

21st June 2021

Agenda Item: 12

REPORT OF THE SERVICE DIRECTOR, COMMISSIONING AND RESOURCES

REVIEW OF ELECTED MEMBER OVERSIGHT OF CHILDREN IN LOCAL AUTHORITY CARE

Purpose of the Report

1. To present the recommendations of the cross-party Elected Member working group on their review of the governance arrangements of Looked After Children care settings, including an evaluation of the current Children's Homes Governance Board

Information

2. The report of the Leader of the Council to Policy Committee on 18th September 2019 outlined the background of the Independent Inquiry into Child Sexual Abuse (IICSA) and in particular the investigation into the institutional response of Nottinghamshire County Council, Nottingham City Council, Nottinghamshire Police and the Crown Prosecution Service to allegations of sexual abuse made by children who were abused whilst in the care of the Councils and who lived in residential homes or with foster families. In line with one of the recommendations of this report Members agreed to a review of the governance arrangements for the Council's Looked After Care settings, including consideration of whether the Council should re-establish the Corporate Parenting Sub-Committee.
3. In order to undertake the review it was recommended that a cross-party working group, comprising Members and senior officers, should be established to agree the scope, oversee the work and formulate recommendations. The establishment of the working group was approved at Children and Young People's Committee on 16th December 2019 with representatives of all four parties on the Committee participating. It was initially scheduled that the group would report back to Committee by July 2020 but unfortunately the global pandemic delayed the process.
4. The working group met on four occasions with Elected Members reflecting on their own experiences and taking evidence from several senior managers across the Children and Families Department to formulate recommendations. These meetings were chaired by the Vice-Chairman of the Children and Young People's Committee and were minuted.

5. The conclusions of the working group and the rationale for these are presented below. There was no dissent from any party regarding the recommendations.
- **Recommendation 1:** that the current Children's Homes Governance Board which provides Elected Member oversight of the seven children's homes directly operated by the County Council should be reconfigured to provide an oversight of all places where our children who are looked after live. This would include those children's homes and foster placements directly provided by the Local Authority and those commissioned from external providers including the Youth Custody Service. The focus of this 'Children Looked After Governance Board' would be on safety and those aspects of children's wellbeing that have a direct impact on their safety. The Board would continue to report back to Children and Young People's Committee with recommendations.
 - **Recommendation 2:** that the proposed 'Children Looked After Governance Board' should have Elected Member representation from all parties represented on the Children and Young People's Committee in recognition of the commitment to corporate parenting.
 - **Recommendation 3:** that the Corporate Parenting Sub-Committee should not be re-established. Elected Members felt that in order to provide proper scrutiny of the safety of children in care they would need to be in receipt of a significant amount of information that would be exempt from public disclosure and as such a public committee would not be the right vehicle. They noted that other issues related to looked after children, such as educational progress, were being reported in an effective way to Children and Young People's Committee.
 - **Recommendation 4:** that the proposed 'Children Looked After Governance Board' should develop a strong relationship with the Foster Carers Liaison Group (FLAG).
 - **Recommendation 5:** that in order to develop better insights into the lives of children who are looked after all Elected Members on the Children and Young People's Committee should visit a children's home setting annually (in line with the already agreed guidance) and Members on the proposed 'Children Looked After Governance Board' should visit quarterly.
 - **Recommendation 6:** that all Elected Members should receive training or another formal input regarding the importance of their corporate parenting role within four months of their election or as soon as practicable thereafter and that this should be repeated annually.
 - **Recommendation 7:** that a report of the Children and Families Commissioning and Contracts Board should be presented to Children and Young People's Committee annually to provide assurance of the quality assurance oversight of external providers.

Other Options Considered

6. The option of re-establishing a Corporate Parenting Sub-Committee was considered. The reason for this not being recommended is described above.

Reason/s for Recommendation/s

7. The reasons for each recommendation are described above.

Statutory and Policy Implications

8. This report has been compiled after consideration of 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

9. There are no financial implication arising directly from this report.

Safeguarding of Children and Adults at Risk Implications

10. The proposed 'Children Looked After Governance Board' would allow increased Elected Member oversight of the children in the care of the Local Authority and would complement other aspects of oversight undertaken by the Nottinghamshire Safeguarding Children Partnership and Looked After Children and Care Leavers Partnership Board.

RECOMMENDATION/S

That:

- 1) the current Children's Homes Governance Board should be reconfigured to provide an oversight of all places where our children who are looked after live and with a focus on safety and those aspects of children's wellbeing that have a direct impact on their safety. The Board would continue to report back to Children and Young People's Committee with recommendations at least every six months
- 2) the proposed 'Children Looked After Governance Board' should have Elected Member representation from all parties represented on the Children and Young People's Committee
- 3) the proposed 'Children Looked After Governance Board' should develop a strong relationship with the Foster Carers Liaison Group (FLAG)
- 4) all Elected Members on the Children and Young People's Committee should visit a children's home setting annually and Members on the proposed 'Children Looked After Governance Board' should visit quarterly
- 5) all Elected Members should receive training or another formal input regarding the importance of their corporate parenting role within four months of their election or as soon as practicable thereafter and that this should be repeated annually. This Committee therefore provides the Monitoring Officer with the authority to make any additions to the

Councillor Induction and Development Programme to incorporate this recommendation as she considers necessary to ensure the delivery of good governance.

- 6) an annual report of the Children and Families Commissioning and Contracts Board should be presented to Children and Young People's Committee.

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Constitutional Comments (GR 08/06/21)

11. Pursuant to the Nottinghamshire County Council constitution this Committee has the delegated authority to receive the report as well as make the recommendations contained within it.

Financial Comments (CDS 08/06/21)

12. There are no financial implications arising directly 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.

[Staffing Resources for the Independent Inquiry into Child Sexual Abuse - report to Policy Committee on 15 June 2016](#)

[Responses to Historical Child Abuse – Resources - report to Policy Committee on 20 December 2017](#)

[Independent Inquiry into Child Sexual Abuse - report to Full Council on 18 January 2018](#)

[Response to Historical Child Abuse – Resources - report to Children and Young People's Committee on 18 March 2019](#)

Children in the care of the Nottinghamshire Councils Investigation Report – July 2019

[Independent Inquiry into Child Sexual Abuse – Initial Response – report to Policy Committee on 18 September 2019](#)

Guidance for Elected Members – Visits to Children’s Residential Homes - report to Children’s Homes Governance Board – September 2019

Electoral Division(s) and Member(s) Affected

All.

C1462