

ENHANCED CORPORATE PARENTING RESPONSIBILITIES IN THE CHILDREN AND SOCIAL WORK ACT 2017'

To: Children and Young People's Committee

Meeting Date: 9 January 2018

From: Lou Williams – Service Director, Children and Safeguarding, Cambridgeshire and Peterborough.

Electoral division(s): All

Forward Plan ref: n/a **Key decision:** No

Purpose: The report provides details of the new Children and Social Work Act 2017 and the implications for the whole Council's responsibility to corporate parenting duties and functions.

Recommendation: It is recommended that the Committee consider and note the report

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1. BACKGROUND

- 1.1 A raft of legislation including the Children Act 1989 and Children Act 2004 have successively strengthened public bodies' responsibilities to looked after children.
- 1.2 The Children and Social Work Act received Royal Assent on 27th April 2017. A key tenet of the Act is to improve support for looked after children in England and Wales especially for those leaving care. The Act will be enacted on 1 April 2018 and will apply to Local Authorities, including District Councils, and organisations providing support and services for children and young people.
- 1.3 The government is currently consulting on draft statutory guidance on applying the duties; the deadline for consultation is 27 November 2017.

2. MAIN ISSUES

- 2.1 The Act has brought in three new extended duties in respect of corporate parenting for all local authorities and its relevant partners:
- It introduces **corporate parenting principles** to which local authorities must have regard;
 - Local authorities in England must publish a **Local offer for care leavers**, providing information about services which the local authority offers that may assist care leavers in, or in preparing for, adulthood and independent living.
 - **Extension of local authority support to Care Leavers to age 25**, including provision of Personal Advisers, assessment of the needs of former relevant children and preparation of a Pathway Plan.

2.2 Corporate Parenting Principles

Local authorities and their relevant partners must have regard to a set of corporate parenting principles when exercising their functions in relation to looked after children and care leavers (former relevant children). The principles are applicable to all local authorities in England whether they are or were the local authority looking after a particular child/young person. They apply to the whole local authority and not just to children's services functions. However, they apply only to local authority functions that are exercised in relation to looked after children and care leavers. The corporate parenting principles are intended to inform **how** a local authority carries out the existing responsibilities detailed in regulations and guidance.

- 2.3 The corporate parenting principles set out seven fundamental needs for looked after children and care leavers, as follows:
- to act in the best interests, and promote the physical and mental health and well-being, of those children and young people
 - to encourage those children and young people to express their views, wishes and feelings
 - to take into account the views, wishes and feelings of those children and young

people

- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work
- to prepare those children and young people for adulthood and independent living.

2.4 Local authorities will be expected to show how their corporate leadership and duty to co-operate with other relevant bodies bring the corporate parenting principles to life. This will include corporate parenting boards, wider area multi-agency forums, involvement and participation of young people and delivery of wider corporate services. Local authorities will need to demonstrate how a shared understanding across the local authority, relevant partners and the agencies with which it works about the needs of looked after children and care leavers is achieved and that their arrangements and strategies for multi-agency working take account of the needs of looked after children and care leavers.

2.5 **A Local Offer for care leavers**

The Children and Social Work Act 2017 requires local authorities to consult on and publish a local offer for their care leavers. The local offer should provide information about all the services and support that is available to care leavers in the local area where they live. It should include information about their statutory entitlements, as well as any discretionary support that a local authority might choose to provide.

The local offer can include details of the services and support that the local authority provides in relation to:

- **Health and wellbeing:** this will include services that teach about, support and enable good health and wellbeing. It should include links to, or information about, universal health services that might be particularly relevant to care leavers, as well as specific services for them.
- **Relationships:** having strong and supportive relationships is crucially important for care leavers as they move to independent adult life. Local authorities will want to consider the services and/ or support that is available to help care leavers develop and maintain positive social networks and to understand what positive relationships look like.
- **Education and training:** Care leavers should be supported to access appropriate education or training that will enable them to fulfil their goals. This will include the statutory support available to care leavers, specific support from the local authority and universal information such as careers advice and financial support for young people.

