader of the County Council and the Immigration Minister, Mark Harper, about Unaccompanied Asylum Seeking Children (UASC)** showed up a conflict between the content of the Children Act 1989 (that Local Authorities have a duty to support UASC whose rights to stay have been exhausted (ARE)) and the view of the Home Office (that Local Authorities have no statutory obligation to support these young people, and hence do not receive government funding towards it). KCC will continue to lobby the Government about this issue and *a progress report will be made to the Panel's next meeting.*
 - **At a recent meeting with Mairead MacNeil and the OCYC**, the role that young people used to play in recruiting Social Workers was discussed.
 - **A recent conference**, run by the Office of the Children's Commissioner for England, Dr Maggie Atkinson, and media coverage has addressed the issue of exploitation of Children in Care and other vulnerable children, including the public misconception that KCC is responsible for children's homes in Kent. The BBC is making a documentary programme about this issue.

- **Foster Carers:** various issues raised by Foster Carers are being tackled, eg when seeking to extend a Foster Carer's home to accommodate children in care, only 50% of their income is taken into account when calculating a mortgage. KCC will lobby for their whole income to be taken into account, and more work is needed on finding a better process.

2. Mrs Whittle and Mr Brightwell responded to comments and questions from the Panel and the following points were highlighted:-

- If the KCC exceeds its statutory requirement to support ARE, surely it is supporting the 'industry' around UASC by making it easy for ARE to stay? A wide-ranging solution is needed. *By supporting ARE, KCC fulfils a moral and statutory obligation to support vulnerable young people, and can avoid judicial review, eg from the Refugee Council, which would cost much more than the current £3m annual cost of supporting ARE. The money spent on supporting ARE could be viewed as 'invest to save'. Clarification of the issue is being sought from the Children's Minister, Edward Timpson, and a report to the KCC Cabinet in March will set out the implications of this for Kent.*
- The issue needs to be resolved so Kent rate payers are not penalised by the financial burden just because Kent is a main point of entry for UASC. A national and international solution is needed, rather than a local one. *The key issue is that the UK Border Agency does not deport ARE as promptly as it could, so the care bill for KCC mounts up while they are waiting. The 'Children First' Parliamentary Inquiry noted the tension around this issue and emphasised that UASC are children first and foremost.*
- A view was expressed that it is correct that KCC continues to support ARE. The report to Cabinet needs to be robust and strongly-worded; it's high time for action. Perhaps KCC could threaten to increase the Council Tax to offset the cost of supporting ARE, to grab the Government's attention? The Cabinet needs to back up the work that Mrs Whittle has done on this over the years.
- KCC has a moral obligation to children in care in Kent, and is the last resort for them. Care leavers face many issues through life and may need more support later. Other young people can return home to their parents in the event of a marriage break-up or loss of their job or home. Children in care should have access to this same extended support from their Foster Carers.
- One Panel Member meeting their MP tomorrow undertook to mention all these issues during that meeting. All lobbying helps!

3. The oral updates were noted, with thanks.

27. Update regarding the work of the Head Teacher of Virtual School Kent (VSK)

(Item B1)

1. Mrs Skinner introduced the report and highlighted the following:-

- further progress on attainment targets and absence was expected, as well as a further reduction in the rate of permanent exclusions.
- there are approximately 72 children currently in Key Stage 2 who will be undergoing SATS testing this year. Many of these have a statement or additional needs, and it is important that these children are given as much support as possible to overcome their particular problems.

- Young people had been consulted about and engaged in staging two participation days in the February half-term holidays, and more such days will take place in each school holiday through the year.

2. Mrs Skinner, Ms MacNeil and Mr Brightwell responded to comments and questions from the Panel and the following points were highlighted:-

- a) where a child has a statement or additional needs, it is important to measure any progress that they make in education, quite apart from the measures set out in national performance targets. Progress itself is a target, and it is always helpful to have as much information as possible, especially for the forthcoming Ofsted inspection;
- b) while it is important to identify children who have no education plan, what is of more concern, and very difficult to identify, is the number of children who attend school only part-time, with only a partial daily timetable. Schools do not tend to record or show these numbers. Pupils who are present at both morning and afternoon registration will be recorded at both and could be assumed to have been present for the whole day. In fact, they may only have attended for the time between the two registrations. It would be useful for the Panel to ask for more information about the extent of this issue and what can be done to identify this cohort of children;
- c) VSK works with all schools, whether KCC-maintained or Academies, but some are more supportive than others of VSK's work. It is not possible to distinguish any one type of school as being any more or less supportive; it is the individual relationship VSK establishes with each school that dictates this;
- d) good education opportunities should be shared by all Kent children in all Kent schools. There are concentrations of troubled children in some areas of Kent, and some schools are coping with a disproportionate share of these children. Standards are applied as if the playing field were level, but the playing field cannot be level while some schools are coping with this burden. Some schools in deprived areas do much work with disadvantaged children and produce excellent results, but as progress does not necessarily meet the academic standards listed in the national performance targets, it does not show up;
- e) part of the role of Independent Reviewing Officers (IROs) is the scope to be the 'pushy parent' of children in care, although they are unable to challenge schools directly. Corporate Parents could also take on this role. VSK challenges schools on behalf of children in care, and is robust and proactive;
- f) Members were reassured that the 'fund raising' mentioned on page 11 of the agenda papers relates only to money raised for things like refreshments and add-ons at events as part of the participation and engagement agenda; the events themselves are funded from the VSK budget. The OCYC could potentially become a charity and be able to

