

Children and Young People's Committee

Monday, 15 June 2020 at 10:30

Virtual meeting, <https://www.youtube.com/user/nottsccl>

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of the Last Meeting held on 10 February 2020 | 3 - 8 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Changes to the Staffing Establishment and Review of Recruitment and Rentention at Clayfields House Secure Children's Home | 9 - 12 |
| 5 | Adaptation to a Local Authority Foster Home | 13 - 16 |
| 6 | Changes to the Staffing Establishment the Youth, Families and Social Work Division | 17 - 24 |
| 7 | Establishment of a Managing Allegations Service within Children and Families Services | 25 - 32 |
| 8 | Establishment of Additional Posts within the Commissioning and Placements Group | 33 - 36 |
| 9 | Changes of Children's Social Care Regulations in Response to Covid-19 | 37 - 44 |
| 10 | Urgent Chief Executive's Decision - Early Years Funding for the Private, Voluntary and Independent Childcare During the Covid 19 Pandemic | 45 - 52 |

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Martin Gately (Tel. 0115 977 2826) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting CHILDREN & YOUNG PEOPLE'S COMMITTEE

Date 10 February 2020 (commencing at 10.30am)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

Philip Owen (Chairman)
Sue Saddington (Vice-Chairman)
Tracey Taylor (Vice-Chairman)

Tom Hollis
Boyd Elliott
John Handley
Errol Henry JP

Paul Henshaw
Roger Jackson
Kate Foale
Liz Plant

CO-OPTED MEMBERS (NON-VOTING)

4 Vacancies

OTHER COUNCILLORS IN ATTENDANCE

Joyce Bosnjak
Neil Clarke
Richard Jackson
John Longdon

OFFICERS IN ATTENDANCE

Katharine Brown	Public Health and Commissioning Manager, Public Health
Rachel Clark	Programme Lead Children and Young People's Mental Health
Karen Hughman	Group Manager, Children and Families Services
Laurence Jones	Service Director, Children and Families Services
Irene Kakoullis	Group Manager, Children and Families Services
Pip Milbourne	Business Support, Children and Families Services
Colin Pettigrew	Corporate Director, Children and Families Services
Martin Gately	Democratic Services Officer, Chief Executive's

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 13 January 2020 having been circulated to all Members, were taken as read and were signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Councillor Hollis substituted for Councillor Deakin (medical) and Councillor Foale substituted for Councillor Peck (other).

3. DECLARATIONS OF INTEREST

None.

CORPORATE PARENTING ITEMS

4. DESTINATION OF YEAR 12-13 LOOKED AFTER YOUNG PEOPLE COHORT 2019-2020

RESOLVED 2020/11

The Chairman introduced the report and responded to questions and comments from Members.

That:

- 1) No further action was required arising out of the information contained in the report.

OTHER ITEMS

5. YOUR NOTTINGHAMSHIRE YOUR FUTURE – DEPARTMENTAL STRATEGY: SIX MONTH REVIEW OF PROGRESS

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2020/12

That:

- 1) A comprehensive written briefing be provided to Members on achievement at Level 3 (equivalent of A Level).

6. ADMISSIONS APPLICATIONS IN THE NORMAL ADMISSIONS ROUND TO NOTTINGHAMSHIRE SCHOOLS AND ACADEMIES – 2019-2020

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2020/13

That:

- 1) No further actions were required in relation to the information contained within the report.

7. NOTTINGHAMSHIRE SCHOOL ADMISSION ARRANGEMENTS 2021-2022

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2020/14

That:

- 1) The school admissions arrangements for 2021-2022 as detailed in Appendix 1 be approved, including:
 - overall procedures and practise including oversubscription criteria for community and voluntary controlled schools, as detailed in Section 1
 - published admission numbers, as listed in Section 2
 - qualifying schemes in Section 3
 - in-year scheme in Section 4.

8. CHILDREN'S CENTRE PROPERTY PROPOSALS

The Chairman introduced the report and responded to questions and comments from Members.

The following amended motion was proposed by Councillor Hollis and seconded by Councillor Henshaw.

To propose to defer the agenda item 8 while further investigations into implications take place.

Recorded Vote:

The requisite number of Members requested a recorded vote and it was ascertained that the following 5 Members voted '**For**' the amended motion:-

Councillors Hollis, Henry, Henshaw, Foale and Plant

The following 6 Members voted against the motion:-

Councillors Owen, Taylor, Saddington, Elliot, Handley and Jackson

Recorded Vote:

The requisite number of Members requested a recorded vote and it was ascertained that the following 6 Members voted '**For**' the substantive motion:-

Councillors Owen, Taylor, Saddington, Elliot, Handley and Jackson.

The following 5 Members voted against the substantive motion:-

Councillors Hollis, Henry, Henshaw, Foale and Plant.

RESOLVED 2020/15

That:

- 1) the proposal for the Children's Centre Service to vacate the three premises referred to in this report and for services to continue to be delivered from a range of accessible community venues and in people's homes be approved.

9. LOCAL TRANSFORMATION PLAN FOR CHILDREN AND YOUNG PEOPLE'S EMOTIONAL AND MENTAL HEALTH UPDATE

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2020/16

That:

- 1) the delivery of the cross-partnership communications strategy referred to in paragraph 20 be supported.
- 2) no further actions were required in relation to the information contained in this report.

10. EARLY CHILDHOOD COMMUNICATIONS PLAN 2020-2022

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2020/17

That:

- 1) the proposed Early Childhood Service Communications Plan 2020-2022, as attached at Appendix 1, be approved.

11. OUTSIDE BODIES REPORT: STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (SACRE) ANNUAL REPORT 2018-19

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED: 2020/18

That:

- 1) Reverend Ken Johnson be thanked for his important work.

12. WORK PROGRAMME

RESOLVED: 2020/19

That:

- 1) The work programme be noted.

The meeting closed at 11:45 am.

CHAIRMAN

15th June 2020

Agenda Item: 4

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

CHANGES TO THE STAFFING ESTABLISHMENT AND REVIEW OF RECRUITMENT AND RETENTION AT CLAYFIELDS HOUSE SECURE CHILDREN'S HOME

Purpose of the Report

1. This report seeks approval to make the following changes to the staffing establishment within Children's Social Care at Clayfields House Secure Children's Home:
 - establishment of 1 FTE Quality Assurance Officer (indicative Grade 4) post with effect from 1st July 2020
 - disestablishment of 1 FTE Safeguarding Analyst (Grade 5) post with effect from 1st July 2020.
2. The report also outlines actions to improve recruitment and retention issues at the home.

Information

3. Clayfields House Secure Children's Home accommodates children from across the country who are serving a sentence, remanded or secured for welfare purposes by the courts.
4. The Senior Management Team needs robust management information and data to ensure timely and informed management decisions can be made to address concerns when they arise.
5. The establishment of the Quality Assurance Officer role will provide support to Clayfields House Senior Leadership Team. The role will ensure information is available to managers to address any areas of concern in a timely manner and support improvements with management effectiveness on the quality of care. The job description has been evaluated with an indicative Grade 4.
6. The proposed disestablishment of the Safeguarding Analyst post will not adversely affect staff as this post is currently vacant.

