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## SCRUTINY BOARD (CHILDREN AND FAMILIES)

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Thursday, 23rd August, 2012 at 9.45 am

*(A pre-meeting will take place for ALL Members of the Board at 9.15 a.m.)*

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### MEMBERSHIP

#### Councillors

- J Chapman (Chair) - Weetwood;
- B Gettings - Morley North;
- C Gruen - Bramley and Stanningley;
- A Hussain - Gipton and Harehills;
- A Khan - Burmantofts and Richmond Hill;
- A Lamb - Wetherby;
- P Latty - Guiseley and Rawdon;
- M Rafique - Chapel Allerton;
- K Renshaw - Ardsley and Robin Hood;
- A Sobel - Moortown;
- B Urry - Roundhay;

#### Co-opted Members (Voting)

- Mr E A Britten - Church Representative (Catholic)
- Vacancy - Church Representative (Church of England)
- Ms A Craven - Parent Governor Representative (Primary)
- Ms J Ward - Parent Governor Representative (Secondary)
- Ms N Cox - Parent Governor Representative (Special)

#### Co-opted Members (Non-Voting)

- Ms C Foote - Teacher Representative
- Ms C Raftery - Teacher Representative
- Mrs S Hutchinson - Early Years Representative
- Ms T Kayani - Leeds Youth Work Partnership Representative
- Ms J Morris-Boam - Young Lives Leeds

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**Agenda compiled by:**  
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**Sandra Newbould**  
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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items or information have been identified on this agenda.</b></p>	

3

### **LATE ITEMS**

To identify items which have been admitted to the agenda by the Chair for consideration.

(The special circumstances shall be specified in the minutes.)

4

### **DECLARATION OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS**

To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.

5

### **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

To receive any apologies for absence and notification of substitutes.

6

### **MINUTES - 26TH JULY 2012**

1 - 8

To confirm as a correct record, the minutes of the meeting held on 26<sup>th</sup> July 2012.

7

### **SCRUTINY INQUIRY INTO PRIVATE FOSTERING**

9 - 30

To receive and consider a report from the Head of Scrutiny and Member Development which provides evidence for the Scrutiny Inquiry into Private Fostering.

8

### **SCRUTINY INQUIRY INTO PRIVATE CARE HOMES (CHILDREN AND YOUNG PEOPLE)**

31 - 44

To receive and consider a report from the Head of Scrutiny and Member Development which provides evidence for the Scrutiny Inquiry into Private Care Homes for children and young people.

9

**TERMS OF REFERENCE - SCRUTINY INQUIRY INTO PROVIDING THE BEST START IN LIFE FOR CHILDREN TO SUCCEED**

To receive and consider a report from the Head of Scrutiny and Member Development which defines the terms of reference for the Scrutiny Inquiry into providing the best start in life for children to succeed.

**(Report to follow)**

10

**WORK SCHEDULE**

To receive and consider a report from the Head of Scrutiny and Member Development outlining the Scrutiny Board's work schedule for the remainder of the current municipal year.

45 -  
90

11

**DATE AND TIME OF NEXT MEETING**

Thursday, 27<sup>th</sup> September 2012 at 9.45am in the Civic Hall, Leeds.

(Pre meeting for Board Members at 9.15am)

# Agenda Item 6

## SCRUTINY BOARD (CHILDREN AND FAMILIES)

THURSDAY, 26TH JULY, 2012

**PRESENT:** Councillor J Chapman in the Chair

Councillors C Gruen, A Hussain, A Khan,  
P Latty, M Rafique, K Renshaw and B Urry

### **CO-OPTED MEMBERS (VOTING):**

Mr E A Britten – Church Representative (Catholic)

Ms J Ward – Parent Governor Representative (Secondary)

Ms N Cox – Parent Governor Representative (Special)

### **CO-OPTED MEMBERS (NON-VOTING):**

Ms C Foote – Teacher Representative

Mrs S Hutchinson – Early Years Representative

Ms T Kayani – Leeds Youth Work Partnership Representative

Ms J Morris-Boam – Young Lives Leeds

## **23 Chair's Opening Remarks**

The Chair welcomed all in attendance to the July meeting of the Scrutiny Board (Children and Families).

## **24 Declaration of Disclosable Pecuniary and Other Interests**

There were no disclosable pecuniary and other interests.

## **25 Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted by Councillors Gettings, Lamb and Sobel and Co-opted Member, Ms A Craven.

## **26 Minutes - 20th June 2012**

**RESOLVED** – That the minutes of the meeting held on 20<sup>th</sup> June 2012 be approved as a correct record.

## **27 Matters Arising from the Minutes**

### **Academy status**

The Chair sought clarification about recent publicity in the local media regarding 34 schools in Leeds converting to academy status, according to a Department of Education source. The Department of Education advised that they had no knowledge of the article. The Deputy Director (Learning, Skills and Universal Services) informed the Scrutiny Board that the article may have been linked to the Secretary of State's commitment to acceleration of the

academy programme, which was highlighted in a recent ministerial speech, although no schools in Leeds were specifically mentioned.

### **John Smeaton Community College**

The Chair requested an update about the need for rapid improvements at John Smeaton Community College, since the announcement that the school had fallen into special measures. The Scrutiny Board was advised that the school was in the process of converting to academy status and United Learning Trust was likely to be approved as sponsor. Arrangements were currently in place to appoint a new headteacher. It was agreed to provide the Scrutiny Board with further information in due course.

(Councillor Khan left the meeting at 10.00am during the consideration of this item.)

## **28 Children's Services Budget Update - 2012-13 (First quarter report)**

The Director of Children's Services submitted a report which presented an update on the Children's Services revenue budget for the 2012-13 financial year.

