



Agenda for a meeting of the Executive to be held on Tuesday, 7 June 2022 at 10.30 am in Council Chamber- City Hall, Bradford

Members of the Executive – Councillors

LABOUR
Hinchcliffe (Chair)
I Khan
Ross-Shaw
Ferriby
Jabar
Duffy

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- Given the restrictions on room capacity, any Councillors and members of the public who wish to make a contribution at the meeting are asked to email jill.bell@bradford.gov.uk or yusuf.patel@bradford.gov.uk by 10.30 on Wednesday 1 June 2022 and request to do so. You will then be advised on how you can participate in the meeting.
- If you wish to observe the proceedings a webcast of the meeting will be available to view live on the Council's website at <https://bradford.public-i.tv/core/portal/home> and later as a recording.

From:

Bryn Roberts

Acting City Solicitor

Agenda Contact: Jill Bell / Yusuf Patel

Phone: 01274 434580/4579

E-Mail: jill.bell@bradford.gov.uk / yusuf.patel@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

2. MINUTES

Recommended –

That the minutes of the meeting held on 1 March and 5 April 2022 be signed as a correct record (previously circulated).

(Jill Bell / Yusuf Patel - 01274 434580 434579)

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by

contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Jill Bell / Yusuf Patel - 01274 434580 434579)

4. APPOINTMENT OF DEPUTY CHAIR

The Chief Executive will report on the allocation, by the Leader of the Council, of the appointment of Deputy Chair for the Municipal Year 2022/2023.

(Kersten England – 01274 434353)

5. ALLOCATION OF PORTFOLIOS OF EXECUTIVE FUNCTIONS

1 - 4

(Executive Procedure Rules – Part 3D of the Constitution)

The Chief Executive will report on the allocation, by the Leader of the Council, of Portfolios of Executive functions to members of the Executive.

(Kersten England – 01274 434353)

6. RECOMMENDATIONS TO THE EXECUTIVE

To note any recommendations to the Executive that may be the subject of report to a future meeting. (Schedule to be tabled at the meeting).

(Jill Bell / Yusuf Patel - 01274 434580 434579)

C. PORTFOLIO ITEMS

CHILDREN AND FAMILIES PORTFOLIO

(Councillor Duffy)

7. FOSTERING FEES FOR BRADFORD FOSTER CARERS

5 - 36

The report of the Strategic Director of Children's Services (**Document "A"**) outlines proposals regarding fostering fees paid to foster carers.

The report details proposals for changes to the schedule of allowances for foster carers approved by City of Bradford Metropolitan District Council. These revisions will ensure equality and fairness across all approved foster carers, competitive rates of remuneration for recruitment and retention of carers and a clear process for progression through the skill levels. We have ensured that no existing foster carer will experience financial loss as a result of these proposals. A draft Policy is annexed to this Report.

Recommended -

That the Executive is invited to:

- (1) Note this Report and to approve the implementation of the scheme, set out in the annexed Foster Carer Payments Policy, with immediate effect; and**
- (2) Authorise the Strategic Director of Children's Services to receive and, in consultation with the Foster Carer Association, consider feedback on the Policy quarterly during the first 12 months of its operation, and to decide in the light thereof, together with any other considerations including equality impact assessment, whether to continue operation of the Policy in its current form or refer it back to the Executive for further consideration and modification.**

(John Heron – 01274 43

8. DEVELOPMENT PLAN FOR CHILDREN'S HOMES

37 - 52

The report of the Strategic Director of Children's Services (**Document "B"**) details proposals for the future development of the children's homes maintained by the City of Bradford Metropolitan District Council. It is essential that the Council as a corporate parent is able to provide high quality care for children requiring residential provision within premises which are homely and fit for purpose. The range of needs that can be met within the homes also needs to be tailored to meet our strategic needs in line with the recently completed sufficiency strategy for placements.

Recommended -

- (1) That the children's home at Valley View that has previously provided care for disabled children should be confirmed for closure on the basis that it has been effectively inoperative for nearly twelve months and does not provide a physical environment that is consistent with the care of children.**
- (2) That alongside the decision to close Valley View it is also**

recommended that the former BEST service does not resume on the basis that the health funding that underpinned it has been directed into other alternative projects.

- (3) That the previous decision to allocate capital funding for a new build project at Fell Lane is rescinded on the grounds that the scale and nature of the proposed project is no longer consistent with the services strategic needs.**
- (4) That in principle agreement is given for a potential new build project aimed at increasing short term break capacity for disabled children and in particular those with complex needs associated with neuro-diversity developmental issues.**
- (5) That in principle, agreement is given for the development of six additional small group homes via either purchase or rental to include the disposal of the site at Meadowlea, to be replaced with two linked small group homes with a revised focus.**
- (6) That in principle agreement is given to the development of linked staying close flats via either purchase or rental for the supported transition of young people from the homes into the community**

(Philip Segurolo – 01274 431867)

9. OFSTED MONITORING VISIT

53 - 62

The Strategic Director Children's Services will present a report (**Document "C"**) following Ofsted's Inspection of Children's Social Care Services from the 17 to 28 September 2018, the seventh of a series of Monitoring Visits took place on the 2 and 3 February 2022.

The focus of the Monitoring Visit was around the protection of vulnerable adolescents (contextual safeguarding).

The findings were published by Ofsted on 9 March 2022.

Recommended -

The Executive is asked to note the contents of the letter from Ofsted.

(David Johnson – 01274 432904)

10. ESTABLISHING THE CHILDREN'S TRUST

The report of the Chief Executive (**Document “D” To Follow**) outlines the background to the establishment of the Children’s Trust, the progress to date and critical next steps. The report also makes a number of recommendations to the Executive.

NOTE: due to the complex and evolving nature of the information informing this item, the report is still under finalisation and will therefore be delayed in distribution, but will be provided as soon as it is finalised.

(Chris Chapman – 01274 433656)

HEALTHY PEOPLE AND PLACES PORTFOLIO

(Councillor Ferriby)

11. HOW DO WE MAXIMISE THE LEGACY OF UK CITY OF CULTURE BID?

The bid for UK City of Culture has galvanised the city, generated unprecedented positive media coverage with an editorial value of £1,497,820 of positive media coverage and has already laid several strong foundations for the development of culture and the creative industries. In 2019 a strategic investment of £1,435,000 was committed, this investment has generated a return of £5,231,928. The report of the Strategic Director of Place (**Document “E” TO FOLLOW**) looks at how the district can maximise momentum, address gaps in place and investment marketing and continue the commitment to culture & creative industries as driver to support our ambitions for clean growth, making the Bradford district a stronger palace to invest, promote and live. The report also requires a decision on the strategic development of a Place Marketing and Investment Partnership for Bradford. (See Appendix 1)

It looks at how can we optimise the momentum and legacy of bidding to the greatest advantage for Bradford district.

NOTE: due to the complex and evolving nature of the information informing this item, the report is still under finalisation and will therefore be delayed in distribution, but will be provided as soon as it is finalised.

(Nicola Greenan – 01274 431301)

REGENERATION, PLANNING & TRANSPORT PORTFOLIO

(Councillor Ross-Shaw)

12. COUNCIL OWNED LAND AT NORTH STREET/CAVENDISH STREET, KEIGHLEY

63 - 74

The Strategic Director of Corporate Resources will present a report (**Document “F”**) in respect of recommendations relating to the Petition received by the Council in support of the proposed development of the Health and Wellbeing hub on the former Keighley College sites on North Street and Cavendish Street, Keighley.

Recommended -

To accept the Petition and progress with the proposal for the development of the Community Health & Wellbeing Centre as detailed in Document “F”.

(Alistair Russell – 07973 885399)

13. EXCEPTION TO THE FORWARD PLAN

NOTE

The following item is included on this agenda as an exception to the Forward Plan in accordance with the provisions of Paragraph 10 (General Exception to the Forward Plan) of Part 3D of the Constitution.

Accordingly, the proper officer has notified in writing the Chair of the Regeneration and Environment Overview and Scrutiny Committee of the matter on which the decision is to be made.

14. BRADFORD ENTERPRISE ZONES BUSINESS RATES RELIEF SCHEME

75 - 82

In 2017 Bradford was successful in obtaining Enterprise Zone status for three sites in the District. Enterprise Zone status allows businesses locating or expanding within the designated zones to apply for relief from Business Rates for a set period.

The Strategic Director of Place will present **Document “G”** which seeks approval for the implementation of a business rates relief scheme which awards relief to eligible companies.

Recommended -

- (1) That Executive approve adoption of the Bradford Enterprise Zone Business Rate Relief scheme.**
- (2) That Delegated authority be given to Strategic Director – Corporate Resources to recommend approvals of rate relief under the scheme.**
- (3) That the Strategic Director of Place be given delegated authority to undertake discussions with the West Yorkshire Combined Authority on the treatment and payment of Enterprise Zones business rates in consultation with the Director of Finance & IT, Strategic Director of Corporate Resources and the Leader of the Council, the terms of any agreement will be referred to the Executive for approval.**

(Regeneration & Environment Overview & Scrutiny Committee)
(Dave Partridge – 01274 432161)



Councillor Susan Hinchcliffe
Leader of Council
 City Hall
 Bradford
 BD1 1HY
 Tel: 01274 432084
 Fax: 01274 721620

Bryn Roberts
 Interim City Solicitor
 7 June 2022

Executive Portfolios 2022-23

Dear Bryn

Please note the following Executive arrangements for 2022-23.

1. Leader of Council & Corporate Portfolio Holder – Cllr Susan Hinchcliffe

Function & Service	Lead Officer	Overview & Scrutiny Committee*
Chief Executive's Office	Chief Executive	Corporate
Transforming Public Services	Chief Executive	Corporate
Commissioning & Procurement	SD Corporate Resources	Corporate
Customer Services	SD Place	Corporate
Finance	SD Corporate Resources	Corporate
Human Resources	Director of HR	Corporate
Information Services	SD Corporate Resources	Corporate
Legal & Democratic Services	City Solicitor	Corporate
Revenues & Benefits	SD Corporate Resources	Corporate
Health & Wellbeing Board	SD Health & Wellbeing	Health & Social Care

2. Education, Employment and Skills – Deputy Leader, Cllr Imran Khan

Function & Service	Lead Officer	Overview & Scrutiny Committee*
Education, Employment & Skills	SD Children & Young People	Children's Services Regeneration & Environment
Aspiration Bradford	SD Children & Young People	Children's Services
Performance, Commissioning & Partnerships	SD Children & Young People	Children's Services
Transport Provision	SD Place	Corporate
ISG – Industrial Services Group	SD Corporate Resources	Corporate Regeneration & Environment

*Only the lead committee is indicated, others may have a legitimate interest.

3. Healthy People and Places – Cllr Sarah Ferriby

Function & Service	Lead Officer	Overview & Scrutiny Committee*
--------------------	--------------	--------------------------------

Health	Director of Public Health	Health & Social Care
Happy, Healthy and At Home	SD Health & Wellbeing	Health & Social Care
Operational Services	SD Health & Wellbeing	Health & Social Care
Environmental Health	Director of Public Health	Regeneration & Environment
Voluntary Sector Services Commissioning – Adults & Public Health	SD Health & Wellbeing	Health & Social Care
Sport & Leisure	SD Place	Regeneration & Environment
Street Cleansing	SD Place	Regeneration & Environment
Waste & Collection Services	SD Place	Regeneration & Environment
Climate Emergency	SD Corporate Resources	Regeneration & Environment
Hackney Carriage & Private Hire	SD Place	Regulatory & Appeals
Fleet Transport	SD Place	Regeneration & Environment
Culture & Tourism	SD Place	Regeneration & Environment

4. Regeneration, Planning & Transport – Cllr Alex Ross-Shaw

Function & Service	Lead Officer	Overview & Scrutiny Committee*
Planning	SD Place	Regeneration & Environment
Transportation & Highways	SD Place	Regeneration & Environment
Asset & Facilities Management	SD Corporate Resources	Regeneration & Environment Corporate
Parking – Strategic Policy	SD Place	Regeneration & Environment
Economic Development	SD Place	Regeneration & Environment
CRUVL (Canal Road Urban Village)	SD Place	Regeneration & Environment
Housing & Homelessness (excluding Energy Centre)	SD Place	Regeneration & Environment
Markets	SD Place	Regeneration & Environment
Digital	SD Corporate Resources	Corporate Regeneration & Environment

*Only the lead committee is indicated, others may have a legitimate interest.

5. Children & Families – Cllr Sue Duffy

Function & Service	Lead Officer	Overview & Scrutiny Committee*
Children's Specialist Services	SD Children & Families	Children's Services

	Young People	
Early Help	SD Children & Young People	Children's Services
Children's Governance	SD Children & Young People	Children's Services
Living Well	Director of Public Health	Health & Social Care
Child Friendly City	Director of Public Health	Children's Services
Executive Lead on Anti-Poverty	SD Corporate Resources	Corporate

6. Neighbourhoods and Community Safety – Cllr Abdul Jabar

Function & Service	Lead Officer	Overview & Scrutiny Committee*
Community Cohesion & Equalities	SD Place	Corporate
Emergency Planning	SD Place	Corporate
Voluntary & Community Sector Strategic Support	Chief Executive	Corporate
Neighbourhood Services (Excluding Street Cleansing)	SD Place	Corporate
Parking – Operational Issues	SD Place	Regeneration & Environment
CCTV	SD Place	Corporate
Licensing & Land Charges	SD Place	Corporate
Voluntary Sector Services Commissioning - Advice	SD Place	Corporate
Youth Justice	SD Children & Young People	Children's Services
Youth Service	SD Place	Children's Services
Community Safety Partnership	SD Place	Corporate

*Only the lead committee is indicated, others may have a legitimate interest.

This page is intentionally left blank



Report of the Strategic Director Children's Services to the meeting of Executive to be held on 7 June 2022

Subject:

A

Fostering Fees for Bradford Foster Carers

Summary statement:

This report outlines proposals regarding fostering fees paid to foster carers. The report details proposals for changes to the schedule of allowances for foster carers approved by City of Bradford Metropolitan District Council. These revisions will ensure equality and fairness across all approved foster carers, competitive rates of remuneration for recruitment and retention of carers and a clear process for progression through the skill levels. We have ensured that no existing foster carer will experience financial loss as a result of these proposals. A draft Policy is annexed to this Report.

Recommendations

The Executive is invited to:

- (1) Note this Report and to approve the implementation of the scheme, set out in the annexed Foster Carer Payments Policy, with immediate effect; and
- (2) Authorise the Strategic Director of Children's Services to receive and, in consultation with the Foster Carer Association, consider feedback on the Policy quarterly during the first 12 months of its operation, and to decide in the light thereof, together with any other considerations including equality impact assessment, whether to continue operation of the Policy in its current form or refer it back to the Executive for further consideration and modification.

Marium Haque
Strategic Director Children's Services

Portfolio:

Children and Families

Report Contact: John Heron
Phone: (01274) 43
E-mail: john.heron@bradford.gov.uk

Overview & Scrutiny Area:

Children's Services

1. SUMMARY

- 1.1 This paper makes five proposals regarding the professional fees paid to foster carers.
- 1.2 The first regards the payment of 'Professional Fees' to Family and Friend foster carers.
- 1.3 The second concerns the introduction of an 'Entry Level' foster carers professional fee payment to be paid to all newly approved foster carers.
- 1.4 The third proposal is to introduce a standard process for foster carers wishing to progress through the professional fee levels.
- 1.5 The fourth proposal is to recommend the development of a 'specialist fostering' skills level 4 in order to provide robust and tenacious foster homes for children with complex needs.
- 1.6 The fifth proposal regards the application of a 'no financial detriment' policy for foster carers wishing to provide care under a Special Guardianship Order (SGO) or Staying Put arrangement.

2. BACKGROUND

- 2.1 One of the most important jobs any local authority does is to look after children and young people who are not able to be cared for safely within their immediate birth family. For many children and young people in this situation this will mean that they will live with a foster family who they did not know before they were cared for by the local authority. For others, this will mean that arrangements are made by the local authority for them to live with extended family members, friends or other people they do already know. In these circumstances these people will be approved as local authority 'family and friends' foster carers.
- 2.2 Of the 1389 children and young people that were in care on the 30th November 2021, 916 were living with foster carers. Of these, 370 were living with mainstream in-house foster carers, 371 were living with family and friends (connected Person's) foster carers and 175 were living with foster families commissioned from Independent Fostering Agencies (IFA's).

Foster Carer Type	Number of Children Placed
Mainstream	370
Family or Friends	371
IFA	175
Total	916

Number of children and young people living with foster carers (Nov 2021)

- 2.3 In order to provide foster care that is safe, secure and robust, foster carers require support. This report considers the financial support given to Bradford Council Foster Carers and makes recommendations to improve this support while remaining competitive in the market.
- 2.4 In line with most other local authority fostering services Bradford Council foster carer payments are made up of two separate elements, the 'maintenance allowance' and a 'professional fee' (also known as a 'payment for skills fee').

2.5 Maintenance Allowance

- 2.5.1 The maintenance allowance is the amount paid to all foster carers to cover the day-to-day expense of looking after a child in care. The amount paid by fostering agencies for this element of the foster carer's payment package is guided by the DfE who annually publish guidance on what the 'minimum weekly maintenance allowance' should be. DfE rates take in to account the cost of living in three different areas of the country, London, the South East and the rest of the country. Bradford identifies with 'the rest of the country'. Maintenance allowance payments are graduated depending on the age of the child. Please see the table below.