7. In October 2019 there were 27 vacancies in Clayfields House (reduced to nine at the time of writing this report). In November 2019 a review of the staffing structure and job descriptions was undertaken in order to support the recruitment and retention of staff and address Ofsted's requirements.
8. Extensive consultation has been undertaken with staff and trade unions representatives at Clayfields, consulting on their understanding of their roles and responsibilities, their feelings around their role, why staff leave and what they would change to improve retention. This feedback has been considered when reviewing the job descriptions and has included reviewing work/life balance, support available and staff morale. Research has also been undertaken with other Secure Homes across the country regarding their staffing establishment.
9. The job descriptions for the following roles have been reviewed. The duties and responsibilities have been refocussed where appropriate and realigned with the tasks currently undertaken by staff in those roles, to provide clarity to both existing and potential new employees. The updated job descriptions have been subject to job evaluation. There are no changes to existing grades arising from this review:
 - Unit Leader (Band B) to be renamed as Team Manager (indicative Band B)
 - Assistant Unit Leader (Band A) to be renamed as Senior Residential Practitioner (indicative Band A)
 - Residential Social Care Worker (Grade 5) to be renamed as Senior Residential Practitioner (indicative Grade 5)
 - Residential Care Worker (Grade 4) to be renamed as Assistant Residential Practitioner (indicative Grade 4).
10. In addition to the above changes, the Centre Manager will be renamed as Service Manager (Band E). The job description for role of Deputy Manager, Head of Care (Band D), has been updated to strengthen the strategic management function in the home. These changes will provide support to the Service Manager, including deputising in their absence in order to provide management consistency and accountability. The role title will change to Deputy Service Manager (Indicative Band D)
11. Work has been undertaken with Workforce Development to improve recruitment and at the time of this report being written there are currently nine vacancies in Clayfields House, of these there are three managerial vacancies; the proposed changes in establishment, job descriptions and role titles will assist with recruitment to these posts.

Other Options Considered

12. Not changing the staffing structure and job descriptions was considered. However, this would continue to impact on the home's ability to improve the service provided to the children due to the continued lack of clarity and accountability within the current roles and responsibilities.

Reason/s for Recommendation/s

13. The changes to the staffing structure and job descriptions will enable more effective recruitment and retention of staff, which will provide a safe and caring environment for the children

Statutory and Policy Implications

14. 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

15. The net costs of the changes to grades is nil.

Human Resources Implications

16. The changes to job descriptions outlined above have been subject to extensive consultation with staff and the trade unions. The Quality Assurance Officer role will be recruited to in line with Nottinghamshire County Council's vacancy control and recruitment procedure.

Safeguarding of Children and Adults at Risk Implications

17. The proposed change and subsequent recruitment to existing vacancies will improve the Council's ability to safeguard children placed in Clayfields House.

Implications for Service Users

18. The reduction in the number of vacancies and clarity in the roles and responsibilities will improve the quality of service provision for the children placed in Clayfields House.

RECOMMENDATION/S

That Committee:

- 1) approves the disestablishment of the following post with effect from 1st July 2020:
 - 1 FTE Safeguarding Analyst (Grade 5)
- 2) approves the establishment of the following post with effect from 1st July 2020:
 - 1 FTE Quality Assurance Officer (indicative Grade 4)

Steve Edwards
Service Director, Youth, Families and Social Work

For any enquiries about this report please contact:

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Constitutional Comments (EP 28/02/20)

19. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS 02/03/20)

20. The disestablishment of a Grade 5 post and the establishment of a Grade 4 post will result in a small reduction in the cost of Clayfields staffing establishment which is £4.4m. There are no financial implications arising from the review of the job descriptions in **paragraphs 9 and 10**.

HR Comments (BC 13/02/20)

21. The staffing implications are contained within the body of the report. Where changes to current job descriptions have been proposed, the updated roles have been subject to the agreed job evaluation processes. The proposed new post, Quality Assurance Officer, will be subject to the agreed vacancy control and recruitment procedures.

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.

C1360

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.

Steve Edwards
Service Director, Youth, Families and Social Work

For any enquiries about this report please contact:

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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

15th June 2020**Agenda Item: 6****REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND SOCIAL
WORK****CHANGES TO THE STAFFING ESTABLISHMENT IN THE YOUTH, FAMILIES
AND SOCIAL WORK DIVISION****Purpose of the Report**

1. To seek approval to permanently establish:
 - the Group Management structure in the Youth, Families and Social Work division including the Group Manager Service Improvement (Band F) and Group Manager Young People's Service (Band G).
 - the following additional Social Work Services posts: 0.5 FTE Children's Service Manager (Band E), 4.5 FTE Team Managers (Band D), 8 FTE Social Workers (Band B)
 - the following additional Leaving Care Services posts: 1 FTE Achievement Advisor Coordinator (Band C), 2 FTE Training Officers (Grade 5), 1 FTE Rough Sleeper Personal Advisor (Grade 5), 3 FTE 21+ Personal Advisors (Grade 5), 0.5 FTE Personal Advisor (Grade 5), 1 FTE Transitional Personal Advisor (Grade 5), 4 FTE Leaving Care Support Officers (Grade 3)
 - an additional 1 FTE Independent Reviewing Officer post (Band C)
 - 2.5 FTE Advanced Practitioner posts (subject to job evaluation).
2. To seek approval to permanently convert 11 FTE Social Worker posts (Band B) to 11 FTE Advanced Practitioner posts (subject to job evaluation).

Information**Group Management Structure**

3. On 23rd April 2018, the Committee approved the establishment of a new Group Management structure in the Youth, Families and Social Work division on an interim basis. This included the establishment of a fixed term Group Manager, Service Improvement (Band F) post.

4. The interim structure has remained under review since April 2018 pending the outcome of structural changes such as the launch of the Regional Adoption Agency. Following the successful implementation of the Regional Adoption Agency, a permanent structure for the Youth, Families and Social Work Division is proposed as follows:

3.6 FTE	Group Manager Social Work Services (Band G)
1 FTE	Group Manager Early Help Services (Band G)
1 FTE	Group Manager Regional Adoption Agency (Band G)
1 FTE	Group Manager Service Improvement (Band F)
1 FTE	Group Manager Young People's Service (Band G).

5. This includes the permanent establishment of the Group Manager Service Improvement (Band F) and the Group Manager Young People's Service (Band G).
6. Since being in post, the Group Manager Service Improvement has taken a strategic lead for the Remodelling Practice programme, which has introduced a consistent framework for practice across Youth, Families and Social Work. The Group Manager Service Improvement has also taken a key role in the planning and preparation for the recent Ofsted Inspection, for which Children's Services received an overall rating of 'Good'.
7. The permanent establishment of the Group Manager Service Improvement would allow the continued embedding of the strengths-based practice model, including expanding this work across Children and Families and with partner agencies. The role would also lead the strategic response to the findings of the Ofsted Inspection with the aim to bring all areas of the service to 'Good' as a minimum.

Group Manager Young People's Service

8. In 2016, it was proposed that Youth Services and Outdoor Education would be "spun off" to be managed externally to the Council and therefore these services could temporarily be managed by the Group Manager Early Help. However, in the context of strong political support for retaining Youth Services and Outdoor Education Services within the Council, together with emerging evidence that high quality early intervention by Youth Services was effective in: reducing the growing threat of knife crime, gang involvement, "county lines" drug running and child criminal exploitation, it was therefore agreed that the Youth Services and Outdoor Education Services be retained within the Council. Additional funding was allocated to the Youth Service to cope with new challenges.
9. The Youth Services and Outdoor Education Services are also working creatively to support children in care, using their resources to improve the offer to Nottinghamshire foster carers by providing support to foster placements at times of crisis. This helps to prevent placement breakdown, therefore improving placement stability and reducing the financial costs associated with changes of placement and increased use of independent fostering agencies.
10. It has therefore been determined that the breadth and scope of the service requires a standalone Group Manager for the Young People's Service. Therefore, it is proposed that the Group Manager Young People's Service post, which is currently temporary, is established on a permanent basis.