Appended to the report was a detailed analysis of individual service areas.

The following Executive Member and officer attended the meeting:

- Councillor Blake, Executive Member (Children and Families)
- Neil Warren, Head of Finance, Children's Services.

**RESOLVED** – That the contents of the report and appendices be noted.

## **29 Children's Homes Review**

The Director of Children's Services submitted a report which provided an update on progress with the review of Leeds City Council children's homes.

The following Executive Member and officers attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children and Families)
- Steve Walker, Deputy Director (Safeguarding, Specialist and Targeted Services)
- John Bywater, Principal Finance Manager, Children's Services.

The key areas of discussion were:

- Clarification that a 12-18 month improvement programme was anticipated in relation to children's home provision.
- The benefits of family group conferencing.

- Joint working undertaken with health professionals to meet the needs of children affected by autism and development of in-house provision. It was agreed to provide the Scrutiny Board with further information about these developments.
- The role of the Corporate Parenting Group in relation to children's home provision.
- Concerns about the number of looked after children aged 1 and under, particularly challenges linked to parents suffering from mental health issues, drug and alcohol misuse.

**RESOLVED** – That the contents of the report be noted.

### **30 Recommendation Tracking - External Placements Inquiry**

The Head of Scrutiny and Member Development submitted a report which requested Members to confirm the status of recommendations in relation to the scrutiny review of external placements published on 28<sup>th</sup> February 2012.

Appended to the report was the recommendation tracking flowchart and draft recommendation status.

The following Executive Member and officer attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children and Families)
- Steve Walker, Deputy Director – Safeguarding, Specialist and Targeted Services.

The status of recommendations were agreed as follows:

- Recommendation 1 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 2 – achieved. Next report due January 2013
- Recommendation 3 – achieved. Projected savings not achieved due to reasons stated in the report
- Recommendation 4 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 5 – achieved
- Recommendation 6 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 7 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 8 – achieved
- Recommendation 9 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 10 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 11 – achieved
- Recommendation 12 – achieved.

In relation to the project strand, 'edge of care / exit from care' it was agreed to provide the Scrutiny Board with updates regarding the expansion of family group conferencing and ongoing work to develop Cramner Bank. It was also agreed to provide an updated version of the Looked After Children (LAC) obsession programme plan with the next recommendation tracking report.

**RESOLVED –**

- (a) That the contents of the report and appendices be noted
- (b) That the Scrutiny Board approves the status of recommendations as set out above.

**31 Directors Response - Scrutiny Inquiry into Improving Attendance**

The Director of Children's Services submitted a report which presented his response to the recommendations arising from the Scrutiny Inquiry into Improving Attendance.

The following Executive Member and officers attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children and Families)
- Steve Walker, Deputy Director (Safeguarding, Specialist and Targeted Services)
- Jancis Andrew, Head of Service (Attendance Strategy)

The main points of discussion were:

- There was a need to develop greater partnership working in relation to co-ordination of planned school closure dates for holiday periods, teacher training days and religious festivals.
- Confirmation that advice from other local authorities was that zero tolerance policies were unlawful and could expose schools and the local authority to legal challenge.
- Further information to be submitted to the Scrutiny Board about development of the pathfinder approach.

**RESOLVED –**

- (a) That the response to the recommendations be noted
- (b) That recommendation 9 be agreed by the Director of Children's Services.

(Councillor Khan rejoined the meeting at 11.30am during the consideration of this item.)

**32 Directors Response - Scrutiny Inquiry into Combating Child Poverty and Raising Aspirations**



The Director of Children's Services submitted a report which presented his response to the recommendations arising from the Scrutiny Inquiry into Combating Child Poverty and Raising Aspirations.

The following Executive Member and officers attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children and Families)
- Andrea Richardson, Head of Early Years Service
- Sue Rumbold, Chief Officer (Partnership, Development and Business Support).

The key areas of discussion were:

- Updated guidance on child poverty to be forwarded to the Scrutiny Board Child Poverty Working Group.
- Concerns about the stigma attached to children receiving free school meals and the need to ensure that initiatives were in place to overcome this.

**RESOLVED** – That the response to the recommendations be noted.

(Celia Foote left the meeting at 11.55am during the consideration of this item.)

**33 Directors Response - Scrutiny Inquiry into Services for Children with Disabilities, Special Educational Needs and Additional Health Needs**

The Director of Children's Services submitted a report which presented his response to the recommendations arising from the Scrutiny Inquiry into Services for Children with Disabilities, Special Educational Needs and Additional Health Needs.

The following Executive Member and officers attended the meeting:

- Councillor Blake, Executive Member (Children and Families)
- Steve Walker, Deputy Director – Safeguarding, Specialist and Targeted Services
- Barbara Newton, Strategic Leader – Performance, Children's Services.

**RESOLVED** – That the response to the recommendations be noted.

**34 The Sustainable Economy and Culture inquiry report into the Engagement of Young People in Culture, Sporting and Recreational Activities and the Directors response**

The Head of Scrutiny and Member Development submitted a report which presented information to inform the Scrutiny Board about the recommendations made by the Sustainable Economy and Culture Board in April 2012 and the subsequent Director's response.

The following information was appended to the report:

- Report of the Director of City Development and Director of Children's Services to the Scrutiny Board (Sustainable Economy and Culture) on 12<sup>th</sup> July 2012
- Scrutiny Inquiry Report – The Engagement of Young People in Culture, Sporting and Recreational Activities on 19<sup>th</sup> April 2012.

The following Executive Member and officers attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children and Families)
- Steve Walker, Deputy Director (Safeguarding, Specialist and Targeted Services)
- Catherine Blanshard, Chief Officer (Libraries, Arts and Heritage).