Bradford Council/DfE recommended weekly allowance	Age 0 -4	Age 5 - 10	Age 11 -15	Age 16 -17
	£138	£152	£173	£202

Weekly Maintenance Allowances 2021/22

2.6 Professional Fees

- 2.6.1 The second element to make up the foster carer's payment package is the professional fee. This is often referred to as the 'skills payment' and is paid to recognise the foster carers time, skills, training and experience.
- 2.6.2 In Bradford professional fees are paid in three main 'skills levels'. Unlike the DfE recommended maintenance allowance rates, skills payments are not paid dependent on the age of the child. They are paid across the age bands. The full fee is paid for the first child and an extra 50% is paid for subsequent children. Please see the table below for the current fees paid by Bradford.

Weekly Fostering Carer Fee Rates			
Level	1 Child	2 Children	3 Children
Level 1	£144.16	£216.24	£288.32
Level 2	£204.20	£306.30	£408.40
Level 3	£290.72	£436.08	£581.44
Level 4	£468.47	Complex and Specialist Placements	

- 2.6.3 A fourth skill level currently exists and is paid only to a very small number of foster carers, (5). These payments are being paid to Mockingbird Hub carers, a PACE Carer, carers from a previous scheme and to carers where these payments have been negotiated for specific children.
- 2.6.4 Although all mainstream foster carers receive a professional fee, these payments have not routinely been made to Bradford's Family and Friend foster carers. The table below shows the number and type of foster carers paid at each level.

Skills Level	Mainstream Foster Carers	Family and Friend Foster Carers
Level 0	0	176 (including temporary approved - reg 24)
Level 1	40	53
Level 2	34	8
Level 3	172	3
Level 4	5	0

Number of Foster Carers within each skills level at November 2021.

2.7 Additional Allowances

2.7.4 Foster carers receive additional financial support. This includes;

- Birthday, holiday and religious festival payments equal to 4 x the weekly fostering maintenance allowance per annum. The amount paid is dependent on the age of the child.
- Up to 4 weeks per annum skills payments for respite.
- Up to 12 weeks paid retainer set at the foster carers skills fee level once a child has left the fostering household. However, if no children are placed within the first 6-week period the retainer is reduced by 50%. If no child is placed within a further 6-week period, the retainer payment is ceased.
- Exceptional travel expenses
- Discretionary payments i.e., school uniform and initial clothing allowances. School trips etc.

2.8 Regional Comparisons

2.8.1 Compared to our regional neighbours of Leeds, Kirklees, Calderdale and Wakefield, Bradford has the most generous financial support offer for foster carers. Please see the tables below showing the skills payments paid by these local authorities.

Leeds					Kirklees				
Level	1 Child	2 Children	3 Children	4 Children	Level	1 Child	2 Children	3 Children	4 Children
1	No Fee				1	£100	£160	£220	£280
2	£122.41	£122.41	£183.61	£244.81	2	£125	£185	£245	£305
3	£173.42	£173.42	£260.12	£346.83	3	£175	£235	£295	£355
4	£224.42	£224.42	£336.63	£448.84	4	£225	£285	£345	£405

Wakefield					Calderdale				
Level	1 Child	2 Children	3 Children	4 Children	Level	1 Child	2 Children	3 Children	4 Children
1	£50 entry level				1	No Fee Payment for the first 6 months for a new carer			
2	£125	£175	£200	£225	2	£138.74			
3	£225	£300	£350	£400	3	£227.76			
4	By Application & Assessment				4	£386.54			

2.9 Areas for Improvement

2.9.1 Notwithstanding the above, there are some areas regarding Bradford Councils financial support offer to foster carers which need further attention. In particular, this report considers:

- a) Financial support offered to Family and Friend foster carers.
- b) The payment of a new Entry Level professional fee for all newly approved foster carers.
- c) The process by which foster carers can progress through the skills levels
- d) The development of the Specialist Foster Carers level 4.
- e) Payment to Special Guardianship Carers

2.9.2 We need a foster Carer Financial Support Package that is:

- Compliant with Legislation and Guidance
- Fair and equitable for all Bradford foster carers
- Easy to understand and explain
- Attractive and competitive within the fostering market place in order to attract new carers and retain existing carers

3. OTHER CONSIDERATIONS

3.1 A) Payment of Professional Fees to Family and Friend Foster Carers

- 3.1.1 The “professional” expectations in respect of foster carers applies equally to all, irrespective of the type of foster care being provided, i.e., mainstream, long-term, short-term, short breaks family and friends etc. Foster carers are expected to work closely with the Child’s Social Worker to ensure the care plan for the child is being delivered. This will involve the child’s social worker making regular visits to the foster home. The foster carers are required to attend care planning and review meetings, statutory medical assessments, liaise with school, Personal Education Planning (PEP) meetings etc. and where appropriate facilitate ‘family time’ (contact). In addition, all the foster carers are allocated their own Supervising Social Worker and this entails attendance at a range of other professional meetings, e.g., supervision meetings, training and development meetings, support groups etc. All foster carers, including those temporarily approved under Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010 are expected to undertake the same level of daily recording and reporting.
- 3.1.2 This being the case, Fostering National Minimum Standards (England) 2011, the Statutory Guidance, Volume 4 Children Act 1989 (5.57) and Family and Friends Care: Statutory Guidance for Local Authorities, state that foster carers should be treated on an equitable basis specifically in terms of fostering payments. This is further underlined by various court judgements, e.g. R (L) v Manchester City Council [2002] 1 FLR 43, and R (X) v London Borough of Tower Hamlets [2013] EWHC 480; [2013] EWCA Civ 904).
- 3.1.3 Bradford’s foster carers current payment system is not consistently applied and to date there has been a lack of clarity regarding the payment of professional fees to Family or Friend foster carers, and this lack of consistency has led to dissatisfaction amongst some foster carers.
- 3.1.4 It is not the case that no family and friend foster carers are paid a professional skills based fee. As at December 2021, there were 80 Family and Friend fostering households who did receive a professional fee.
- 3.1.5 Of the 80 households mentioned, there are: 61 family and friend fostering households (caring for 99 children) that are being paid level 1 fees; 7 family and friends foster carers (caring for 11 children) being paid level 2 fees; and 5 Family and friend foster carers (caring for 8 children) being paid level 3 fees. The current annual budget for family and friends foster carers professional fees is set at £242,800.00. However, the current cost of the 80 family and friends fostering skills fee is £793,534.56, a budget pressure of £550,733.68pa. If the remaining Family

and Friends fostering households were also paid level 1 fees, that budget pressure would rise by a further £1,682,923.84 per annum.

4. FINANCIAL & RESOURCE APPRAISAL

Finance aspects as covered in the report.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

The current position places the Council in at a level of risk in relation to both foster carer dissatisfaction, and legal action. The proposed course of action will operate to significantly reduce that level of risk for the future.

6. LEGAL APPRAISAL

It is clear that the Council must operate within the legal framework of legislation, guidance and established case law. The proposed policy changes would ensure that the Council's future legal risk is minimised, and will provide a sound policy footing for future work, whilst also ensuring the Council remains both fair and competitive in relation to foster care payments. Legal advice, including advice from Counsel, has been given to officers in the preparation of this Report and the accompanying draft Policy.

7.5 TRADE UNION

Consultation with Trade Unions will take place as appropriate.

7.6 WARD IMPLICATIONS

There are no specific ward implications arising from this report.

7.7 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

These proposals are of critical importance from the perspective of our responsibilities as a corporate parent. We need to be able to provide a breadth and depth of local placement options for our looked after children and this is best served by developing our in-house fostering capacity.

8. NOT FOR PUBLICATION DOCUMENTS

8.1 None.

9. OPTIONS

9.1 This report details proposals for changes to the schedule of allowances for foster carers approved by City of Bradford Metropolitan District Council. These revisions will ensure compliance with legislation and guidance, equity across all approved foster carers, competitive rates of remuneration for recruitment and retention of carers and a clear process for progression through the skill levels. The proposals also provide encouragement and support to foster carers wishing to provide care through an SGO. We have ensured that no existing foster carer will experience

financial loss as a result of these proposals.

9.2 Proposal 1: Payment of Professional Fees to Family and Friend Foster Carers

It is Proposed that;

9.2.3 Bradford Council puts in place a foster carer payments policy which is compliant with Legislation and Guidance and does not discriminate between non-related and related foster carers.

9.2.4 Bradford Council immediately commences making the appropriate level of professional fee payments to all existing Family and Friend foster carers who do not receive such payments and 'Entry Level Fees' (please see proposal B below) to all newly approved foster carers approved after the implementation date of the policy in line with Mainstream fostering going forward. This will ensure Bradford is fully compliant with Legislation and Guidance.

9.3 **B). £100.00 'Entry Level' skills fee payment for all new Foster Carers.**

9.3.1 Bradford currently pays considerably higher professional fees to Mainstream and some Family and Friends foster carers than other LAs in the sub-region. For example, the comparative fee for Level 1 foster carers is as follows:

Comparative table showing Level 1 payments by authority

Authority	One Child	Two Children	Three Children
Bradford	£144.16	£211.98	£282.64
Calderdale	No Fee Payment for first 6 month for a new carer		
Kirklees	£100	£160	£220
Leeds	No Fee Payment for Level 1 Carer		
Wakefield	£50 Fee Payment for Level 1 Carer		

9.3.2 In order to mitigate some of the cost of paying professional fees to all foster carers, a new 'Entry Level' fee should be introduced. Under this scheme new foster carers would be recruited at an Entry Level professional fee of £100 per week, saving £44.16 (31%) against the current Level 1 payment.

9.3.3 Even with the introduction of a £100.00 'Entry Level' payment in Bradford we will remain the highest payer in the region in relation to initial skills fee payments. Only Kirklees will match our initial skills payment. Our payments at all other levels would remain significantly higher than our local authority peers. Our Level 1 payment will remain higher than our neighbouring authorities Level 2 payments. The impact on our ability to recruit and retain foster carers should be unaffected. (Please see the table below and the regional comparison table on page 3 above).

Bradford			
Level	1 Child	2 Children	3 Children
Entry Level	£100.00	£150.00	£200.00
1	£144.16	£216.24	£288.32
2	£204.20	£306.30	£408.40

3	£290.72	£436.08	£581.44
4	£468.47	Complex & Specialist Placements	

- 9.3.4 The entry level fee of £100.00 per week will be applied to all newly approved foster carers from the date of implementation of the policy. However, if the prospective foster carer is able to demonstrate additional skills and/or related experience against certain criteria as set out in the skills progression process below they would be eligible to be appointed at a higher skills level. Such applicants may include Children's Residential Workers, Teachers, Therapists or foster carers transferring from an Independent Fostering Agency.
- 9.3.5 The introduction of a new fees level and calling it 'Entry Level' differentiates the new payment and avoids two different payment rates being called level 1. It also maintains and protects the current fee for those family and friend's carers who are already in receipt of level 1 fees.
- 9.3.6 All Bradford foster carers who are not currently in receipt of a weekly skills payment would start to receive it. These foster carers would experience an increase in their weekly household income of at least £144.16 per week.
- 9.3.7 No foster carers will experience a reduction in their household income.
- 9.3.8 The routine introduction of the £100pw skills payment is likely to encourage more family members and friends to become carers for children within their family or friends network thus reducing pressure on mainstream foster placements and carrying an obvious benefit for the children concerned.
- 9.3.9 Foster carers will be encouraged to take up training and development opportunities in order to enhance their knowledge and fostering skills in order to move up through the skills levels.

9.4 Proposal 2: Introduction of Entry Level Professional Fee Payments

- 9.4.1 It is proposed that a new Entry Level Professional Fee is introduced as described above. This will be set at £100 per week for all new foster carers including Mainstream and Family and Friend foster carers. This represents a 31% per week saving against the current Level 1 payment. Set at this level, Bradford's Fostering Service remains highly competitive within the West Yorkshire region. It is also compliant with the Legislation and Government Guidance.

9.5 **C). Foster carers Skills Progression Procedure.**

- 9.5.1 Like most local authorities Bradford has a fostering payment for skills scheme, (otherwise known as professional fee payments). The advantages of such schemes are that foster carers are incentivised to undertake training and develop their experience, which enables the fostering service to match children and young people with differing levels of need with well trained, high quality foster homes. Children and young people with more complex needs are placed with foster carers with the higher skills levels. The emphasis is upon the foster carer's skills and experience rather than on the child, thus avoiding labelling the child.

9.5.2 Bradford's current Foster Carers Payment for Skill fees are set out in the table below:

Bradford Skills Level Fees 2021/22			
Level	1 Child	2 Children	3 Children
1	£144.16	£216.24	£288.32
2	£204.20	£306.30	£408.40
3	£290.72	£436.08	£581.44
4	£468.47	Complex & Specialist Placements	

The table below shows the number of fostering households in each skills level:

No of Foster Carers in each skills level December 2021	
Family and Friend Foster Carers who do not currently receive a fee payment	176
Level 1	93
Level 2	42
Level 3	175
Level 4	5

9.5.3 Bradford's current fostering payment for skills scheme has 4 levels. 176 Family and Friend fostering households do not receive a skills level payment, (Please see section A above).

9.5.4 Five foster carers receive level 4 skills fees. These foster carers are being paid this level include Mockingbird Hub Carers, PACE (Alternative to custody/remand), legacy payments from a previous scheme or they have been negotiated for specific placements.

9.5.5 There is currently no agreed or clear process by which foster carers can progress through the skills levels. A number of carers have requested progression but decision making has often been significantly delayed. Where decisions have been made they have often been ad hoc or made in an effort to secure foster placements at risk of disruption. This is inequitable and unfair.

9.5.6 The Fostering National Minimum Standards requires that the fostering agency provides a clear and transparent written policy on payments to foster carers that sets out the criteria for calculating payments and distinguishes between the maintenance allowance and any fee paid.

9.5.7 Principles for a Skills Fee Progression Scheme

Any process that is put in to place should apply equally to all foster carers and be clearly defined and easily understood. Each level needs to have identified criteria which must be evidenced before progression can take place. Once evidenced the process for decision making should be responsive and as simple as possible.

The progression scheme should provide foster carers with encouragement to develop their knowledge and skills in relation to providing high quality foster care. It should provide a 'career pathway' for foster carers to progress through the levels if they wish to do so. Foster carers skills, experience and training should be

recognised and properly regarded and this should be reflected in their fees as they progress.

Approval for progression will depend on;

- The carer's assessed core skills
- The experience the foster carer brings to Fostering
- The training that has been undertaken

The fostering service should work closely with foster carers to ensure that they are well supported to achieve and maintain progression to the next level. This will include the provision of supervision, support groups and working with foster carers to develop a personal development training plan.

Foster carers, particularly those at levels 3 and 4, should have a responsibility to demonstrate continuous development through training and taking placements that reflect the skills level achieved by the carer. Should a foster carer wish to return to a previous skills level this can be agreed with their Supervising Social Worker. However, should they persistently fail to attend necessary support groups and/or training, or consistently refuse to provide care for children and young people within their skills set they may be returned to the previous skills level following assessment by the Supervising Social Worker and agreement from the Service Manager.

The new Fostering Payment for Skills scheme would consist of 5 levels. This would include the introduction of a new 'Entry Level' for new foster carers as described above in section A. It would also increase and develop the use of level 4 to include a range of specialist foster placement types. These include, the PACE placements (Police and Criminal Evidence, remand/alternative to custody), Parent and Child assessments, Mockingbird Hub Carers and Carers for children with complex needs.

9.5.8 Payment Rates

With the exception of the introduction of the new Entry Level fee all skills fee will remain the same as they are now.

Proposed fostering Payment for Skills Levels			
Level	1 Child	2 Children	3 Children
Entry Level	£100.00	£112.50	£150.00
1	£144.16	£216.24	£288.32
2	£204.20	£306.30	£408.40
3	£290.72	£436.08	£581.44
4	£468.47	£702.70	£936.94

Entry Level:

Entry Level carers would receive a skills fee set at amount of £100.00 per week plus an additional £50.00 for each additional child.

This level is our entry level to foster care. Most carers will join the Service at this level before they are able to demonstrate the competencies needed to progress through to a higher level.

Level 1:

Level 1 foster carers will receive £144.16 per week plus £72.08 per additional child.

Level 2:

Level 2 foster carers will receive £204.20 per week plus £102.10 per additional child.

Level 3:

Level 3 foster carers will receive £290.72 per week plus £145.36 per additional child

Level 4:

Level 4 foster carers will receive £468.47 per week plus £234.24 per additional child. The number of children placed with level 4 foster carers will require very careful matching and would not usually exceed 2 placements.

9.5.9 Competency Guide

All foster carers will be assessed against an Accreditation Framework relevant to their skills level. Evidence can be drawn from foster carers annual reviews, training record and other feedback received. As Foster Carers progress through the Framework, they are expected to have met the attributes of the previous skill level and they must have begun to address the requirements of the new skill level.

9.5.10 Route for Progression

Most new foster carers will be approved at level 'Entry Level'. Sufficient evidence for approval at this level will be provided through the process of the prospective foster carer's application, assessment and subsequent Agency approval.

Some prospective foster carers may have significant experience of providing child care or possess other transferable skills from other settings and have relevant qualifications. In these circumstances it may be possible for a new foster carer to be approved at a higher skills level provided they are able to provide evidence that they can meet the criteria for that level.

