

15th June 2020

Agenda Item: 5

REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND SOCIAL WORK

ADAPTATION TO A LOCAL AUTHORITY FOSTER HOME

Purpose of the Report

1. This report seeks approval to spend £42,000 on an adaptation to a Local Authority foster home, which will be provided as a conditional grant to the foster carers. The condition will be that the Local Authority will impose a legal charge upon the foster carer's property. A financial assistance agreement and legal charge will formalise this grant. These documents ensure that the investment of public money is protected.

Information

2. JS and MS are approved foster carers for Nottinghamshire County Council. They have been approved as foster carers since 2012. There is clear evidence that JS and MS are experienced and competent foster carers and valued members of the Fostering Futures Team. They started off by providing support care, before becoming long term carers for KC in 2015. JS and MS have developed a very strong understanding of therapeutic parenting and use these skills naturally and successfully within the fostering household. JS and MS have demonstrated their commitment and dedication to KC throughout her time in their care and they are clear in their intentions to continue caring for her until adulthood.
3. KC's early childhood experiences have been traumatising, impacting on her development and emotional wellbeing. KC has experienced several moves between family members/friends and foster placements, prior to being placed with JS and MS. As a result, KC can present as being in a constant state of hyper-vigilance and she has evolving and recognised sensory needs and sensitivities which impact upon her on a daily basis. KC can experience shame, fear and anxiety, which will result in a number of presenting behaviours which manifest within all environments. KC requires a high level of therapeutic parenting, care and nurture, which JS and MS provide on a daily basis. This has enabled KC to settle within their care over these years and there is clear evidence that she has been able to establish a close attachment with both carers.
4. In 2016, emergency remedial work had to take place to the property when cracks were discovered in the main roof beams. Building regulations became involved and JS and MS were advised that the entire loft space (KC's bedroom) had to be rebuilt to meet current building regulations. To maintain KC's placement and to meet building regulations, JS and

MS funded the remedial work independently. Work cost in excess of £25,000, resulting in them using their savings and obtaining a loan.

5. With the focus on KC's bedroom and repairs to the beams, it was not fully explained about the impact that this work would have upon their son's (LS) bedroom. LS's bedroom space had to be significantly reduced to accommodate the necessary remedial work to KC's room and to meet building regulations. The room is now barely large enough to fit his single bed. There is no space for wardrobes, cupboards or even his toys or personal affects. As a Local Authority it is not considered that this bedroom is a suitable space for fostering purposes. His bedroom now measures 1.5m x 2.34m (4.9ft x 7.7ft). According to the 2004 Housing Act it cannot legally be classed as a single bedroom.
6. JS and MS are committed to their fostering career and are prepared to extend their property, via a two-storey extension, to enable them to continue caring for KC on a long term basis and provide LS the bedroom/personal space he needs. The proposed extension would also provide additional bathroom and kitchen space, sensory and study area for KC and a downstairs toilet. The total cost of the extension is now estimated at £76,547. JS and MS are prepared to remortgage their property, to pay £34,547 towards the proposed work. This is in addition to the £25,000 they have previously paid towards renovations to maintain KC's placement and to enable them to continue fostering for the Local Authority. JS and MS's application to remortgage their property has been agreed for the amount required.
7. An investment of £42,000 provides both benefit and value to the Local Authority. The investment would secure KC's long term placement with her current carers and enable JS and MS to continue their fostering career with the Local Authority. If this necessary extension work was not agreed, JS and MS would have to reconsider their position and this could result in a placement breakdown. With KC's complex needs, identifying an alternative foster placement would likely be challenging. Consideration would need to be given to an independent fostering placement or external residential provision, which would have significant financial implications for the Local Authority.
8. There is sufficient budget capacity, within the Access to Resources budget, to provide a grant of £42,000 to the foster carers. The Local Authority has previously secured similar adaptation grants via the imposition of a legal charge upon a foster carer's property. The financial assistance agreement and legal charge ensure that the investment of public money is protected. The terms require repayment of some or all of the grant in the event of specific circumstances (such as ceasing to foster care). This repayment obligation is time limited i.e. within a 10 year period of a grant payment having been made.

Other Options Considered

9. No other options have been considered.

Reason/s for Recommendation/s

10. The Local Authority's looked after population continues to rise and there is significant pressure upon the external placement budget. Any measure that can reduce potential expenditure on an external foster placement represents an efficiency to the Local Authority.

11. There is sufficient budget capacity within the Access to Resources budget to provide an unconditional grant of £42,000 to the foster carers.

Statutory and Policy Implications

12. 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.

Data Protection and Information Governance

13. On agreement to funding it will be necessary for the fostering service and the foster carers to share information about the foster carers (but not the fostered young person placed with them) in order for legal documentation to be drawn up by the Local Authority's legal services. This documentation will concern a legal charge on the foster carers' property and a legal agreement requiring the foster carers to repay a proportion of the funding should they cease to foster within an agreed time period.

Financial Implications

14. The cost of the adaptation to the foster carer's home is £42,000 and this can be contained within the Fostering Service budget of £8.4m.

Human Rights Implications

15. A child's right to family life is enhanced when the Local Authority has local, foster placement provision.

Implications for Service Users

16. The service user is a looked after child. Funding necessary extension work would support KC's long term placement and enable JS and MS to continue with their fostering career. Placement breakdown would for KC would have significant negative and life changing implications.

RECOMMENDATION/S

That:

- 1) the Committee approves the expenditure of £42,000 on an adaptation to a Local Authority foster home as detailed in the report.
- 2) the amount of £42,000 be provided as a conditional grant to the foster carers. The condition will be that the Local Authority will impose a legal charge upon the foster carer's property. A financial assistance agreement and legal charge will formalise this grant. These documents ensure that the investment of public money is protected.

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Constitutional Comments (AK 19/05/20)

17. The report falls within the remit of Children and Young People's Committee under its terms of reference.

Financial Comments (SAS 22/05/20)

18. The cost of the adaptation to the foster carer's home is £42,000 and this can be contained within the Fostering Service budget of £8.4m

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.

None.

Electoral Division(s) and Member(s) Affected

All.

C1366