The key points of discussion were:

- Concern about cuts to the free swimming programme, particularly the impact on young people.
- The benefits of developing links with the voluntary sector to provide free swimming sessions, especially during quieter periods.
- Utilising PFI school, academies and school trust provision. Children's Services agreed to provide further information about this.

#### **RESOLVED –**

- (a) That the contents of the report and the Director's response be noted
- (b) That future tracking information considered by the Scrutiny Board (Sustainable Economy and Culture) be delegated to the Youth Services Working Group (a working group of the Scrutiny Board (Children and Families)).

(Councillor Urry and Co-opted Member, Ms Cox, left the meeting at 12.05pm during the consideration of this item.)

(Ms Kayani left the meeting at 12.25pm at the conclusion of this item.)

### **35 Terms of Reference - Inquiry into Private Care Homes**

The Head of Scrutiny and Member Development submitted a report which invited Members to agree terms of reference for the Scrutiny Board's inquiry into Private Care Homes.

The Principal Scrutiny Advisor, Sandra Newbould, presented the report.

#### **RESOLVED –**

- (a) That the terms of reference for the Scrutiny Board's inquiry into Private Care Homes, be approved

Draft minutes to be approved at the meeting  
to be held on Thursday, 23rd August, 2012

(b) That the terms of reference be subject to amendment where necessary, including incorporation of additional information should the Scrutiny Board identify any further scope for inquiry or request further witnesses or evidence.

### **36 Terms of Reference - Inquiry into Private Fostering**

The Head of Scrutiny and Member Development submitted a report which invited Members to agree terms of reference for the Scrutiny Board's inquiry into Private Foster Care.

The Principal Scrutiny Advisor, Sandra Newbould, presented the report.

#### **RESOLVED –**

(a) That the terms of reference for the Scrutiny Board's inquiry into Private Foster Care, be approved

(b) That the terms of reference be subject to amendment where necessary, including incorporation of additional information should the Scrutiny Board identify any further scope for inquiry or request further witnesses or evidence.

### **37 Work Schedule**

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work schedule for the current municipal year.

Appended to the report for Members' information was the current version of the Board's work programme, minutes of the Executive Board meeting held on 20<sup>th</sup> June 2012, together with an extract from the Forward Plan of Key Decisions for the period 1<sup>st</sup> August 2012 to 30<sup>th</sup> November 2012.

Members noted various requests for further information that were raised at the meeting, which it was agreed to forward to the Scrutiny Board.

**RESOLVED –** That the work schedule be approved.

### **38 Date and Time of Next Meeting**

Thursday, 23<sup>rd</sup> August 2012 at 9.45am with a Pre Meeting for Board Members at 9.15am

(The meeting concluded at 12.32pm.)

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## Report of Head of Scrutiny and Member Development

### Report to Scrutiny Board (Children and Families)

Date: 23<sup>rd</sup> August 2012

### Subject: Scrutiny Inquiry into Private Fostering (Cover report)

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

## Summary of Main Issues

1. At its meeting on the 20<sup>th</sup> of June 2012, the Scrutiny Board resolved to undertake an Inquiry into Private Fostering as there was considerable concern about how private foster care arrangements are identified by Leeds City Council and how children and young people party to a private arrangement are safe and protected.
2. The Board agreed terms of reference for an inquiry on the 26<sup>th</sup> of July 2012
3. The British Association for Adoption and Fostering has been invited to attend the meeting on order to discuss Private Fostering from their perspective.
4. The Director of Children's Services has provided a report detailing information requested at the meeting of the Board 26<sup>th</sup> July 2012.

## Recommendations

4. Members are asked to:

- Note the information contained within this report, the report of the Director of Children's Services and the information presented at the meeting.

## **1. Purpose of this report**

- 1.1 For the purposes of the inquiry the British Association for Adoption and Fostering (BAAF) has been invited to attend the meeting on order to discuss private fostering arrangements.
- 1.4 The Board is also asked to consider the report of the Director of Children's Services, which provides the Board with information requested at the meeting of the Board on 26<sup>th</sup> of July.

## **2 Background information**

Background information is provided relating to BAAF to provide the Board with an overview of the organisation and the services provided to support private foster carers, the children they care for and professionals.

BAAF is a registered charity who support, advise and campaign for better outcomes for children in care. They work with everyone involved with adoption and fostering across the UK with regional and country offices in England, Wales, Scotland and Northern Ireland, providing services to meet the needs of some of the UK's most vulnerable children and young people.

Their work includes family-finding, producing publications, training, conferences, consultancy, campaigning and advice.

Their website 'Somebody else's child', <http://www.privatefostering.org.uk/> provides comprehensive information to assist private foster carers, children and young people and professionals. Relevant extracts from this site are attached to assist the Scrutiny Board with their inquiry. (Appendix 1 – 3)

## **3 Corporate Considerations**

### **3.1 Consultation and Engagement**

- 3.1.1 This section is not relevant to this report

### **3.2 Equality and Diversity / Cohesion and Integration**

- 3.2.1 During the conduct of the Scrutiny Inquiry there may be positive equality, diversity, cohesion and integration outcomes for groups and this would be reflected in the Scrutiny Inquiry Report once published.

### **3.3 Council policies and City Priorities**

- 3.3.1 This inquiry will assist in achieving outcomes and priorities as defined in the Children and Young Peoples Plan 2011-2-15 and the Child Friendly City Priority Plan.

### **3.4 Resources and value for money**

- 3.4.1 This section is not relevant to this report

### **3.5 Legal Implications, Access to Information and Call In**

3.5.1 There is no restricted or confidential information contained in this report.

### **3.6 Risk Management**

3.6.1 This section is not relevant to this report

## **4 Conclusions**

4.1 BAAF will be attending the Scrutiny Board meeting (Children and Families) on the 23<sup>rd</sup> August 2012 to assist Board members with the inquiry and answer questions arising.