Additional Social Work Services Posts

11. Due to levels of demand, all frontline Children's Safeguarding services have been operating above the assessed manageable caseload level on a sustained basis. For the Assessment Service, the assessed manageable caseload level is 15 cases per Social Worker. For the District Child Protection Teams and the Children's Disability Service, the assessed manageable caseload level is 20 cases per Social Worker. When considering average caseloads on a district by district basis, these can reach as high as 29 children per Social Worker.
12. To manage caseloads, the Department has become reliant on additional Social Work capacity in the form of Agency Social Workers. As at the end of March 2020, there were 73 Agency Social Workers employed by the Department at a cost of £5.430m in the Hard to Retain teams.
13. This proposal seeks to permanently establish these additional posts in order to manage demand and to stabilise the workforce.

0.5 FTE	Children's Service Manager (Band E)
4.5 FTE	Team Manager (Band D)
8 FTE	Social Worker (Band B).

14. This proposal also seeks to permanently establish 2.5 FTE Advanced Practitioner posts and convert 11 FTE Social Worker posts to 11 FTE Advanced Practitioner posts. These posts will provide an alternative career pathway for experienced social workers wishing to remain within case holding practice for Nottinghamshire County Council but have additional responsibilities. Allocation of these posts within teams will be agreed by the Youth, Families and Social Work Divisional Leadership Team. The posts are currently subject to the agreed job evaluation process. It is anticipated that the posts will be recruited to in November 2020.

Additional Leaving Care Service Posts

15. There is currently a shortage of capacity to meet demand in the Leaving Care Service arising from:
 - new legislation requiring local authorities to offer extended personal advisor support to care leavers aged 21-25 years (an extension from the previous support requirement for 18-20 year olds)
 - the need to 'early allocate' personal advisor support to 16 and 17 year olds to enable a sustained relationship into adulthood and to address issues earlier before they become entrenched (engagement in education, employment and training, support for independent living).
 - the increase in care leavers resulting from the significant increase in looked after children between 2010 and 2015 now reaching adulthood.
16. Current best practice suggests that a caseload of 20 per Personal Advisor (PA) is the maximum advisable, with anecdotal evidence from the National Care Leavers Benchmarking Forum putting the number as low as 16. Currently Nottinghamshire County Council's Leaving Care team is managing average caseloads as high as 27 per PA.

17. In order to ensure caseloads are manageable and to fulfil the requirements of recent legislation, this proposal seeks to establish the following additional Leaving Care Services posts. This is in addition to the posts which were approved by the Committee in July 2019.

1 FTE	Achievement Advisor Coordinator (Band C)*
2 FTE	Training Officer (Grade 5)*
1 FTE	Rough Sleeper Personal Advisor (Grade 5)
3 FTE	21+ Personal Advisor (Grade 5)
0.5 FTE	Personal Advisor (Grade 5)*
1 FTE	Transitional Personal Advisor (Grade 5)*
4 FTE	Leaving Care Support Officer (Grade 3)*

**It is anticipated that these posts will be recruited to in September 2020.*

Additional Independent Reviewing Officer Post

18. An additional 1 FTE Independent Reviewing Officer post (Band C) is required due to the increase in numbers of children in care to ensure that Independent Reviewing Officers maintain the recommended caseload of 50 to 70 children per Independent Reviewing Officer.

Historical Abuse Team

19. To date, the Historical Abuse team has been managed within the Youth, Families and Social Work Division. A separate report is also on the agenda of today's Committee meeting seeking approval to move management responsibility from Youth, Families and Social Work to Commissioning and Resources.

Other Options Considered

20. The alternative option is no change, however, this would result in the continuation of some temporary appointments, which has implications elsewhere in the structure where secondments have been granted to provide cover. This would result in long-term instability for the Youth, Families and Social Work division. The option of no change would also result in continued high caseloads, which has an impact upon: time spent with children and families; levels of drift and delay for children; staff morale and wellbeing; and recruitment and retention.

Reason/s for Recommendation/s

21. A permanent establishment of the Group Management structure, additional Social Work Services posts, Leaving Care Service and Independent Reviewing Officer posts are being proposed to establish staffing arrangements and ensure manageable workloads within the Youth, Families and Social Work division, creating stability of good quality services to vulnerable children and families.

Statutory and Policy Implications

22. 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

23. The total cost of the Social Work Services posts is £1.572m and of this £1.392m will be met from the Youth, Families and Social Work staffing budget of £51.0m. The remaining £0.180m (2020-21 £0.075m and 2021-22 £0.105m) will be met by a request from an amount set aside in contingency when the Council's budget was approved in February 2020.
24. The total cost of the Leaving Care posts is £0.444m and of this £0.257m will be met from the Youth, Families and Social Work staffing budget of £51.0m. A further £0.113m will be funded from the Rough Sleeper and Personal Advisor Extension Grants which have been received for 2020-21. It is not yet known if this funding will be available for 2021-22. The remaining £0.075m (2020-21 £0.044m and 2021-22 £0.031m) will be met by a request from an amount set aside in contingency when the Council's budget was approved in February 2020.
25. The total cost of the additional 1.0 fte Independent Reviewing Officer post is £52,000 and the funding for it was secured as part of setting the Council's budget approved in February 2020.

Human Resources Implications

26. A recruitment exercise would be undertaken for posts identified as requiring this.

RECOMMENDATION/S

That the Committee:

- 1) approves the permanent establishment of:
 - the Group Management structure in the Youth, Families and Social Work division including the Group Manager Service Improvement (Band F) and Group Manager Young People's Service (Band G)
 - the following additional Social Work Services posts: 0.5 FTE Children's Service Manager (Band E), 4.5 FTE Team Managers (Band D), 8 FTE Social Workers (Band B)
 - the following additional Leaving Care Services posts: 1 FTE Achievement Advisor Coordinator (Band C), 2 FTE Training Officers (Grade 5), 1 FTE Rough Sleeper Personal Advisor (Grade 5), 3 FTE 21+ Personal Advisors (Grade 5), 0.5 FTE Personal Advisor (Grade 5), 1 FTE Transitional Personal Advisor (Grade 5), 4 FTE Leaving Care Support Officers (Grade 3)
 - an additional 1 FTE Independent Reviewing Officer (Band C) post
 - 2.5 FTE Advanced Practitioner posts (subject to job evaluation)

- 2) gives approval to permanently convert 11 FTE Social Worker posts (Band B) to 11 FTE Advanced Practitioner posts (subject to job evaluation).

Steve Edwards
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Constitutional Comments (EP 28/02/20)

27. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS 02/06/20)

28. The total cost of the Social Work Services posts is £1.572m and of this £1.392m will be met from the Youth, Families and Social Work staffing budget of £51.0m. The remaining £0.180m (2020-21 £0.075m and 2021-22 £0.105m) will be met by a request from an amount set aside in contingency when the Council's budget was approved in February 2020.
29. Paragraph 12 highlights the Department's reliance on agency social workers to manage caseloads. The proposal seeks to permanently establish the additional social work posts in order to manage demand and to stabilise the workforce. There is a risk that if demand increases and the recruitment of qualified social workers continues to be a challenge it may have a negative impact on the overall Children & Families budget in the future.
30. The total cost of the Leaving Care posts is £0.444m and of this £0.257m will be met from the Youth, Families and Social Work staffing budget of £51.0m. A further £0.113m will be funded from the Rough Sleeper and Personal Advisor Extension Grants which have been received for 2020-21. The remaining £0.075m (2020-21 £0.044m and 2021-22 £0.031m) will be met by a request from an amount set aside in contingency when the Council's budget was approved in February 2020.
31. The continuation of the grant funding for Rough Sleepers and Personal Advisor Extension has offset the need to request £0.113m from the amount set aside in contingency when the Council's budget was approved in February 2020. It is not yet known if this funding will be available in future years; there may, therefore, be a need to request a further allocation from this contingency in 2021-22.
32. The total cost of the additional 1.0 fte Independent Reviewing Officer post is £52,000 and the funding for it was secured as part of setting the Council's budget approved in February 2020. The total Independent Reviewing Officers budget is £0.937m.