apply to various funding streams to support this type of event in the future;

- g) a major piece of work is currently underway, via which KCC seeks to ensure that any other local authorities placing children in care in Kent will fulfil all their responsibilities to those children, and explore what role VSK could play in this. *The outcomes of this piece of work will be reported to a future meeting of this Panel;*
- h) it would be useful to be able to have an oversight of how schools spend the pupil premium which comes with each child, but this issue should be more appropriately taken up by the Education Cabinet Committee; and
- i) one Panel Member who had attended a half-term activity day in Sandwich said the day had been excellent and he looked forward to attending another. During the day, children and young people had made a video, produced a booklet and recorded a song. He asked how VSK would go about engaging young people who are not so outgoing, and how difficult this might be. For such a day to be successful, it has to be fun, with a range of activities to appeal to as many young people as possible, both boys and girls. A different range of activities could be offered at the next day, to extend its appeal to a broader range of young people. Officers commented that, from experience, it is not necessarily the case that the young people who attend activity days are the most outgoing.

3. RESOLVED that:-

- a) the information set out in the report and given in response to comments and questions be noted, with thanks;
- b) a regular item reporting back the views of Children in Care be included on the Panel's agendas; and
- c) the outcome of a piece of work to ensure that local authorities placing children in care in Kent fulfil all their responsibilities to those children be reported to the future meeting of the Panel, setting out what role VSK might play in this initiative.

28. Independent Reviewing Officer Service Update
(Item B2)

Mr P Brightwell, Performance and Quality Assurance Manager, Children in Care, Mr N Foad, Ms D Gant and Ms C Liggins, Independent Reviewing Officers, and Ms T Smith, Manager, Independent Reviewing Officer Service, were in attendance for this item.

1. Mr Brightwell introduced the regular update report which was presented as part of the agenda papers and explained that colleagues from the Independent Reviewing Officer (IRO) service were in attendance to answer questions from the Panel about their role and work. Mr Brightwell, Ms MacNeil and the Independent

Reviewing Officers responded to comments and questions from the Panel and the following points were highlighted:-

- a) IRO teams now mirror area Children's Social Work teams so they can work more closely together;
- b) IROs' average caseload has reduced over the last year and is currently around 80, having been 120 a year ago. This reduction has been made possible by successful recruitment to all 22 IRO posts, and the result is that IROs now have more time to spend with each child. The aim is to reduce caseloads further, but it is important to do this carefully, by transferring cases by natural progression, only when they are ready to transfer and it is timely and appropriate to do so;
- c) IROs often have more and closer knowledge of a child than social workers, as the latter have a higher turnover, so IROs are often the only or the most consistent contact in a child's life, and provide vital continuity;
- d) concern was expressed about the 30% of children in care who have inadequate care plans. It is a top priority that every child in care has an adequate care plan, and work is ongoing to identify and address the reason for the shortfall. However, the situation has improved in the last two years, with the figure having previously been 50%. The figure quoted in the report relates to the period from June to September 2012. Every child is reviewed every six months, so it may take two quarters' reports to show up a change to this figure;
- e) IROs were asked if they feel truly independent and if they feel their independent role is generally respected. An example was given of an IRO using the independence of the role to bring to an end to delay in arranging extra teaching support for a 7-year-old in care with a part-time school timetable. Being independent of the County Council, IROs have no problem in challenging KCC colleagues. Managers in District teams have mutual respect for the IRO role, without necessarily agreeing with their professional judgement, and social workers, carers and young people find IROs' independence useful. The IROs present said their independence is respected and they have had no qualms about using it to influence and press for improvement for a child in care. A more recently recruited IRO said she had been recruited for her ability and willingness to challenge. Mr Brightwell confirmed that IROs do need to have an opinion and be able to express it confidently. Appropriate and respectful challenge, with support to address issues, is important. IROs should never feel obliged to hide the truth if they are concerned, and they need to be independent to be honest. Panel Members were reassured by these answers;
- f) although the average workload has been reduced to 80, IROs were asked what would be the ideal minimum workload. The Children Act of 1989 had recommended 55 to 75 as a minimum, alongside a drive for good quality care plans and eliminating drift. Good national investment in the service should reduce caseloads nationally. Recent research by

