



Corporate Parenting Board

Thursday, 14 November 2019

Dear Councillor,

CORPORATE PARENTING BOARD - THURSDAY, 14TH NOVEMBER, 2019

I am now able to enclose, for consideration at next Thursday, 14th November, 2019 meeting of the Corporate Parenting Board, the following reports that were unavailable when the agenda was printed.

Agenda No Item

- 9 **Assurance About the Use of Unregistered Placements in Wolverhampton**
(Pages 3 - 14)

[To receive the Assurance About the Use of Unregistered Placements in Wolverhampton report.]

If you have any queries about this meeting, please contact the democratic support team:

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| CITY OF WOLVERHAMPTON COUNCIL | Corporate Parenting Board 14 November 2019 |
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| Report title | Assurance About the Use of Unregistered Placements in Wolverhampton | | |
| Cabinet member with lead responsibility | Councillor John Reynolds Children and Young People | | |
| Wards affected | All wards | | |
| Accountable director | Emma Bennett, Director of Children's Services | | |
| Originating service | Children and Young People in Care | | |
| Accountable employee | Alison Hinds | Head of Children and Young people in Care | |
| | Tel | 01902 553035 | |
| | Email | Alison.Hinds@wolverhampton.gov.uk | |
| Report has been considered by | Children and Young People and Education Leadership Team | | 31 October 2019 |

Recommendations for action:

The Corporate Parenting Board is recommended to:

1. Receive the Assurance About the Use of Unregistered Placements in Wolverhampton report

1.0 Purpose

- 1.1 The purpose of this report is to reassure the Corporate Parenting Board regarding how the safety and well-being of young people aged 16-18 placed in unregulated supported accommodation is being promoted.

2.0 Background

- 2.1 Local authorities in England can place 16 and 17-year-old young people in care and care leavers in 'other accommodation'. In England, 'other accommodation' includes semi-independent units, supported accommodation, hostels, foyers and supported lodgings. These types of accommodation provide an alternative for 16 and 17-year-old young people who do not wish to live with a foster family or in a children's home. These placement types are not regulated and hence not inspected by Ofsted but do form part of the placement options for 16-18-year olds.
- 2.2 In Wolverhampton, most of this accommodation type is provided either internally or through a contracted service. There is a strong housing support service which enables up to 30 young people to live in flats provided by Wolverhampton Homes to live independently with between eight and 30 hours of support each week. This is complimented with other accommodation types such as foyer accommodation and supported lodgings. For some young people another alternative would be a supported accommodation provision, either secured via a regional framework or a spot purchase basis. This accommodation can be within or outside the City.
- 2.3 On 11 March 2019, Nadhim Zahawi MP, the then Parliamentary Under-Secretary of State for Children and Families, wrote to all Directors of Children's Services and Chairs of Local Safeguarding Children's Boards highlighting the challenges faced by many local authorities in relation to these unregulated services. These challenges included the increase in the number of older children coming into care, particular those that are older teenagers, and the fact that these young people are less likely to want to live in a foster care home or a children's home.
- 2.4 To add to this scenario, changes to Ofsted inspection requirements relating to children's homes has also impacted on the use of unregulated supported accommodation placements. Increasingly, children's homes must evidence to Ofsted inspectors that impact assessments have been completed in advance of a young person being admitted to their care. This often now involves a meeting with the young person, prior to admission, to assess compatibility with the other young people already in placement. This has reduced the opportunity for young people to be placed in residential homes in an emergency or unplanned way.
- 2.5 When it is decided that it is appropriate to consider placing a young person in purchased supported accommodation there are two options available. Wherever possible a placement will be made with a provider who is part of the regional framework. Where no suitable placement can be found within the framework, an off-framework placement maybe

considered. As these providers may be not known to the Council, thorough pre-placement checks must be completed to satisfactory levels by the Personalised Support Team and social workers for the young people. These pre-placement checks have been adapted to reflect those utilised when children are placed in residential placements.

- 2.6 The City of Wolverhampton Council is part of the West Midlands Sub Regional Supported Framework Contract. Staffordshire County Council is the lead authority of this framework. All fourteen participating authorities report any quality concerns at a provider level from within their own local authority to Staffordshire County Council who would address the concerns through contract management procedures.
- 2.7 Providers with accommodation in Wolverhampton are quality assured by the Quality Assurance and Compliance (QAC) Team once a year as a minimum. To ensure young people are receiving safe and good quality of support, where required, the QAC team will set service improvement plans for providers with actions which are specific, measurable, achievable, relevant, and time bound.
- 2.8 The QAC team is a member of the West Midlands Regional Quality Assurance Group. The group meet bi-monthly to share monitoring outcomes, service improvement plans and escalations. The group and Ofsted hold regular information sharing to raise and discuss concerns where providers may be operating as supported accommodation rather than as children's homes to avoid Ofsted registration.
- 2.9 The QAC team continues to work closely with the Wolverhampton Local Authority Designated Officer (LADO) to identify and investigate any concerns of unregulated supported accommodation in Wolverhampton. The LADO will raise any concerns directly with the Police and Ofsted where required.