## **5 Recommendations**

5.1 Members are asked to:

- Note the information contained within this report, the report of the Director of Children's Services and the information presented at the meeting.

## **6 Background documents<sup>1</sup>**

6.1 None

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<sup>1</sup> The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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**Report of the Director of Children's Services**

**Report to Scrutiny Board (Children and Families)**

**Date: 23<sup>rd</sup> August 2012**

**Subject: Inquiry into Private Fostering (Main report)**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**1.0 Purpose of this report**

1.1 This report provides written evidence to the Scrutiny Board enquiry in relation to this Inquiry into Private Fostering.

**2.0 Background information**

2.1 At its meeting on the 20<sup>th</sup> of June 2012, the Scrutiny Board resolved to undertake an Inquiry into Private Fostering as there was considerable concern about how private foster care arrangements are identified by Leeds City Council and how children and young people party to a private arrangement are safe and protected.

2.2 The purpose of the Inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:

- Communication about private fostering arrangements
- Regulation of private foster carers
- Safeguarding vulnerable children and young people

2.3 This report provides written evidence on behalf of the Director of Children's Services. In completing this report specific reference has been made to the terms of reference of the Scrutiny Board Inquiry into Private Fostering.

**3.0 Main Issues/Evidence**

**3.1 Definition and Legal Context**

- 3.1.2 A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent, sister or brother where the child is to be cared for in that person's home for 28 days or more and has been arranged without the involvement of the local authority.
- 3.1.2 The legislation relevant to private fostering is set out in part nine of, and schedule eight to, The Children Act 1989, and regulations made under part nine of that act. Statutory instrument The Children (Private Arrangements for Fostering) Regulations 2005 and the National Minimum Standards for Private Fostering provide the framework for delivering services in relation to private fostering.

### 3.2 National and Local Statistics

- 3.2.1 Nationally, private fostering is known to be under reported. The introduction of the Fostering Regulations 2005 and Minimum Standards were intended to improve the reporting of such arrangements, but in practice there has been little change. The Report of the DCSF Advisory Group on Private Fostering, 'No simple answers' identified a number of reasons for this including complexity and diversity of arrangements: a grandmother looking after a child for two months whilst a parent receives medical treatment is not privately fostering; a best friend of the parent, well known to the child, providing the same support is. In many cases parents, carers and professionals are unaware that an arrangement is a private fostering.
- 3.2.2 Local authorities are required to report to the government on the number of private fostering arrangements they have been informed of and are currently supporting. Table 1 shows that since 2009 there has been a small increase in the number of private fostering arrangements. However estimates of the true total number of private fostering arrangements in the UK vary from 2,000 to 5,000.

Date	Number of private fostering arrangements	
	National	Leeds
31-03-2008	1330	7
31-03-2009	1530	7
31-03-2010	1590	10
31-03-2011	1649	10

Table 1

- 3.2.3 Comparator statistics are only available for year ending 2010. In 2010 comparison with Core Cities (our nearest neighbours in terms of size) indicates that Sheffield and Birmingham had identified 20 private fostering arrangements and Manchester 15, in the same year we had identified 10. However, following the implementation of new arrangements in Leeds, as discussed below, in the year ending March 2012, 15 private fostering arrangements were being supported..
- 3.2.4 Private fostering arrangements are often highly temporary. National statistics indicate that in the year ending March 2011, 2308 new private fostering arrangements began and 2332 ended. In the same period, 61% of privately fostered children were born in the UK, a decrease of 5% on 2010 figures. By far the largest majority of children (68%) who are privately fostered are children over the age of 10 and only 6% are children under 4 years.

- 3.2.5 The figures for Leeds children known to be privately fostered remain overall low and fluctuate month by month as children move in and out of private fostering arrangements or reach the age of 16 years (or 18 years for children with a disability) when the requirement to monitor placements made under private fostering arrangements ceases. 9 children have ceased to be privately fostered since May 2011. Of these 3 returned to their mother, 3 reached 16, 1 was adopted and 2 ended before the assessment was started.
- 3.2.6 As mentioned previously there has been an increase in overall numbers with 15 children being identified as privately fostered the last financial year compared to 10 children in the previous 2 years and 7 in 2008. 6 of the children are aged 15 or over, 5 are between 10 and 14 years old, 3 are aged 5 to 9 and one child is aged 2 years.

### **3.3 Responsibilities of parents and carers**

- 3.3.1 Any parent proposing to have their child looked after by someone other than a close relative for more than 28 days, or a carer who is proposing to look after someone else's child who is not a close relative, should notify the local authority at least six weeks before the arrangement is due to begin. This is known as a proposed arrangement.
- 3.3.2 Where a private fostering arrangement is already in place, for example where a planned short stay goes beyond 28 days or where carers become aware that they are privately fostering, or in situations where a child is placed in an emergency the carer or parent should tell the local authority within 48 hours of the child going to live with the carer.
- 3.3.4 The private foster carer becomes responsible for providing the day to day care of the child in a way which will promote and safeguard his or her welfare.
- 3.3.5 However, overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent.
- 3.3.6 The carer or parent should notify the local authority immediately about any change in circumstances, including if the child changes address, someone living in the household is convicted of an offence, or someone joins or leaves the household.