Foster carers who are seeking an initial approval at level 4 must be able to evidence considerable experience and skills within a related field. For example, foster carer transferring to the local authority from an IFA, Residential Worker, Youth Justice Worker etc. In addition to this the prospective level 4 foster carer must attend an interview with the fostering service manager and residential fostering manager.

Any agreement for a prospective/newly approved carer to start at a higher skills level will be agreed by a fostering Service Manager.

The fostering service will be responsible for ensuring that foster carers are given sufficient support and encouragement towards professional development through the provision of training opportunities commensurate with the skills level required. Supervising Social Workers will also work with their foster carers to produce a personal development plan.

Foster carers can request that they are progressed to the next skills level at any point in the year and does not have to wait for the foster carers annual review. However, foster carers are required to have completed the Training Support and Development Standards (TSDS) workbook at least within a year (18 months in respect of Family and Friends Foster Carers) of initial approval before progression and any other mandatory training courses relevant their current skills level.

In order to progress for each of the skills payment levels, foster carers will need to demonstrate that they have met the competencies for the level they are on and have begun to address the requirements of the next skills level. This will be done by the foster carers completing a self-assessment evidencing how they have met the relevant competences. This should be discussed with the Supervising Social Worker in supervision and signed and dated as each competency is completed.

The supervising social worker should also request testimonials from other professionals regarding the care given or training received. Testimonials can be provided by the Childs Social Worker, Independent Reviewing Officer, School, other foster carers etc. Feedback documents produced by these professionals for the purpose of the foster carers annual review can be used for this purpose rather than duplicating work.

The completed form should then be returned to the Supervising Social Worker who will comment on the outcomes of any allegations or complaints against the foster carer in the last year. They will also note any compliments or commendations received by the carer and summarise the testimonials received. The Supervising Social Worker will then make their recommendations and give their reason for their recommendation and pass the assessment to the Team Manager for quality assurance.

The Team Manager will in turn make a recommendation and pass the assessment to the Fostering Service Manager for the final decision

The Service Manger will record their decision and their reason for it on the assessment form. This will then be communicated to the Supervising Social Worker and Foster Carer Payments team. The Supervising Social Worker will inform the Foster Carer.

In the case of a foster carer wishing to progress to level 4, they must additionally attend an interview with the Fostering Service Manager and Residential Service Manager.

Should the Service Manager decide not to progress a foster carer to the next skills level the foster carer can make representations within 28 days of the decision to the Head of Service responsible for the fostering service. The decision will then be reviewed by the Head of Service and a final decision made.

In the case where the service is considering stepping down a foster carer from a skill level to a lower level, the supervising social worker should discuss this with the foster carer in the first instance. Where there is no improvement the supervising social worker should complete the payment for skills level self-assessment form

with the foster carer for the level the foster carer is currently on. This should then be presented to the Team Manager for QA and recommendation and passed to the Service Manager for the decision.

Should the foster carer disagree with the decision they can make representations to the service within 28 days of the decision being made. The decision will then be reviewed by the Head of Service and a final decision made.

This system will provide a clear process and 'career pathway' for foster carers wishing to progress and develop their skills.

The process puts the onus on the foster carer to demonstrate the skills they have developed. It is a straightforward process with decision making held within the service. It is also compliant with the National Minimum Standards. It does not rely on either the fostering panel or a progression panel. This process should therefore make it a responsive system.

This scheme has a process to allow foster carers to step down if they wish. It also provides a process to return a foster carer to a previous level if they are not operating at the skills level they are currently on.

The process should reduce the number of complaints from foster carers wishing to progress and will be compliant with the Legislation and Guidance.

9.6 Proposal 3: Implementation of the Foster Carers Skills Progression System

9.6.1 The scheme as described above presents foster carers who want career progression with a clear career pathway. It provides a simple process for decision making and does not make additional demands on business support. The process is clear and complies with the Fostering National Minimum Standards.

9.6.2 It is proposed that this scheme is implemented within the fostering service.

9.7 D) The development of the Specialist Foster Carers level 4.

9.7.1 As mentioned elsewhere in this report, Bradford Fostering Service does already have a level 4 skills payment level. Currently there are just 5 fostering households that are paid at this level. One is providing an emergency PACE bed, one is a Mockingbird Hub Carer, the others are either legacy payments from a previous fostering scheme or are the result of negotiations to secure specific placements for young people with complex and additional needs.

9.7.2 The proposal is to extend level 4 payments to a range of foster carers to include PACE placements (Police and Criminal Evidence, remand/alternative to custody), Parent and Child parenting and family assessment placements, Mockingbird Hub Carers and a small group of specialist foster carers for children and young people with complex needs who would otherwise be placed within therapeutic residential placements. This would enable the fostering service to develop these services and achieve

9.7.3 If the number of level 4 foster carers was extended from the current 5 to 20 the

additional cost would be £365,406.60. However, savings could be realised against spend on expensive residential placements. The average external residential placement costs Bradford £4,246.00 per week or £220,792.00 per year. The cost of providing an in-house level 4 foster placement for a 16-year-old (including the maintenance allowance) would be £670.47 per week or £34,864.44 per year, a potential saving of £185,927.56 per placement per year.

9.7.4 Foster Carer Support

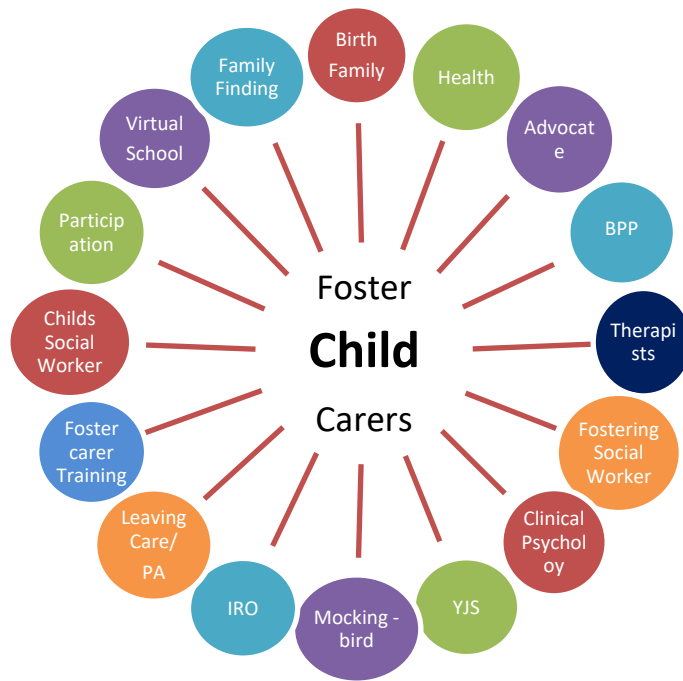
However, increasing the skills levels payments to foster carers will not in itself increase placement stability and foster carers ability to provide safe, warm, loving, robust and tenacious foster families for those children who desperately need them. Foster carers need additional training and support.

At the current time training and development opportunities for foster carers is limited. There is no identified or dedicated budget for foster carer training. Foster carers are accessing free on-line training through the Training Hub. This is not satisfactory. The Fostering National Minimum Standards require fostering services to ensure that a clear framework of training and development is in place and this is used as a basis for assessing foster carers performance and identifying their training and development needs.

Like other local authorities Bradford has previously invested in and implemented a trauma informed practice approach which includes Dyadic Development Practice (DDP - including PACE Playfulness, Acceptance, Curiosity and Empathy) and relationship based practice as the model of delivery. Although Bradford adopted this systemic practice approach, it is currently not clearly defined or understood. Many staff who have been trained in this approach have left the council.

DDP works well as a therapeutic approach for families who care for fostered children who had experienced neglect and abuse in their birth families and suffered from significant developmental trauma. As the preferred approach, it recognises the importance of the relationships between the foster child and their foster carers and is based on attachment theory, the impact of developmental trauma and child development. It is recommended that Bradford reinvigorates this approach.

Additionally, research evidences the significant benefit of collaboration between partner agencies who provide a range of interlocking services. If support and intervention to foster carers and children is provided in a timely cohesive manner, placement and school stability is greatly improved. It is therefore important to establish a 'Team around the Child' approach.



The 'Team around the Child' is a virtual team. Not every child or young person will need every part of the service all at once. When a child or young person moves to a foster carer home, the 'Team around the Child' approach ensures that the appropriate people and services are available as and when required. This will be identified through the placement referral and planning stages for each child.

The fostering service should work to further develop these relationships with partner agencies to strengthen foster carer support. This will benefit foster children and provide for greater placement stability. It will also help to make Bradford the fostering agency of choice for prospective foster carers.

9.8 Proposal 4: Expansion of Skills Level 4

- 9.8.1 Bradford Fostering Service proposes to further develop and extend the use of level 4 payments in order to provide a pool of experienced and highly skilled foster carers able to provide foster families for children with additional and complex needs who may otherwise be accommodated within residential care. In addition to the 5 fostering households already in receipt skills scheme is extended initially for up to a further 20 households and that the range of specialist foster placement to include 2 x Pace Carers, 2 x Mockingbird Hub Carers, 2 x Parent and Child Assessment Cares and 14 x Complex Needs Carers.
- 9.8.2 It is also proposed that Bradford council should set aside a specific training budget and a training officer for the fostering service. This would include a training officer post which would collate foster carers training needs, develop or source appropriate training courses or material, publish an annual training calender and deliver foster carer training as required. The cost of a PO3 Training Officer would be £52,000 pa. This figure includes all on costs.
- 9.8.3 Bradford fostering service should reinvigorate the DDP therapeutic approach, particularly with level 4 foster carers in the first instance.

- 9.8.4 The service should also work to establish closer working relationships with partner agencies to develop the team around the child approach.

9.9 **E) Financial Support for Special Guardians**

- 9.9.1 A special Guardianship order (SGO) can offer a child greater security without the absolute severance from the birth family as in adoption. Special Guardians play a positive role in providing nurture and care to a child who is unable to reside with their birth parents. Special Guardianship provides children with security throughout their childhood and beyond and can be a successful and more realistic option for a child who requires permanence and stability but for whom severance of ties from birth family is not an option. In these circumstances a SGO can be a positive alternative to long term fostering for children in care. For this reason, all foster carers considering offering long-term care are encouraged to consider offering Special Guardianship to the child(ren) they are looking after.
- 9.9.2 Once a Special Guardianship Order is made it discharges the Care Order in respect of the child and the child is no longer 'in care'. Special Guardians acquire Parental Responsibility at the point of the SGO being made. This is shared with the child's parents, however, the Special Guardian has the ability to exercise this responsibility without seeking permissions from the parents.
- 9.9.3 As such, the involvement of social workers and fostering services is reduced to a minimum. This represents financial saving to the local authority in terms of Social Work, Independent Reviewing Officer and Fostering Social Worker resources.
- 9.9.4 Government Guidance states that Special Guardianship arrangements should not fail just because of financial problems. Financial support should be paid to help secure a suitable arrangement where this would otherwise not be possible because of a financial obstacle.
- 9.9.5 Many foster carers may wish to apply for a SGO in respect of the children they are caring for but would be financially prevented from doing so if this meant that they would lose the support of the fostering allowances. For these reasons, Bradford Council proposes to align the SGO Financial Support policy with our West Yorkshire neighbouring authorities in implementing a 'no detriment financial policy' for foster carers who wish to provide Special Guardianship for the children they care for. Under this policy, former foster carers providing care to these children would continue to receive payments in line with the fostering allowances minus any benefits which they become entitled to. This would usually include child benefit and tax credits.
- 9.10 **Proposal 5: No Detriment SGO Payments for Former Foster Carers**
- 9.10.1 It is proposed that Bradford Council introduces a 'No Financial Detriment SGO' policy to support foster families wishing to provide care under an SGO. This will allow such foster families to claim these children and provide permanent, stable and caring homes with minimal involvement of children's services. Whilst providing a more normal childhood experience for the child and family this will represent savings for the local authority. This will also align Bradford's policy with our neighbouring West Yorkshires authorities.

10. RECOMMENDATIONS

10.1 The following recommendations are made:

10.2 Regarding Proposal 1 above.

That the proposal to put in place a Foster Carers Payments Policy which is compliant with all current Legislation and Guidance is approved.

That the proposal to commence immediately making an appropriate level of Professional Fee Payments to all existing Family and Friend foster carers who do not receive such payments and 'Entry Level Fees' of £100.00 per week to all newly approved foster carers approved after the implementation of the policy in line with Mainstream foster carers going forward is approved.

10.3 Regarding Proposal 2 above

That a new 'Entry Level' skills payment of £100.00 per week is introduced and applied to newly approved foster carers in line with the Foster Carers Payments Policy is approved.

10.4 Regarding Proposal 3 above

That the foster carers Payment for Skills Progression Scheme is approved.

10.5 Regarding Proposal 4 above

That the use of level 4 payments is extended in order to provide a pool of experienced and highly skilled foster carers able to provide foster families for children with additional and complex needs who may otherwise be accommodated within residential care is approved.

That a budget is identified to provide foster carers training and appoint a training officer to collate foster carers training needs, develop or source appropriate training courses or material, publish an annual training calendar and deliver foster carer training as required is approved.

10.6 Regarding Proposal 5 above

That the proposal that Bradford Council introduces a 'No Financial Detriment' Special Guardian Order policy to encourage, support and financially enable foster families wishing to provide care under a SGO to do so is approved.

10.7 The formal recommendations to the Executive are set out at the beginning of this Report.

CONSULTATION AND PUBLIC SECTOR EQUALITY DUTY

The Council intends to invite feedback from foster carers, directly and/or through their Supervising Social Workers, and from any other interested parties, during the

first twelve months of its operation. Contact details are contained in the Policy document and will be available to all service users. Whilst the Policy will be considered to be at a formative stage throughout this twelve-month period, in that the Strategic Director of Children's Services could seek to refer the policy back to Executive for further consideration, modification, or even discontinuance, operational experience during this period is expected to provide sufficient information to foster carers and others to enable them to give intelligent consideration to the Policy and to make their views known. Twelve months is considered to be adequate time for this. Consideration, in consultation with the Foster Carers Association, will be given to the consultation responses on a quarterly basis before a decision is made as to whether to continue with the Policy or to refer it back to the Executive.

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to— (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics include age, disability and sex.

At this stage it is considered unlikely that there will be any adverse impacts on the protected groups (including children, single parents and disabled persons) of the proposed changes since the present rates are being maintained for all those who currently receive them and those rates will be extended to Family and Friends Foster Carers. There is some potential for negative impact on protected groups due to the proposed introduction of the Entry Level tier of professional fees and the criteria for progressing through the various tiers and this will be monitored carefully during the initial twelve-month period together with any other actual or potential impacts. A fuller impact assessment will be carried out at the six-month review stage based upon all the information before the Council at that time including feedback from foster carers and others.

BACKPAYMENTS

This Report makes no proposal for the making of back payments of professional fees to Family & Friends Foster Carers. The legal advice received is that there is no statutory duty to make such payments and any common law entitlement to restitution rests on what a court would consider to be "just".

11. APPENDICES

11.1 Payments to Foster Carers Policy.

12. BACKGROUND DOCUMENTS

12.1 None.

PAYMENTS TO FOSTER CARERS

Key legislation, guidance & case law

Care Standards Act 2000
Children Acts 1989 & 2004
Children & Young Persons Act 2008
Local Authorities Social Services Act 1970
Equality Act 2010
Care Planning, Placement & Case Review (England) Regulations 2010 ("2010 Regulations")
Fostering Services (England) Regulations 2011 ("2011 Regulations")
Children Act Guidance
National Minimum Standards for Fostering Services
Family & Friends Care: Statutory Guidance for Local Authorities
R (X) v Tower Hamlets LBC [2013] EWHC 480 (Admin); [2013] EWCA Civ 904

Applies to:

Foster Carers approved under reg. 27 of the 2011 Regulations;
Foster Carers temporarily approved under reg. 24 of the 2010 Regulations.

Commencement date: 8th June 2022

First scheduled review 1st April 2023

INTRODUCTION

1.1 This policy supersedes and replaces with effect from the above commencement date all previous policies on the provision of payments to persons approved by Bradford Council ("the Council") as foster carers in accordance with reg. 27 of the 2011 Regulations, or temporarily approved under reg. 24 of the 2010 Regulations. It applies to both unrelated ("Mainstream") and related ("Family or Friends") foster carers and to both long-term and short-term placements. This policy does not apply to foster carers commissioned from Independent Fostering Agencies who will have their own foster carer policies and procedures in place.

1.2 This policy also provides internal guidance for Council officers and others as to payments to foster carers.

1.3 In formulating this policy the Council has had due regard to, and intends to continue to have due regard to, its public sector equality duties under the Equality Act 2010.

1.4 This policy will be reviewed by 1st April 2023. In the meantime, the Council intends to consult with foster carers and other interested parties in order to decide whether and if so how the policy should be modified to better suit the needs of those to whom it applies and/or is intended to benefit, having regard to all relevant matters including the performance of this policy; the availability of resources and the Council's duties under the Children Acts. Further equality impact assessment will be undertaken based upon such consultation.

1.5 The Council invites feedback on the operation of this policy and any views or comments should be addressed either to the Supervising Social Worker (“SSW”) or John Heron Fostering Service Lead. All such feedback will be taken into account when the policy is reviewed.

PAYMENTS

2.1 This policy applies to three types of payment: “maintenance allowance”; “professional fee” and “additional allowance”. The maintenance allowance is graduated according to the age of the child and is based upon the DfE recommended weekly allowance. It is subject to periodic review in accordance with the National Minimum Fostering Allowance.

