



Key Decision Report
7 March 2024

**Report to the Corporate Director of
Children and Young People**

**Cabinet Member for Children,
Young People & Schools**

**Authority To Enter into a West London Fostering
Recruitment and Retention Programme**

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
List of Appendices:	1. LA Collaboration Agreement (exempt)
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Kelli Eboji Head of Service for Looked After Children and Permanency Kelli.Eboji@brent.gov.uk Palvinder Kudhail Director, Integration and Improved Outcomes Palvinder.Kudhail@brent.gov.uk

1.0 Executive Summary

- 1.1. On the 28th of September 2023 the Council was notified by the Department for Education that Brent Council, alongside Ealing, Hammersmith and Fulham, Harrow, Hillingdon, Hounslow, Kensington and Chelsea and Westminster Councils, were successfully awarded £708,466 for a West London Fostering Recruitment and Retention Programme involving a recruitment support hub, a regional foster care recruitment communications campaign and funding to implement the "Mockingbird" model.
- 1.2 The report seeks approval to enter into a collaboration agreement with the London Borough of Hammersmith and Fulham as the lead authority for a Recruitment and Retention Programme for foster carers with six other west London local authorities.

- 1.3 As part of the collaboration agreement the Council is required to enter into a Secondment Agreement and a Data Sharing Agreement. Both the Data Sharing Agreement and Secondment Agreements will be separate agreements alongside the Collaboration Agreement which are currently being developed and will be subject to approval by Legal Services.

2.0 Recommendation(s)

That the Corporate Director for Children and Young People:

- 2.1 Notes that Brent Council, alongside Ealing, Hammersmith and Fulham, Harrow, Hillingdon, Hounslow, Kensington and Chelsea and Westminster Councils, has been awarded £708,466 by the Department for Education for a West London Fostering Recruitment and Retention Programme.
- 2.2 Approves the Council entering into a collaboration agreement and associated schedules with the London Borough of Hammersmith and Fulham and six other West London boroughs for the purposes of delivering the West London Fostering Recruitment and Retention Programme.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 The West London Fostering Recruitment and Retention hub aims to contribute to the Brent borough priorities by addressing placement sufficiency issues by delivering improvements in the recruitment and retention of Brent foster carers. The West London Fostering Recruitment and Retention hub will contribute in particular to the following Borough Plan Priorities:

Prosperity and Stability in Brent

Providing safe, stable fostering placements for Brent looked after children, in their local area, will ensure better outcomes for these children as they will be able to remain in close proximity to their families, schools and communities. This also means that the local authority is able to support these children throughout their minority to reach their goals and aspirations.

The Best Start in Life

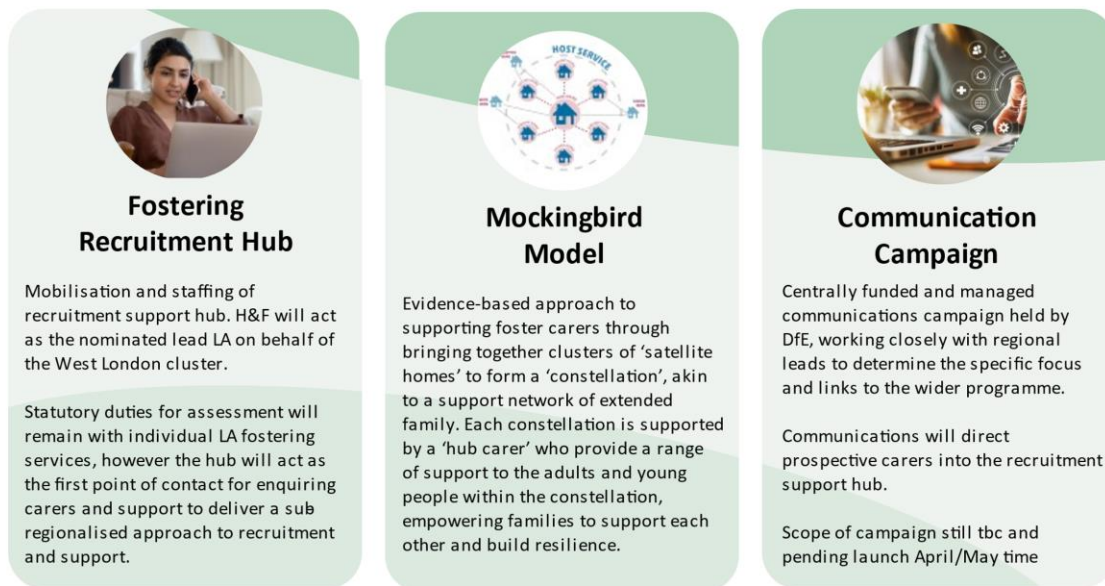
Aligned to the borough plan priority for babies, children and young people to get the best start in life, this programme aims to ensure that these children and young people receive the best possible care by local carers who are committed and competent to meet the needs of vulnerable children throughout their minority.

