

## Report of the Strategic Director to the meeting of the Corporate Parenting Panel to be held on 9<sup>th</sup> March 2020

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**Subject:**

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Children in care - permanence

### **Summary statement:**

This report provides current information and future plans in respect of permanence planning for our children in care.

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**Portfolio:**

**Children’s Services**

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**Overview & Scrutiny Area:**

**Children’s Services**

## **1. SUMMARY**

- 1.1 This report contains information in respect of permanence planning for Bradford's children in care. Permanence will be the primary focus of our next Ofsted Monitoring Visit on 25<sup>th</sup> and 26<sup>th</sup> February 2020. It was a key area for improvement identified in our Ofsted Inspection in 2018 due to the delays caused for achieving good outcomes for children.
- 1.2 The report will provide data on our current children in care cohort and information in respect of new processes that are being implemented to ensure that permanence is achieved without unnecessary delays.

## **2. BACKGROUND**

- 2.1 At the time of writing this report, there are 1245 children in care in Bradford.
- 2.2 In the context of permanence there are a number of specific groups within this total that require specific consideration:

### **The provision of accommodation under s20 Children Act 1989**

- 2.3 Children who are provided with accommodation under s20 Children Act 1989. This means that a child is provided with accommodation by a Local Authority with the consent of the people who hold parental responsibility for them.
- 2.4 While s20 accommodation serves a purpose for some children, it is not usually considered to be an appropriate long term arrangement due to the reliance on the people who hold parental responsibility for the child.
- 2.5 Accommodation under s20 is most appropriately used in situations where there is a plan of rehabilitation or for young people who enter care later in their teens and who do not require the Council to hold legal parental responsibility.
- 2.6 At the end of January 2020 there were 114 children in Bradford who are accommodated under s20. This equates to 9% of the total population.
- 2.7 Of these 28 are placed with members of their extended family.
- 2.8 The remainder are placed with mainstream foster carers, in children's homes or are older young people in supported living arrangements.

### **Children who are placed on a long-term basis with family and friends**

- 2.9 At the end of January 2020 there were 256 children subject to Care Orders who were placed with family or friends. These are children for whom we hold parental responsibility. Their relatives are approved as foster carers specifically for them.
- 2.10 Whilst these arrangements may be appropriate from the perspective of the quality of care, there are disadvantages for both the child and their carers.
- 2.11 Firstly the children remain "in care" and thus experience a wide range of statutory

processes that differentiate them from their peers and which inevitably impinge on family life. They will be visited regularly by a social worker and have a variety of meetings to go to that their peers do not. Their carers will need to continue to demonstrate that they meet the National Minimum Standards for foster carers and will also need to experience visits from their supervising Social Worker, an annual review, on-going training etc.

- 2.12 In the majority of cases this level of professional involvement represents an unnecessary intrusion and these arrangements can never convey the same sense of “permanence” to a child as alternatives such as Special Guardianship.
- 2.13 More effective work prior to care proceedings can result in children not entering the care system. But where the child does need to enter care, this work can identify options for permanence within the family at a much earlier stage, thus enabling the case to conclude with the making of a Special Guardianship Order, thus providing permanence more quickly.

### **Children who are placed with their parents**

- 2.14 In certain circumstances it is appropriate for a child subject to a Care Order to be placed with one or both of their parents.
- 2.15 Most commonly this is in cases where rehabilitation is being tested.
- 2.16 In these cases it is important that the arrangement is closely reviewed and that when we are assured that it is safe to do so, that steps are taken to discharge the child’s care order when appropriate.
- 2.17 Unless this happens the child cannot be considered to have achieved permanence.
- 2.18 At the current time there are 94 children subject to final Care Orders who are placed with parents.
- 2.19 Approximately half of these arrangements have existed for more than a year.
- 2.20 It is now recognised that there has been delay in taking the necessary steps to discharge these Care Orders in order to provide permanence.

### **Children with a plan of adoption**

- 2.21 For some children, care proceedings will conclude with the making of a Care Order and a Placement Order, which enables us to place the child for adoption.
- 2.22 The speed with which the child will then be placed with a prospective adoptive family depends on factors such as the age of the child and other characteristics that may make them easier or more difficult to find families for.
- 2.23 When a prospective family is identified, the child cannot be placed with them until the suitability of the “match” has been assessed and then agreed by both the Adoption Panel and the Agency Decision Maker.