2.2 The professional fee (sometimes referred to as the “skills fee”) is a reward payment based upon a tiered professional development programme with provision for movement between tiers. The full fee is paid for the first child and an extra 50% is paid for each subsequent child.

2.3 The additional allowance is paid on a case-by-case basis.

2.4 All three categories of payment are available to all types of foster carers.

2.5 The current rates are as follows:

Maintenance Allowance

Age 0-4	Age 5-10	Age 11-15	Age 16-17
£138	£152	£173	£202

Professional Fees

Level	1 Child	2 Children	3 Children
Entry Level	£100.00	£150.00	£200.00
1	£144.16	£216.24	£288.32
2	£204.20	£306.30	£408.40
3	£290.72	£436.08	£581.44
4	£468.47	See 4.1-4.3 below	See 4.1-4.3 below

Additional Allowances

These payments include:

- Birthday, holiday and religious festival payments equal to 4 x the weekly fostering maintenance allowance per annum. The amount paid is dependent on the age of the child.
- Up to 4 weeks per annum skills payments for respite.
- Up to 12 weeks paid retainer set at the foster carers skills fee level once a child has left the fostering household. However, if no children are placed within the first 6 week period the retainer is reduced by 50%. If no child is placed within a further 6 week period the retainer payment is ceased.
- Exceptional travel expenses

- Discretionary payments, e.g. school uniform and initial clothing allowances, school trips etc.

COMPETENCY FRAMEWORK

3.1 See Annex A. The framework sets out the key factors for determining tier level. Foster carers should speak with their SSW if they consider that they have other relevant skills or attributes not listed in the framework. Evidence of competency can also be drawn from foster carers' annual reviews and other feedback received. Progression through the framework is achieved by meeting the requirements of the new skill level.

3.2 Most foster carers will be approved at Entry Level. Some prospective foster carers may have significant experience of providing childcare or possess other transferable skills from other settings and have relevant qualifications. In these circumstances it may be possible for a new foster carer to be approved at a higher skills level provided they are able to provide evidence that they can meet the criteria for that level. Possible examples are a registered childminder or a teacher.

3.3 Foster carers who are seeking an initial approval at level 4 must be able to evidence considerable experience and skills within a related field. Examples might include foster carers transferring to the local authority from an IFA, or a Residential or Youth Justice Worker. In addition to this the prospective level 4 foster carer must attend an interview with the fostering service manager and residential fostering manager. Any agreement for a prospective/newly approved carer to start at a higher skills level is subject to approval by a Fostering Service Manager.

3.4 The Fostering Service will be responsible for ensuring that foster carers are given sufficient support and encouragement towards professional development through the provision of training opportunities commensurate with the skills level required. SSWs will also work with their foster carers to produce a personal development plan.

3.5 Foster carers can request that they are progressed to the next skills level at any point in the year and do not have to wait for the foster carers annual review. However, foster carers are required to have completed the Training Support and Development Standards ("TSDS") workbook within one year of initial approval (extended to 18 months in respect of Family and Friends foster carers) before progression and any other mandatory training courses relevant their current skills level.

3.6 Skills progression will be based upon self-assessment using the form at Annex 2. Completion of this form should be discussed with the SSW and the form must be signed and dated as each competency is completed. The SSW should also request testimonials from other professionals regarding the care given or training received. Testimonials can be provided by the Childs Social Worker, Independent Reviewing Officer, School or other foster carers. Feedback documents produced by these

professionals for the purpose of the foster carers annual review can be used for this purpose rather than duplicating work.

3.7 The Completed form should be returned to the SSW who will comment on the outcomes of any allegations or complaints against the foster carer in the last year. They will also note any compliments or commendations received by the foster carer and summarise the testimonials received. The SSW will then make their recommendations and give their reason for their recommendation and pass the assessment to the Team Manager for quality assurance. The Team Manager will in turn make a recommendation and pass the assessment to the Fostering Service Manager for the final decision. The Service Manager will record their decision and their reason for it on the assessment form. This will then be communicated to the SSW and Foster Carer Payments. The SSW will inform the foster carer. Should the Service Manager decide not to progress the foster carer to the next level the foster carer can make written representations within 28 days of the decision. The decision will then be reviewed by the Head of Service and a final decision made.

3.8 In a case where the Foster Care Service is considering stepping down a foster carer from a skill level to a lower level, the SSW should discuss this with the foster carer in the first instance. Where there is no improvement, the SSW should complete the payment for skills level self-assessment form with the foster carer for the level the foster carer is currently on. This should then be presented to the Team Manager for recommendation and passed to the Service Manager for decision.

3.9 Should the foster carer disagree with any decision they can make representations to the Foster Service within 28 days of the decision being communicated to them. The decision will then be reviewed by the Head of Service and a final decision made.

SPECIALIST FOSTER CARERS (Level 4)

4.1 Children and young people placed with Level 4 foster carers will generally have significant additional needs or present with challenging behaviours. All children placed alongside each other within the foster home will be carefully matched and risk assessed in order to safeguard all of the children. For this reason, level 4 foster carers would not usually have more than 2 children or young people placed together at any one time.

4.2 The weekly professional fee rate for level 4 foster carers is £468.47 plus £234.24 for each additional child.

4.3 Level 4 payments may extend to a range of specialist foster carers including Police & Criminal Evidence Act 1984 (PACE) placements, Parent and Child parenting and family assessment placements, Mockingbird Hub Carers and foster carers for children and young people with complex needs who would otherwise be placed within therapeutic residential placements.



Signed

Philip Seguola
Assistant Director
Safeguarding and Review, Commissioning and Provider Services

Dated8th June 2022.....

ANNEX A

COMPETENCY FRAMEWORK

Entry Level	
General Requirement	<ul style="list-style-type: none"> • Evidence some experience of childcare (for example parenting or looking after other's children). • Demonstrate a good ability to listen to and communicate effectively with children and young people appropriate to their age, understanding, individual needs, ethnicity and culture. • Maintain confidentiality in relation to the child or young person in care. • Maintain a nurturing home environment that models family living and positively influences a child's or young person's aspirations. • Maintain written logs and records as required. • Ensure an appropriate standard and amount of clothing is provided to the child or young person.
Training and development	<ul style="list-style-type: none"> • Demonstrate a commitment to self-development through training and support, including mentoring from an experienced carer. • Demonstrate a commitment to complete the Training, Support and Development Standards (TSD'S) within a year of being approved (18 months for Connected Persons Foster Carers). • Complete a Foster Care Personal Development Plan. • Demonstrate a commitment to attendance at all mandatory post approval training courses.
Promoting safe care	<ul style="list-style-type: none"> • Protect children and young people from all forms of abuse, neglect, exploitation and deprivation. • Maintain a safe care plan for each child or young person in foster care. • Set appropriate boundaries and demonstrate an ability to respond positively to children's behaviour without recourse to physical punishment. • Seek advice and guidance on boundaries or behaviours through the child's Social Worker or Supervising Social Worker as soon as you feel you need it. • Provide and maintain suitable accommodation for the number, needs and age of the child/ren or young people being cared for.
Promoting good physical health and emotional wellbeing	<ul style="list-style-type: none"> • Provide a good standard of care for children in a safe, healthy, and nurturing environment. • Knowledge of normal child development and an ability to listen to and communicate with children appropriate to their age and understanding. • Ensure the health and safety of children and young people within the home including completion of the Health and Safety Checklist. • Attend health and dental appointments with a child or young person in being cared for.
Promoting educational attainment and achievement	<ul style="list-style-type: none"> • Evidence a willingness and ability, wherever feasible, to transport the child to and from school. • Actively promote, support and encourage children and young people's engagement with education opportunities as set out in their Personal Education Plan (PEP).

Skill Level 1	
General Requirement	<ul style="list-style-type: none"> • To demonstrate all the Entry Level requirements to a good standard. • Assist young people to develop independence skills and the knowledge necessary for successful adult living. • Demonstrate a commitment to ending care arrangements in a planned and agreed way. • Assist children and young people to move to other care arrangements when required and as part of a child's plan for example a return to birth family, to another foster home or onto adoption. • Assist with Life Story Work for the child or young person in your care. • Ensure the child receives the required amount of weekly pocket money and savings. • Attend and contribute to your Annual Review, self-assessment, and reflective learning opportunities. • Attend and contribute to Children in Care Reviews and other meetings as stipulated and agreed in the child's care plan. • Act as an advocate for the child or young person in care in consultation and collaboration with other professionals.
Training and Development	<ul style="list-style-type: none"> • Completed Training, Support and Development Standards (TSD'S). • Evidence positive use of supervision and guidance received from the Supervising Social Worker and demonstrate an ability to reflect and learn from advice given. • Undertaken mandatory training as set out in the training handbook. • Commitment to Undertaking a minimum of 15 hours training per year (can include attendance at support groups which contain a learning opportunity). • Attend appropriate support group at a minimum of four times per annum.
Promoting Safe Care	<ul style="list-style-type: none"> • Ensure that all safeguarding matters are reported immediately to the child's Social Worker or Emergency Duty Team (out of hours) and Supervising Social Worker. • Provide and maintain a safe, stimulating and stable environment that meets the individual needs of children taking into account their backgrounds and lived experiences.
Good Physical Health and Emotional Wellbeing	<ul style="list-style-type: none"> • Ensure prompt reporting of any health or emotional well-being concerns and report any behaviours you are worried about to the child's Social Worker and the Supervising Social Worker. • Help and encourage children to be Healthy through providing a healthy diet, lifestyle and opportunities for regular exercise. • Encourage awareness and understanding of drug and alcohol issues and positively promote the development of good sexual health. • Promote and facilitate opportunities for good physical, emotional and social development for the child being cared for. • Assist children and young people in care to maintain a positive view of their family and support and facilitate contact as agreed in a placement plan. • Help children and young people cope with issues of separation and loss and assist them with coming to terms with previous experiences.

Promoting Educational Attainment	<ul style="list-style-type: none"> • Establish and maintain daily routines for children and young people that promotes their attainment for example school attendance and assisting with homework. • Play an active role with education settings, for example attending school parents' evenings, contributing to or commenting on school reports and supporting school to home agreements. • Attend and contribute to PEP meetings and reviews. • Assist and encourage the development of children and young people's self-esteem and positive identity by supporting participation in social activities and leisure pursuits.
---	---

Skill Level 2	
Progression Requirement	<ul style="list-style-type: none"> • To demonstrate all the skill level 1 requirements to a good standard. • To be able and prepared to offer a home for children with more complex needs than that which would be expected at skills level 1. • Evidence the use of basic therapeutic parenting techniques under the guidance of the Supervising Social Worker and other relevant professionals. • Evidence development of skills required to meet the needs of more complex children and young people. • Ability to work with children and young people who might be functioning significantly below their chronological age. • Set appropriate boundaries of behaviour and persevere where progress is not immediately discernible. • Promote, support and where appropriate supervise contact/family time for the child and young person in care. • Actively contribute to work with birth parents or extended family where appropriate. • Contribute to professional assessments under the guidance of the Child's Social Worker and the Supervising Social Worker. • Maintain accurate written records and provide written reports on a child's progress as required. • Attend Court proceedings involving a child or young person in care where required.
Training and development	<ul style="list-style-type: none"> • To have completed the Training, Support and Development Standards and evidence examples of reflective learning. • To have completed core training (including Valuing Diversity, Safer Care, Safeguarding/Child Protection, First Aid, Recording and Reporting) or other courses as recommended by the Supervising Social Worker and demonstrate how learning has impacted on your fostering role. • Actively seek out training that will add to knowledge regarding chosen task/s. • An ability to effectively use support mechanisms to identify and develop knowledge and skills. • Evidence a good standard of learning in regard to offending behaviours and children at risk of exploitation.
Promoting Safe Care	<ul style="list-style-type: none"> • Demonstrate an ability to keep children and young people safe from harm or abuse and to know how to seek help if their safety is threatened. • Teach levels of self-protection to children appropriate to their age, ability and understanding.
Promoting Good Physical Health and Emotional Wellbeing	<ul style="list-style-type: none"> • Demonstrate responsiveness and affection through expressed warmth, emotional involvement and sensitivity to all children, including children who might have attachment difficulties. • An ability to understand and accept the differing levels of emotional responses from a child and work with them accordingly (e.g. running away, minor offending, bullying, bed wetting, attention seeking, irritating or withdrawn behaviour).

	<ul style="list-style-type: none"> • Engage and respond to children and young people who present with complex emotional needs. • Provide stable and predictable responses, routines and relationships. • Work with professionals to help children through emotional turmoil, which may be affecting them. • An ability to care for a child or young person needing regular medical attention (e.g. hospital visits, physiotherapy, speech therapy etc). Supervising special diets. • SUBJECT TO AGE RANGE: Teach the tasks of self-care to enable the young person to move towards independence. • SUBJECT TO AGE RANGE: Participate in the development and implementation of a clearly defined programme of work in order to prepare a young person to live independently. • SHORT BREAKS CARERS: An ability to care for a child with a physical disability, or a sensory impairment, which requires medical supervision. • SHORT BREAKS CARERS: An ability to monitor illness and administer specialised treatment, which is a delegated responsibility (e.g. supervising or giving insulin injections to a diabetic child).
Promoting Educational Attainment	<ul style="list-style-type: none"> • An ability to care for a child or young person with some degree of learning or educational/behavioural difficulties or a child with a Statement of Special Educational Needs. • An ability to undertake regular and specified remedial tasks relating to the child or young person's education. • An ability to liaise intensively with education professionals. • An ability to deal with some resistance to attending school or temporary exclusion, but not necessarily providing day care. • Undertake specifically agreed tasks where children's development is delayed or not consistent across age appropriate milestones.

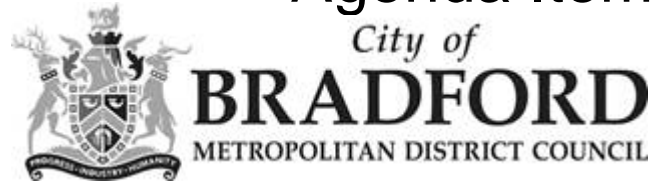
Skill Level 3	
Progression Requirement	<ul style="list-style-type: none"> • To demonstrate all the skill level 2 requirements to a very good standard. • Be prepared to act as a Mentor or Ambassador for the service (e.g. peer support to new carers, fostering training, fostering recruitment etc). • Co-ordinate and implement parts of the Care Plan as agreed. • To be able and prepared to offer a home for children with more complex needs than that which would be expected at skills level 2. • To demonstrate flexibility and a willingness (with the appropriate support) to consider offering foster placements to a range of different children including children with more complex needs or teenagers. • Contribute to professional assessments and care planning relating to children and young people in care. • Evidence a consistent ability to positively respond to challenging behaviours through the use of developed therapeutic parenting strategies and techniques resulting in stable care arrangements. • Understand extremes of behaviour linked to multiple rejections/placement breakdowns and seek support to work with this. • Evidence an ability to work cooperatively and supportively with birth families and relatives as considered appropriate. • Help children develop an understanding of themselves and of their past including culture, race, religion, language, disability and possible abuse.
Training and development	<ul style="list-style-type: none"> • To have undertaken all mandatory and additional training that further develops skills and builds on competency as a foster carer.

	<ul style="list-style-type: none"> • Evidence examples where they have shared their learning and expertise with less experienced carers to achieve a positive outcome for a child or young person. • Produce an enhanced Personal Development Plan evidencing planning and action towards continual professional development. • Demonstrate a commitment in supervision to identify own training and development needs and how you have integrated this learning into the fostering role. • Actively seek out training and attend courses as per the Training Handbook and the Fostering Social Worker's recommendations. • Attend and contribute to Foster Carer Support Groups.
Promoting Safe Care	<ul style="list-style-type: none"> • Care for child or young person who is presenting with risk taking behaviours, or has issues with self-control that may impact upon their health. • Understanding of the misuse of alcohol or other substances and associated issues e.g. working with birth parents who misuse substances. • Manage assessed risk in relation to sexually abusive behaviour. Contribute to planning for children at risk of sexual abuse through their own learned behaviour, or inherent vulnerability. Where there are extreme safety issues in relation to young people, carers are able to manage any identified risk appropriately and keep relevant professionals informed.
Promoting Good Physical Health and Emotional Wellbeing	<ul style="list-style-type: none"> • Demonstrate an ability to provide sufficiently stable environments to enable the young people to develop and maintain appropriate secure attachments. • Be responsive and express warmth and sensitivity with children who seem to give little in return. Be clear that it is the child's behaviour, and not the child who is unacceptable. • Work with other professionals on individual programmes regarding issues around identity and self-esteem, where these are considerably affected by the child's experiences. • Work as part of the 'team around the child' in order to provide care for a child or young person which promotes emotional and mental health wellbeing. • Seek support and guidance in working with a child engaged in offending or antisocial behaviour where boundaries are resisted.
Promoting Educational Attainment	<ul style="list-style-type: none"> • Support the child's education plan at home and liaise closely with Education staff • Work with professionals to enable the child to achieve his/her potential where additional and extensive support and perseverance is needed. • Participate in a specified programme with a child who has been excluded from school.

