

By: **Jenny Whittle, Cabinet Member for Specialist Children's Services**  
**Andrew Ireland, Corporate Director, Families and Social Care**

To: **Cabinet – 15 July 2013**

Decision No: **13/00045**

Subject: **Kent County Council Sufficiency Strategy**

Classification: **Unrestricted**

**Electoral Division:** All

**Summary:** The Sufficiency Duty came into force in April 2011. It requires Local Authorities to secure, as far as reasonably practicable, sufficient accommodation for Children in Care and those children in need who are at risk of care or custody. The guidance states that Local Authorities should be able to evidence that they are taking steps to meet the sufficiency duty as far "as reasonably practicable".

**Recommendations:** Cabinet are asked to:

- 1) NOTE the comments on and endorsement of the strategy by the 12 June Social Care and Public Health Cabinet Committee.
- 2) NOTE that annual updates will be taken to the Social Care & Public Health Cabinet Committee.
- 3) APPROVE the attached Sufficiency Strategy and its publication on the Kent.gov website.

## **1. Introduction**

- 1.1. Section 22G of the Children Act 1989 ('the 1989 Act') requires Local Authorities to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area which meets the needs of children that the Local Authority is looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the Local Authority's area ('the sufficiency duty').
- 1.2. The sufficiency duty applies in respect of all children who are defined as 'looked after' under the 1989 Act. However, an important mechanism, both in improving outcomes for children and in having sufficient accommodation to meet their needs, is to take earlier, preventative action to support children and families so that fewer children become looked after. This means that this duty also applies to children in need who are at risk of care or custody (sometimes referred to as children 'on the edge of care').

- 1.3. Families and Social Care, in line with 'Sufficiency: Statutory Guidance on Securing Sufficient Accommodation for Looked After Children' (March 2010), has developed a KCC Sufficiency Strategy 2013-15.

## **2. Financial Implications**

- 2.1 The Sufficiency Strategy makes reference to the reduction in the level of funding for Local Authorities over the next four years and that the focus on efficiency and value for money will be stronger than before.

## **3. Bold Steps for Kent and Policy Framework**

- 3.1 The Sufficiency Strategy links with the Bold Steps for Kent Priority 1: Improve how we procure and commission services, Priority 15: Improve services for the most vulnerable people in Kent, and Priority 16: Support families with complex needs and increase the use of community budgets.
- 3.2 The Sufficiency Strategy is also set within the context of national policy, legislation and guidance. It is linked to key local planning documents, in particular to Every Day Matters, the Multi-Agency Looked after Children Strategy, and Phase 3 of the Kent Safeguarding and Looked after Children Improvement Plan "Putting Children First", and is consistent with KCC's pledge to Children in Care.

## **4. Detail**

- 4.1 The Sufficiency Statutory Guidance states that Local Authority provision should enable children:
  - a) To live near their family home;
  - b) To remain in their current education or training setting;
  - c) Where appropriate, to be placed with siblings;
  - d) With a disability to have their needs met; and
  - e) Wherever it is safe to do so, to remain in their own Local Authority area.
- 4.2 Where it is at all possible, this provision should be provided within the Local Authority area and should be accompanied by a commissioning strategy that outlines the authority's commissioning intentions and approach to meeting local need.
- 4.3 The guidance also states that local authorities should be able to evidence that they are taking steps to meet the sufficiency duty as far "as reasonably practicable". In assessing whether the steps they are taking are reasonably practical, it is recommended that Local Authorities may wish to consider:
  - a) Progress towards commissioning intentions to meet the sufficiency duty;
  - b) The number of children for whom a placement is not consistent with their needs and welfare;
  - c) The extent to which local universal services meet needs;
  - d) The state of the market (locally by district) and the supply that exists;
  - e) The degree to which the market is being managed;
  - f) The resourcefulness of local providers to meet needs of children; and
  - g) The overall effectiveness of local and regional partnerships.

- 4.4 The appropriate areas have been considered in Kent's Sufficiency Strategy which can be seen in Appendix 1. The appendices attached to the Sufficiency Strategy provide the data which has been collated and analysed to develop the strategy.
- 4.5 A robust Placement Action Plan and commissioning strategy is being developed to address the needs and gaps identified within the Sufficiency Strategy.
- 4.6 The Sufficiency Strategy and Placement Action Plan will be reviewed regularly to ensure that Kent is still fulfilling the requirements of the Sufficiency Duty. Key impact measures will be closely monitored and reported on formally every six months to the Specialist Children's Services Divisional Management Team for the duration of the strategy. The strategy will be updated on an annual basis to reflect any changes to the numbers of Children in Care or the Council's accommodation.

## **5. Social Care & Public Health Cabinet Committee discussion**

- 5.1 The Sufficiency Strategy was discussed at the Social Care & Public Health Cabinet Committee on the 12 June, with Helen Jones, Head of Strategic Commissioning, and Sue Brunton-Reed, Interim Manager, Access to Resource Team attending. The minutes show that:

10.1. Ms Jones introduced the report and explained that the Sufficiency Strategy brought together for the first time a number of duties which the KCC already had in other forms. Ms Jones and Ms Brunton-Reed responded to comments and questions from Members and the following points were highlighted:-

- a) special guardianship orders are an alternative form of accommodation for a child who does not wish or is unable to live with their own family;
- b) the Sufficiency Strategy is a helpful tool that KCC can use in helping to enforce a reduction in the number of children in care placed in Kent by other local authorities; and
- c) the final bullet point of key objective 4 should read 'to *eliminate* the use of bed and breakfast accommodation ... '.

10.2. RESOLVED that:-

- a) the decision proposed to be taken by the Cabinet, to adopt and publish the County Council's Sufficiency Strategy, be endorsed, and Members' comments on the Strategy, set out above, be noted; and
- b) annual update reports on the Strategy be made to the Cabinet Committee.

## 6. Conclusions

- 6.1 To ensure compliance with Section 22G of the Children Act 1989 ('the 1989 Act'), Kent County Council must have in place, and make public, a Sufficiency Strategy for its Children in Care.
- 6.2 Families and Social Care has developed the Sufficiency Strategy in line with the statutory requirements, and this strategy will inform the development of a robust placement action plan to address the needs and gaps identified in the Sufficiency Strategy.
- 6.3 The Sufficiency Strategy will be updated on an annual basis to reflect any changes to the numbers of Children in Care or the Council's accommodation.

## 7. Recommendation(s)

**Recommendations:** Cabinet are asked to:

- 1) NOTE the comments on and endorsement of the strategy by the 12 June Social Care and Public Health Cabinet Committee.
- 2) NOTE that annual updates will be taken to the Social Care & Public Health Cabinet Committee.
- 3) APPROVE the attached Sufficiency Strategy and its publication on the Kent.gov website.

## 8. Background document(s)

none

## 9. Contact details

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