London Boroughs into children in care had set out three key aspects of a good care experience:- coming into care early, reducing social work and IRO caseloads and securing investment in services and support, and these three tenets seems to be having an impact;

- g) the IROs were asked if they believe that children come into care at the right time. Cases still appear in which, in their professional opinion, a child should have come into care earlier, although the situation is generally improving. A Panel Member expressed the view that focus should be on reviewing thresholds and early intervention policy. An IRO gave an example of siblings aged 2 and 12 who had come into care at different times, the 12-year-old having come into care much later in her childhood; too late in the IRO's opinion. Her 2-year-old sibling had come in much earlier and, as a result, would inevitably have a very different and, hopefully, better experience of being in care. Panel Members were recommended to read the findings of the Family Justice Review Report of 2011.
- h) asked what KCC is not good at, IROs listed transition, and frustration at the delay in the decision making process. The latter is not a problem peculiar to Kent, although KCC's high social worker turnover exacerbates the loss of time and momentum in decision making. Social worker turnover is a key frustration, but recruitment of social work managers is an equally large problem. Good social work management will help recruit and retain good social workers, and the quality of social work supervision is vital in setting the standard of the service. Where social workers are not able to give the time and energy they need to care planning, the IRO service sometimes plugs the gap. This can blur the boundaries between the IRO and social worker roles and could compromise IROs' independence; and
- i) Panel Members asked if KCC had existing staff which could be trained as social workers, to 'grow our own', but this takes much time and cost, and many people, despite having gained a social work qualification, are simply not suitable to the challenging role. What is needed is short-, medium- and long-term plans to address the shortage of social workers. University courses in social work need realism, and trainee social workers need the chance to gain practical experience. Good training and support is vital in attracting and retaining newly-qualified social workers while they build confidence and develop vital professional experience in their first few years in the job.

2. RESOLVED that:-

- a) the information set out in the report and given in response to comments and questions be noted, with thanks, and quarterly updates be made to the Panel; and
- b) information on the effects and outcomes of coming into care early be reported to a future meeting of the Panel.

29. Staying Together Scheme

(Item B3)

Ms M Lowe, Performance and Quality Assurance Officer, Children in Care, was in attendance for this item.

1. Ms Lowe introduced the report and explained that it had been prepared at the request of the Panel to clarify the purpose and rules of the Staying Together scheme, following discussion at the Panel's October meeting. She highlighted the following key points:-

- KCC's scheme is more generous and wider ranging than those run by many other local authorities, including many of the London Boroughs. KCC continues to pay Foster Carers at the original rate for two years beyond the date of the Order, whereas other authorities reduce the level of payment over time or stop when a child reaches 16. Also, KCC does not reduce its payments to take account of benefits received by the Foster Carer, with the exception of child benefit.
- fewer carers have taken up the Staying Together scheme than had been hoped, but by raising awareness of it, it is hoped that more will take it up.
- work to identify the financial issues relating to young people aged over 16 is being undertaken by a working group, and the outcomes of this work will be reported to a future meeting of the Panel.

2. Ms Lowe responded to comments and questions from the Panel and the following points were highlighted:-

- a) for young people who return to their foster home in the holidays from higher education, Foster Carers can apply to receive the same level of support for those weeks as they would have received if the young person were still in care. Such applications are currently decided by Assistant Area Directors on a case-by-case basis, but a more consistent approach needs to be developed and applied across the county;
- b) a key issue to address in presenting the scheme, raising awareness and attracting more takers is the perception by many carers that the scheme can lead to a loss of income;
- c) young people also need to be aware of their entitlements under the scheme; and
- d) the scheme currently seems to involve several mechanisms, and a review of it will bring the opportunity to streamline and simplify it.

3. RESOLVED that:-

- a) the information set out in the report and given in response to comments and questions be noted, with thanks; and
- b) the outcomes and recommendations of the working party looking into the financial issues relating to young people aged over 16 be reported to a future meeting of the Panel.