### **3.4 Responsibilities of local authorities**

- 3.4.1 Children who are privately fostered are not looked after children. Responsibility of the care remains with their parent. However, local authorities have a legal duty under the Children Act 1989 to satisfy themselves that the welfare of children who are privately fostered within their area is being adequately safeguarded and promoted and to provide advice to parents and private foster carers.
- 3.4.2 Section 44 of the Children Act 2004 extended these duties to include children who are proposed to be, but not yet, privately fostered.
- 3.4.3 Where the local authority is informed of a proposed or existing private fostering arrangement it must undertake an assessment of the suitability of the arrangements for the child. This assessment should be undertaken by a social worker

The assessment will include

- ensuring that the intended duration is understood and agreed between the parent and private foster carer;
- the wishes and feelings of the child;
- that the children’s physical, intellectual, emotional and social and behavioural development is appropriate and satisfactory;
- that the financial arrangements are agreed and/or are working;
- the private foster carers capacity to look after the child and the suitability of other members of the household and premises (Criminal Record Bureau checks on everyone over 16 in the household);
- that appropriate arrangements have been made for the child’s health, including GP registration;
- the appropriate arrangements are in place for the child’s education;
- that standards of care are understood, agreed and satisfactory;
- how day to day decisions about the child will be made;
- contact arrangements;

3.4.4 Where private fostering arrangements are made by parents residing outside of the UK, every effort is made to contact them to confirm parental consent to the placement.

3.4.5 Where there is no one exercising parental responsibility for a child, consideration is given to initiating care proceedings and transferring parental responsibility to the local authority.

3.4.6 Where the decision is taken that the arrangements are suitable a social worker will visit the child every 6 weeks during the first year and then every 12 weeks thereafter.

3.4.7 The social worker’s role is to promote the welfare of the child and to check that the arrangements are still suitable. The social worker will also provide advice and support to the carers and the parents and will maintain a case record. The social worker should make sure the child’s racial, cultural, linguistic and religious needs are being met.

3.4.8 The social worker should see the child alone on each visit and will write a record of each visit. If there are any changes in circumstances the private foster carer should inform the social worker. The social worker needs to make sure that the child continues to be looked after properly and provide help and advice to the carers as required.

### **3.5 Safeguards for privately fostered children**

3.5.1 It is recognised that children placed in private foster arrangements are vulnerable if professionals and agencies working with the child are unaware of their situation and circumstances and therefore unable to assess the suitability of the arrangements and monitor the child’s welfare. It should be noted that Victoria Climbié was in a private fostering arrangement that had not been notified or identified. Lord Laming’s inquiries and the subsequent publication of Every Child Matters led to legislative

changes through the Children Act 2004. Section 44 of the Act placed a duty on local authorities to promote public awareness of the notification requirements. The Act also introduced additional duties for local authorities, including appointing a private fostering officer responsible for monitoring compliance with the notification system and ensuring that private fostering is among the areas to be addressed by Local Safeguarding Children Boards.

- 3.5.2 Research and information from other authorities has highlighted that in the majority of cases local authorities are notified of private fostering arrangements by professionals involved with the child, parents or carers. The Children (Private Arrangements for Fostering) Regulations 2005 clearly states that education, health and other professionals have a duty to notify the local authority of a private fostering arrangement that comes to their attention if they are not satisfied that the parent or carer has notified the local authority. Working Together to Safeguard Children 2010, states in chapter 11.24 “All professionals working with children have an important role in relation to safeguarding privately fostered children”.
- 3.5.3 Where an assessment identifies concerns there are a number of actions that the local authority may take.
- 3.5.4 Carers can be **disqualified from privately fostering** a child if they have been convicted of any offence involving a child, they have had a child removed from their care by a court or local authority, have had their registration as a childminder refused or cancelled, have been prohibited from privately fostering a child or been disqualified from acting as a foster carer.
- 3.5.5 The local authority can **impose requirements** on private foster carers including limiting the number of children who can be privately fostered (this should not be more than three) and on the standard of accommodation.
- 3.5.6 The local authority has the **power to prohibit** a person from privately fostering where that person is not suitable, where the accommodation is not suitable, where the child’s welfare would be harmed, where someone has been convicted for offences against children or where the care of the child is unsatisfactory. Any prohibition must be made in writing and the carer does have the right of appeal to the Family Proceedings Court within 14 days.

### **3.6 Private Fostering Service in Leeds**

- 3.6.1 An inspection of the Leeds City Council private fostering service by Ofsted in September 2008 judged the service as ‘inadequate’. In response to these findings work was undertaken to improve and strengthen the service.
- 3.6.2 The Statement of Purpose and Function for the Private Fostering Service was amended and the Statement is now reviewed annually to ensure that it remains fit for purpose.
- 3.6.3 Policies and procedures were updated and are accessible to all social work staff and managers. Awareness of the new arrangements has been disseminated through management meetings to ensure that all staff understand private fostering and are aware of their responsibilities in relation to such arrangements. New arrangements have been put in place in the Fostering Service to support the

children's social work teams in identifying and managing private fostering arrangements.