Skill Level 4	
Progression Requirement	<ul style="list-style-type: none"> • To demonstrate all the skill level 3 requirements to an excellent standard. • To be able to demonstrate previous experience of caring for children with complex needs. • Act as a Mentor or Ambassador for the service. • Participate in service developments and activities representing the service such as attendance at committee meetings and meetings with other departments of the Councils. • Be able to provide specialist foster care in one or more key areas: for children and young people presenting with challenging behaviours, care for children with disabilities, care for children who have experienced significant disruption and breakdowns in their care arrangements, care arrangements linked with the Youth Justice system, emergency care for children displaying a high degree of challenge and distress (including Out of Hours) and care arrangements for complex young people who may otherwise be living in a residential setting contrary to their care plan.

	<ul style="list-style-type: none"> • One approved carer in the household must have a full-time commitment to fostering with no other paid work commitments outside the fostering service. • Evidence of ability to work closely and productively with a range of professionals from other relevant agencies involved with the care of the child, ie Childcare Social Workers, Education, Health, Clinical Psychologists, Therapists, Police etc • Evidence a consistent ability to positively respond to persistent challenging behaviours through the use of therapeutic parenting strategies and techniques resulting in stable care arrangements. • Evidence an ability to care for children with emotional well-being difficulties or emerging mental health diagnoses/conditions. • Evidence an ability to care for children who are excluded from school and work with the professional network to resolve any attendance issues. • Record and maintain accurate and detailed documentation to a high standard • Demonstrate tenacity and resilience in providing a stable home environment for a child who seems to reject this e.g. by running away, staying out etc.
Training and development	<ul style="list-style-type: none"> • Complete TSD fostering standards and portfolio of evidence during the first year of fostering if newly approved (with sufficient relevant experience). • Provide evidence of a skill set reflecting a high level of competence and expertise through a portfolio of evidence. • Demonstrate a high level of knowledge and understanding of educational and child development. • Identify own training and development needs in collaboration with the Supervising Social Worker. • Produce an enhanced and detailed Personal Development Plan evidencing planning and action towards your continual professional development • Evidence a competent understanding regarding offending behaviours and children at risk of exploitation. • Attend Level 4 Support Groups.
Promoting Safe Care	<ul style="list-style-type: none"> • Care for children who may have drug / alcohol addiction problems or who may demonstrate sexualized behaviours or who may be vulnerable to engage in risky behaviours or at risk of exploitation through CSE, gang membership or radicalisation. • Deal with the effects of extreme level of conflict between the child/young person and birth family members. • Work with children who connect back to birth families even when this is unhelpful or harmful. • Understand and work with children/young people who display extremely challenging behaviours and engage in risky and vulnerable behaviours. • Educate children into safer behaviour where this has put them at serious risk of abuse. Modify the child's environment to ensure safety with maximum freedom. • Carefully monitor and educate a child's contacts with others, both adults and children to ensure safe behaviour. Use digital use agreements with young people and educate on the risks of social media and using sites and apps appropriately. Manage risk whilst maximising participation and independence. • Work with others to minimise risk whilst accepting that some level of risk may always remain. • Help educate children who engage in risky behaviours and encourage access to professional help where necessary. • Follow agreed guidelines of behaviour in relation to keeping both adults and children safe.
Promoting Good Physical Health and	<ul style="list-style-type: none"> • Provide care for a child who may present with challenging, difficult, and traumatic behaviours and is likely to be emotionally delayed. Ensure that the support that is provided is appropriate for the child's age and development, which is centred at the child's level of understanding. • Provide emotional nurturing at a developmentally appropriate level. This may be

Emotional Wellbeing	<p>different to the child's chronological age.</p> <ul style="list-style-type: none"> • Ability to manage a combination of extreme emotional needs and confusing, chaotic, and rejecting responses to adults who offer care for them. • Provide care for a child displaying the most serious levels of attachment difficulties or disorder; or a child who has a history of violent or offending behaviour; or who demonstrates a level of aggression and intimidation. • Promote, support and maintain Family Time (Contact) whilst being mindful of the need for boundaries. Provide a level of supervision and transport to and from Family Time as required, and where this is safe to do so. • Be consistent in providing a positive relationship, even in the face of rejection from the child.
Promoting Educational Attainment	<ul style="list-style-type: none"> • Work closely with Education professionals and attend meetings regarding education to maximise potential where behaviour is extremely challenging. Provide consistent and proactive approach to behaviour management. • Be able to care for children who may not be accessing full time education whilst accepting support from relevant partners. • Support an individual learning plan where this is the only appropriate education resource for a child who cannot cope with school.



Report of the Strategic Director of Children's Services to the meeting of the Executive to be held on June 7th 2022

Subject: Development Plan for Children's Homes

B

Summary statement:

This reports details proposals for the future development of the children's homes maintained by the City of Bradford Metropolitan District Council. It is essential that the Council as a corporate parent is able to provide high quality care for children requiring residential provision within premises which are homely and fit for purpose. The range of needs that can be met within the homes also needs to be tailored to meet our strategic needs in line with the recently completed sufficiency strategy for placements.

EQUALITY & DIVERSITY:

As a Corporate Parent Bradford Council needs to provide for a broad range of needs within its population of looked after children. The placement options available therefore need to be sufficiently diverse and targeted to respond to the differing needs of individuals with the development of the necessary expertise to appropriately care for children and young people with complex care requirements.

Marium Haque
Strategic Director Children's Services

Report Contact: Philip Segurola,
Assistant Director
Phone: (01274) 431867
E-mail: philip.segurola@bradford.gov.uk

Portfolio:

Children & Families

Overview & Scrutiny Area:

Children's Services

1 SUMMARY

1.1 The attached report summarises the current position in respect of the eleven registered children's homes currently maintained by the City of Bradford Metropolitan District Council and proposals for their future development. The Executive is asked to review previous decisions made in respect of capital spend on children's homes developments with suggestions made for alternative capital expenditure in a manner which is more consistent with strategic placement requirements. A recommendation is also made for the closure of the service at Valley View and to close Meadowlea to be replaced by two 3 bed specialist residential provision for 8 to 11 year olds. These proposals are designed to;

- Enable us to run our current homes with lower bed numbers, making them homelier; improving matching considerations, increasing placement stability; reducing the risk of poor Ofsted grades or closure
- Cease residential provision for 5 to 7 year olds
- Create additional small home capacity to meet the needs of young people with high level complex needs (neurodiversity, criminal exploitation, severe attachment issues) and emergency admissions.
- Provide Staying Close provision linked to homes, which will improve capacity and speed up move on plans.
- Dispose of sites that are no longer fit for purpose as Children's Homes
- Further develop our short term break capacity for disabled children

1.2 These proposals will consolidate our bed provision at 45 bed spaces in a manner which will facilitate full occupancy in a more targeted way. This will be both cost efficient and in line with the placement needs of children and young people in our care. Alongside this it will allow the development of five staying close move on placements to aid transition of young people in the homes, the restoration of the three shared care beds as part of the no wrong door model and critically provide a means of increasing short term break capacity for children with disabilities.

1.3 We have consulted with and will continue this process with colleagues in Planning and Estates. In relation to planning permission we are advised that to open new small home provision we do not need full planning permission, but a Certificate of Lawfulness.

2. BACKGROUND

2.1 It is essential that as a corporate parent Bradford Council is able to provide high quality residential care to a broad range of children and young people with specific and often complex needs. The Council has experienced some difficulties in this respect over recent years with a series of challenging Ofsted inspection outcomes over the course of 2021. Improvement work is ongoing across the service to strengthen the management of the homes and the quality of care provided. This

strategic plan for the development of the homes aligns with this improvement work. Alongside the practice quality issues there is a parallel need to ensure that we have placement options that are commensurate with the needs of our population of looked after children so that they can be met wherever possible locally in a manner which is also cost effective from a budgetary perspective.

- 2.2 Our large group home provision (5 to 7) beds created inherent risks regarding matching, these risks have historically led to challenges from Ofsted, home closures and having to run homes significantly below capacity.
- 2.3 We have no small specialist provision for complex high need young people and no emergency admission provision. Our Edge of Care Home is currently being used for a solo placement for a specific young person and we have no Staying Close provision linked to our long-stay homes that would support young people towards independence, whilst maintaining their link to their home. The volume of short term break capacity is insufficient to our needs. Changes to the Regulations for children's homes in October 2021 present us with an opportunity to increase our provision without the need to increase the number of Registered Manager posts. One Registered Manager is now able to register for up to four homes as long as the registered number of beds does not exceed 6 young people.

3. OTHER CONSIDERATIONS

- 3.1 These proposals should be viewed with the context of the sufficiency strategy for placements and Ofsted findings and recommendations for individual homes and the Council's overall performance as a corporate parent.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 The proposals will be delivered within the existing service budget. Any new capital build or purchase of new properties will be assessed by the Project Appraisal Group (PAG) and then approved by the Executive.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 There are no specific risk and governance issues identified within the report other than those associated with an inability to make appropriate placement choices for individual children and young people.

6. LEGAL APPRAISAL

- 6.1 S22G The Children Act 1989 places a statutory duty on 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 are looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation in the local authority's area. In taking these steps, local authorities are required to have regard to the benefit of having a number of accommodation providers and also a range of accommodation in their area capable of meeting different needs and sufficient to secure that outcome.

- 6.2 Statutory Guidance on Securing Sufficient Accommodation for Looked After Children (2010) states that the above sufficiency duty must be seen as a core part of how local authorities meet their broader duties to ensure that looked after children's needs are fully assessed, that effective matching takes place, so that these are met within an appropriate placement, and that regular reviews are held to evaluate whether the child's needs are being met and to address emerging issues.
- 6.3 The Statutory Guidance also states that although the sufficiency duty lies with each local authority, it can be implemented most effectively through a partnership between the local authority and relevant partners. Under S10 Children Act 2004 each local authority is required to make arrangements to promote co-operation with relevant partners with a view to improving the wellbeing of children in its area. Partners also have corresponding duties to co-operate with the local authority in making those arrangements.
- 6.4 In formulating its sufficiency strategy, the local authority must also have regard to the requirements of the Equality Act 2010 and the public sector equality duty in relation to those with protected characteristics.

7. OTHER IMPLICATIONS

None identified

7.1 SUSTAINABILITY IMPLICATIONS

There are no sustainability issues arising from this report

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

There are no greenhouse gas emissions impacts identified within these proposals,

7.3 COMMUNITY SAFETY IMPLICATIONS

Whilst there are no specific community safety proposals arising from this report the location of any proposed new home developments needs to be carefully considered both in terms of the needs of the children/young people in residence and impact upon local communities. It is a requirement that before a new home can be considered a Locality and Environmental Impact and Risk Assessment is completed.

7.4 HUMAN RIGHTS ACT

The Human Rights Act 1998 makes it unlawful for any public body to act in a way that is incompatible with an individual's human rights including the right to respect for private and family life.

7.5 TRADE UNION

All necessary consultation will take place with Trade Unions.

7.6 WARD IMPLICATIONS

There will be specific ward implications dependent upon the location of individual homes

**7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS
(for reports to Area Committees only)**

Not applicable.

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

The development of the Council's children's home provision is of critical significance from the perspective of our responsibilities as a corporate parent. The Council needs to be able to provide a range of high quality local care options consistent with the placement requirements of its looked after children.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

Not applicable.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

Options in relation to individual children's homes are contained within the accompanying report together with recommendations on strategic priorities for further developments.

10. RECOMMENDATIONS

- 10.1 The children's home at Valley View that has previously provided care for disabled children should be confirmed for closure on the basis that it has been effectively inoperative for nearly twelve months and does not provide a physical environment that is consistent with the care of children.
- 10.2 Alongside the decision to close Valley View it is also recommended that the former BEST service does not resume on the basis that the health funding that underpinned it has been directed into other alternative projects.
- 10.3 The previous decision to allocate capital funding for a new build project at Fell Lane is rescinded on the grounds that the scale and nature of the proposed project is no longer consistent with the services strategic needs.
- 10.4 In principle agreement is given for a potential new build project aimed at increasing short term break capacity for disabled children and in particular those with complex needs associated with neuro-diversity developmental issues.
- 10.5 In principle, agreement is given for the development of six additional small group homes via either purchase or rental to include the disposal of the site at

Meadowlea, to be replaced with two linked small group homes with a revised focus.

- 10.6 In principle agreement is given to the development of linked staying close flats via either purchase or rental for the supported transition of young people from the homes into the community

11. APPENDICES

- 11.1 Appendix 1 - In House Children's Homes Strategic Development Plan 2022–2023.
- 11.2 Appendix 2 - Strategic Children's Homes Development Plan (capital costs)

12. BACKGROUND DOCUMENTS

None.

In House Children's Homes Strategic Development Plan 2022 - 2023

To be read in conjunction with -

Children's Services Social Care – Placement Sufficiency Strategy

Current provision

Bradford currently have eleven registered children's homes and one single occupancy home where we are about to proceed with registration.

There are seven registered group Childrens Homes with capacities between four and seven beds. Six homes' Statement of Purpose and Function allow planned admissions for young people aged 11 to 18 years old. One home is a seven bed provision for children aged between 5 and 10 years old.

There are three other homes functioning with solo placements that have Ofsted conditions placed upon them that mean they can only currently be used for the specific child in placement. One of these homes is unregistered, but the application process is underway.

We also have two homes providing services for disabled children. Wedgewood provides overnight short term breaks for up to seven children many of whom have high level health care needs and since the Ofsted enforcement action taken in July 2021 has also provided permanent care to three adolescents. Clockhouse provides short term breaks for children with learning disabilities who also mostly have aspects of autism. They are registered to provide for up to six children but staffing/building constraints limit this to no more than five per night.

We have no small specialist provision for complex high need young people and no emergency admission provision. Our Edge of Care Home is currently being used for a solo placement for a specific young person and we have no Staying Close provision linked to our long-stay homes that would support young people towards independence, whilst maintaining their link to their home. The volume of short term break capacity is insufficient to our needs.

Changes to the Regulations for children's homes in October 2021 present us with an opportunity to increase our provision without the need to increase the number of Registered Manager posts. One Registered Manager is now able to register for up to four homes as long as the registered number of beds does not exceed 6 young people.

The current provision is as laid out below.

Residential Home	Location	Registration category and total bed availability	Current occupancy
Hollybank	BD7 4QL	Mixed 11-18 year olds, planned admissions. 4 beds	4 young people
Meadowlea	LS29 6HP	Mixed 5-10 year olds. Currently no admissions are being accepted for this age group to residential care 7 beds	4 children
Newholme	BD10 9LE	Mixed 12-18 year olds, planned admissions. 4 beds	2 young people
Owlthorpe	BD18 2TG	Mixed 11-18 year olds, planned admissions. 6 beds	5 young people
Rowan House	BD13 3NS	Mixed 12-18 year olds, planned admissions 6 beds	3 young people
Sky View House	BD20 5SB	12-18 year olds, planned admissions. 6 beds	4 young people
The Hollies	BD12 0TD	8-18 year olds, planned admissions. 6 beds	5 young people
The Willows	BD2 2DU	1 bed registered specifically for the young person currently in placement. Previously registered for 4 young people as short term emergency admissions 11-18 years	1 young person
Valley View / BEST	BD2 4LL	1 bed registered specifically for the young person currently in placement	1 young person – to close when current young person in placement moves
Wedgewood	BD4 0NQ	3 permanent beds and short term breaks for up to seven	3 permanent Maximum 7 short term break
Clockhouse	BD21 1QX	6 short term break beds	Maximum 6 short term breaks
The Bungalow	BD4 0LH	Registration pending as a 2 bed small specialist home	1 young person

These proposals are designed to

- Enable us to run our current homes with lower bed numbers, making them homelier; improving matching considerations, increasing placement stability; reducing the risk of poor Ofsted grades or closure
- Cease residential provision for 5 to 7 year olds
- Create additional small home capacity to meet the needs of young people with high level complex needs (neurodiversity, criminal exploitation, severe attachment issues) and emergency admissions.
- Provide Staying Close provision linked to homes, which will improve capacity and speed up move on plans.
- Further develop our short term break capacity for disabled children

Proposals home by home

Valley View/BEST-one named child only following Ofsted enforcement action

- Current Ofsted registration is temporary and for one named child for whom there is a move on plan. The Ofsted inspection reports and inspector's comments have made it clear that the regulator do not consider the building suitable to accommodate children as a registered children's home
- Home to close and disposal of site once current resident moves to permanent placement
- The BEST service to formally cease as part of this decision as the health funding for the service has been directed into other projects associated with the support of disabled children whilst the service has been in-operational.

The Bungalow – current one bed provision (in the process of being registered with Ofsted).

- Change statement of Purpose and Function of the Bungalow to a 2 bed home when young person leaves later on this year and add an additional 2 bed home and 1 single occupancy home.
- Total 5 beds to include some emergency capacity

Hollybank – current four bed provision.

- Remain as four bedded home in line with current usage
- Development of one staying close placement which is already in process through refurbishment of an existing annex
- Total 4 beds, plus one Staying Close unit

Meadowlea – currently 7 bed provision for 5 to 10 year olds.

