



**Community and Wellbeing Scrutiny
Committee**

22 November 2017

**Report from the Strategic Director
of Children and Young People**

**EFFECTIVENESS OF EXISTING SUPPORT
ARRANGEMENTS FOR CARE LEAVERS AND
IMPLICATIONS OF RECENT LEGISLATIVE CHANGES**

Wards Affected:	All
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One: • Brent Care Leavers' Charter – September 2014
Background Papers:	
Contact Officer(s): (Name, Title, Contact Details)	<p>Onder Beter Head of Service, Looked After Children and Permanency Children and Young People Brent Council Email: onder.beter@brent.gov.uk</p> <p>Nigel Chapman Operational Director, Integration and Improved Outcomes Children and Young People Brent Council Email: nigel.chapman@brent.gov.uk</p>

1.0 Purpose of the Report:

- 1.1 This report will enable the Community and Wellbeing Scrutiny Committee to be advised of the role of the Council's Corporate Parenting Committee in ensuring services provided by the Council and partner agencies are leading to improved outcomes for young people who are care leavers.
- 1.2 The purpose of this report is to provide information to the Scrutiny Committee about the effectiveness of current services for care leavers and the implications of recent legislative changes introduced by the Children and Social Work Act¹, April 2017.
- 1.3 The aim of the Children and Social Work Act 2017 is to improve support for looked after children especially for those leaving care. This report will outline the main legislative changes in the Children and Social Work Act 2017 and how Brent aims to implement those changes locally to ensure that our care leavers have the best opportunities to thrive in adult life.

2.0 Recommendation

- 2.1 That the committee consider the current effectiveness of Council and partner agencies' service delivery to care leavers, making recommendations to the Corporate Parenting Committee as to how it may ensure outcomes are improved. It is recommended that a particular focus should be on how the Council will meet its new obligations under the 2017 Children and Social Work Act with specific reference to the revised principles of corporate parenting.
- 2.2 To consider the plans for the creation of the new Local Offer for care leavers and to suggest additional services or areas of work that could be included within them.

3.0 Detail

Looked After Children and Care Leavers

- 3.1 Care leavers need a wide range of support in order to have a successful transition into adulthood. Local authorities have a statutory responsibility to the children they look after and those leaving care. Local authorities are referred to as being the 'corporate parent' of these children and young people and are advised to consider this question when considering the implications of the Children and Social Work Act 2017:

'would this be good enough for my child?'

Elected members and senior leaders in all local authorities are asked to 'take a walk in care leavers' shoes'.

¹ <https://www.legislation.gov.uk/ukpga/2017/16/contents>

- 3.2. The new legislation highlights the need for local authority areas to develop a clear vision and responsibility towards looked after children and care leavers and future work is being planned to meet these additional challenges.
- 3.2 The term 'looked after' refers to any child or young person for whom the local authority has, or shares, parental responsibility, or for whom we provide care and accommodation on behalf of their parent. The term "child" refers to any child or young person until they reach the age of 18. Until April 2017 local authorities also had a duty to formerly looked after children until they reached the age of 21, or 25 if they were in further or higher education. One of the key changes in the CSW Act 2017 is that the duty and responsibility to all care leavers is extended to the age of 25, regardless of their education or employment status.
- 3.3 Brent Council is currently responsible for providing a leaving care duty under the Children (Leaving Care) Act 2000 to 308 young people (aged between 18-21) including 63 young people who were formerly unaccompanied asylum-seeking children (UASC) and 25 young people (aged between 21-25) in further or higher education).
- 3.4 Brent endorsed the Leaving Care Charter² for Care Leavers, introduced by the Department for Education in 2012. The Charter sets out how care leavers will be treated, and the support they should expect to receive from their local authority. Brent's own current Care Leavers' Charter, developed with young people, is attached at appendix one and was most recently updated in September 2014.
- 3.5 Each care leaver is allocated to a Personal Advisor (PA) who provides support and guidance to care leavers on various issues such as transition into adulthood; obtaining suitable accommodation; engaging with education, employment and training; promoting their physical, emotional and mental well-being and participation within society. A PA is not generally a qualified social worker but will have experience of working with young people in a variety of settings such as in schools, voluntary organisations or youth groups.

4.0 Effectiveness of Support for Care Leavers in Brent

- 4.1. Brent Children and Young People's Service most recent Ofsted inspection that considered the effectiveness of the experience and progress of care leavers took place in September 2015. The overall quality of support for care leavers was judged to require improvement to be considered good. Communication and contact between PAs and young people, the numbers of young people in higher education and the working relationships between leaving care and youth offending services were considered strengths. However inspectors found too much variability in the quality of young people's pathway plans (this is the document that supports a young person's transition to adulthood), that young

² Care Leavers Charter includes principles and promises to care leavers made by local authorities. This was introduced by the DfE in 2012.

people were not sufficiently aware of their rights as care leavers and that progression into apprenticeships was low.

