

ABERDEEN CITY COUNCIL

COMMITTEE	Education Operational Delivery Committee
DATE	12 November 2019
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Strategies to manage Out of Authority Residential Placements
REPORT NUMBER	OPE/19/414
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TERMS OF REFERENCE	1 and 2

1. PURPOSE OF REPORT

- 1.1 In January 2019 the Education Operational Delivery Committee requested that officers bring a report on the Council's strategies to manage the Out of Authority residential placements.

2. RECOMMENDATIONS

That the Committee:

- 2.1 endorse the work being progressed across Integrated Children and Family Services to mitigate against the use of Out of Authority residential placements; and
- 2.2 notes the changes made to service delivery to support a rebalancing of the care profile of the City's looked after children.

3. BACKGROUND

- 3.1.1 Out of Authority (OOA) placements are required to be utilised for children with highly complex needs which cannot be met within existing Council resources.

Given the cost of these placements range from £240,000 to £340,000 per child per year, they present a significant financial challenge for the local authority. OOA placements have been a recurring cost pressure for the local authority as advised in reports to the City Growth & Resources Committee.

- 3.1.2 The decision to place a child in an OOA placement is usually decided by independent legal forums when it has been concluded local resources are unable to meet the needs of the child or young person. The local authority must comply with these decisions.
- 3.1.3 The longitudinal outcomes for young people placed in OOA residential placements are among the poorest of all groups of children. As a result of this the Scottish Child Abuse Inquiry (SCAI) is currently exploring why children and young people have been abused within care settings. Additionally, the National Care Review is exploring ways in which the care system can ensure improved outcomes. It is anticipated that the conclusion of both will make significant recommendations in respect of how agencies care for the most vulnerable groups of children and young people. This will likely be followed by legislative changes.

3.2 Prevention

- 3.2.1 The primary responsibility of staff working across children's services is to support children and young people to remain within their families. This includes supporting and managing situations of risk and vulnerability to affect positive change. As of 1 April 2019, of the circa 1800 children open to social work circa 84% were being supported within their immediate family network.
- 3.2.2 Given the known significant and lasting impact removing a child from their family has, such decisions must be carefully considered. Removing a child/young person may at times increase their vulnerability and risk. Consequently, the threshold for removing a child from their parent's care must be in the child's best interests and to protect the child from significant harm. Children who are accommodated are likely to have experienced the trauma of neglect and abuse. Our knowledge of early life trauma has grown, and evidence clearly demonstrates such has an impact on a child's physical, cognitive and emotional development, the effects of which can remain evident for many years.
- 3.2.3 The placement of a child out with their family needs to provide them with a safe and reparative care experience. For many kinship carers and foster carers this can be challenging, and they require significant support to enable them to be resilient to a child's distressed behaviours. In 2018 Council provided £100k financial support to support the mental wellbeing of looked after children. Part of this money was used to provide 'Theraplay' training to foster carers and kinship carers. The upskilling of these valued and valuable group of carers was intended to reduce the number of placement breakdowns and improve the outcomes for children. The SPI return which reports on the number of children who have experienced three or more placement moves within a calendar year has for the past three years shown year on year improvement.

3.3 Recruitment of Foster Carers

- 3.3.1 The local authority is a registered fostering agency. Recent inspections of this Service has evidenced strong gradings of either 'good' or 'very good'. The service operates in a very competitive environment with a number of Independent Fostering Agencies (IFA) operating across the North East. Recruitment of foster carers within Aberdeen City is predominantly undertaken by the Council's fostering team. The volume of recruitment is not at a level to meet demand resulting in children being placed with IFA's. The fostering service works closely with the Councils media and marketing teams to promote fostering and the need for local foster carers for Aberdeen's children.
- 3.3.2 The financial remuneration of foster carers is split across an age-related fee paid to recognise the costs associated with caring for a child and a fee is paid to the foster carer in recognition of the tasks provided. The Scottish Government is currently considering whether to set a consistent fee to recognise the costs of caring for a child. (This would mirror the practice across the other countries in the UK). Additionally, a legal case is being pursued against another local authority to challenge the employment status of some foster carers. This could result in the local authority needing to pay increased costs to foster carers.
- 3.3.3 A review of Aberdeen City Councils remuneration of foster carers is being undertaken and a report will be presented to elected members in early 2020.