3.0 Progress

- 3.1 In order to offer reassurances to the Children's Leadership Team (CLT), a report was completed in April 2019 by the City of Wolverhampton Council (CWC) QAC team. The report offered reassurances to CLT both in terms of how placements are made but also in terms of how placements are quality assured and monitored from a quality assurance perspective.
- 3.2 In April 2019 there were 12 young people living in unregulated supported accommodation. Nine of these were out of City provisions.
- 3.3 As of 25 October 2019, this had increased to 16 young people in unregulated supported accommodation placements with external providers. Eight (50%) were in Wolverhampton and eight (50%) were out of City, with the furthest located in Nottingham.
- 3.4 Quality assurance visits aim to ensure providers deliver effective support to young people, so young people are safe whilst improving their semi-independent skills. 11 out of 16 (68.75%) placements have been visited during the past six months from May to November 2019. Monitoring to the remaining five (31.25%) placements will be completed in

November 2019. When shortfalls in service delivery are identified, service improvement plans will be issued to providers and reviewed by the QAC Team.

- 3.5 In order to improve service standards in Wolverhampton, the LADO will hold regular Provider Forums in partnership with Wolverhampton Partnership Police. The next forum will take place on 21 November 2019. All Ofsted registered children's homes and unregulated supported accommodation providers in Wolverhampton will be invited. These forums will focus on promoting best practice, promoting local support available such as quality assurance, information sharing of local risks, and strengthening local networks. The Quality Assurance and Compliance Manager will support the LADO at these forums.
- 3.6 Moving forward, the Quality Assurance and Compliance Manager and LADO have discussed the aspiration of setting a list of local quality standards for providers in this unregulated market.
- 3.7 There are additional reassurance processes that are in place within social work teams. A recent dip sample completed in September 2019 clearly shows that there needs to be improvements made in these processes.
- 3.8 Workers need to ensure that;
 - Each young person has an up to date Individual Placement Agreement (IPA)
 - Risk assessment for all young people should be updated annually and/or when a significant event occurs
 - Health and safety checks from the provider need to be seen and recorded on the young person's record
 - For every young person in an unregulated placement there must be a placement meeting within 5 days of placement
 - The Pathway needs assessment should be updated annually and/or when a significant event occurs
 - The Care Plan/Pathway Plan must be updated six monthly and/or when a significant event occurs
 - Statutory visits must be recorded within timescale
 - Active attempts must be made by the provider to ensure the young person is engaging in Education Employment or Training
 - A timetable of what the young person is being offered within the funded hours to support independence skills must be recorded on the young person's file

- There should be evidence that a young person is progressing which can be measurable in the Pathway Plan
 - There must be an adequate move on plan by 17 and a half years.
 - Unregulated placements will not be considered for under 16's and for any young person in Year 11
- 3.9 The management team within children and young people in care will monitor the progress of improvements required as follows:
- The Transitions Team managers will complete monthly supervision, record actions and timescales as well as management decisions
 - The Accommodation Manager will continue to meet with social workers on a 3-6 monthly basis (age dependent) to discuss move on plan for all young people in supported accommodation
 - Transition management team and Housing management team to meet monthly to discuss progress of move on plans
 - Three additional social workers have been appointed to ensure workers have reasonable numbers of young people they are working with, to allow them to proactively plan rather than respond to crisis
 - Regular dip sample rota is in place for the management team to reassure themselves that these standards are being met
 - Remedial actions from the dip sample to be completed within 6 weeks
 - Advanced practitioner to complete a good practice workshop in relation to unregulated placements by 31 December 2019
 - All recommendations will be incorporated into a procedure to reflect practice.
 - The management team within children and young people in care give assurances that if on any occasion a full-time care placement for a young person under 16 cannot be identified then there will be a consultation with Ofsted to discuss how the local authority plan to provide care to the young person.

4.0 Financial implications

- 4.1 The approved budget for supported accommodation 16-18 year olds for 2019-2020 is held within the overall budget for placements of £22.3 million and is contained within the Children and Young People in Care Service.
- 4.2 There are no direct financial implications as a result of this report.
[NM/06112019/M]

5.0 Legal implications

- 5.1 Regulation 27 of the Care Planning, Placement and Case Review Regulations 2010 sets out the general duties of an authority when placing a child in 'other arrangements.'
[SB/06112019/C]

6.0 Equalities implications

- 6.1 An equalities analysis has been completed. The reassurances offered in this report will ensure that young people who are placed in unregulated placements are supported appropriately by their workers and the provider to achieve their goals and aspirations. In addition, there is a robust quality assurance mechanism in place to ensure that the quality of care afforded by the provider is of a good standard and contributes to improved outcomes for young people placed in these provisions.