HR Comments (BC 02/06/20)

33. The staffing implications are contained within the body of the report. Additional posts will be recruited to in line with the agreed vacancy control and recruitment procedures. The Advanced Practitioner role is currently subject to the agreed job evaluation process.

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.

[Changes to the management structure in Youth, Families and Social Work – report to Children and Young People’s Committee on 23rd April 2018](#)

[Annual Budget 2020/21 – report to Full Council on 27th February 2020](#)

Electoral Division(s) and Member(s) Affected

All.

C1359

15th June 2020**Agenda Item: 7****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING AND RESOURCES****ESTABLISHMENT OF A MANAGING ALLEGATIONS SERVICE
WITHIN CHILDREN AND FAMILIES SERVICES****Purpose of the Report**

1. To seek Committee approval for the establishment of a Managing Allegations Service from October 2020 which will provide a centralised response to all allegations against those who work, or who have worked, with children – both contemporaneous and historical/non-recent.

Information

2. The Independent Inquiry into Child Sexual Abuse (IICSA) is a wide ranging independent statutory public inquiry investigating how public bodies and other non-state institutions have taken seriously their responsibility to protect children from sexual abuse. The Nottinghamshire Councils were the subject of one of these investigations with public hearings taking place in October 2018 and the subsequent IICSA report being published at the end of July 2019. The investigation focussed on children who had been sexually abused whilst in the care of the Councils covering a significant span of time from the 1940s to recent times, particularly highlighted by the significant number of individuals who had, as adults, made allegations of childhood abuse resulting in a discrete Nottinghamshire police investigation. At the same time Nottinghamshire Councils received a corresponding increase in the number of civil claims received from individuals giving accounts of childhood abuse whilst in care.
3. The County Council has been fully committed to responding to these allegations and established a discrete Historical Abuse Team which provided temporary additional capacity to ensure an ongoing comprehensive response, including support to victims and survivors.
4. As previously reported to the Policy Committee in September 2019 and the Children and Young People's Committee in December 2019, the Council's initial action plan in response to the findings of the IICSA report included a commitment to secure ongoing funding for this dedicated resource within the framework of a new service model to permanently embed the response within the Council's safeguarding arrangements.

5. Funding for this purpose has been secured as part of the 2020-2021 budget construction and this report to Committee sets out the proposal for a new model which will align the response to non-recent abuse with revised arrangements for responding to contemporaneous allegations against those who work with children.

Service Model

6. Learning from the experience of having a discrete team to respond to non-recent abuse, the proposed new Managing Allegations Service would maintain and build on that recognised good practice by offering a single point of governance for both the non-recent and contemporaneous allegations process. This framework would promote the building of professional expertise of both allegations processes within the staff team and ensure consistency and timeliness of response to both those making allegations and those against whom allegations have been made.
7. The service would encompass all operational aspects relating to investigations. The service would also provide a central point for contact with the Nottinghamshire police operation dealing with non-recent abuse and a safeguarding response to allegations of abuse made within civil claims.
8. The establishment of the new service will be achieved by combining existing resources currently in place to deal with contemporaneous allegations with new posts established using the funding agreed by Full Council in February 2020.
9. Attached at **Appendix 1** is a diagram showing the proposed structure highlighting those posts that are already permanently established, and which will move into the new service, alongside those additional posts which need to be established. These new posts are shown in the table below.

Costs

10. Subject to Committee approval and notwithstanding any further impact of Covid 19, it is anticipated that the Council will be in a position to implement the new service from October 2020. Costs for the last six months of 2020/21 will be:

October 2020-March 2021	FTE	Cost £
Temporary Service Manager (six months Band E)	0.5	15,575
Team Manager (Band D)	1	27,981
Child Protection Coordinator (Band D)	0.5	13,990
Social Workers (Band B)	2.5	57,310
Business Support Service Organiser (Grade 4)	0.5	7,054
Business Support Minutes Taker (Grade 3)	0.5	6,103
Total	5.5	128,013

11. In addition, expenses for the service as a whole of £12,000 are estimated given a total cost of £140,000. For the six month period leading up to this implementation, the current arrangements for responding to non-recent abuse will continue at a cost of £86,077. Therefore the total cost for the year 2020/21 is projected to be £226,090 to be funded from

the permanent budget agreed by Full Council in February 2020. This will be within the total financial envelope agreed of £248,000.

12. The temporary service manager post included in year 2020/21 costs is to provide additional manager capacity to facilitate successful implementation of the new service. This will not be required in year 2 and the costs for this post have been removed from full year costs for 2021/2022. Costs for that year (subject to any increase for inflation) are anticipated as follows:

Post	FTE	Cost £
Team Manager (Band D)	1	55,962
Child Protection Coordinator (Band D)	0.5	27,981
Social Workers (Band B)	2.5	114,620
Business Support Service Organiser (Grade 4)	0.5	14,108
Business Support Minutes Taker (Grade 3)	0.5	12,205
Total	5	224,876

13. With expenses estimated at £12,000 this brings the projected full year costs to £237,000.

Implementation

14. As outlined, until the new service is established, current operating procedures will be maintained. It is acknowledged that the current Covid 19 crisis may further impact on the progression of implementation. However, plans will be expedited as soon as possible within current working context.
15. The new service will be sited within the Commissioning and Resources division of Children and Families Services under the management of the Group Manager, Safeguarding, Assurance and Improvement.
16. The base for the new service is currently being explored to identify the best option to maximise service efficiencies.

Other Options Considered

17. Maintaining the current position of having separate and diverse management arrangements to respond to allegations against those who work, or who have worked, with children has been considered. This would not deliver against the desired outcomes of consistency, expertise, effectiveness and quality.

Reason/s for Recommendation/s

18. To enable the establishment and implementation of the new Managing Allegations Service.

Statutory and Policy Implications

19. 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

20. Costs for the new service model will be contained within the £248,000 agreed by Full Council on 27th February 2020.

Human Resources Implications

21. The increased capacity will allow the development of a dedicated response to allegations of both contemporaneous and non-recent abuse. All appointments will be made in line with the Council's recruitment procedures.

Safeguarding of Children and Adults at Risk Implications

22. The new service model will enhance the safeguarding and protection of children.

Implications for Service Users

23. The new service model will ensure consistency and timeliness of response to allegations against those who work, or who have worked, with children – providing an effective service for both the complainant and individuals against whom allegations have been made.

RECOMMENDATION/S

- 1) That Committee approves the establishment of a Managing Allegations Service from October 2020 with the following posts:
- 0.5 fte Temporary Service Manager (Band E) for six months
 - 1 fte Team Manager (Band D)
 - 0.5 fte Child Protection Coordinator (Band D)
 - 2.5 fte Social Workers (Band B)
 - 0.5 fte Business Support Service Organiser (Grade 4)
 - 0.5 fte Business Support Minutes Taker (Grade 3).

Laurence Jones
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Constitutional Comments (GR 03/06/20)

24. Pursuant to the Nottinghamshire County Council Constitution the Children and Young People's Committee has the delegated authority to receive this report and make the recommendations contained within it, subject to appropriate consultation under the Employment Procedure Rules.

Financial Comments (SAS 03/06/20)

25. The total cost of the current Historic Abuse Service and the posts for the new service model in 2020-21 is £226,090. The cost of the new service model in 2021-22 is £237,000. This will be met from the Managing Historic Allegations Service budget of £248,000.

HR Comments (BC 26/05/20)

26. The staffing implications are contained within the body of the report. Posts will be recruited to in accordance with the employment procedures.

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.