- 4.2 Since the inspection a number of changes to the service in order to improve the quality of support for care leavers have been introduced. This has included the creation of a specialist Leaving Care team to work with care leavers, increasing the number of PAs and recruiting experienced managers to support the PAs in their activity. Operational and strategic priorities have been refreshed to focus activity, such as to increase the proportion of care leavers in employment, education and training.
- 4.3 Brent has a higher number of care leavers in higher education compared to the national average. The total number of care leavers in higher education is 45 (14.6% of the total number of care leavers) against a national average of 7%. Care leavers attending universities are offered a financial package including a 'higher education grant' (£2000) which is paid in instalments during the duration of their degree and financial support towards their rent and subsistence during Christmas, Easter and summer holidays. University fees are paid through the Student Finance Company.
- 4.4. As described above, the proportion of care leavers attending apprenticeships or vocational training opportunities was seen as an area for development. In response to this, a monthly 'Education & Employment Panel' was established to monitor and develop plans for young people at risk of becoming NEET (Not in Education, Employment or Training). The panel consists of partner agencies, Brent Virtual School, Youth Services with the lead partner Prospects who currently deliver the main Connexions contract on behalf of the Council. The panel has two strands, one with a focus on young people aged 16-18 and the other focuses on young people aged 18-25.
- 4.5. Specialist 'life & career coaching' is provided through a project called the Future Path, funded by the Department for Work and Pensions and Employment, Skills and Enterprise Team in Brent. The life coaches work jointly with Connexions workers and Personal Advisors, identifying care leavers who are NEET and providing a 'whole person' approach providing career advice, support, one to one coaching and, when a young person secures education, employment or training the support continues. To date, the project has successfully supported nine Care Leavers into paid employment.
- 4.6 The proportion of care leavers in education, employment or training was 51% in Brent as at 31 March 2017. This is above the national average of 49% but below our statistical neighbours (56%). A current priority is to enable more care leavers to engage in employment, education and training and to achieve this through working jointly with partners to improve life chances for our care leavers.

- 4.7. In terms of apprenticeships, Brent currently has three care leavers in apprenticeships. There are also 12 care leavers waiting to go through the process. These arrangements should result in approximately 5% of care leavers being in apprenticeships and will place Brent in line with the national average.
- 4.8. Many care leavers may have issues regarding low self-esteem and could have had a poor secondary school experience. This can affect confidence, making the transition into paid employment more challenging. Some young people may have had a number of placement changes in their care history that may have included a move outside of the borough, resulting in disruption to mainstream schooling and reduced academic attainment. To mitigate this, services are being developed for care leavers to enable them to acquire relevant skills before they apply for apprenticeships such as preparation for interviews.
- 4.9. Preparation for independent living and transition into adulthood are two main areas of support offered for care leavers. An assessment of their life skills starts at the age of 15 ½ and a plan for their transition into adulthood, called the pathway plan, is then developed. Personal Advisors work with young people to ensure they acquire independent living skills. Care leavers are provided with a £2,000 setting up home allowance when they are ready to live independently.
- 4.10. Care leavers are referred for permanent housing only when they are ready to manage and maintain their own tenancy. In order to ensure that all care leavers are ready to live independently and manage a tenancy when they turn 18, social workers and Personal Advisors have to evidence that the young person being nominated has acquired the appropriate life skills. This includes a readiness assessment for a broad range of issues including appropriate practical skills, emotional resilience and well-being and the type of education, employment and training conditions that would support a successful transition to young adulthood.

5.0 The background to recent legislative changes

- 5.1 A statutory framework was introduced to support care leavers by the introduction of the Leaving Care Act 2000³. Local authorities were required to assess the needs of young people once they left care, allocate them a Personal Advisor and develop a pathway plan detailing how young people would be supported.
- 5.2 The Children and Young Persons Act 2008⁴ extended the support provided by Personal Advisors to care leavers to the age of 25 if they were in higher education.