3.4 Out of Authority Placements

- 3.4.1 There will always be a small number of children whose needs are so complex or challenging that only an OOA placement will be able to meet their needs to safeguard and protect their welfare.
- 3.4.2 The placement and review of all OOA residential placements is overseen by the Children's Specialist Services Forum (CSSF). The CSSF which is made up of senior managers across ICFS, considers the joint assessment of need and risk undertaken by social worker and education psychology staff. This ensures a clear and consistent application of the thresholds when recommending the need to access an OOA placement. The CSSF also reviews the progress of planning for children in OOA placements ensuring that appropriate planning is in place to support young people to return to the city.
- 3.4.3 The commissioning of residential school and secure care placements is overseen by Scotland Excel. There have been significant increases in the cost of placements over recent years. In the current year the cost of a secure placement increased by more than 5%. As demand for such resources always will outstrip supply our ability to control these uplifts is limited.
- 3.4.4 At present Aberdeen City has circa 550 looked after children. This represents 1.6 per 1000 children. This ratio compares favourably with other cities (Table 1).

Table 1

% of Looked after Children (LAC) across 4 cities			
Aberdeen	Dundee	Edinburgh	Glasgow
1.6	2.1	1.6	2.6

3.4.5 It is acknowledged that Aberdeen City's balance of care is out of step with the national position. (Table 2 reflects the Children Looked After Survey (CLAS) return as at 1 April 2018.) The rebalancing of our care profile is a strategic priority reflected in Outcome 5 of the Local Outcome Improvement Plan and was also highlighted in the recent Joint Inspection of Children's Services.

Table 2

LAC at Home		LAC with Kin		LAC in Foster Care		LAC in Residential Care	
ACC	National	ACC	National	ACC	National	ACC	National
18%	25%	20%	28%	49%	35%	11.5%	10%

3.4.6 The reasons for this imbalance are multiple and complex but include:

- While the % of babies affected by maternal drug use in Aberdeen is falling at 1.29% it remains significantly above the national rate of 0.46%.
- 200% increase in the number of children with additional support needs over the past 10 years.
- An increase in the number of placing requests for children with Additional Support Needs to independent schools
- % rates of LAC who are excluded from school in Aberdeen is above the national average.
- Continuing challenges in the recruitment of teachers, health visitors, social workers and residential care staff.
- Challenging the cultural value of kinship care. The % of children in kinship care across the three north east authorities are among the lowest in Scotland.
- The challenge of recruiting foster carers within an authority that has low unemployment and high house prices. It is recognised that Scotland requires circa 600 additional foster carers.
- Challenges for young people to access local Child and Adolescent Mental Health services.

3.4.7 Across professional partnership groups tolerance of risk varies appropriately. This reflects the culture and professional training of agencies working with children and young people. The multi-agency variance provides checks and balance and recognises that all agencies have a perspective of the child's needs. Social work staff have supported other agencies to appreciate that removing a child from their family will not always reduce risk or improve their outcomes but clearly at times of heightened risk such decisions are necessary.

3.5 Legislative Changes

- 3.5.1 The Children and Young People (Scotland) Act 2014 recognised that the long-term outcomes for care experienced young people were poor. Care leavers, statistically, are more likely to:
- be unemployed
 - be incarcerated
 - experience mental health and addiction challenges
 - die prematurely
- 3.5.2 To mitigate this and build on the “Staying Put” agenda, ‘Continuing Care’ was a feature of the 2014 Act. Continuing Care enables young people to be supported to remain in their care setting up to the age of 21 and to move to independence at a pace appropriate to their needs. Consequently, the age profile of children placed in our Children’s Homes has risen and there is strong evidence to support that their outcomes are improving.
- 3.5.3 While this change was welcomed one of the unintended implications is that it limits the availability of foster care and residential placements for other young people. This adversely impacts on our ability to support young people to return to the city and to support others remain within the city.

3.6 Use of secure care

- 3.6.1 The numbers of children placed in secure care have consistently remained low over the past few years. At time of writing there are no children in secure care. This position could change on a daily basis and even a small increase in the number of children placed in secure care has a significant impact on the budgetary position.
- 3.6.2 Over recent years the demography of young people placed in secure care has changed. There has been a reduction of young people placed due to serious and persistent offending, but an increase in young people whose behaviour poses a serious risk to their own safety and wellbeing. This change is reflected nationally, and it is anticipated that the National Care Review will make comment on the use of secure care within their recommendations.

