



5 February 2024

Agenda Item: 9

RESPONSE OF THE CABINET MEMBER FOR CHILDREN AND FAMILIES

PROVISION OF SUPPORT TO LOOKED AFTER CHILDREN TRANSITIONING OUT OF THE CARE SYSTEM

Purpose of the Report

1. To provide a response to the recommendation made at 19 June 2023 meeting of the Children and Families Select Committee:

“That the following issues raised by the Children and Families Select Committee in its consideration of the report be progressed:

- a) That further information and case studies that illustrate the success and achievements of young people who have transitioned out of the care of the Council be shared with members of the Committee.*
- b) That the Cabinet Member for Children and Families, in consultation with Officers, gives further consideration to how more young people could be encouraged to remain with their foster family after turning 18, and also to the activity that would also be required to ensure that a sufficient number of foster family placements were still maintained and available for children and young people who are under 18.*
- c) That further information be circulated to members of the Committee on the work being carried out with both residential homes and foster carers to support them in ensuring that the children in their care are not potentially criminalised through being referred to the Police unnecessarily in relation to their behaviour.”*

Information

Response

That further information and case studies that illustrate the success and achievements of young people who have transitioned out of the care of the Council be shared with members of the Children and Families Select Committee.

2. In 2021, the Achievement Service was launched to link looked after children to work and training opportunities available within Nottinghamshire. The Business Engagement Achievement Adviser has developed links with employers to facilitate work experience, apprenticeships, job opportunities and employability briefings where young people can see

what the organisation does, what career roles and opportunities are available, and to have the opportunity to visit a variety of work environments across multiple business sectors.

3. All looked after young people and care leavers aged 16 – 24 years are invited to attend the employability briefings. Since 2022, 138 young people have attended employability briefings in order to learn more about the world of work in co-production with organisations such as VIA East Midlands, Boots, Griffin Freight, Care4Notts, Keepmoat Homes, Amazon, DHL, East Midlands Airport, East Midlands Rail, Nottingham Forest Football Club, Notts County Football Club, Sainsbury's, The Pizza Factory, John Lewis, Center Parcs, NHS, Treat Kitchen, Balfour Beatty, Twycross Zoo, 200 Degrees Coffee, Nottingham Police Force, Halfords and the Palmer Foundation, the list continues to grow.
4. Some successful outcomes of these employability briefings are:
 - A 17-year-old completed 3 days' work experience on the beauty counter in Boots (Meadowhall)
 - 2 young people completed work experience for John Lewis
 - 1 young person engaged with a bespoke 1:1 support session with Amazon to apply for a role as part of their recruitment drive.
 - 1 young person completed a taster day at a new Premier Inn and Whitbread hotel/restaurant complex in Worksop.
 - 1 former UASC (Unaccompanied Asylum-Seeking Children) young person gained full-time employment with Boots following some work experience following the employability briefing.

That the Cabinet Member for Children and Families, in consultation with officers, gives further consideration on how more young people could be encouraged to remain in the care of their foster carer post-18, and to the activity that would also be required to ensure that a sufficient number of foster family placements are also maintained and are available for children and young people who are under 18.

5. *Staying Put* is an arrangement where a young person remains with their foster carer(s) past the age of 18 years; both the young person and the foster carers need to agree to this arrangement. Some of the reasons why this arrangement has not been agreed include the young person wanting to move to semi-independent accommodation or because foster carers are not able to continue to care for the young person due to them not receiving the same level of weekly payment. The Local Authority receives a grant towards the cost of Staying Put but this amount received does not sufficiently cover the amount of Staying Put arrangements in Nottinghamshire.
6. A higher fee called an educational extension Staying Put is paid to enable the young person to remain living with their foster carer(s) post-18 whilst they are finishing their academic course. An example of this is when a young person turns 18 years in March but is completing their A Levels and so wants to remain with their carers until the end of the course in the July of that same year.
7. The standard Staying Put rate is currently set at the rate of £264.94 per week, this is usually made up from £164.94 from the Leaving Care budget, £70 from Local Housing Allowance and the young person paying £30 contribution from their income. If the young person is in employment (or receiving a waged income) then the Council can adjust the rates to ensure

that the young person still receives at least two thirds of their income. Staying Put is usually available until the young person reaches 21 years, but an extension of this can be considered up to their 23rd birthday if all agree.

8. The young person's Looked After Social Worker, Leaving Care Personal Advisor and Fostering Supervising Social Worker plan with the young person and foster carers what their options are for when the young person reaches the age of 18. Staying Put is always discussed as an option for the young person and their foster carer(s) as there are many benefits for the young person, such as ongoing stability, security and support. Financial support for the foster carer(s) is discussed well in advance of the young person's 18th birthday along with any contributions that the young person would be expected to make as part of their independence journey, this is to ensure there are no last-minute decisions having to be made that may jeopardise the Staying Put arrangement.
9. Foster carers are also made aware that they can continue to foster, where they have sufficient room, alongside the Staying Put arrangement. There is a shortage of foster carers and recruitment and retention has been much more difficult since the pandemic as has been the case for many volunteering opportunities. This has meant that a number of primary age children have been placed in residential children's homes where the care plan would ideally be for foster care. Within that context careful decisions need to be made on a case-by-case basis where a Staying Put arrangement directly blocks the placement of a younger child and what mitigation could be put in place. This might include the use of the 'Adaptation policy' to fund a house extension for example, to allow for both the Staying Put arrangement and a new foster placement.
10. Given that there is a lack of foster carers, and applications to become a foster carer has slowed alongside the retirement of some current carers, staying put increases the risk of children being placed in residential settings when foster care would be the preferred care plan. This problem is not just experienced by local authorities but in the independent sector as well. It is therefore essential to continue to increase recruitment and retention of foster carers. As part of the proposed social care reforms Nottinghamshire, working alongside Derby, Derbyshire and Nottingham City Councils, has been successful in applying for funding for a regional recruitment hub and the "Mocking Bird" carer support model which it is hoped will provide benefit in attracting new carers and sustaining current ones. There is also a medium-term piece of work to examine whether a regional model, similar to the Regional Adoption Agency, might provide a better vehicle through which to increase the sufficiency of foster care placements.