- 3.6.4 The Ofsted inspection noted that the local authority had implemented a number of strategies to promote and increase awareness of private fostering and identified good progress. However, given the importance of public awareness of private fostering, an emphasis has been placed on communications. A new worker has been identified within the kinship care team to take forward the work on raising awareness about private fostering and to take forward the communications strategy. The Child Friendly City Initiative will also be used as a way of increasing public awareness of private fostering. There are indications that the new arrangements have supported an increase in the identification and reporting of private fostering arrangements as the number of private fostering arrangements being supported has risen from 10 to 15.
- 3.6.5 Monitoring of service provision was identified as an area for improvement in the Ofsted inspection. This has proven to be difficult to address the current electronic social care recording system (ESCR) does not have the necessary fields to assist in performance monitoring or data collation. An interim solution has been developed and private fostering recording and reporting requirements have been included in the tender requirements for the new system.
- 3.6.6 Leeds is committed to supporting children to remain within their families and communities wherever possible. It is anticipated that initiatives such as Family Group Conferencing will increase the number of kinship and extended family placements. Children's Services recognise the importance of supporting these arrangements and the Family Placement Service has been strengthened. This includes two new posts within the Fostering Service to focus on private fostering. These posts are based within the Kinship Care team and are responsible for:
- assessments of private fostering arrangements
  - support and advice to social workers
  - maintenance and development of the communication plan
  - training support and guidance to social work staff and other professionals
  - development of a framework to identify and improve outcomes for children in private foster care
- 3.6.7 The children's social work service was restructured into locally based social work teams working within identified clusters and communities and specialist looked after children's social work teams. It is anticipated that these new arrangements will support improved local relationships with partner agencies and strengthen links with communities. These networks will be used to raise awareness of private fostering. The locality teams will be responsible for providing support to children in private fostering arrangements. The new workers within the Kinship Care team will provide assistance and advice to the children's social work teams.
- 3.6.8 All cases where a child is privately fostered are subject to a case file audit which identifies any actions that are required in relation to an individual child but also themes for practice and service development for further improvement.

3.6.9 To provide external scrutiny of local authority arrangements and services in relation to private fostering Children's Services reports annually to the Leeds Safeguarding Children Board. The Board has also been very supportive in raising awareness of private fostering in agencies.

## **4.0 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 Where we are aware of private fostering arrangement Children's Services makes every effort to consult and engage with parents, carers and the child. Children in a private fostering arrangement will be seen alone as part of the assessment and statutory visiting arrangements. The views of the child about the care they receive will be central to all decisions made in relation to their welfare.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve its ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.

4.2.2 Equality and diversity has been considered in completing this report and where an issue has been identified it has been highlighted in this evidence. Council policies and City Priorities

4.2.3 This inquiry will assist in achieving outcomes and priorities as defined in the Children and Young Peoples Plan 2011-2-15 and the Child Friendly City Priority Plan.

### **4.3 Resources and value for money**

4.3.1 There are no resource or value for money implications relating to this report

### **4.4 Legal Implications, Access to Information and Call In**

4.4.1 None

### **4.5 Risk Management**

4.5.1 None

## **5.0 Conclusions**

5.1 A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult who is not a parent, grandparent, aunt, uncle, step parent, sister or brother where the child is to be cared for in that person's home for 28 days or more and has been arranged without the involvement of the local authority.

5.2 Private fostering is complex and is not well understood by the public and some professionals.

- 5.3 A privately fostered child is not looked after. The private foster carer is responsible for providing the day to day care of the child in a way which will promote and safeguard his or her welfare. However, overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent.
- 5.4 The local authority has a legal duty under the Children Act 1989 to satisfy themselves that the welfare of children who are privately fostered within their area is being adequately safeguarded and promoted and to provide advice to parents and private foster carers. Where an arrangement is assessed as satisfactory the local authority will allocate the case to a social worker who will visit and speak to the child regularly to ensure that the arrangement continues to meet the child's needs.
- 5.5 Since 2008 considerable work has been undertaken to strengthen private fostering services in Leeds. This has led to an increase in notifications and work is ongoing to increase awareness and support for children in private fostering arrangements.

## **6.0 Recommendations**

- 6.1 The Scrutiny Board (Children and Families) are invited to note the contents of this report.

## **7.0 Background documents<sup>1</sup>**

No simple answers: Report of the DCSF Advisory Group on Private Fostering 2008 – 2010

(<http://media.education.gov.uk/assets/files/pdf/n/no%20simple%20answers%20%20%20department%20advisory%20group%20report%20on%20private%20fostering.pdf>)

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<sup>1</sup> The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.



## **Appendix 1**

### **Ten top tips for Education Authorities**

#### **Identifying and notifying private fostering arrangements**

#### **1. Know the legal definition of private fostering**

Private fostering is when a child under the age of 16 (under 18 if disabled) is cared for by someone who is not their parent or a 'close relative'. This is a private arrangement made between a parent and a carer, for 28 days or more. Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half blood or marriage/affinity).

There is a duty on the part of parents and prospective carers entering into private fostering arrangements to notify their local authority. This is in order to safeguard and protect the child's welfare as well as ensuring that the child, carer and parent are receiving appropriate support and help.

#### **2. Know what to do if you suspect that a child is privately fostered**

You also have a responsibility to safeguard the welfare of the children in your care. If you think that a child is privately fostered, you should discuss this with the child's carer and parent (if they are in contact with the school) and encourage them to notify the local authority of the arrangement. If you suspect that neither party has been in touch with the local authority, you should request their permission to contact them yourself. If consent is not given and you still suspect that the child is privately fostered, you should notify the local authority children's services duty team. Where the child is of an appropriate age and understanding, you should consult with them and, if possible, obtain their consent.

**If you suspect that a child is being harmed or is at risk of significant harm (including suspecting that a child may be trafficked) and urgent action is required, follow your Child Protection procedures.**

Follow guidance about 'What to do if you are worried a child is being abused' published by the Department for Education

#### **3. Understand the rules about confidentiality**

Are you worried about breaching confidentiality? If, after advising the child's carer to notify the local authority of a private fostering arrangement, you believe that they have not done so, by contacting the local authority you are ensuring that the child's welfare and safety come first. A child in a private fostering arrangement who is not brought to the attention of the local authority is a child who may be in need or at risk of harm. You will be acting appropriately by informing the local authority. Be aware that some carers or parents may be anxious about having the local authority involved in their private arrangement. Reasons for this include a fear of racism, concern that the local authority may consider the arrangement unsuitable, because they have something to hide or simply because they think that it's nobody's business but their own.