3.7 Mitigation of need

- 3.7.1 While there will always be a need for a small number of young people to be placed in OOA residential placement, it is vital that services and communities work to mitigate the need for this type of intervention. Getting it right for every child recognises the need for all agencies to identify when children need support and to explore how assessed need can be met with the least level of intervention into family life.
- 3.7.2 Appendix 1 demonstrates that at every stage of a child’s journey through services there is a need for early and preventative support to be provided to mitigate the need for an escalation of intervention. This includes the provision of a strong universal offer of support from health services and schools. It also represents the need for a strategic shift in spend from high cost OOA

placements to build and develop local services that can better effect change at an earlier stage in a child's life.

3.7.3 While spend is committed to high cost OOA placements effecting a shift in spend is challenging. Staff across Integrated Children and Family Services have adapted service delivery to support this change. Examples of this include:

a) The Target Operating Model established the Integrated Children and Family Service cluster. Having a clear focus on integration has enabled senior leaders and managers to bring services together to more effectively intervene and support vulnerable children. Given the valuable contribution made by health across the life stages of children and young people it is important we explore with health colleagues how and where the integration of services can be further built on to improve the outcomes for children and young people.

The integration approach of the Council reflects recent legislation and changes to the scrutiny of services that care for and protect children and young people. These require a partnership approach, including the appropriate sharing of data, to ensure services deliver improved outcomes for children and young people.

b) In 2018 the Scottish Government provided additional Scottish Attainment Challenge Funding for Looked After Children. This provides targeted support for the most vulnerable children, including those at risk of accommodation, ensuring the provision of early and preventative support. This funding is supporting a range of approaches including mentoring and targeted support for looked after children. The impact of this funding will be evaluated but there is encouraging anecdotal feedback from front line staff who report the benefits of this targeted funding.

c) Orchard Brae School brought together three schools delivering education and learning to children with complex and enduring needs. The school also has a social work team on site delivering effective integrated support. The knowledge and skills of the education staff based in Orchard Brae is enabling best practice to be shared with other schools thus ensuring that children with complex needs are effectively supported across all schools.

As a consequence, it is anticipated parents of children with complex needs will have increased confidence that local educational provision can meet the learning needs of their child. This in turn will hopefully see a reduction of the number of placing requests being made to independent schools.

d) In order to support a rebalancing of the care profile the social work service has moved resource to establish a Kinship Team to provide an enhanced support offer to kinship carers. While many children do well within the care of extended family members others continue to experience chaotic home environments. The chronology of many looked after children recognises the generational pattern of families who have been unable to parent their children through to adulthood. It is therefore critical that social work staff extensively explore family networks to identify viable kinship carers and

thereafter provide effective practical, emotional and financial support to sustain these placements.

The % of children placed with kinship carers has increased and is currently above 21%.

- e) Over the past year the social work service in collaboration with education colleagues have developed a data matrix to identify those young people whose chronology and profile would suggest they are at heightened risk of being placed in OOA residential placements. Having identified this small cohort, education and social work staff are working collaboratively to ensure intensive support is provided to prevent an escalation of need and reduce the risk of an OOA placement.

The impact of the collective intervention is reviewed on a regular basis by senior staff to ensure improving outcomes for the young people. Inevitably and despite the efforts of all staff, for a small number of young people the impact of early life trauma will not be able to mitigate the need for an OOA placement.

Most young people when they leave an OOA placement return to a city resource or to their family. The careful tracking of OOA placements is ensuring that early and detailed consideration is being given to how we successfully support young people to return to the city. Learning from these transitions will support the continual development of planning and support for children and young people.

The Children & Young People (Scotland) Act 2014 places a duty on the agencies to work together to support care leavers up to the age of 26. This is to mitigate that many care leavers continue to have complex needs that services require to be attuned to ensure lasting improvements to their outcomes.

- f) Aberdeen City established a Virtual School Head Teacher (VSHT) post in 2017. This post is recognised as national best practice and has supported a raising of awareness of the needs of looked after children across all Aberdeen City Council schools. Exclusion from school is a prominent factor in the breakdown of care placements. The VSHT's role is to support practice across schools to ensure a better appreciation of the needs of looked after children to enable and coordinate support. Looked after children are likely to have additional support needs and may require additional support within school to improve their outcomes.

The impact of the VSHT to support schools to better understand and support the complex needs of LAC has contributed to a reduction in the incidents of exclusion over the past three years:

Incidents of Exclusion involving Looked After Children	
2016/17	93
2017/18	76
2018/19	60

- g) The social work service recognised in 2016 that staff within our residential care homes were struggling to meet the needs of some of the young people placed in their care. A programme to embed trauma informed practice across our residential work force has enabled staff to better meet the needs of young people who have experienced trauma in their early childhood. This change in practice has seen a dramatic reduction in the number of placement breakdowns and young people leaving our residential care homes to be placed in an OOA placement. Importantly young people themselves are telling us they are happier and value the care and support being provided.