That further information be circulated to members of the Children and Families Select Committee on the work being carried out with both residential homes and foster carers to support them in ensuring that the children in their care are not potentially criminalised though being referred to the Police unnecessarily in relation to their behaviour.

11. Nottinghamshire County Council has a Reducing Offending protocol, which is a multi-agency approach involving Nottinghamshire Police, Crown Prosecution Service, Youth Justice Service (YJS) and Children's Social Care. A Children in Care Police Officer started in post in March 2020, this is jointly funded by Nottinghamshire Police and Nottinghamshire Social Care. This role is key in terms of trying to help prevent the unnecessary criminalisation of looked after children.

Some practical examples are:

- The Officer ensuring that the police system recognises that the young person that they are dealing with is a child in care to ensure that the first response by a Police Officer is trauma informed. For example, the Officer asks more questions and understands why a child might be behaving in the way that they are, which means that they have a higher tolerance level in choosing how to respond to the situation they are presented with.
- A residential home can ask for the Officer to visit and speak with a young person to try and prevent a situation escalating. One young person was being racially abusive to residential staff and causing damage. The Officer visited a girl aged 14 years and introduced her to a girls' boxing group that the Children in Care Police Officers jointly run across Nottingham City and Nottinghamshire. By spending time with the girl and talking to her about her behaviour, this has prevented further criminal escalation. It is over a year since the intervention of the Children in Care Police Officer and there have been only two further incidents (the last being April 2023) and neither of which have resulted in the girl being charged with these offences. The girl is presenting as more settled and looking at college options.
- Where incidents take place that involve Police attendance and where there is a likelihood that the young person may be charged with an offence, there is a responsibility on the accommodation provider and the Police to complete the Crown Prosecution Service's (CPS) 10 Point Checklist. This checklist identifies important factors to help inform the CPS on the most appropriate course of action. The Children in Care Police Officer ensures:
 - a) that the Police Officer understands the need for this to be completed (awareness raising) and;
 - b) who the checklist is sent to (e.g., Social Worker and the accommodation provider), and;
 - c) the checklist is received in a timely manner as this can influence the CPS's decision making.
- The Officer can offer advice and consultation to accommodation providers. For example, a young man in a residential home was smoking cannabis and the residential home were concerned they would not be seen as safeguarding appropriately by Ofsted and criticised for this. They therefore were considering reporting the young person to the Police. However, most parents would not report their own child for smoking cannabis and would seek help and support, not criminalisation. The Children in Care Police Officer advised the Residential Manager to write to the young person explaining the rules such as cannabis is not to be smoked in the house, on the premises, and neither should it be kept in their room. This led to a conversation with the young person about their use of cannabis and additional support that could be put in place, as well as ensured that the residential home could demonstrate to Ofsted they had protected other residents and dealt with the issue proportionately, sustaining the young person's placement with them.

- The Officer has seen emerging issues and put training packages together for care providers. For example, managing Child Criminal Exploitation (CCE) concerns. This has ensured that accommodation providers are more aware of different options for addressing and dealing with looked after children with diversionary solutions.
- The Officer has offered consultation to care providers, Social Workers, and other Police Officers to ensure the child's situation is understood holistically. For example, an incident where a care home had not followed the care plan for the young person by washing their clothes with another young person's meant that the child became dysregulated, and an incident occurred which led to police involvement. The Officer ensured the Out of Court Disposal Panel knew the circumstances and focussed on the upskilling of the care home staff as opposed to criminalising the young person.
- The Officer is passionate about situations being responded to with a trauma informed lens and doing things differently. Their role enables them to share this passion and knowledge with their colleagues in Nottinghamshire Police and with our accommodation providers. For example, identifying with a care home that if they needed to restrain a child who had previously experienced sexual abuse, that holding them down would revisit their historical trauma and only escalate behaviours to a point where the police may be required. By avoiding certain techniques and look at de-escalation then they have avoided police involvement and further trauma to that young person.
- The Officer will support their colleagues in respect of various options and how situations could be addressed by the Out of Court Disposal Panel (OOCDD). The Officer will sometimes attend this panel if they have had input by either visiting the child or has information to share that will help the panel make a positive and supportive decision.
- The Officer does not deal with any live incidents, but when agencies and/or the Police are not aware of different approaches and options available then the Officer can liaise with the CPS to get the incident retracted back to the OOCDD panel. In one situation which occurred over a weekend and had progressed straight to Court, the Court itself sent the case to be heard at the OOCDD Panel instead. This evidences the level of understanding of the protocol within the CPS.

Statutory and Policy Implications

12. This report has been compiled after consideration of the implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and, where such implications are material, they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

13. There are no direct financial implications arising from this report.

RECOMMENDATIONS

That the response from the Cabinet Member for Children and Families be noted.

Councillor Tracey Taylor
Cabinet Member for Children and Families

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Constitutional Comments (LW 28/12/23)

14. The Children & Families Select Committee is the appropriate body to consider the content of the report.

Financial Comments (VC 28/12/23)

15. There are no additional financial implications arising from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

[Provision of support to Looked After Children transitioning out of the care system – report to Children and Families Select Committee on 19 June 2023](#)

Electoral Division(s) and Member(s) Affected

All.

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