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

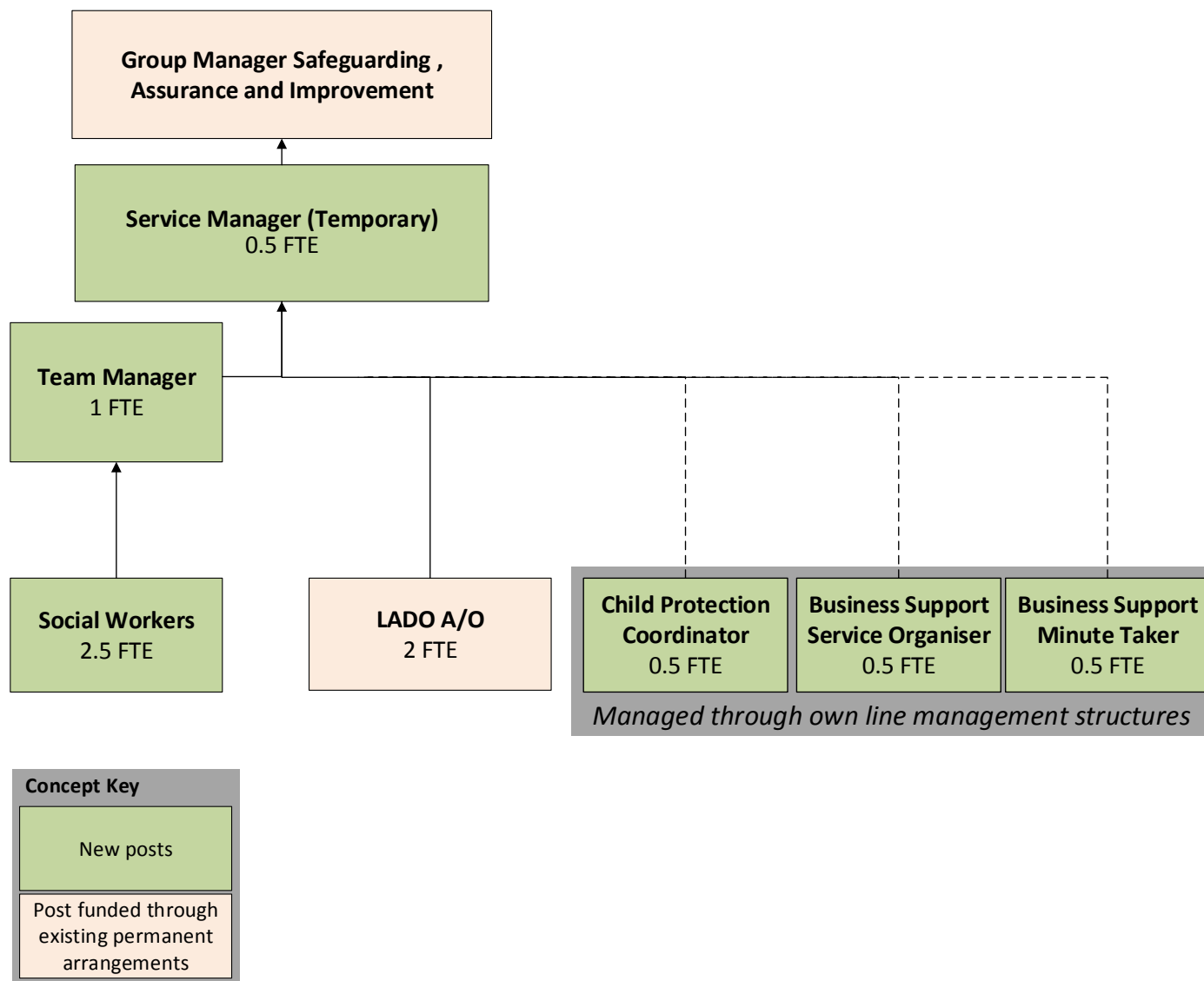
[Independent Inquiry into Child Sexual Abuse – Action Plan: report to Children & Young People's Committee on 16th December 2019](#)

[Annual Budget 2020/21 – report to Full Council on 27th February 2020](#)

Electoral Division(s) and Member(s) Affected

All.

C1368

Proposed Managing Allegations Service

15th June 2020**Agenda Item: 8****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING AND RESOURCES****ESTABLISHMENT OF ADDITIONAL POSTS WITHIN THE COMMISSIONING
AND PLACEMENTS GROUP****Purpose of the Report**

1. The purpose of this report is to formally establish two additional posts within the Commissioning and Placements Group, and to make permanent a third post that currently exists on a temporary basis, from July 2020.

Information

2. The Group performs the role of a commissioning hub for the department, bringing together the commissioning and contract management process across a range of specialist care / education provision for vulnerable children and young people, including:
 - foster care and residential home placements for Looked After Children (LAC)
 - semi-independent / supported accommodation for older LAC and care leavers, homeless 16/17 year olds, and vulnerable 18-21 year olds
 - Short Break services for children and young people with a disability – to promote independence and to provide parents/carers with a break from caring; and
 - alternative / specialist education placements in the independent and non-maintained sector for children and young people with an Education Health & Care Plan (EHCP), as appropriate.
3. The overall spend on the above services is in excess of £60m per annum, with Local Authority budget used for the care-related services and Schools Budget (High Needs Block) for the education provision. An individual child or young person with particularly complex needs may have commissioned services funded via Local Authority, health and education budgets.
4. The three posts described below will contribute to the wider commissioning and contract management of specialist education placements within the independent and non-maintained schools sector for young people with an Education, Health and Care Plan whose presenting needs are such that receiving their education in a mainstream setting is not possible. The Council maintains a contractual framework of approved independent and non-maintained providers through which most externally commissioned education placements are sourced and to which the Council applies a robust contract management and quality assurance process. These posts, which it is proposed be established from July

2020, will provide necessary additional capacity effectively to fulfil the contract management process and to work with health partners to ensure cost effective joint commissioning arrangements are in place for those young people whose Education, Health and Care Plans require this.

<u>Post Details</u>	<u>Pay Band</u>	<u>Cost per Annum</u>
• 1 fte Contracts Officer	Band B	£44,872
• 1 fte Service Organiser	Grade 4	£27,616
• 1 fte Placement Review Officer	Band C*	£51,054
		£123,542

** = this post was established on a temporary basis to September 2020 following approval by the Children and Young People's Committee at its meeting in October 2018.*

- The Schools Forum has acknowledged the growth in volume and case complexity attaching to specialist education placements within independent and non-maintained sector and these three posts constitute an eligible charge against the High Needs Block of the Schools Budget .

Other Options Considered

- When originally established, the contractual framework provided for a joint commissioning and contract management arrangement with Nottingham City Council for some of the specialist placements in the non-maintained sector, and with it the opportunity for a joint approach for contract management. However, the City Council ceasing this arrangement, together with the growth in volume and case complexity, has led to the position where additional capacity within this Council is now required.

Reason/s for Recommendation/s

- This option will provide for an appropriate level of resource to be deployed in contract managing the statutory education provision for vulnerable children and young people that is commissioned from external providers.

Statutory and Policy Implications

- 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

- The total cost of these posts in a full year is £123,542 and will be met from identified funding within the High Needs Block of the Dedicated Schools Grant from April 2020. There are no direct financial implications for the Local Authority budget.

Human Resources Implications

10. Recruitment to the proposed posts will be subject to the Council's usual enabling and recruitment processes.

RECOMMENDATION/S

- 1) That Committee approves the establishment of the following posts in the Commissioning and Resources Group from July 2020:
 - 1 fte Contracts Officer (Band B)
 - 1 fte Service Organiser (Grade 4)
 - 1 fte Placement Review Officer (Band C)*

Laurence Jones
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Constitutional Comments (KK 28/05/20)

11. The proposals in this report are within the remit of the Children and Young People's Committee.

Financial Comments (SAS 02/06/20)

12. The total cost of these posts in a full year is £123,542 and will be met from the SEND Divisional budget of which £0.513m is within the High Needs Block of the Dedicated Schools Grant. There are no direct financial implications for the Local Authority budget.