The home occupies a large site providing care to children between the ages of five and ten years old. There is an acceptance that children of such young age should not be in residential care and should be provided for within specialist fostering placements in line with the Tier four fostering proposals being developed. However, some primary school age children as a result of early life experience are unable to make the necessary adjustments for family life and require a period of therapeutic re-parenting. It is proposed that the current site is sold to permit the purchase of two smaller family homes with three placements each to provide time limited specialist therapeutic care for children aged eight to eleven at point of admission with a view to an eventual move on to a specialist fostering placement

- Total 6 beds and linkage to specialist foster carers

Newholme – currently four bed provision

- Maintain four bed occupancy but work with health colleagues in re focusing the remit of the home to provide time limited care for young people with significant emotional health and wellbeing needs linked to step down from tier 4 hospital beds or as an alternative to hospital admission
- There will be a need to develop move on options to prevent these bed spaces from becoming blocked but that will form part of a later development phase
- Total 4 beds

Willows – current 1 bed provision specifically for one young person

- It is intended to move the young person currently in placement to the single occupancy unit outlined as part of the Bungalow development
- The Willows will then revert to the originally intended no wrong door model providing three short stay shared care beds as part of our Edge of Care offer (max 72 hours)
- An additional two bed small group home to be linked to provide move on provision to prevent bed blocking of the Edge of Care short stay provision.
- Total 3 shared care and 2 longer stay crisis beds

Owlthorpe – current 6 bed provision

- Reduce Owlthorpe bed numbers to 5
- Add x 1 Staying Close unit
- Total 5 beds and 1 Staying Close unit

Skyview – current 6 bed provision

- Reduce Skyview bed numbers to 5
- Develop x 1 Staying Close Unit
- Total 5 beds + 1 Staying Close unit

The Hollies

- Reduce The Hollies bed numbers to 5
- Add x 1 Staying Close unit
- Total 5 beds + 1 Staying Close unit

Rowan House

- Reduce Rowan House bed numbers to 4
- Add an additional two bedded home that specialises in the care of children/young people with sexually harmful behaviours
- Add x 1 staying close unit
- Total 6 beds + 1 Staying Close unit

Children with Disability provision.

Wedgewood

- Consolidate staffing requirements for to facilitate permanence for the three young people transferred as a result of the Valley View closure
- Review short term break staffing requirements to maximise full usage of available beds. Pursue health funding as part of this process

Clockhouse

- Consider re purposing of existing building to provide permanent/shared care for up to x 4 disabled children

New build Short Term Break Facility

- To address the shortfall in short-term break provision for disabled children in principle agreement is sought for a new build facility that will provide up to eight beds for children with complex needs on the neuro diversity pathway
- Initial exploratory discussions with health colleagues have confirmed an opportunity to broaden the scope of this project into a service hub with related services on site

- The capital monies set aside for the refurbishment of the property at Fell Lane are no longer required as the proposed development is no longer consistent with service priorities. There is the potential to repurpose these monies to part fund this project.

In terms of additional capacity, the current configuration of homes ostensibly provides 45 long term bed spaces and 13 short term break beds. These figures are, however, a little misleading as constraints on occupancy due to building lay out, matching considerations and staffing levels consistently result in reduced usage. (average 80% occupancy) These proposals will consolidate long term bed spaces at 45 with homes configured and re focused in such a way as to permit full occupancy. The refocusing of some of the homes statements of purpose will also increase our capacity to provide for a broader range of needs reducing reliance on high cost external placements. An additional 5 staying close units will be added to assist in transition planning for young people leaving the homes and we will be able to revert to the use of the Willows in offering the no wrong door model as part of a re invigorated edge of care offer. Generally, we are unable to offer overnight short term breaks to no more than ten disabled children/young people so the proposed capacity of 15 will effectively constitute a 50% increase in provision.

Related Issues

- Whilst the additional capacity created will need no new registered manager posts, consideration will need to be given to their regrading as a consequence of additional responsibilities and sector competitiveness in the manner of an executive head teacher
- The additional Children's Homes will all need deputy homes managers – 9 posts
- Whilst some staff can be redeployed to smaller homes where the main home has reduced beds, significant recruitment will be required to staff the additional bed numbers and support to Staying Close provision.
- A comprehensive training programme will need to be developed, particularly where we are opening specialist homes.
- We will need to move to the Therapeutic Crisis Intervention Model to support the move to specialist homes and to improve standards of intervention and care in our current provision.
- We will need to consider whether there is sufficient capacity within the current BPP multi-agency team and specifically CAMHS professionals to support these developments.

Finally, it should be noted that the development of the Council's in house children's home provision forms part of broader sufficiency planning with parallel work being undertaken from a commissioning perspective to encourage external providers to develop localised provision which in turn creates placement options and choice for our looked after children.

This page is intentionally left blank

Strategic Children's Homes Development Plan – Proposals for 2022 and 2023 – Property Purchase Costs

Capital Spend Estimates and change of use – based on current property prices.

New homes will need two additional bedrooms for staff sleeping in and office accommodation. For example, a two bed provision will require the purchase of a four bed roomed house. Purchase costs are based on current prices in the area of the existing homes and therefore are variable. As we are using current homes Registered Managers to register for new homes, to satisfy Ofsted requirements the new home(s) need to be within a 20-minute drive of the existing home. **Updated Ofsted Regulations October 2021** (1 Registered Manager for no more than 4 homes accommodating no more than 6 children / young people)

Proposals for 2022

- **Newholme** – Re-purpose to a three bed CAMHS Tier 4 (Thrive) step down provision. This will be a transitional placement of 6-12 months for young people being discharged from CAHMS Tier 4 in-patient provision to return to family or other community provision.
- **Rowan House** – Rowen House registration to be amended to a four bed 11 to 18 years EBD provision for planned admissions, plus one two bed specialist sexual harmful behaviours home to sit alongside Rowan House - £500,000 and one, one bed flat for Staying Close Provision for a 16 year old currently in placement – 1 x £140,000
- **The Bungalow** – The Bungalow is being registered with Ofsted as a two bed home, plus one new two bed emergency placement and one solo home to sit alongside (identified as specialist provision for young man currently placed at The Willows). 1 x £475,000. 1 x £425,000
- **The Willows** – The Willows to be registered with Ofsted as a short stay (no more than three consecutive nights, maximum 75 nights stay in one year). Internal building work will be required to meet Ofsted requirements from the last inspection to make it “fit for purpose” One two bed, emergency provision to sit alongside The Willows Edge of Care Respite Home – 1x £475,000.
- **Meadowlea** – The Meadowlea site to be disposed. This plot of land sits between the primary school in Menston and the new estate and has a provisional value of £1.2m. Value of the site to be used to offset purchase costs of two 5 bed homes in the Menston / Baildon area as therapeutic provision for 8 to 11 year olds who have experience foster placement breakdowns to support them to return to foster care. Level 4 foster carers to be identified to form a Mockingbird type cluster with these two home to

support move on plans to foster care following residential intervention. 2x £560,000.

- **The Hollies** – The purchase or rental of a one bed / studio flat to provide Staying Close supported accommodation as part of the move on plan for the 16-year-old currently in placement. Purchase cost @ £155,000; rental @ £450.00 per month.
- **Hollybank** – The conversion of the annex to a studio flat as Staying Close provision to enable the move on plan for a 17-year-old currently in placement. Funded as part of existing building programme.
- **Owlthorpe** – 1 Staying Close provision - £150,000
- **Skyview** – 1 Staying Close provision - £150,000

Estimated total expenditure - £3,590.000 less estimated value of the Meadowlea site @ £1.2m = £2,390.000

External private sector spot purchase bed costs

As a crude calculation one Tier 4 CAHMS step down bed in the private sector costs anywhere between £6,500 to £14,000 per week. @ an approximate cost of £8,000 per week one such bed would cost £416,000 per year

Small one and two bed specialist homes in the private sector cost between £5,000 to £7,000 per week. @ an approximate cost of £6,000 per week one such bed would cost £312,000 per year.

3x Tier 4 CAMHS = £1,248,000

15x small homes specialist beds = £3,744,000

Children with Disabilities Residential and Short Break Provision

New build Short Term Break Facility

- To address the shortfall in short term break provision for disabled children in principle agreement is sought for a new build facility that will provide up to eight beds for children with complex needs on the neuro diversity pathway. Any project proposals arising will be brought back to the Executive with full costings
- Initial exploratory discussions with health colleagues have confirmed an opportunity to broaden the scope of this project into a service hub with related services on site
- The capital monies set aside for the refurbishment of the property at Fell Lane are no longer required as the proposed development is no longer consistent with service priorities. There is the potential to repurpose these monies to part fund this project.



Report of the Strategic Director Children's Services to the meeting of Executive to be held on 7 June 2022

Subject:

C

Ofsted Monitoring Visit

Summary statement:

Following Ofsted's Inspection of Children's Social Care Services from the 17 to 28 September 2018, the seventh of a series of Monitoring Visits took place on the 2 and 3 February 2022.

The focus of the Monitoring Visit was around the protection of vulnerable adolescents (contextual safeguarding).

The findings were published by Ofsted on 9 March 2022.

EQUALITY & DIVERSITY:

There are no direct implications for equality and diversity arising from this report. The Council has a duty to ensure that its services comply with the public sector equality duty.

Marium Haque
Interim Strategic Director Children's Services

Report Contact: David Johnston
Phone: (01274) 432904
E-mail: marium.haque@bradford.gov.uk

Portfolio:

Children & Families

Overview & Scrutiny Area:

Children's Services

1. SUMMARY

- 1.1 Following Ofsted's Inspection of Children's Social Care Services from the 17 to 28 September 2018, the seventh of a series of Monitoring Visits took place on the 2 and 3 February 2022.

2. BACKGROUND

- 2.1 This monitoring visit reviewed the progress made in strengthening practice for the protection of vulnerable adolescents.

3. OTHER CONSIDERATIONS

3.1 Headline Findings

- 3.1.1 The monitoring visit was undertaken within the context that prior to the monitoring visit, a Commissioner had been appointed by the DfE due to a number of concerns that had been identified.
- 3.1.2 Since the last inspection in September 2018, the Local Authority has continued to co-ordinate a multi-agency response to exploitation. Children who are at risk of radicalisation continue to receive good support. The risk-assessment meeting (RAM) is an effective forum attended by a good range of operational partner agencies. However, the poor quality of some core social work practice in Bradford reduces the overall effectiveness of services offered to vulnerable children. This is exacerbated by a high turnover of staff and inconsistent management oversight. Not all social workers have had training and development in this particular area of work, which means that children receive an inconsistent response to identified risks.
- 3.1.3 Since the last Monitoring Visit, a new Director of Children's Services has been appointed and several new interim senior leadership appointments have been made. Following comments raised at the last Monitoring Visit, the new senior leadership team has responded quickly and has substantially revised the improvement plan. It is too early to evidence any significant improvements in the service as a result of these very recent appointments and changes.

3.2 Next Steps

- 3.2.1 A refreshed improvement plan is being developed to respond to emerging needs and Children's services has reviewed the current and future staffing structure to meet the needs of children in Bradford.
- 3.2.2 Following the decision by the Secretary of State in February The Bradford Children's Company (Trust) has been announced and work is underway to establish it to run children's services in the district.
- 3.2.3 Managers are continuing to focus on the quality of practice and performance of the service.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 There are likely to be some resource implications in view of the of additional social work capacity created within the service.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 The Children's Services Improvement Board has been refreshed and will continue to monitor progress and will ensure that effective responses are made to all Ofsted's recommendations and DfE required improvements. The Children's Services Improvement Board focuses on outcomes for children and provides the drive and focus to ensure that necessary improvements are achieved and evidenced.

6. LEGAL APPRAISAL

- 6.1 The Ofsted inspection in September 2018 which found Bradford Children's Social Care Services to be inadequate was undertaken under the new Framework, Evaluation Criteria and Inspector Guidance for the Inspections of Local Authority Children's Services (ILACS). This contains provisions regarding actions to be taken after an inadequate inspection report. These include monitoring by Ofsted including an action planning visit, quarterly monitoring visits and a re-inspection and also an action plan prepared by the local authority. The recent Ofsted monitoring visit was undertaken pursuant to this framework.
- 6.2 On 4 December 2018, following the Secretary of State's decision to take a non-statutory approach in Bradford's case, the DfE issued an Improvement notice to the Council, requiring the Council to take a number of actions to address all areas of improvement identified in the Ofsted report. The notice also provided for DfE reviews of progress against the improvement agenda.
- 6.3 On 15 September 2021, pursuant to his powers under section 497A(4B) of the Education Act 1996 Act the Improvement Notice was escalated by the Secretary of State for Education to a Statutory Direction pursuant to his powers under section 497A(4B) of the Education Act 1996 Act. This directed the Council to ensure all its children's social care functions are performed to an adequate standard and appointed an Independent Commissioner for Children's Services. The Commissioner was required to report by 14 January 2022.
- 6.4 Following the Commissioner's report in January 2022, a revised statutory direction was issued to the council on 9 February 2022. This revoked the first direction and directed the Council to work with the Children's Service Commissioner to establish a children's services trust and to transfer operational control of children social care functions to the trust within a reasonable timescale. The direction also required the Council to comply with instructions of the Secretary of State and Children's Commissioner in relation to children's social care functions and to co-operate with them in a number of specified ways.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

Not applicable.

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

Not applicable.

7.3 COMMUNITY SAFETY IMPLICATIONS

Not applicable.

7.4 HUMAN RIGHTS ACT

The quality of children's social work services can have implications for a number of rights protected by the Act including the right to respect for private and family life.

7.5 TRADE UNION

Consultation with the Trade Unions continues around workforce and budgets. Caseloads continue to be monitored by Management.

7.6 WARD IMPLICATIONS

The Improvement Notice and Improvement Plan affect all Wards, due to the Inadequate Judgement.

7.7 IMPLICATIONS FOR CHILDREN & YOUNG PEOPLE

In addition to the improvements identified, further areas of improvement are also necessary within our children in care and care leavers services.

7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None; both the Notice to Improve and Ofsted report have been published on their respective websites and are therefore in the public domain.

8. NOT FOR PUBLICATION DOCUMENTS

8.1 Not applicable.

9. OPTIONS

9.1 Not applicable.

10. RECOMMENDATIONS

10.1 The Executive are asked to note the contents of the letter from Ofsted.

11. APPENDICES

11.1 Appendix 1: Ofsted Report of the Monitoring Visit on 2 and 3 February 2022.

12. BACKGROUND DOCUMENTS

12.1 None.

This page is intentionally left blank

9 March 2022

Marium Haque
Strategic Director, Children's Services
Margaret McMillan Tower
Princes Way
Bradford BD1 1NN

Dear Marium

Monitoring visit to Bradford children's services

This letter summarises the findings of the monitoring visit to Bradford children's services on 2 to 3 February 2022. This was the seventh monitoring visit since the local authority was judged inadequate in September 2018. Her Majesty's inspectors for this visit were Louise Hollick and Joanna Warburton.

Areas covered by the visit

Inspectors reviewed the progress made in the following areas of concern identified at the last inspection:

- Protection of vulnerable adolescents (contextual safeguarding).

This visit was carried out in line with the inspection of local authority children's services (ILACS) framework.

Headline findings

Since the last inspection in September 2018, the local authority has continued to coordinate a multi-agency response to exploitation. Children who are at risk of radicalisation continue to receive good support. The risk-assessment meeting (RAM) is an effective forum attended by a good range of operational partner agencies. However, the poor quality of some core social work practice in Bradford reduces the overall effectiveness of services offered to vulnerable children. This is exacerbated by a high turnover of staff and inconsistent management oversight. Not all social workers have had training and development in this particular area of work, which means that children receive an inconsistent response to identified risks.

Since the last monitoring visit, a new director of children's services has been appointed, and several new interim senior leadership appointments have been made. Following comments raised at the last monitoring visit, the new senior leadership team has responded quickly and has substantially revised the improvement plan. It is too early to evidence any significant improvements in the service as a result of these very recent appointments and changes.

Findings and evaluation of progress

The local authority has made a significant investment in statutory and voluntary services for exploited children across Bradford. Central to this investment is the development of a multi-agency child exploitation hub. The hub consists of specialist practitioners from social care, police and a range of statutory and voluntary partners. The hub works with local neighbourhood services, neighbouring local authorities and the wider community to reduce the risks of child exploitation throughout the city. Targeted work has focused on locations and businesses across the city where it is identified that children may be more vulnerable to exploitation. The hub is in its infancy, and there are plans underway to increase staffing and improve lines of communication across the partnership.

In most of the children's cases seen by inspectors, emerging risks arising from children's vulnerabilities are identified and risk-assessed promptly. This is ensuring that these children's needs are considered before they escalate into more serious contextual safeguarding risks. However, there is variable practice in the quality of exploitation risk assessments and, in some children's records seen during the visit, the assessments do not always adequately consider the child's history, previous social worker involvement and wider family impact and influence. This limits their effectiveness in enabling an understanding of the full range of the child's risks and vulnerabilities.

When children are assessed as at risk of exploitation, they are considered at the daily RAM in the children's exploitation hub. The RAM is an effective forum attended by a good range of operational partner agencies. In particular, the RAM provides good information sharing and discussion opportunities and is effective in challenging risk assessments and, where appropriate, escalating the level of risk where the social-work assessment is weak. Decisions made in the RAM regarding level of risk for children are appropriate. Recommended actions arising are relevant to the identified risks and needs.

The multi-agency input in the RAM enables actions relevant to other agencies to be agreed. This means that children's unmet needs in relation to education and physical and emotional health are given consideration in this meeting. Children identified as at high risk of exploitation are allocated a dedicated police officer to support them and to share information and intelligence with their social worker. This ensures joined-up working and prompt responses when children go missing from home or care or when they experience abuse through exploitation.

While the RAM is effective in identifying risk and need, the effectiveness is weakened because actions set at the RAM are not consistently followed through by social workers and frontline managers or linked with the child's broader needs under child-in-need, child-protection or child-in-care planning. The poor quality of practice in some of the children's cases seen by inspectors, and inconsistent management oversight, mean that most children's plans do not address all of their identified needs or risks. This means that many children at risk of exploitation also continue to

experience risks in relation to their home circumstances, such as domestic abuse or parental substance abuse.