³ <http://www.legislation.gov.uk/ukpga/2000/35/section/2>

⁴ <http://www.legislation.gov.uk/ukpga/2008/23/contents>

- 5.3 In 2013, a cross-government care leaver strategy⁵ was published. The strategy introduced a number of changes to policies and practices so that care leavers were better supported. This included additional help offered by the Department for Work and Pensions via Job Centre Plus to care leavers around employment and training.
- 5.4 'Staying Put' arrangements were introduced in the Children & Families Act 2014 that placed a duty on local authorities to support young people to remain with their foster carers up to the age of 21⁶. In the same year Ofsted introduced a new inspection framework that created a specific judgement regarding the quality of leaving care support.
- 5.5 In July 2016, the Government published the 'Keep on Caring 2016'⁷ agenda that highlighted the need for care leavers to have a more successful transition into adulthood. This was welcomed nationally as a positive step for care leavers since the statistics showed that care leavers were less likely to achieve good outcomes after their transition into adulthood. For example, nationally approximately 41% of care leavers aged 19 were NEET, 49% of men under 21 who came into contact with the criminal justice system had a care experience, whilst 25% of people experiencing homelessness had spent time in care and 22% of care leavers had become teenage parents (NAO, 2015⁸).
- 5.6 In order to improve the life chances of care leavers and to help them achieve better outcomes, the Children and Social Work Act 2017 introduced new and extended duties for local authorities. This includes the provision of leaving care services for all care leavers up to the age of 25, strengthened the focus on the role of the corporate parent and required the development of a local offer for care leavers in each local authority area.

6.0 Implications for Brent of the Children and Social Work Act 2017

- 6.1 The Council's Corporate Parenting Committee, chaired by the Lead Member for Children and Young People, is the responsible body that holds the Council and partner agencies' services to account for the quality and effectiveness of provision for Looked After Children and care leavers.
- 6.2 The key elements of the Children and Social Work Act 2017 as they relate to Looked After Children & Care Leavers are:
- To expand corporate parenting principles to which local authorities must have regard;
 - To extend local authority support to Care Leavers to age 25, including provision of Personal Advisors, assessment of the needs of former relevant children and preparation of a Pathway Plan;

⁵ <https://www.gov.uk/government/publications/care-leaver-strategy>

⁶ <http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

⁷ <https://www.gov.uk/government/publications/keep-on-caring-supporting-young-people-from-care-to-independence>

⁸ <https://www.nao.org.uk/report/care-leavers-transitions-to-adulthood/>

- For local authorities to publish a Local Offer for care leavers, providing information about services that the local authority offers that may assist care leavers in, or preparing for, adulthood and independent living.

6.3 Section 1 of the Children and Social Work Act 2017 reminds local authorities of the principles of ‘corporate parenting’ and that these must apply across all local authority and partner services. Seven principles that local authorities must have regard to when exercising their functions in relation to looked after children and young people have been produced. These are:

- to act in the best interests, and promote the physical and mental health and well-being of those children and young people;
- to encourage those children and young people to express their views, wishes and feelings;
- to take into account the views, wishes and feelings of those children and young people;
- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people;
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- to prepare those children and young people for adulthood and independent living.

6.4 A significant implication will be one of budgetary pressure as there is currently no additional resource from central government to meet the additional duties to provide advice and support, a personal advisor and a pathway plan to all care leavers up to the age of 25. The legislation also affects young people who are present in the UK, but have no recourse to public funds i.e. former Unaccompanied Asylum Seeking Children (UASC). Whilst it is envisaged some of these young people may qualify for support from the Home Office, it does not include the significant number of young people who may have restrictions on their access to public funds, but have valid claims for leave to remain and who therefore are not eligible for Home Office support.

6.5 The new duty does not require local authorities to provide the same level of support to care leavers aged 21 to 25 as it does for those aged 18-20. The new duty does, however, require local authorities to respond positively to requests for support from care leavers aged 21-25 who are not in further or higher education and who may be struggling with the transition to independence. This approach recognises care leavers’ growing stability and maturity between age 21 and 25, during which time some care leavers are able to lead successful lives without PA support and may not want continuing contact with their local authority.

6.6 The table below shows the projected number of care leavers (aged between

18 and 25 years old) who could potentially require a service as per the legislative changes. As noted above, as of the 31 March 2017, only 25 young people aged 21-25 were being supported. The projection is based on the assumption that the looked after children population stays relatively stable over a 5-year period.