HR Comments (BC 21/05/20)

13. The staffing implications are contained within the body of the report. Posts will be recruited to in accordance with the agreed employment procedures.

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.

[Reorganisation of staffing within Commissioning & Placements Group – report to Children and Young People's Committee on 20 May 2019](#)

Electoral Division(s) and Member(s) Affected

All.

C1369

**REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND SOCIAL
WORK****CHANGES TO CHILDREN'S SOCIAL CARE REGULATIONS IN RESPONSE TO
COVID-19****Purpose of the Report**

1. To provide an update on the temporary changes made by the Department for Education to Children's Social Care regulations, in response to the coronavirus (Covid-19) pandemic.
2. To seek agreement to disapply existing regulations pertaining to 'connected persons' foster care and temporary approvals as a foster carer, in line with the emergency legislation enacted.

Information

3. On Thursday 23rd April, the Department for Education (DfE) published the Adoption and Children (Coronavirus) (Amendment) Regulations 2020 ("Amendment Regulations"), which temporarily amend 10 sets of regulations relating to Children's Social Care. The Amendment Regulations came into force on 24th April 2020 and remain in force until the Coronavirus Act renewal date on 25th September 2020, though they will remain under review.
4. The Amendment Regulations are intended to provide greater flexibility for local authorities and providers during the coronavirus (Covid-19) outbreak, representing a relaxation of existing legislative requirements; however, the DfE has made clear that these should only be used when absolutely necessary, with senior management oversight, and must be consistent with the overarching safeguarding and welfare duties that remain in place. It is anticipated that the additional flexibility offered will only be utilised in circumstances such as:
 - where staff shortages (due to sickness or other reasons) make it difficult or impossible to meet the original legislative requirements
 - where making use of flexibilities in order to take a different approach is the most sensible, risk-based response in light of other demands and pressures on services; this might involve focussing services on those most at risk
 - where there is a consequential reason to make use of flexibilities, for example due to limited capacity in other providers or partners, making it difficult or impossible to comply with the original requirements.

5. A full breakdown of the legislative changes is attached as **Appendix 1**.
6. The Children and Families Department has therefore considered where it may be necessary to utilise the flexibilities available, whilst remaining proportionate and responsive to the ongoing situation across the Department.

Implementation of Legislative Amendment – Temporary Foster Care

7. In line with the Amendment Regulations, the Department is seeking to implement one amendment relating to temporary 'Connected Persons' foster care:
 - a. Under the existing Care Planning, Placement and Case Review (England) Regulations 2010, local authorities had the power to temporarily approve a child's "*relative, friend or other person connected with*" the child as a temporary foster carer for a period of up to 16 weeks (normally while a longer-term placement is sought).
 - b. The Amendment Regulations have now extended this period to 24 weeks and removed the requirement for the temporary foster carers to have an existing family or other connection to the child. Local authorities can therefore now approve anyone who meets the requirements as a temporary foster carer, rather than only those who are connected to a child.
8. This amendment is intended to support the Department to manage placement capacity over the coming months, based on the anticipated increase in children entering local authority care during, and in the aftermath of, the Covid-19 pandemic. The Department is seeking to utilise this amendment as a precautionary measure, in the event that the volume of children entering local authority care exceeds the placement options available.
9. This anticipated growth in children looked after is based on the ongoing impact of the Government's lockdown and social distancing measures, whereby there is a predicted growth nationally in domestic abuse within households, increase in alcohol and substance misuse, and growth in parental / child mental health issues.
10. The lockdown and social distancing measures, as well as school closures, have also meant that vulnerable children are less visible to public services and therefore more at risk of 'hidden harm' at home, including physical, sexual and emotional abuse or neglect.
11. In addition, the ongoing pressures of the Covid-19 pandemic are placing greater economic and social strain on existing foster placements, potentially resulting in further placement breakdowns and a greater need for respite or support care for existing carers.
12. The amendments to the temporary foster carer approvals would therefore allow the Department to recruit temporary foster carers from other areas, including the Nottinghamshire County Council workforce. This would be on a temporary basis and would be managed in line with existing 'connected persons' foster carer recruitment procedures; it will include both short-term placements and 'support care' fostering. Due consideration would also be given to the Human Resources implications and training requirements, and the Department would ensure that all other appropriate placement options are exhausted before children are placed with temporary foster carers.
13. Should these amendments not be implemented, the volume of children entering local authority care could potentially exceed the volume of care placements available. It is only

in these exceptional circumstances that these amendments will be used and then only as the last resort.

14. The proposed amendments therefore allow the Department to take proactive, precautionary measures in relation to placement sufficiency, ensuring that temporary, local foster placements can be provided that best meet the needs of children and young people.
15. The Department will continue to review the need to implement any other flexibilities where necessary and will report these accordingly.

Other Options Considered

16. No other options have been considered.

Reason/s for Recommendation/s

17. The temporary disapplication of provisions pertaining to temporary foster carers would allow the Department to take proactive, precautionary measures to ensure that the volume of children and young people entering care does not exceed the volume of placements available. This would only be considered as a last resort, where all other appropriate placement options have been exhausted.
18. The recruitment of temporary foster carers from the County Council workforce would allow the Department to utilise local foster care placements, though only in exceptional circumstances where there are no other appropriate placement options available.

Statutory and Policy Implications

19. 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.

Human Resources Implications

20. The recruitment of temporary foster carers from the County Council workforce would be undertaken with due consideration to employment and Human Resources implications.

Safeguarding of Children and Adults at Risk Implications

21. The recommendations set out in this report seek to ensure that vulnerable children and young people who are at risk of harm are appropriately safeguarded and placed in suitable care placements.

RECOMMENDATION/S

That:

- 1) approval is given to the Department's temporary disapplication of the provisions pertaining to approvals of temporary foster carers and Connected Person foster care, as amended by the Adoption and Children (Coronavirus) (Amendment) Regulations 2020
- 2) approval is given to recruiting temporary foster carers from the Nottinghamshire County Council workforce.

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Constitutional Comments (EP 21/05/20)

22. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS 22/05/20)

23. Payments to any temporary foster carers recruited would be contained within the existing Fostering Service budget of £8.4m.
24. There are no further financial implications arising directly from this report.

HR Comments (BC 2/6/20)

25. Employees are able to request special leave to attend foster carer meetings and training. In addition, they can also request access to the Council's flexible working or career break provisions if required.

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.

[The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020](#)

[The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020 Explanatory Memorandum](#)

Electoral Division(s) and Member(s) Affected

All.