The residential service has worked very closely with the local commissioned residential services to adopt a trauma informed approach. This has been extremely well received and similar positive feedback has been received from young people and staff in these settings.

The recruitment of staff to work in residential care has remained extremely challenging which adversely impacts on the capacity of the service.

- 3.7.4 As a result of the above mitigation the number of children placed within an OOA residential placement has fallen over the past few years including the current year. While encouraging it is important to recognise that Q3 & Q4 are traditionally the quarters where this budget comes under the greatest pressure.

Number of young people placed in OOA residential care placements.	
As at 1-4-17	37
As at 1-4-18	35
As at 1-4-19	35
As at 1-10-19	31

4. FINANCIAL IMPLICATIONS

- 4.1 There are no immediate financial implications arising from the recommendations of this report. It is important that Elected Members appreciate that this budget will always be an area of vulnerability for the Council to manage and its ability to fully mitigate this has limitations due to the decisions of legal bodies out with the Council.

5. LEGAL IMPLICATIONS

- 5.1 Whilst there are no legal implications arising directly from the recommendations of this report, the Council is under a number of statutory duties to safeguard and promote the welfare of vulnerable children and young people and make

provision for their needs, which the strategies outlined in this Report seek to fulfil.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Financial	None specifically for this report. Elected members endorse the strategic approach to develop effective local services that can support young people to remain within their local communities.		As detailed in the report Council services are working collaboratively and on an integrated basis to support children and young people be cared for within the family network.
Legal	None for this report		
Employee	None for this report		
Customer	The outcomes for young people placed in OOA placements do not deliver improvement and support them to successfully prepare for adulthood.	M	Children, young people and their families can be assured that Aberdeen City Council is providing robust support to mitigate against the need for the use of OOA placements. They can also be assured that where risk and need indicate that such a resource would best meet their needs then the Local Authority has appropriate safeguards in place to agree and review these placements.
Environment	None for this report		
Technology	None for this report		
Reputational	The care and support of Aberdeen City's most vulnerable children and young people is a significant responsibility. Failure to care for this group	M	The public can be assured that: the Council ensures compliance with legal requirements and identified areas for improvement are addressed.

	of children and young people can bring significant media interest and scrutiny.		
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7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	The proposals in the report have direct links to the delivery and attainment of stretch outcome 5; 95% of care experienced children and young people will have the same levels of attainment in education, emotional wellbeing, and positive destinations as their peers by 2026. An aim is to increase the number of care experienced young people receiving appropriate multi agency throughcare by 2021. Supporting care experienced young people successfully transition to adulthood will support the economy of Aberdeen and enhance their own wellbeing and outcomes.
Prosperous People	<p>Integrated Children and Family Services deliver on the outcomes of the LOIP Prosperous People - Children are our Future and that they have “the best start in life”; they are “safe and responsible” and “protected from harm”. Within stretch outcome 5.2 Supporting care experienced children and young people who sustain care placements which meet their needs and sense of identity.</p> <p>Children who are adequately protected from threats to their health, safety and economic wellbeing are more likely to prosper than those who are not.</p>

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	The impact of effective and early intervention is underpinned by the Getting it Right for Every Child approach. Understanding early life trauma is critical to effective early intervention to support parents and families to provide the care and support to children and young people to protect them from harm.

Organisational Design	Having an Integrated Children and Family Services is supporting more joined up working and sharing of the responsibility to improve the outcomes for looked after children and young people.
Governance	Appropriate oversight of services delivering public protection provides assurance to both the organisation and the public in terms of meeting the council's statutory duties, and also contributes to compliance with agreed standards.
Workforce	A proactive learning approach is taken to support staff and carers to better understand the impact of trauma on children and young people and how we can support them to recover from these experiences.
Technology	The use of data is being utilised to identify risk indicators which place some children at a heightened risk of being placed in an OOA placement. This will be developed and refined to include data from partner agencies.
Partnerships and Alliances	Services to children and young people are delivered on a multi-agency basis and the scrutiny, challenge and learning requires all agencies to work in partnership with each other.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not required

9. BACKGROUND PAPERS

None

10. APPENDICES

Appendix 1 – Shifting the balance of care.

11. REPORT AUTHOR CONTACT DETAILS

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