#### **4. Look for signs that a child might be privately fostered**

Consider the following:

- Is the child under the age of 16 (or 18 if disabled)?
- Is the child new to your school?
- Although there may be a number of reasons for a child joining the school, including being in local authority foster care or a member of a travelling community, a new child could be a privately fostered child.
- Has the child mentioned that they are no longer living at home / living with someone else?
- Is the child accompanied to school by someone other than a parent/recognised carer?
- Has a child disappeared from your school without a given reason?
- Is the child's carer vague about the child's education, their routines and needs?
- If the child has come from overseas, do you know the purpose of the visit and the living arrangements? Are they accompanied by their parents? Is the child here for the purposes of education?
- Ask whether the child is an unaccompanied asylum seeker. An unaccompanied minor who is not in local authority care may be living in a private fostering arrangement.
- Could the child be a trafficked child?

#### **5. Ascertain who has parental responsibility for the child**

One way of ascertaining the relationship between the child and the person who accompanies them to school is to ask the latter whether they have **parental responsibility (PR)** for the child. A private foster carer does not have parental responsibility.

- Who is looking after the child and what is their relationship to the child?
- Do they have parental responsibility for the child? Can they provide documentary evidence?
- Ascertain who does have PR, their relationship to the child, their whereabouts and whether they have given their agreement to this arrangement.
- If the child has difficulty getting school permission forms signed, this may indicate that their carer does not have PR.
- Do not confuse a privately fostered child from a child who is 'looked after' and is in local authority foster care.)

#### **6. Check systems for other clues that might point to a private fostering arrangement**

- Check school admission forms.
- Is there anything on school documentation that is unclear about the child's living arrangements and the people with parental responsibility?
- Access information from previous school records.
- Who accompanies the child to school meetings/events?

#### **7. Be alert to signs that a child may have been trafficked**

Trafficked children are particularly vulnerable and will often be reluctant to disclose details of their living arrangements.

Some of the signs to look out for include:

- A child who appears not to have any money but has a mobile phone and/or is expensively dressed;
- A child who exhibits self assurance, maturity and self-confidence that you would not expect from a child of that age;

- A prepared story very similar to those that other trafficked children have given;
- Signs of physical or sexual abuse;
- A history with missing links and unexplained moves;
- A child who goes missing for periods that are unexplained;
- A child who appears to be malnourished, or who has an eating disorder;
- A child who appears not to be registered with a GP;
- Signs that the child is misusing alcohol, drugs or other substances;
- Signs of self-harm, including cutting and overdosing;
- A child who lives with adults who are not their parents and with whom they do not appear to have a good relationship;
- A child who appears to have limited freedom of movement;
- A child who appears to work very long hours and is always tired?
- Disengagement with school activities;
- A child who appears excessively frightened of being deported;
- A child who dresses in a manner inappropriate for her age;
- An older child/teenager who is regularly picked up from school by an adult, or boyfriend much older than her;
- A child who appears to be sexually promiscuous;
- Any signs that the child has been brought into the country illegally for the purposes of adoption.

## **8. Share your concerns with others**

Discuss your concerns with school staff, including the school nurse and designated teacher, and others in the education authority, for example the education welfare officer. Contact the local authority private fostering officer for further advice and information to help you identify and notify a private fostering arrangement.

## **9. Know what happens after you notify the local authority**

When the local authority receives notification about a private fostering arrangement they must arrange for an officer to visit within seven working days. The officer must see the premises, interview the child, carer and all members of their household, and at least speak to the parents. The local authority must carry out an assessment to ensure that the private fostering arrangement is suitable and can meet the welfare needs of the child. If the arrangement is deemed unsuitable, the parents may have to make alternative arrangements. In some cases this can mean the child coming into care. Where the arrangement is deemed suitable, the local authority must continue to visit and monitor the arrangement for as long as it continues.

## **10. Find out more about private fostering**

- \* Access training from the local authority on private fostering and forge links with private fostering officers.
- \* Attend multi-agency LSCB training.
- \* Offer to publicise information on private fostering in your service's newsletters/ intranet etc.
- \* Invite private fostering officers to meet with teachers and other education personnel.

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# Somebodyelse'schild

## Appendix 2

### Case studies

- **A teenage girl**

A 15-year old Albanian girl was forced into prostitution in the UK after being tricked into a bigamous marriage. She spoke to BBC Radio 4's Today programme.

'I stayed at home with him thinking I was his wife, but then I started to have doubts because when he had guests or friends coming to the house he hid me,' she said. 'He understood I knew the truth so he started to threaten me. He hit me with a mobile phone charger and he said he would cut me into pieces and throw the pieces in a forest.'

She said the experience left her feeling like she no longer wanted to live. 'I hated myself, I wanted to be dead. I thought I was at the lowest level of society. I thought people know, and they really are disgusted knowing what I am, knowing I am a prostitute.'

**(Taken from <http://news.bbc.co.uk>, 9 June 2009, reproduced in BAAF guide Looking after a young person who has been trafficked: a guide for social workers)**

- **Thomas**

Thomas, 16, is British, but came under the malign influence of traffickers after a childhood of neglect and abuse by family members. During a succession of foster placements and stays in children's homes, he would frequently go missing, returning sometimes weeks later with large amounts of cash and several mobile phones. Thomas is reluctant to talk about his experiences, or even to admit that he has been the victim of trafficking. 'Why are social workers worried about me now, when they didn't care that my uncle was abusing me?' he complains.