C1367

Legislative changes arising from Amendment Regulations

Amendments to foster care and care planning:		
Legislation amended	Summary of amendment	Nottinghamshire response
The Children (Private Arrangements for Fostering) Regulations 2005	Visits to private fostering arrangements: if the local authority becomes aware of a child who is, or is about to be, privately fostered they now only need to visit them 'as soon as is reasonably practicable' rather than within seven days, and then only make reasonable steps to visit every six or 12 weeks in subsequent years.	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.
The Care Planning, Placement and Case Review (England) Regulations 2010	<p>'Connected Persons' and temporary approval as foster carer: temporary approval as a foster carer has been expanded to allow any person, not only relatives, friends and connected persons, to be approved. An emergency placement with an approved foster carer can now last 24 weeks, rather than 6 days, even if that foster carer is not approved to look after that many children. The length of the temporary approval has also been extended from 16 weeks to 24 weeks. It also allows for a child to be placed outside their local area with a carer, even if this carer is not 'connected' to them, without approval by a nominated officer.</p> <p>Looked After Children reviews: changes the requirement for care plan reviews to take place every six months – it is now 'as soon as reasonably practicable' if the six-month deadline is missed. This also applies to children in short breaks care. They should still be at least every six months where 'reasonably practicable'.</p> <p>Placement Plans: amends the requirements to complete placement plans within five or ten days once a child has been placed (depending on circumstances) – now to be completed as soon as reasonably practicable. This also applies to children on remand.</p> <p>Short break care: The definition of a short-break 'placement' has been altered. Children can stay with short breaks carers for up to 75 days in one go, rather than 17 days in one go (the 75 day per year total remains the same).</p> <p>Visits to a child: timescales for visits have been relaxed to as soon as is 'reasonably practicable'.</p>	<p>Temporary approval as a foster carer: The Department is seeking to utilise this amendment as a precautionary measure, in the event that the volume of children entering local authority care exceeds the placement options available.</p> <p>The remainder of the amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.</p>

	Consideration has also been given to the social distancing rules, allowing for visits to a child to take place by telephone, video link or other electronic means where necessary.	
The Fostering Services (England) Regulations 2011	Medical reports: removes the requirement for a medical report at the initial stages of foster care approval	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations
Amendments to Adoption		
Legislation amended	Summary of amendment	Nottinghamshire response
The Adoption Agencies Regulations 2005	<p>Adoption Panels & Timescales for the Adoption Process: the amendments "remove the duty on adoption agencies to refer cases to the adoption panel, make some amendments to the adopter approval process, to enable information that currently has to be collected during stage 1 of the approval process to be collected during stage 2, and relax some timescales within which adoption agencies must take steps." The amendments also reduce the number of people required on an adoption panel, if it does go ahead.</p> <p>Medical & DBS checks: a potential adopter can go through the first stage of pre-assessment without medical or DBS checks, although these would still be needed before final approval.</p> <p>Adoption reviews: relaxes the requirement for adoption reviews for agencies where it is not reasonably practical to do so, unless the agency has concerns about the welfare of the child</p>	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.
In relation to residential care		
Legislation amended	Summary of amendment	Nottinghamshire response
The Children's Homes (England) Regulations 2015	<p>Contact with a child in a children's home: Where a children's home is unable to provide a safe private meeting area for a child to have contact with their parents, a private telephone or video link should be provided for contact.</p> <p>Education for children living in children's homes: there should be a 'reasonable endeavour' to make sure children achieve the education standard in Children's Homes.</p> <p>Deprivation of Child's Liberty for social isolation purposes: children can be deprived of their liberty under public health powers of the Coronavirus Act 2020 if they are symptomatic.</p>	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.

	<p>Care home staffing: changes the requirement for care from staff outside the home to be delivered by someone with the knowledge and skills to do it, to make this only 'as far as reasonably practicable'.</p> <p>Regulation 44 visits: independent visitors should 'make reasonable endeavours' to visit monthly.</p>	
Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015	Inspections of Children's Homes: stops the requirement for children's homes to be inspected twice a year.	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.
The Residential Family Centres Regulations 2002	<p>Parent & Baby Units: For residential family centres (such as parent and baby units) the provider must only make 'reasonable endeavours to ensure' that they promote and provide for the health, welfare, care, treatment and education of residents rather than that they 'shall' do so. Complaints can be responded to within 28 days 'as far as reasonably practicable' rather than a hard time limit. Also allows for the registered provider to only have to make 'reasonable endeavours' to visit the unit once a month.</p> <p>Complaints: allows for complaints to be responded to within 28 days 'as far as reasonably practicable' rather than a hard time limit.</p> <p>Visits: registered provider only has to make 'reasonable endeavours' to visit the unit once a month.</p>	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.
Amendments in relation to Local Authority responsibilities		
Legislation amended	Summary of amendment	Nottinghamshire response
The Children Act 1989 Representations Procedure (England) Regulations 2006	Children's representations: review panels into complaints only have to respond to complainants 'as soon as reasonably practical' rather than to statutory timescales.	Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.

<p>The Education and Inspections Act 2006 (Inspection of Local Authorities) Regulations 2007</p> <p>AND</p> <p>The Children Act 2004 (Joint Area Reviews) Regulations 2015;</p>	<p>Ofsted Inspections: relaxes the requirement to provide a response and proposed plan of action within 70 days of an Ofsted inspection of local authority services. The same change applies after joint area inspections.</p>	<p>Amendments do not need to be applied at this stage; the local authority is able to respond in line with existing regulations.</p>
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15th June 2020

Agenda Item: 10

REPORT OF THE CORPORATE DIRECTOR, CHILDREN AND FAMILIES

URGENT CHIEF EXECUTIVE'S DECISION: EARLY YEARS FUNDING FOR THE PRIVATE, VOLUNTARY AND INDEPENDENT CHILDCARE SECTOR DURING THE COVID 19 PANDEMIC

Purpose of the Report

1. This report advises that urgent approval was given by the Chief Executive on 1st April 2020 to secure emergency funding of £300,000 to enable Private Voluntary and Independent (PVI) early years settings to continue to provide funded childcare for eligible 2, 3 and 4 year olds during a three week period which included the Easter holidays.

Information

2. Full details regarding this decision made under the Urgency Procedure rules of the Council's Constitution are contained in **Appendix 1**.

Other Options Considered

3. No other options were considered.

Reason/s for Recommendation/s

4. The Council's Constitution requires that any decisions made under the Urgency Procedure rules must be reported to the next available meeting of the relevant Committee.

Statutory and Policy Implications

5. 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

6. There are no financial implications arising from this report.

RECOMMENDATION/S

- 1) That the Committee notes that urgent approval was given by the Chief Executive on 1st April 2020 to secure emergency funding of £300,000 to enable Private Voluntary and Independent (PVI) early years settings to continue to provide funded childcare for eligible 2, 3 and 4 year olds during a three week period which included the Easter holidays.

Colin Pettigrew
Corporate Director, Children and Families

For any enquiries about this report please contact:

Irene Kakoullis
Group Manager, Early Childhood Services
T: 0115 9774431
E: irene.kakoullis@nottsgov.uk

Constitutional Comments (EP 01/06/20)

7. Children and Young People's Committee is the appropriate body to consider the content of this report.

Financial Comments (SAS 02/06/20)

8. 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.

None.

Electoral Division(s) and Member(s) Affected

All.

C1371



URGENT DECISION BY THE CHIEF EXECUTIVE

This form **MUST** have an accompanying report attached.

Reference Number:	CEX / URGENT / 2020-001
Title of Report	Early Years Funding for the Private Voluntary and Independent Childcare Sector during the COVID19 Pandemic
Department	Children and Families Department
Relevant Committee	Children and Young People's Committee
Date of next Committee Meeting	There are no committees scheduled for the foreseeable future due to the COVID19 pandemic

Summary of Decision Sought (including reason/s)	<p>To secure emergency funding to enable Private Voluntary and Independent (PVI) early years settings to continue to provide funded childcare for eligible 2, 3 and 4 year olds during a three week period which includes the Easter holidays.</p> <p>The recommendation is to identify and allocate £300,000 to enable PVI providers to continue to provide childcare for critical workers and vulnerable children throughout this three week period where funding is not available from the Early Years block of the Dedicated Schools Grant.</p> <p>The decision is needed to support critical workers and vulnerable children during the COVID19 pandemic is paramount to prevent loss of life and ease the burden on critical services such as the NHS or social care.</p> <p>Without additional funding, many PVI providers would close. We know that there at least 50 childcare settings who would re-open if funding was available; the figure is likely to be greater once local consultation has been completed.</p>
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Reason/s for urgency	Schools were due to break for the Easter break from Friday and many PVI providers close during the school holidays. The funding is required to enable PVI providers to remain open during this time. The decision must be taken urgently to enable the providers to make arrangements to remain open next week.
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Date request / report received	31/03/2020	Date form originated	31/03/2020
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DETAILS OF CONSULTATION UNDERTAKEN:

Councillors	Date	Signed	Proposed decision supported? (Yes / No)
Leader	1/4/2020	Cllr Cutts – Email confirmation received 1/4/2020	Yes
Chair / Vice-Chair of relevant Committee	1/4/2020	Cllr Owen - Email confirmation received 1/4/2020	Yes

Leader/s of opposition group/s	1/4/2020	Cllr Rhodes – email confirmation received 1/4/2020	Yes
		Cllr Zadrozny – email confirmation received 1/4/2020	Yes

If consultation has not been undertaken please give reasons:	
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Approval from Chief Executive (or delegated Corporate Director in Chief Executive's absence)

Signed..........