There are a number of effective non-statutory services in Bradford that offer direct and tailored support to children and families where exploitation is a feature. These services are highly valued and in demand. Some of these services are experiencing a backlog for allocation to a worker. This means some children have to wait for an allocated worker to begin direct work with them and for their circumstances to improve.

Too many children at risk of exploitation have poor school attendance. Leaders report a range of monitoring systems, including for vulnerable children with complex needs, who are in care or preparing for adulthood. An education safeguarding officer role has been developed in the exploitation hub, to link with schools and improve attendance for vulnerable adolescents. Despite this, inspectors found many children at risk of exploitation with low school attendance and a lack of professional understanding to address this. Not attending school significantly increases children's vulnerability to abuse through exploitation and going missing from home.

When children's risks around exploitation do not decrease, they are escalated from the RAM to the multi-agency child-exploitation (MACE) meeting that is held six-weekly and includes a range of strategic partners. This meeting monitors and reviews children who are at high risk of exploitation. MACE has the ability to agree additional interventions for individual children with unmet needs and this leads to positive outcomes for some children. The broader corporate and partnership challenge and influence are limited and, by their own admission, the panel needs invigorating and the lines of communication need improving. There is a disconnection between the MACE strategic group and the operational team in the exploitation hub. This is a missed opportunity to ensure that themes and intelligence are shared with strategic partners.

The majority of children who go missing from home or care receive an effective and prompt response. Performance data indicates reductions in the overall numbers of missing children and episodes of going missing from home or care month on month over the past year. The Philomena Protocol, which provides prompt information about children when they go missing from care, is widely implemented. Missing-from-care officers from the exploitation hub complete return home interviews for children in care, while other children receive an interview from a commissioned service. While there is a good level of discussion with children in these interviews around the circumstances of the missing episode, recommendations are often too generic and therefore limit effectiveness in contributing to the overall plan for the child.

There is insufficient frontline manager oversight of children's cases and risk assessment following initial allocation of the child's case for assessment. Some individual managers provide some good oversight and reflective supervision. Overall, social workers do not consistently receive the direction, challenge and reflection they

need to fully understand risk and be professionally curious and drive progress in children's plans and outcomes. This is affected by the turnover of managers.

In July 2021, The Bradford Safeguarding Partnership published a thematic child safeguarding review of child sexual exploitation. The local authority has worked with strategic partners to implement the recommendations from the review and develop an action plan. One of the key actions from the plan relating to training for all professionals has not been fully completed and some social workers told inspectors that their busy caseloads have prevented them attending training. This means that not all social workers are skilled and confident in identifying and assessing risks for vulnerable adolescents.

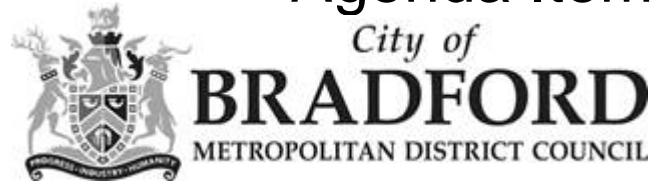
Inspectors spoke to some highly committed and resilient social workers during the visit. They spoke warmly about the children they work with and are able to build positive relationships with most vulnerable adolescents, despite often being newly allocated to them. Many children experience several changes of social worker and this is a barrier to establishing enduring and trusting relationships that promote sustainable improvements in their lives.

The continued high turnover of staff is a barrier to sustained service-wide improvement. There is a programme of recruitment underway and an academy for newly qualified social workers is in development. However, neither addresses the immediate and ongoing challenges of having an assured permanent workforce in Bradford.

I am copying this letter to the Department for Education.

Yours sincerely

Louise Hollick
Her Majesty's Inspector



Report of the Strategic Director of Corporate Resources to the meeting of Executive to be held on 7th June 2022.

Subject:

F

Council owned land at North Street/Cavendish Street, Keighley

Summary statement:

Report in respect of recommendations relating to the Petition received by the Council in support of the proposed development of the Health and Wellbeing hub on the former Keighley College sites on North Street and Cavendish Street, Keighley.

EQUALITY & DIVERSITY:

The proposed Health and Wellbeing Centre will improve the health and care outcomes for the population of Keighley, reducing the long-term burden on the NHS and allowing people to live healthier lives, for longer.

Where the emphasis will be on prevention and addressing root causes, not purely reacting to illness, it will address the wider determinants of health and wellbeing through access closer to home to a full range of coordinated services.

Joanne Hyde
Strategic Director Corporate Resources

**Portfolio: Regeneration, Transport &
Planning**

Report Contact: Alistair Russell
Acquisition & Disposal Manager
Phone: 07973 885399
E-mail: alistair.russell@bradford.gov.uk

Overview & Scrutiny Area: Corporate

1. SUMMARY

The Council owns two sites in the centre of Keighley on North Street and Cavendish Street, being the former Keighley College sites, the buildings have been demolished and the North Street site is now grassed over.

The Full Council, at its meeting on Tuesday 25th January 2022, received a petition dated 30th October 2021 in respect of the proposal to develop a Community Health & Wellbeing Centre and Police station on the former Keighley College sites, and undertook to refer the petition to the Executive Committee.

The petition reads “I am leading this counter petition to urge the Bradford Council to continue with its proposed plans to build and develop a health and wellbeing hub at the old Keighley College site. As a resident of Keighley for over 20 years I am passionate about this proposal going ahead in order to tackle health inequalities and issues for the local residents. I am over whelmed with the support I have received in the past 3 weeks for this petition. As it goes to show that the people of the local vicinity have voiced their opinions in this significant matter”. There were 2,530 signatories to the petition.

This report provides an update on the proposed development with a recommendation to the Executive.

2. BACKGROUND

Bradford Council owns two sites in Keighley town centre at the corner of North Street and Cavendish Street. The North Street site extends to 0.9 acres. Lord Street separates the two sites, with the Cavendish street site extending to 0.297 acres. Please refer to appendix 1, Plan 222 v1, which identifies the location of the two sites edged red.

There have been buildings on these sites dating back to 1870, starting with the Keighley Mechanics’ Institute in 1870, the School of Science and Art Phase 2, 1886-87, North Wing Phase 3 1914, Lord Street Extension Phase 4 and c.1932 the North Extension Phase 5. Keighley College constructed the most recent building on both sites between 1965-1970, and these were occupied by the college until September 2010, with buildings occupying the majority of both sites. The land and buildings were then marketed between 2010 and 2016 with little interest, and were subsequently demolished in two phases, the buildings on the larger North Street site were demolished in 2017, following which the site was then grassed over to provide a meanwhile use, and the buildings on the smaller Cavendish St site were demolished in 2019, with the surface left with hard core and hoardings retained around the site. Both sites are brownfield sites and have never been designated as public realm sites.

The Council received an ePetition in 2021, the petition read “The demolition of the former Keighley College building at the top of Cavendish Street has provided Keighley Town Centre with a fantastic additional green space. It has improved the appearance of the town centre and complements the appearance of the nearby Town Hall Square. In future it could be used to hold family events and gatherings and become a place for the community and also provide outdoor education opportunities. It could also be used to plant trees in an effort to reduce harmful pollution created by traffic flowing through the town.

There are numerous possibilities and we as a community can influence this by having our

say. The site is owned by Bradford Council and we are able to petition them to keep it as a Green Urban Space”.

This petition had 1,929 signatories and was considered by Executive on 2nd November 2021 and a decision reached that the ePetition be rejected and that the proposal for the development of the Community Health and Wellbeing centre on the sites as detailed in Document “AD” be progressed.

This report provides an update on the proposed development.

3. CURRENT SITUATION

Keighley and Shipley were selected by Government as two of 101 places across England eligible for investment through the Towns Fund. The Towns Fund aimed to support regeneration and economic growth in town centres.

The Towns Fund represented an opportunity for a transformational programme of activity and investment in town and high street regeneration, promoting the distinctive offer of each place, improving the resilience and sustainability of our places and communities and contributing to economic growth. It also provided an opportunity to complement and build upon the success of recent schemes in the towns.

The overarching aim of the Towns Fund is to drive the sustainable economic regeneration of towns to deliver long term economic and productivity growth.

Following a bidding process at the beginning of 2021, the Keighley Towns Fund Board was successful in securing government regeneration funding. Keighley will potentially receive £33.6m of Towns Fund grants.

The funding will be spent on capital projects designed to improve connectivity, improving local land use, making the best use of economic and cultural assets and improving local skills and enterprise infrastructure.

The Towns Fund Board submitted a comprehensive Town Investment Plan to the government, setting out proposals to rejuvenate the town and bolster economic growth.

Keighley’s bid provided 7 projects for consideration, to include an integrated Health and Wellbeing centre in the heart of Keighley to bring together GP services, including self-care and prevention, as well as community care, mental health, dental care services, a GP training hub and other related healthcare services.

Whilst not specifically identified for the purposes of the bid, the subject sites on North Street/Cavendish Street have been selected as the preferred location for this development by the Health Consortium.

The need for healthcare estate development in Keighley has been recognised for many years. Former NHS bodies have proceeded to the public consultation stage, but the development and delivery of an estate solution for integrated services did not proceed due to a range of reasons including financial constraints.

Capital investment monies are limited within the NHS, and the current national ask greatly

outweighs the funds available. Securing the £3.4million in funding from the Keighley Towns Fund will significantly reduce the financial burden on local service providers, whose key aim is to improve the health and wellbeing of the local community.

Since confirmation of the bid being successful, a working party of stakeholders has been established as the “Keighley Health and Wellbeing Centre Project Board” to prepare a business plan and design developed to RIBA Stage 2, for submission to government by no later than 30th June 2022, to support the initiative.

Key stakeholders in the project include NHS England; Airedale NHS Foundation Trust; Bradford District Care NHS Foundation Trust; West Yorkshire Integrated Care Board; Wharfedale, Airedale & Craven Alliance; Affinity Care and Bradford Council. West Yorkshire Police also sits on the board, as it is proposed that their new police town centre building will sit within the overall development (subject to their being sufficient land surplus being available after the Health and Wellbeing Centre land requirement is finalised), but will be independently financed.

The detailed specification and size of the scheme is to be established, however it is envisaged that the combined development could be in excess of 4,500 sq m (48,500sq ft.).

The Bradford and Airedale Estate Partnership has been appointed as lead design consultant by the Project Board to progress the design and Business case to RIBA Stage 2.

The Business Case has been created in line with the guidance Stage 2 – Business Case Template and reflects the guidance set out in HM Treasury’s Green Book, five-case model for business cases:

- Strategic - outlining the case for change, policy drivers, Investment objectives and outcomes, stakeholder analysis
- Economic – Options appraisal, economic benefits and costs, Value for Money assessment, impacts and sensitivity analysis
- Financial – Summary of costs, funding sources, financial risk and mitigation
- Commercial – feasibility of project, contractual issues and approach, identification of delivery options. Workshop Jan 22
- Management – governance, timeline etc.

The design and Business Case will be submitted to the Council for evaluation by the end of May, prior to submission to the Government by 30th June 2022.

On the current projected time line the scheme will be built and operational in late 2025/ early 2026.

This project will provide a ‘state of the art’ integrated Health and Wellbeing centre at the heart of Keighley bringing together, within one high-quality, modern, flexible facility, the best in physical and mental health clinical practice from partners in primary, community, and secondary care, the local authority, voluntary sector and making the most of training & education, workforce, estates and digital technology opportunities. It is intended to be an exemplar facility for others, to drive and demonstrate long term economic and productivity growth through investment in the health and wellbeing of the diverse town.

In addition, the new development would concentrate 200 jobs, 50 of them new, into the town centre, creating additional footfall for local businesses and facilities. Imagery and initial layout plans of the proposed development are provided in appendix 2, please note that these are for indicative purposes only and will be subject to change.

4. OTHER CONSIDERATIONS

The project will deliver the investment objectives by:

- Improving the health and care outcomes for the population of Keighley, reducing the long-term burden on the NHS and allowing people to live healthier lives, for longer
- Proactively pursuing health, wellbeing, and happiness, where the emphasis is on prevention and addressing root causes, not purely reacting to illness
- Addressing the wider determinants of health and wellbeing through access closer to home to a full range of coordinated services, including local authority, further education and voluntary third sector services
- Creating a community asset which the people of Keighley can be proud of, acting as a catalyst for social and economic regeneration in the town
- Facilitating new and collaborative ways of working which would address the sustained and growing rate of health inequalities in the Keighley catchment area
- Supporting the delivery of a more population-based proactive approach to health, care and self-management
- Accelerating the switch in approach from the delivery of reactive treatment to one which focuses on the proactive management of health and wellbeing through the effective application of PHM
- Contributing to carbon reduction and sustainability agenda across the NHS estate and aspirations of the local public sector.
- Providing high quality, bookable space in a community setting for use which complements the other offering of other projects supported by the Towns Fund process.

5. FINANCIAL & RESOURCE APPRAISAL

There are no direct financial implications from this paper. Any other option for the location of the centre would need a full business case assessment which may impact upon Towns Fund proposals and have potential financial implications upon the Council.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no risk management and governance issues at this time.

7. LEGAL APPRAISAL

The Council own the freehold interest in the land.

The Council entered into a legally binding grant agreement with Yorkshire Forward, and the purpose of that Agreement was to allow for the release of Government funding via the Yorkshire Forward Agency that facilitated the development of the new Keighley College campus. The grant provided under the Agreement paid for the acquisition of the former college buildings to ensure that their future development, and the grants provided, would fulfil the statutory obligations of the Agency relating to economic regeneration and the creation of jobs and skills. Furthermore, the Council is required under the Agreement to seek consent from Yorkshire Forward (now Homes England) to the proposed use.

The Council is not, therefore, free to deal with the sites as it wishes given the contractual obligations it has under the Funding Agreement with Yorkshire Forward (HE).

Under the terms of the Agreement any disposal or change of use of the property or implementation of any planning permission requires HE's prior written consent, such consent is at the absolute discretion of HE.

HE have been fully appraised of the Council's aspirations for the site and while, at this stage, no formal consent has been requested we have been advised that HE are supportive of the proposed scheme and that formal request for HE consent will be made on receipt of detailed proposals.

8. OTHER IMPLICATIONS

8.1 SUSTAINABILITY IMPLICATIONS

The proposed development will adopt a Net Zero Carbon approach to design and operation of the centre. The nature of the project will mean it will target the highest performance criteria and it will be a benchmark in terms of aspirational public building design. It will be designed from a fabric first approach and will target the most efficient systems for building management and energy use whilst being easy to maintain. Durability of the fabric will be a necessary requirement to ensure the building retains its appearance, and the IT systems deployed will assist in the day-to-day management of the building fabric, its energy, and the management of spaces.

8.2 GREENHOUSE GAS EMISSIONS IMPACTS

As detailed above, the proposed development will adopt a Net Zero Carbon approach to its design and operation.

8.3 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications at this time.

8.4 HUMAN RIGHTS ACT

There are no Human Rights issues at this time.

8.5 TRADE UNION

There are no trade union implications at this time.

8.6 WARD IMPLICATIONS

The sites sit within the Keighley Central ward.

8.7 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

There are no implications for children and young people at this time

8.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

Not applicable.

9. NOT FOR PUBLICATION DOCUMENTS

None

10. OPTIONS

1. To reject the Petition and retain the North Street site as green space.
2. To accept the Petition which supports the scheme and progress with the proposal for the development of the Community Health & Wellbeing Centre as detailed in this report and as approved by Executive on 2nd November 2021.

11. RECOMMENDATIONS

To accept the Petition and progress with the proposal for the development of the Community Health & Wellbeing Centre as detailed in this report.