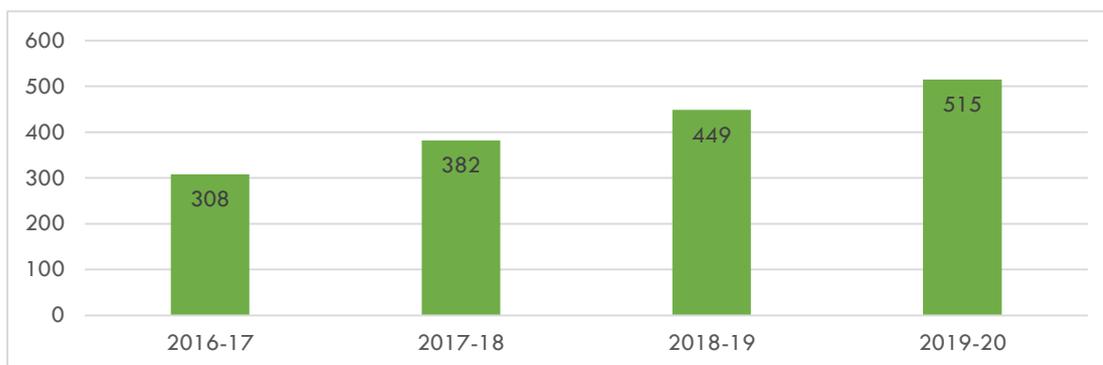


Table 1: Care Leavers Current & Projected Growth

- 6.7. The projected growth in the number of care leavers requires further work on behalf of the department to ensure the increased statutory duties can be met as it is not currently possible for this additional burden to be carried out within the allocated resource.
- 6.8. Section 2 of the Children and Social Work Act 2017 requires Brent to publish information about:
- services that Brent offers to care leavers;
 - any other service Brent offers that may assist care leavers in preparing for adulthood and independent living such as consideration to exempt care leavers from paying council tax.

7.0 Brent's Response & Preparation

- 7.1 The principles as outlined in the Children and Social Work Act 2017 are broadly contained within Brent's current Care Leavers' Charter, approved in September 2014 by the Lead Member for Children and Young People and endorsed by the Corporate Parenting Committee. The Corporate Parenting Committee will be considering Brent's new Local Offer for care leavers at the next committee meeting. More broadly, following the 2018 local elections all Councillors will be expected to attend a briefing session on the principles of corporate parenting and their responsibilities as elected members.
- 7.2 The local offer for care leavers is a combination of statutory entitlements, i.e. services required to be provided by law, as well as what Brent and partner agencies can additionally provide. The Children and Social Work Act 2017 asks local authorities to consult on and publish details of their local offer to care leavers, setting out areas such as education, health, employment, accommodation, emotional wellbeing and participation within society. This must be in place by April 2018.

7.3 Led by the Strategic Director for Children and Young People with support across the Council, Brent is in the process of developing an updated local offer for care leavers. The following progress has been made:

- Ongoing and regular consultation with the Care in Action⁹ group;
- The roll out of a 'Local Offer' questionnaire to all care leavers to ask for their views on what is important to them and what should be included in the Brent 'Local Offer';
- The Strategic Director along with her CYP senior leadership team led a Brent senior managers' workshop in June 2017. Senior Managers across all Brent departments pledged to work together to develop a local offer for care leavers. Departments committed to revise, amend or add to their services to demonstrate this is a Council-wide priority. This is being taken forward by an officer group to detail the proposals for the offer from council departments and partner agencies.
- Services within the Looked After Children and Permanency service are being realigned to respond to the new requirements under the Children and Social Work Act to improve outcomes for care leavers. An additional number of personal advisors is being recruited and two teams are being created to respond to growing demand.
- The Corporate Parenting Committee will be asked to endorse the final draft Local Offer at the next meeting in February 2018. This local offer will be taken to Cabinet in February 2018 that will include a proposal to exempt care leavers from the requirement to pay council tax.

8.0 Financial Implications

8.1 There will be additional pressures on the local authority as a result of the Children and Social Work Act 2017 and as yet there is no indication from central government that there will be additional funds to meet these increased responsibilities. Services will therefore need to be managed within the Council's resources.

9.0 Legal Implications

9.1 These are as set out in the paragraphs above regarding the 2017 Children and Social Work Act.

⁹ Care in Action is our Children in Care Council which consists of a number of looked after children and care leavers supported by participation officers.

10.0 Equality Implications

- 10.1 The establishment of a new Local Offer for care leavers will embed further the existing obligations of the Council and partner agencies to ensure equality of access and opportunity for young people who have left care.

11.0 Consultation with Ward Members and Stakeholders

- 11.1 This is taking place as detailed above with elected Members and partners. There are no specific ward implications.

12.0 Human Resources/Property Implications

- 12.1 There are no specific implications in this respect other than those detailed earlier in the report regarding the realignment of services within the Looked After Children and Permanency service. This is being managed in line with Council procedure.

Report sign off:

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Strategic Director of Children and Young People