7.0 Climate change and environmental implications

- 7.1 There are no climate or environmental implications.

8.0 Human resources implications

- 8.1 There are no human resource implications

9.0 Corporate Landlord implications

- 9.1 There are no Corporate Landlord implications.

10.0 Health and Wellbeing Implications

- 10.1 The assurance offered within this report in relation to how decisions are made to place young people in unregulated provisions and the subsequent monitoring of placements supports the reassurance that young people's health and wellbeing is being appropriately supported.
- 10.2 All young people placed in such provisions will receive the health support required, as assessed as part of their pathway planning. This support will include ensuring access to universal services, but also access to specialist health services where required.

- 10.3 All young people in this type of provision will continue to receive support with their health and wellbeing as detailed in the Local Offer for Care Leavers.

11.0 Schedule of background papers

- 11.1 Appendix 1, Letter from Member of Parliament

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Rt Hon Gavin Williamson CBE MP
Secretary of State

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

5th November 2019

Dear Chief Executive,

Use of unregulated provision to accommodate children in care and care leavers

I am writing to you to express my concerns about the use of some unregulated and unregistered provision to accommodate children in care and care leavers, and to ask you to take action to assure yourself that children in your care are in safe and suitable accommodation.

Children in care and care leavers, for whom we hold a direct parental responsibility are some of the most vulnerable children and young people in society, and we must do all that we can to support them. It is unacceptable for any child to be placed in a setting that does not meet their needs and keep them safe, for any amount of time. I am particularly concerned about reports from Ofsted, local authorities and in the media about children aged under 16 who are accommodated in such provision.

In some cases, it may be the right choice for older children and care leavers to be placed in independent and semi-independent settings. These can give older children a level of independence that cannot be delivered in a children's home, or by a foster care. In these cases, as long as the local authority has carried out the necessary checks as required by the law, and it is providing an appropriate level of support tailored to the child's needs, these can be the right option. However, such settings must only be used for older children who are ready to live with the level of independence afforded by these settings.

While we do not wish to limit the flexibility of local authorities in providing individualised support, it is clear that some children are being placed at risk in this provision at present, and some particularly young and vulnerable children are being accommodated in settings that are not registered to deliver care and therefore cannot meet their needs. I cannot imagine a circumstance under which a child under the age of 16 should be living in an independent or semi-independent setting, given that those settings are not registered to deliver care. I look forward to working together to make sure these types of placements are eliminated.

The responsibilities and duties of local authorities regarding the suitability of accommodation for children in their care are clear. Local authorities must satisfy themselves that accommodation is safe; that the character and suitability of the landlord/provider has been rigorously checked; and that the provision can meet the individual needs of children in their care. This is even more important where children are placed out of area, and further checks should be carried out to ensure information is shared between placing and hosting local authorities.

In March 2019, the former Minister for Children and Families wrote to local authorities urging them to review their procedures when placing young people in unregulated provision, particularly for placements of children out of area, to ensure that statutory requirements are being met and children are kept safe from harm. Alongside this, our commissioned research (which involved interviews with 23 local authorities), as well as media reports and parliamentary interest, continue to highlight issues with the use of this provision. We must do all we can to ensure our standards and procedures are robust.

I would be most grateful if you could continue to review of all of your placements in unregulated and, particularly, unregistered provision, which is illegal – these are settings that are delivering care but are not registered to do so. I am concerned about the number of children under 16 placed in settings that are not registered with Ofsted, so should not be delivering care, and I am certain that you will want to pay immediate and close attention to those placements.

Linked to this, Independent Reviewing Officers, by law, should be appointed for each of these children, and should be involved in regular reviews of the care plans for these children. I ask that you ensure that this is the case for all of your children currently accommodated in unregulated and unregistered provision.

I am sure you are aware that the Children's Commissioner for England recently wrote to every Director of Children's Services to request data on the number of children placed in different unregulated settings. This is important work to develop the evidence base on the use of this provision, and my officials are working closely with the Office of the Children's Commissioner to feed the findings of this research into our work to identify solutions to this problem.

I know this issue is of great interest to many colleagues involved in the leadership and delivery of children's services at this time, and I encourage you to continue to drive system and practice change and improvement. Your role is absolutely critical in ensuring the safety of our children.

I am copying this letter to the Minister for Children and Families and to the Children's Commissioner.

A handwritten signature in blue ink, appearing to read "Gavin Williamson".

**Rt Hon Gavin Williamson CBE MP
Secretary of State for Education**

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