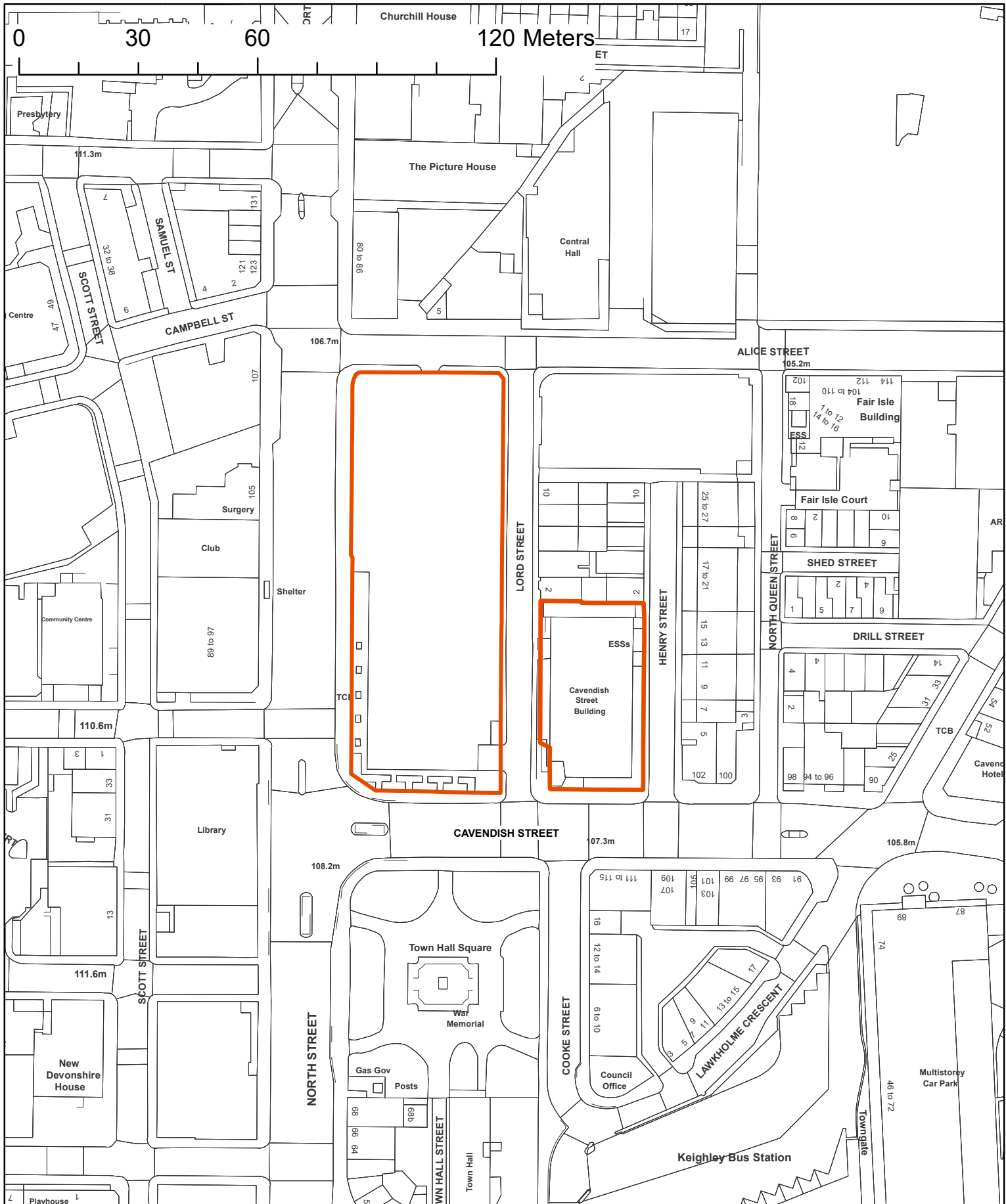
12. APPENDICES

1. Appendix 1 – Sites plan.
2. Appendix 2 – Imagery and indicative layout plan

13. BACKGROUND DOCUMENTS

None

Keighley College Sites, North Street & Cavendish Street - ARN58757 & ARN58905



SE0641

Scale at A4
1:1,250

N



Plan Number: 222
Version: 1
Officer: KRL
Case Officer: AR
Date: 29/09/2021

© Crown copyright and database rights 2020 Ordnance

Page 69



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL

Corporate Resources

Estates & Property

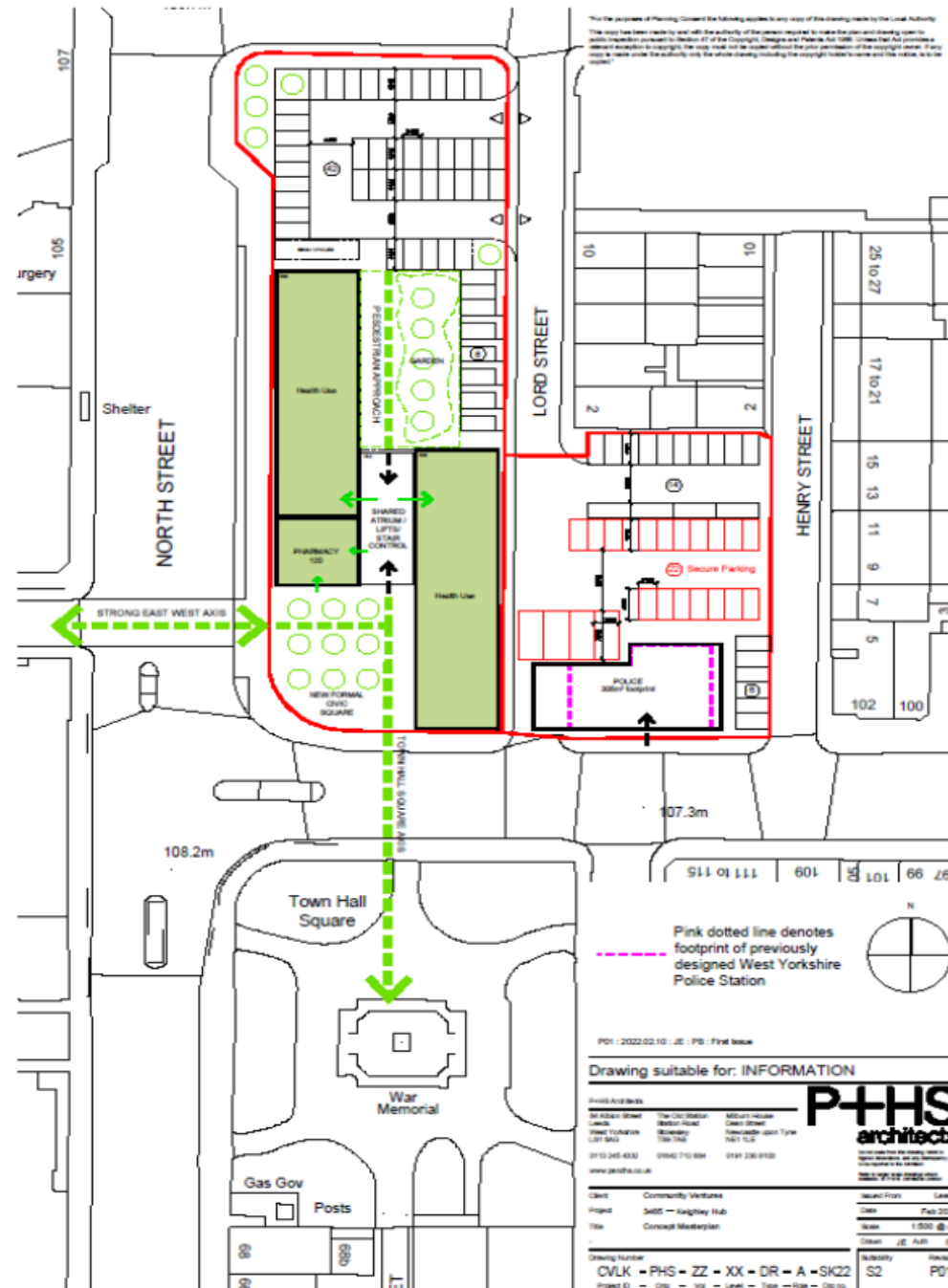
1st Floor Argus Chambers

This page is intentionally left blank



Site Massing – Preferred Option

- Opportunity to provide landmark building on site.
- Soft landscape and high quality public realm possible.
- Building could strengthen existing views into and out of site.
- Landscape could help create sense of place.
- Arrangement of building forms could provide flexible shell'.
- Common entrance possible and also opportunities for direct entry.
- WYP clearly separate and screened to allow for more secure environment.
- Views out from Lord St residential properties maintained.
- Parking maximised where possible.
- Existing Trees retained.
- Main Entrance visible opposite other Keighley landmarks.





Report of the Strategic Director of Place to the meeting of Executive to be held on 7 June 2022

Subject:

G

Bradford Enterprise Zones Business Rates Relief Scheme

Summary statement:

In 2017 Bradford was successful in obtaining Enterprise Zone status for three sites in the District. Enterprise Zone status allows businesses locating or expanding within the designated zones to apply for relief from Business Rates for a set period.

The purpose of this report is to seek approval for the implementation of a business rates relief scheme which awards relief to eligible companies.

EQUALITY & DIVERSITY:

At this stage there are no specific equality and diversity issues.

Exception to the Forward Plan

This report has not been included on the published forward plan as an issue for consideration, however as the awarding of financial assistance to support businesses growth is a priority it is essential to have an adopted policy in place as soon as possible. As it is impractical to defer the decision until it has been included in the published Forward Plan the report is submitted in accordance with paragraph 10 of the Executive Procedure Rules set out in the Council's Constitution.

Jason Longhurst
Strategic Director Place

Portfolio:

Regeneration Planning and Transport

Report Contact: Dave Partridge
Phone: (01274) 432161
E-mail: dave.partridge@bradford.gov.uk

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

During summer 2015 central Government put out a call for sites to be considered suitable for Enterprise Zone status to stimulate redevelopment of land allocated for employment uses. The bid process was managed by the Local Enterprise Partnership and the Council submitted three sites under the M62 Enterprise Zone scheme, which consisted of a total of 9 sites across West Yorkshire.

In 2017 it was announced that the M62 Enterprise Zone bid had been successful and all three Bradford sites were allocated Enterprise Zone status.

Enterprise Zone status allows business locating or expanding to the sites to claim business rates relief and this report seeks approval to implementing an Enterprise Zone rate relief policy.

2. BACKGROUND

Enterprise Zones (EZ) are designated areas within England where business can receive tax breaks and other Government support. Tax breaks can be in the form of business rate relief or enhanced capital allowances.

EZs were reintroduced in 2012 when 24 new EZs were created and a further 24 were created between 2016 and 2017. EZ status lasts for 25 years, during which time all growth in business rates within the EZ can be reinvested into local economic growth.

The key incentive generally offered in EZs is business rates relief as it is simpler than enhanced capital allowances, which are generally considered alongside company long term tax planning.

The amount of business rates which could be offered was £275,000 over a five-year period for any company relocating to the Enterprise Zone and occupying premises between 1 April 2017 and 31 March 2022. With the UK leaving the EU the previous State Aid regulations have now been replaced by UK Subsidy Control regime and the new regime allows for a company to receive up to 325,000 Special Drawing Rights (£353,139 as at 15 May 2022) over a rolling three-year period.

Any EZ rate relief secured by companies and thereby lost to the local authority as rates income will be reimbursed by central government.

The three sites allocated EZ status in Bradford are Gain Lane, Parry Lane and Staithgate Lane. Rate relief under this EZ policy will only apply to completed properties at Gain Lane – 5 units in total.

Under the terms of the Local Government Finance Act 1988 (LGFA 1988), the formal decision to adopt a local business rate relief scheme rests with the billing authority - City of Bradford Metropolitan District Council.

3. OTHER CONSIDERATIONS

The delivery of developments on hard to deliver sites and provision of modern business accommodation meet the aims of the Economic Strategy.

The businesses that have moved to the new development are expanding and creating new employment opportunities.

4. FINANCIAL & RESOURCE APPRAISAL

The day to day management of the approval process for EZ rate relief will be through officers in Department of Corporate Resources with Strategic Director – Corporate Resources sign off. The business rates billing processes will be undertaken in the usual manner by colleagues in Business Rates, part of the Department of Corporate Resources.

As the rates relief awarded to businesses can be reclaimed from central Government there is no direct reduction in income to the Council.

Under the 2018 Memorandum of Understanding (MoU) with the Secretary of State establishing the Enterprise Zones the EZ Local Authorities were entitled to retain 100% of any business rates increases from 1 April 2017 to 31 March 2042, provided that such sums are directed towards the development of the Enterprise Zones and thereafter towards the Local Enterprise Partnership's other identified growth priorities.

The amount of EZ business rates estimated at the time of the MoU for the period of 25 years was £80 million.

The West Yorkshire Combined Authority (WYCA) however, has proposed that as the EZ bidding process was managed by the LEP (WYCA is the accountable body for the LEP) the business rates generated on EZ sites be passed to WYCA for them to then redistribute for the LEP's economic and regeneration priorities.

The WYCA proposal has not been agreed by the Council as there are significant resource implications for Revenue & Benefits in complying with the obligations to WYCA in draft agreement presented to the Council. There are also financial implications arising from the WYCA proposal to pay all the EZ business rates from 1 April 2017 to 31 March 2042 to WYCA.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

Business Rate reliefs are well established and understood by the relevant department. Management of the scheme will be done so in line with existing business rates guidance and operational procedures.

The scheme will cover a period of 5 financial years from financial year 2021/22 and

will end 31 March 2026. It is intended to review the scheme after a period of 3 years.

It is likely over the course of the 5 years that rateable values of properties will be adjusted as part of cyclical business rates revaluation process undertaken by the Valuation Office Agency (VOA). This can increase and decrease rateable values. The multiplier can also be adjusted which affects the actual amount of business rates paid by the occupier. The level of awards will therefore require annual adjustments to reflect the new business rate amounts.

There will be an application process for businesses, providing an opportunity for due diligence to be undertaken by Council officers.

The assistance will not be offered to any company going through insolvency or compulsory strike off procedure on or before 31 March 2022. Similarly, any company entering insolvency, administration or compulsory striking off will no longer be eligible for business rates relief under the scheme. Relief ends immediately a company enters administration or insolvency.

Any new company taking over existing operations will not be eligible for the relief as the new company will not have been trading from the subject premises as at 31 March 2022.

6. LEGAL APPRAISAL

Relief is awarded under the terms of Section 47(1)(a) of the Local Government Finance Act, 1988.

The cost to the Council of granting relief is reimbursed by the Government, under Regulation 4 and Schedule 2(1) of the Non Domestic Rating (Rates Retention) Regulations, 2017.

State Aid/Subsidy Control - European Union State Aid rules restricted the amount of state funding businesses could receive. This included government grants, loans or tax reductions. Following the end of the transition period on 31 December 2020 the EU State Aid rules no longer apply to subsidies granted in the UK, the UK Subsidy Control regime now applies. Previously under EU State Aid rules aid was available under the “de minimis” provisions, which enabled governmental bodies such as the Council to provide support which did not exceed €200,000 euros over a rolling three-year period.

Under Subsidy Control, to the extent that a business is seeking to apply for relief that falls within the Small Amounts of Financial Assistance Allowance, Article 364 of the EU-UK Trade and Cooperation Agreement (TCA) allows an economic actor (e.g. a holding company and its subsidiaries) to receive up to 325,000 Special Drawing Rights (£353,139 as at 15 May 2022) over a rolling three-year period (consisting of the current financial year and the two previous financial years). To administer a subsidy under the Small Amounts of Financial Assistance Allowance it is necessary for the business to confirm that the award of subsidy will not result in the economic actor having received more than 325,000 special drawing rights of subsidy under the Small Amounts of Financial

Assistance Allowance. Once confirmed the business will be eligible for business rates relief for a maximum of 5 years.

On 28 April 2022, the UK's Subsidy Control Bill received Royal Assent, becoming the Subsidy Control Act 2022 (the Act). Although the UK's domestic subsidy control regime now has statutory footing, most of the Act has not entered into force, meaning the interim regime based on the TCA remains applicable. Most of the Act is expected to come into force in autumn 2022. Under the Act subsidy control requirements do not apply to minimal financial assistance given to an enterprise if the total amount of minimal financial assistance given to the enterprise within the applicable period (three year rolling period) does not exceed £315,000.

EZ Business Rates Agreement with WYCA:

Under the terms of the 2018 Memorandum of Understanding with the Secretary of State the EZ Local Authorities were entitled to retain 100% of any business rates increases which accrues for a period of 25 years from the commencement date of 1 April 2017. This is permitted on the basis that such sums are directed towards the development of the Enterprise Zones and thereafter towards the Local Enterprise Partnership's other identified growth priorities.

The Council are in receipt of the first draft of an agreement from WYCA which sets out terms and conditions on the payment of all EZ business rates to WYCA. The WYCA proposal has not been agreed by the Council as there are significant resource implications for Revenue & Benefits in complying with the obligations to WYCA in draft agreement presented to the Council. There are also financial implications arising from the WYCA proposal to pay all the EZ business rates from 1 April 2017 to 31 March 2042 to WYCA. In addition, under the terms of the draft agreement the Council will not be able to provide any discretionary business rates relief without first obtaining the consent of WYCA.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

As these are new build industrial units all meet modern construction and building regulation standards. All the units have electric vehicle charging points in the car park.

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

As new build industrial units they meet current building regulations in terms of insulation and air tightness thereby reducing the need for significant space heating.

Each unit also has at least one EV charging point in the car park. The occupiers are also investigating installation of solar PV panels on the roof of the properties.

7.3 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications at this time.

7.4 HUMAN RIGHTS ACT

There are no human rights issues at this time.

7.5 TRADE UNION

There are no trade union implications at this time.

7.6 WARD IMPLICATIONS

- Gain Lane Enterprise Zone site is within Bradford Moor ward.

7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

- n/a

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

There are no implications for children and young people at this time.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None applicable

8. NOT FOR PUBLICATION DOCUMENTS

- None

9. OPTIONS

1. To approve the Enterprise Zone Business Rates Relief scheme
2. Not to approve the Enterprise Zone Business Relief scheme
3. Not to enter into discussion with WYCA on the treatment and payment of EZ business rates.
4. Enter into discussions with WYCA on the treatment and payment of EZ business rates.

10. RECOMMENDATIONS

It is recommended:

1. Executive approve adoption of the Bradford Enterprise Zone Business Rate Relief scheme.
2. Delegated authority be given to Strategic Director – Corporate Resources to recommend approvals of rate relief under the scheme.
3. The Strategic Director of Place be given delegated authority to undertake

discussions with the West Yorkshire Combined Authority on the treatment and payment of Enterprise Zones business rates in consultation with the Director of Finance & IT, Strategic Director of Corporate Resources and the Leader of the Council, the terms of any agreement will be referred to the Executive for approval.

11. APPENDICES

Appendix A - Plan of the development at Gain Lane

12. BACKGROUND DOCUMENTS

None

Appendix A