A Healthier Brent

In order for care experienced young people to have good health outcomes it is essential for them to have safe and caring living environments, where their health needs can be met. This programme is focused on increasing the number of such placements within Brent.

Background

- 3.2 The Stable Homes, Built on Love strategy published by the Department for Education (DfE) set out a vision to re-balance children's social care away from costly crisis intervention to more meaningful and effective early support. As part of the Strategy, the government pledged to deliver a fostering recruitment and retention programme so that foster care is available for more children who need it, investing over £27 million over the next two years. After two years the strategy will be refreshed, scaling up the new approaches that have been tested and bring forward legislation (subject to parliamentary time).
- 3.3 The Fostering Recruitment and Retention Programme aims to address the long-standing placement sufficiency problem within foster care. The programme aims to deliver end-to-end improvements across foster care, by attracting new leads, boosting approvals of foster carers in areas of specific shortage, as well as addressing retention through better support to existing foster carers. Nine self-selected "clusters" of local authorities successfully bid to deliver the programme over the next two years.
- 3.4 The Fostering Recruitment and Retention programme contains three strands of work: **a regional fostering recruitment hub, a regional foster care recruitment communications campaign**, and the roll out of the evidence based '**Mockingbird**' model to improve foster care retention. To help increase foster care recruitment this hub must:
- Be a centrally run "front door" for foster care recruitment across each local authority cluster.
 - Cover the foster carer journey from initial enquiry through to application.
 - Have a single point of contact for those enquiring to foster.
 - Provide ongoing emotional and practical advice on the approval process.



3.5 The joint bid proposal put forward by Brent with the London Borough of Hammersmith and Fulham and six other West London boroughs (the “West London Authorities”) set out a vision for a regional approach to fostering recruitment and retention in a West London “cluster” which includes 8 boroughs and was informed and shaped by two longstanding and successful collaborations for these local authorities. These are the West London Alliance (WLA) boroughs and the shared fostering and permanency service which operates between Hammersmith and Fulham, Westminster and Kensington and Chelsea (Bi-Borough)

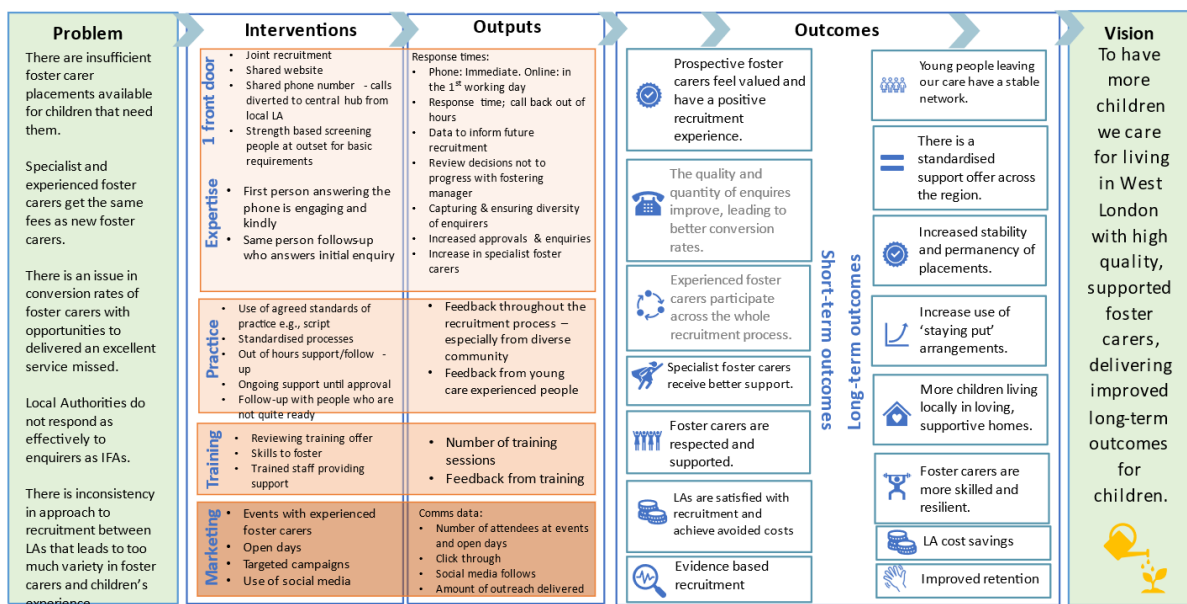
3.6 The West London Authorities vision is **“To have more of the children we care for living in West London with high quality, supported foster carers, delivering improved long-term outcomes for children.”** Building on the learning of establishing a shared service for fostering and permanence, the West London Authorities will establish a “best in class” front door which will ensure an outstanding service for enquirers which is strength based and enabling its screening and support. This vision, articulated in the theory of change model below, will be achieved by establishing a service which delivers:

- **Marketing targeted** to West Londoners and encouraging enquiries which reflect our diverse communities.
- Maintaining established brand identities of LA foster services but routing **all enquires through the hub**.
- Offering a **rapid, positive, and engaged response** to all enquiries on the first working day they make contact.
- Being tenacious, persistent, enquirer focused and positive in **keeping in touch** with people who have enquired.
- Offering screening and discussions outside of office hours to allow prospective carers to receive support based on their availability. This will

allow people to plan discussions when they are in comfortable, safe spaces, and involving their loved ones and wider support network as they need.

- Screening enquirers with skill and a **strength-based approach**, focusing on what they can do and how to appropriately **remove barriers** to progressing to a home visit.
- **Robust data** will be collected on enquirers and their journeys to approval to shape future marketing, and to benchmark and critically reflect on hub performance and differences between the local authorities.

Theory of Change fostering recruitment support hub



- 3.7 This is an 18-month project with DfE funding available until the end of the 2024/25 financial year.
- 3.8 A Collaboration Agreement (Appendix 1) is in place and came into effect on the 1st of October 2023 and will terminate on the 31st of March 2025 (“the Term”) unless terminated earlier in accordance with Clause 14.3 of the agreement. The Recruitment Hub will be operational from 1st April 2024.
- 3.9 This Agreement has been entered into by the Parties to establish and effect provisions for the performance of the Project and to clarify the Parties’ roles and responsibilities in respect thereof and to each other, and to achieve the **outcomes** set out in the diagram above.
- 3.10 A Data Sharing Agreement has been drafted contained in Schedule 1 of the Collaboration Agreement and will require each local authority to enter into Data Sharing agreement in relation to how information will be gathered and processed in compliance with Data Protection Legislation. Data Sharing Agreement and Data Protection Impact Assessment will be reviewed by the relevant project subgroup.

- 3.11 A Secondment Agreement has also been drafted contained in Schedule 2 to the Collaboration Agreement in the event that a Brent employee is seconded to Hammersmith and Fulham for the purpose of this project. This employee would remain employed by Brent, and at the end of their secondment would return to their substantive Brent post. If the substantive post is removed or deleted by Brent during the secondment period, Brent would be responsible for the staff member's redeployment or redundancy. This agreement would also require that Brent continue to pay the staff member's salary during the secondment, and then receive reimbursement from the grant funding.
- 3.12 This Collaboration Agreement also makes provision for the potential secondments of Hammersmith & Fulham employees to other participating authorities however there is no obligation on the Council or other participating authorities to enter into these potential secondment arrangements with Hammersmith & Fulham Council.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Corporate Parenting Committee has been kept updated on progress with this project. There has been discussion and engagement with foster carers since September 2023 about the plans for the recruitment hub, and there will be ongoing consultation with foster carers across the West London boroughs throughout the life of the project.

5.0 Financial Considerations

- 5.1 This work programme is funded by the DfE and funding will be delivered via two grants. A grant under S31 of the Local Government Act 2003 will fund the regional support hub work and a grant under S14 of the Education Act 2002 will fund the Mockingbird element.