- 2.24 Thereafter once the child is placed, the family can make an application to adopt them after a period of ten weeks.
- 2.25 Bradford is part of One Adoption West Yorkshire, which is the regional adoption agency for the county. One Adoption West Yorkshire is responsible for the identification, assessment and matching of prospective adopters in West Yorkshire.
- 2.26 At the end of July there were 70 children in Bradford who were waiting to be adopted. Of these 22 had already been placed with prospective adopters and were waiting for an Adoption Order to be made.

### **Current and future activity**

- 2.27 A process is now underway in which children in the above cases are more closely tracked via a greater level of management oversight and challenge.
- 2.28 Within each locality area cases are being reviewed by Service Managers and Heads of Service with plans being implemented in cases where there has been a delay in achieving permanence.
- 2.29 The outcomes of this activity include applications to court for children accommodated under s20 for whom we need to share parental responsibility, and applications to court to discharge Care Orders for children placed with parents when this is appropriate and safe.
- 2.30 The review of children placed with parents is being supported by the provision of temporary additional social work capacity to enable the necessary assessments to be undertaken without further delay.
- 2.31 A new tracking tool has been developed to track permanence at child-level in each locality, with each Head of Service taking responsibility and being accountable for their own area.
- 2.32 A new monthly report is now being produced that provides an analysis of activity in the previous month including care entrants and leavers, to provide a greater grip on the cohort.
- 2.33 In relation to children who have a plan of adoption, a Head of Service is now the named "link" with One Adoption West Yorkshire and in addition, within each locality on a bi-monthly basis, a child-level tracking meeting will take place for the purpose of ensuring that any barriers to achieving permanence via adoption are overcome quickly.
- 2.34 New guidance and policy has now been issued to staff in respect of the use of Care Planning Meetings for all children in care. These meetings will take place in between statutory review meetings and will enable a greater focus on permanence planning.
- 2.35 A new process in respect of Disruption Meetings is being launched which aims to promote placement stability and prevent breakdown.

### **3. OTHER CONSIDERATIONS**

3.1 None identified

### **4. FINANCIAL & RESOURCE APPRAISAL**

4.1 Additional resource has been provided on a temporary basis to enable the review of children who are placed with their parents.

### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

5.1 The issue of permanence is one which carries an organisational and reputational risk due to it being an integral part of the Ofsted inspection framework and an area already identified in Bradford as needing to improve.

5.2 In addition a failure to achieve timely permanence also has financial implications due to the costs associated with children being in care.

### **6. LEGAL APPRAISAL**

6.1 Work in relation to permanence must be compliant with the relevant legislation and statutory guidance and in most cases, final decisions will be made by the Family Courts.

### **7. OTHER IMPLICATIONS**

#### **7.1.1 EQUALITY & DIVERSITY**

7.1.2 Article 12 of the European Convention on Human Rights (ECHR) upholds the right of all people to start a family which also includes adopting a child.

7.1.3 Article 14 of the ECHR and also recent equality legislation prevent discrimination for both adopters and children who are adopted.

#### **7.2 SUSTAINABILITY IMPLICATIONS**

7.2 The timely achievement of permanence supports sustainability because it is the primary means by which the amount of time children spend in the care system can be safely reduced. In some circumstances an earlier focus on permanence can prevent children needing to enter the care system in the first place, even if they are unable to remain in the care of their parents.

#### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

N/A

#### **7.4 COMMUNITY SAFETY IMPLICATIONS**

N/A

## **7.4 HUMAN RIGHTS ACT**

7.5.1 Article 12 of the European Convention on Human Rights upholds the right of all people to start a family which also includes adopting a child.

7.5.2 Article 14 and also equality legislation prevent discrimination for both adopters and children who are adopted.

## **7.6 TRADE UNION**

N/A

## **7.7 WARD IMPLICATIONS**

N/A

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

N/A

## **7.9 IMPLICATIONS FOR CORPORATE PARENTING**

7.9.1 The issue of permanence has very significant implications for corporate parenting as described in the report.

## **7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

N/A

## **8. NOT FOR PUBLICATION DOCUMENTS**

N/A

## **9. OPTIONS**

9.1 This report is for information only.

## **10. RECOMMENDATIONS**

10.1 Members are asked to acknowledge the information contained within this report and the importance of us achieving permanence for our children without any unnecessary delay.

## **11. APPENDICES**

11.1 None

## **12. BACKGROUND DOCUMENTS**

12.1 None