- **Employment:** this will include information to care leavers about general employment support, such as careers support and links to local Job Centre Plus. Local authorities should also include any other employment support that they or partners deliver that is specifically available to care leavers, for example, any apprenticeships that the local authority offers, in particular where such opportunities are ring-fenced for care leavers.
- **Accommodation:** care leavers should be supported to access appropriate and suitable accommodation. The local authority should include relevant information about their Staying Put policy, the support available from Housing Services and any financial assistance that is available to care leavers.
- **Participation in society:** this will include links to and information about activities or events happening in the local area that care leavers can get involved in.

2.6 The offer needs to be easily available and accessible to all care leavers in the local authority. This may mean that it is made available in a number of formats including printed hard copies, online digital copies and in different languages. There will be a role for Personal Advisors to share and promote the local offer with the care leavers they work with and to make sure they are aware of it and the services they are entitled to. Local authorities will want to consider how the local offer is made available to, and is easily understood by, care leavers with additional needs.

2.7 **Extending support from Personal Advisers to all care leavers to age 25**

Section 3 of the Children & Social Work Act 2017 has introduced a new duty on local authorities, which requires them to offer Personal Adviser support to all care leavers up to age 25. This includes care leavers who return to the local authority at any point between the ages of 21 up to 25 and request Personal Adviser support, even if they had previously indicated that they did not want it.

Currently, care leavers are only entitled to support beyond the aged of 21 if they are engaged in employment, education or training.

2.8 Local authorities are required to proactively offer the support on at least an annual basis to their care leavers. The offer of Personal Adviser support should also be listed in the local authority's published 'Local Offer' for care leavers

2.9 It is estimated that an additional 3 personal advisors will be required by April 2018 to meet the new requirement assuming that 50% of care leavers aged over 21 request an on-going service

2.10 **Next Steps**

The government has announced that they will make some funding available to local authorities to contribute to implementation costs.

2.11 An implementation group is being organised to ensure delivery of a clear action plan in respect of the new duties. This will include liaison with other partners and stakeholders to

ensure a comprehensive local offer.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

The corporate parenting principles mean the council has to address impact on care leavers of economic development and employment and apprenticeship opportunities. Details should be included in the local offer

3.2 Helping people live healthy and independent lives

The corporate parenting principles mean the council has to address and influence provision by public health, health commissioners and providers that affects looked after children and care leavers. Details should be included in the local offer.

3.3 Supporting and protecting vulnerable people

Looked after children and care leavers are one of the most vulnerable groups of children and research indicates they are more likely than the general population to experience adversity into adult life. Providing good quality care for children gives them the best opportunities for positive outcomes into adulthood

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

The following bullet point sets out details of significant implications identified by officers

- Additional personal advisors will be needed to meet the duty. A government grant will contribute to this cost, but the amount of this is not yet known and therefore the net cost to the council is not yet known.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications in this area.

4.3 Statutory, Legal and Risk Implications

The following bullet point sets out details of significant implications identified by officers

- Current corporate parenting arrangements and reporting constitute a key part of the council's statutory duty in this area
- Ofsted will inspect the council's implementation of these duties and findings will inform the overall judgment about services for looked after children and care leavers.

4.4 Equality and Diversity Implications

There are no significant implications in this area

4.5 Engagement and Communications Implications

The following bullet point sets out details of significant implications identified by officers:

- The local offer will need to be published in a range of ways that are suitable for care leavers
- Engagement with key partners including district councils, health commissioners and providers and commissioned services will be required to develop the local offer and ensure there is good understanding amongst partners of their duties.

4.6 Localism and Local Member Involvement

There are no significant implications in this area.

4.7 Public Health Implications

The following bullet point sets out details of significant implications identified by officers:

- Public health services will need to be part of identifying the local offer and ensuring local health services have regard to the corporate parenting principles.

Source Documents	Location
Children and Social Work Act 2017	http://www.legislation.gov.uk/ukpga/2017/16/contents/enacted/data.htm
Department for Education consultation documents: <ul style="list-style-type: none">• Annex A Corporate Parenting Principles• Annex B Local Offer• Annex C Illustrative Local Offer• Annex D Extending the PA duty to age 25	https://consult.education.gov.uk/children-in-care/corporate-parenting-the-local-offer-and-personal-a/