5.2 Recruitment Hub – Section 31 grant

- 5.2.1 The total funding awarded for the recruitment support hub is **£708,466** and will be issued under section 31 of the Local Government Act 2003.

- 5.2.2 Funding will be released via two separate s31 grant determination letters in November 2023 and February 2024. The November 2023 funding has been received.

5.3 Mockingbird – Section 14 grant

- 5.3.1 The DfE has arranged for funding for *phase 1* of Mockingbird implementation to be paid directly to *The Fostering Network* on our behalf. This funding is yet to be released to Brent.

- 5.3.2 Further funding for Mockingbird will be delivered to the lead local authority (Hammersmith and Fulham) via a s14 grant, which will be paid in arrears.

5.4 The Corporate Director Finance and Resources has approved entry into the Collaboration Agreement.

6.0 Legal Considerations

6.1 Approval is sought to enter into a Collaboration Agreement with the London Borough of Hammersmith and Fulham as the Lead Authority. The Council may rely on the general power of competence set out in the Localism Act 2011 to enter into such Collaboration Agreement.

6.2 Contract Standing Order 85 sets out certain requirements for the entry into a partnership agreement and for collaborative procurements with other public bodies. CSO 85 provides that:

- (a) No Partnership Arrangements may be entered into unless they are approved by the Corporate Director, Finance and Resources and a formal agreement covering the arrangements is signed by the parties. - Officers have confirmed in Paragraph 5.5 that the Corporate Director, Finance and Resources has approved entry into an inter-authority co-operation agreement.
- (b) Any Partnership Arrangement or Collaborative Procurement which includes delegation of powers shall be approved by the Cabinet (or, where relevant, Full Council) – The proposed Collaboration Agreement does not include delegation of powers.
- (c) Any Collaborative Procurement shall comply with these Standing Orders and Financial Regulations unless: (i) agreed otherwise in consultation with the Head of Procurement and in writing by the Corporate Director, Finance and Resources and the Monitoring Officer; or (ii) in the case of a High Value Contract, the agreement of the Cabinet is obtained under Standing Order 84(a). For the purposes of this Standing Order the Contract Value shall be calculated on the estimated value of the Council's part of the contract only. – The Collaboration Agreement details the range of procurements to be undertaken in relation to the project. As detailed in paragraph 5.5 the Corporate Director, Finance and Resources consents to the use of the London Borough of Hammersmith and Fulham Standing Orders being applied in the procurement of contracts.
- (d) Any agreement between the Council and one or more other body which includes any payment by the Council in respect of the costs of carrying out a Collaborative Procurement shall comply with these Standing Orders unless agreed otherwise in writing by the Corporate Director, Finance and Resources and the Monitoring Officer – The proposed Collaboration Agreement does not require payment by Brent Council to the London Borough of Hammersmith and Fulham.

6.3 Legal Services have reviewed the Collaboration Agreement and associated schedules and can confirm that the terms are legally acceptable subject to

some minor amendments to the secondment agreement to make the secondment agreement relevant to a local authority.

- 6.4 The Corporate Director has delegated authority pursuant to paragraph 9.5 of Part 3 of the Constitution to enter into agreements subject to meeting the requirements of Section 3(a) of the table at paragraph 9.5. The Agreement meets these requirements.
- 6.5 As this is an Officer Key Decision the Council must however observe a five clear day call-in period prior to formal entry into the Collaboration Agreement.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,
- 7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 7.5 The proposals in this report have been subject to screening and Officers believe that there are no adverse equality implications.
- 7.6 By developing and enhancing our fostering recruitment and retention via this programme, services to local Brent looked after children will make it more likely that they will be able to remain in their local area which will mean greater continuity for family relationships, education, and a sense of belonging which will contribute to better overall outcomes for care experienced children and young people in Brent.

7.7 By keeping children and young people in stable, local placements, this will result in better overall health outcomes.

8.0 Climate Change and Environmental Considerations

8.1 There are no climate change or environmental considerations.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 There are no human resource or property considerations.

10.0 Communication Considerations

10.1 This programme will contribute to Brent's refreshed fostering offer which will be launched in April 2024. As such there will be a new fostering campaign as part of this relaunch. This is currently under development.

Report sign off:

NIGEL CHAPMAN

Corporate Director, Children and Young People