Date...1 April 2020

Please return completed form to Sara Allmond, Democratic Services, x73794

REPORT OF THE CORPORATE DIRECTOR FOR CHILDREN AND FAMILIES**EARLY YEARS FUNDING FOR THE PRIVATE VOLUNTARY AND
INDEPENDENT CHILDCARE SECTOR DURING THE COVID19 PANDEMIC****Purpose of the Report**

1. To secure emergency funding to enable Private Voluntary and Independent (PVI) early years settings to continue to provide funded childcare for eligible 2, 3 and 4 year olds during a three week period which includes the Easter holidays.

Information

2. Schools, and all childcare providers, are being asked to continue to provide care for a limited number of children - children who are vulnerable, and children whose parents are critical to the COVID-19 response and cannot be safely cared for at home.
3. While as many early years childcare providers as possible are trying to stay open for eligible children, this is not be possible for all settings and many tend to close during school holidays.
4. Early years settings receive funding to provide places for some 2 year olds and all 3 and 4 year olds. This funding is allocated for 38 weeks per year i.e. term time only.
5. As Easter holidays start on the 6th April for two weeks, many Private Voluntary and Independent (PVI) providers will close, and therefore be unable to provide childcare to assist critical workers.
6. Because of the timing of the Easter holidays, the week of the 30th March 2020 is not a funded week. This means that childcare settings are currently closed or have subsidised places for eligible children with income from fee paying parents, this however is not possible in many cases. This has resulted in a period of three weeks where childcare providers do not receive funding for eligible 2, 3 and 4 year olds.

Current eligibility criteria for funded early years provision

7. Government funding (from the early years block of the Dedicated Schools Grant) is used to pay the early year's sector for children eligible for funded childcare, including disadvantaged 2 year olds, as well as 3 and 4 year olds. The funding is allocated to all Ofsted registered settings including schools and PVI providers who deliver funded care and education for eligible children.
 - All 3 and 4 year olds are entitled to 15 hours of funded childcare per week (term time only at 38 weeks per year).
 - 3 and 4 year olds where both parents work a minimum of 16 hours per week are entitled to an additional 15 hours per week (term time only at 38 weeks per year).
 - 2 year olds from low income households are entitled to 15 hours of funded childcare per week (term time only at 38 weeks per year).
8. During the COVID 19 pandemic, children of critical workers and vulnerable children (those with a social worker or EHCP plan) can access childcare. However local and national government continue to promote the message to parents to keep their children at home where possible and safe to do so.
9. Government will continue to pay funding to local authorities for the free entitlements for 2, 3 and 4 four-year-olds during any periods of nursery, preschool or childminder closures, or where children cannot attend due to coronavirus. This however does not cover school holiday periods.
10. During the pandemic, early years providers who care for 2, 3 and 4 year olds will continue to receive their funding for each term, whilst fee paying parents continue to pay their nursery, childminder or preschool throughout the year.

Proposals

11. During the COVID19 pandemic, local authorities have been tasked to ensure that there are sufficient childcare places for critical workers and vulnerable children. This will enable us to remove the barrier of childcare costs and availability for critical workers, whilst protecting our most vulnerable children.
12. To prevent the closure of some early years settings during the school holidays, various requests have been made by local PVI providers for funding to enable them to stay open or re-open to help critical workers carry out their valuable roles.
13. The council proposes to continue to pay for funded 2, 3 and 4 year olds who are accessing childcare in a PVI setting starting from the 30th March 2020 – 17th April 2020. After this time, the council will continue to fund childcare in the usual way and fee-paying parents will continue to pay their childcare setting throughout this period and after the Easter holidays.
14. Assumptions have had to be made regarding the number of 2, 3 and 4 year olds who are accessing childcare to enable their parent or carer to work, as some of these children are fee paying whilst others are funded. It is estimated that £300,000 is required to enable the council to continue to pay for eligible 2, 3 and 4 year olds during this three week period.

This will remove barriers for critical workers and enable them to work which ultimately will save lives.

Other Options Considered

15. The option to not fund settings was considered however this would ultimately result in several PVI settings having to close, which would create additional barriers for critical workers.

Reason/s for Recommendation/s

16. The need to support critical workers and vulnerable children during the COVID19 pandemic is paramount to prevent loss of life and ease the burden on critical services such as the NHS or social care.
17. Without additional funding, many PVI providers would close. We know that there at least 50 childcare settings which would re-open if funding was available; the figure is likely to be greater once local consultation has been completed.

Statutory and Policy Implications

18. 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

19. It is estimated that £300,000 is required to enable funded 2, 3 and 4 year olds to continue to access their childcare place. This has been calculated by the number of children currently accessing childcare, and the hourly rate for that childcare provision (the hourly rate for 2 year olds is £5.31, and for 3 and 4 year olds is £4.35).
20. Once funding is secured, the existing payments process will be used based on the number of 2, 3 and 4 year olds who have accessed childcare during the three week period.

Implications for Service Users

21. Critical workers will be enabled to access childcare to enable them to fulfil their valuable role which ultimately will save lives.
22. Vulnerable children will continue to be supported and safeguarded during the pandemic.

Implications for Sustainability and the Environment

23. The PVI sector includes private nurseries, charities, childminders and playgroups. Concerns around business sustainability have been ongoing, however the pandemic has created additional challenges as many fee-paying parents withdraw their children, increasing staff

sickness levels, and lack of insurance that covers pandemics. This proposal will help sustain local businesses during this time and help to reduce closures.

RECOMMENDATION

- 1) To identify and allocate £300,000 to enable PVI providers to continue to provide childcare for critical workers and vulnerable children throughout the three week period 30th March 2020 – 17th April 2020, where funding is not available from the Early Years block of the Dedicated Schools Grant.

Colin Pettigrew
Corporate Director, Children and Families

For any enquiries about this report please contact:

Irene Kakoullis
Group Manager Early Childhood Services
Irene.kakoullis@nottsgov.uk

Constitutional Comments (HD- 31/3/2020)

24. This decision would usually fall to be taken at the Children and Young People's Committee. However, there are no scheduled meetings due to the COVID-19 Pandemic and the decision is required urgently in order to ensure that relevant childcare settings can remain open and available to both the children of critical workers and other vulnerable children. The Chief Executive has powers to take decisions in circumstances where there is no scheduled meeting of the relevant decision making body and he believes the decision is urgent, in accordance with the Urgency Procedure Rules.

Financial Comments (NS 31/3/2020)

25. The report indicates funding of £300,000 is required to enable PVI providers to continue to provide childcare for critical workers and vulnerable children throughout the three week period 30th March 2020 – 17th April 2020. This will be contained within the £22m of funding provided by Government to the County Council to manage COVID19 pandemic financial issues.

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.

C1371