30. Briefing Report on the Parliamentary Inquiry 'Children First: The Child Protection system in England - messages regarding services and support for children and young people in care'

(Item B4)

1. Mr Brightwell introduced the item and pointed out that many of the issues covered by the Inquiry link to other issues on today's agenda and had been touched upon in other discussions. He and Ms MacNeil responded to comments and questions from the Panel, and the following points were highlighted:-

- a) the Parliamentary Inquiry can be seen as a useful tool to drive forward issues which the Panel had been considering for some time, but the timing for action needs to be right, and lobbying needs to be well supported by evidence. KCC is currently working constructively with the Courts Service to address the need to improve the standard of evidence and reduce the time taken for a case to come to court;
- b) the Inquiry had found concern that current policy could lead to forced adoption, an issue which the Minister, Edward Timpson, will return to in future work. A view was expressed that, given the length of time it takes to go through the adoption process to achieve an Adoption Order - approximately nine months - and the scope which birth parents have during that time to contest the adoption, to talk of 'forced adoption' is ridiculous;
- c) a Panel Member who is an experienced Foster Carer said he had had good experience of the social work service, and had not experienced excessive social worker turnover. He made the point that good social workers will tend to move on over time. He had seen great improvement in the IRO service during his time as a Foster Carer and had a good constructive relationship with them. He confirmed that IROs do indeed challenge and question on behalf of children in care;
- d) the KCC's social worker recruitment campaign has not been as successful as had been hoped, and change has been incremental but slow. Short-, medium- and long-term plans are needed to give new social workers a path along which to progress, with the aim of retaining young and enthusiastic recruits. KCC struggles with recruiting social work managers, although Kent now has a better image than previously and sets a high standard. Much recruitment comes about from word-of-mouth recommendations;
- e) in a county the size of Kent, it is difficult to offer social workers good managerial responsibility and experience so they can develop and progress. KCC could liaise with universities to identify high-flyers to develop as future managers, although it was pointed that staff sometimes need to move to other authorities to broaden their professional experience and develop their careers, and can then bring the benefits of this experience back to Kent;

- f) when shortcomings are shown up in social work practice (eg a previous example of poor record keeping), this could be because of poor supervision and management, or challenges in recruiting and/or retaining sufficient social work managers or staff;
- g) by identifying the particular problems which deter social workers from applying to work in an area, a local recruitment strategy can be tailored to address them. These may include the perceived image of an area, the affordability of housing, the availability of school places for social workers' families, travel networks, etc. *It would be useful to have a report and discussion about this issue at a future meeting of the Panel;*
- h) surprise was expressed at the extent to which the number of children in care had fallen between 1980 (95,000) and 2011 (65,500). It is not possible to state a 'right' number of children to have in care, although it would seem ideal to have none at all. Identifying a 'good' number of children to have in care depends on many factors, including the reasons for taking them into care (eg safeguarding) and what the care system is intended to do to help them. Avoiding or delaying taking a child into care can be damaging and can compromise their outcomes; and
- i) Children's Centres have an outreach service which helps to identify and engage the most high-risk families which would be unlikely to attend Centres. Young parents who are the second or third generation in their family to be in care may have poor role models to follow. An outcome measure of the success of work by Children's Centres and health visitors today will be the quality of parenting that today's children are able to give their own children in 20 years' time.

2. RESOLVED that:-

- a) the information set out in the report and given in response to comments and questions be noted, with thanks; and
- b) a report on a recruitment strategy which can be tailored to address issues in a particular area be made to a future meeting of the Panel.

31. Performance Scorecard for Children in Care
(Item B5)

1. Mr Brightwell introduced the report and explained that future scorecards will be accompanied by an exceptions report which will give more detail of issues for which progress is rated red. Members had previously asked that the frequency of change of social worker for a young person be also included, and this will become possible with the new Protocol system, from June 2013. In the discussion of the Virtual School Kent update (item B1 on this agenda), information had been requested on the number of students who achieve passes at KS4 in both English and maths. Mr Brightwell confirmed that both of the requested items will be included in future scorecards.

2. RESOLVED that:-

- a) the information set out in the report and given in response to comments and questions be noted, with thanks; and
- b) the following areas of additional information requested be included in future scorecards as soon as possible:-
 - the frequency of change of social worker for a young person (which will be available in the new Protocol system, from June 2013),
 - the number of students who achieve passes at KS4 in both English and maths, and
 - a new standard appendix of an exceptions report to give more detail of issues for which progress is rated red.

32. Oral Update on Adoption Figures

1. Although the Adoption update report had been sent to Panel Members as an information item only, and thus was not for discussion at the meeting, Ms MacNeil took the opportunity at the end of the meeting to update the Panel briefly on the latest adoption figures, which show much progress. So far this year:-

- 131 children have been placed for adoption (up from 105, reported at the December Panel meeting)
- 94 children have been adopted (up from 75, reported at the December Panel meeting)
- 75 adopters have been approved.

2. Ms MacNeil placed on record her thanks to the staff who had made this progress possible.