**(Taken from Siverman J, 'Traffick hazards', The Guardian, 17 June 2009, available online at [www.guardian.co.uk/society](http://www.guardian.co.uk/society) reproduced in BAAF guide Looking after a young person who has been trafficked: a guide for social workers)**

- **Georgina**

Georgina is 10 years of age, black African, speaks Swahili as a first language and has very little English. Over the past few weeks she has accompanied one of your regular members, Miriam, to the church services.

You discover that Miriam was asked to look after Georgina by an eastern European man who is lodging in the house next door. Miriam understands that this is a temporary arrangement and that Georgina is to be taken to live with an aunt in another town 200 miles away. Miriam is taken aback when you talk to her about private fostering and tell her that she will need to notify the local authority. Georgina does not appear at church again; Miriam tells you that she was taken away the day after you talked to her.

You are concerned about this situation and contact the local children's social care team. It transpires that the Police have been watching the house next door to Miriam's and they suspect that Georgina is a trafficked child.

- **Ivanhoe**

Ivanhoe is 10 years of age. He is staying with his 'Auntie', Ms Lawrence. He has recently been registered at the local GP practice and on his first visit to the GP it is discovered that he is from the Caribbean. His 'Auntie' tells the GP that his mother died a few months ago and it was decided he should come to the UK to live with her.

The GP asks Ms Lawrence to confirm her relationship with Ivanhoe and discovers that she is a friend of the family and not a blood relative. He realises that this is a private fostering arrangement and asks Ms Lawrence whether the local authority are offering any help and advice with this arrangement. Ms Lawrence informs him that there is no need for their involvement as she is very happy to be helping out and Ivanhoe is no trouble. The GP tells her about her duty to inform the local authority because this is private fostering, gives her the contact details of the local children's services office, and talks to her about how they might be able to help her and Ivanhoe. Ms Lawrence thanks him for the advice.

At a follow-up appointment the GP realises that Ms Lawrence has not been in touch with the local authority. He explains to her and Ivanhoe that he has a responsibility to inform them and asks their permission to do so. Ms Lawrence reluctantly agrees. Ivanhoe does not want social workers in his life because he has a friend at school who has a social worker. The GP explains that he will be contacting the local authority because he has a responsibility to ensure that Ivanhoe's needs are met in the best way possible and he is concerned about all the upheaval he has experienced in recent months. Later that day he telephones the children's services duty team to notify them.

- **Daniel**

Daniel is 15 years of age. He is picked up one Friday night with a group of boys in the local park. There was a fight and a local resident called the Police. One boy with wounds to his head is taken to hospital. Daniel and the others are taken to the Police station and their parents are contacted. Daniel reveals that he is living with Ms Green, a 30-year-old woman who works in the restaurant where Daniel has a Saturday job. He has been living there for the past couple of months following an argument with his parents with whom he has had no contact since.

Ms Green informs you that Daniel's parents are not in agreement with this arrangement but will not have him home until he apologises and changes his ways. She has not anticipated having Daniel to stay for such a long time but doesn't want to throw him out either as she worries about where he might end up. She is unaware that this is a private fostering arrangement but agrees to contact the local authority as she needs some financial help if Daniel is to stay. She is happy for you to notify the local authority also.

- **Lucy**

Lucy is 5 years old. She has a hearing impairment. She is known as Lucy Smith and has a 7 year old 'sister' who also attends the local school. Ms Smith explained that Lucy's mother is a friend of hers and has gone abroad for work. Ms Smith says she agreed to care for Lucy until her mother is able to return to the UK.

You realise that this is a private fostering arrangement and ask Ms Smith whether the local authority are offering any help and advice with this arrangement. Ms Smith informs you that there is no need for their involvement as this is strictly between herself and Lucy's mother. You tell her about her duty to inform the local authority because this is private fostering, give her the contact details of the local children's services office, and talk to her about how they might be able to assist. Ms Smith is taken aback and non-committal about getting in touch with the local authority.

When you talk to her a week later you realise that she has not been in touch with the local authority. You explain that you have a responsibility to inform them and ask her permission to do so. Ms Smith tells you that this is none of your business. You talk to her and Lucy about what you will need to do, trying to reassure them that you will be acting in Lucy's interests. You discuss the matter with the designated teacher for safeguarding who notifies the local authority.

## Local Authorities

- A local authority worked with schools and the 'looked after' Children Education Support (LACES) worker to raise awareness of private fostering. As a result of this work, the LACES worker carried out checks on every child who was said to be 'fostered' by the school, and if they were not on the database as being looked after, she brought the case to the attention of the private fostering team. The authority also provided training to designated teachers and met with each designated teacher in the authority twice a year. The training focused on the legal status of children (covering both looked after children and private fostering arrangements) and used case scenarios and quizzes to help designated teachers identify private fostering arrangements. The training also encouraged teachers to ask about parental responsibility for the child as a means of identifying a private fostering arrangement.

### **NCB/BAAF research (DCSF 2010)**

- Another local authority published a series of articles about private fostering in newsletters for school governors and on the schools web portal. Letters were sent out to all schools with a private fostering information pack (including leaflets and posters). The authority also conducted a survey of schools to find out more about their levels of awareness and what schools were doing in relation to private fostering notifications.

### **NCB/BAAF research (DCSF 2010)**

- A London borough identified that majority of privately fostered children and young people in their area are unaccompanied immigrant children staying with their parent's friends or distant relatives. As part of their awareness-raising work, the authority wanted to target specific community groups where private fostering is common.

The authority was able to draw on the expertise of the African Families Service and the Muslim children's safeguarding coordinator, who both raised awareness amongst religious leaders and other community representatives.

The authority gave talks on private fostering to pastors, mosques and imams to raise awareness about private fostering in their communities. The private fostering workers also attended community and faith events.

### **(NCB/BAAF research (DCSF 2010))**

- A local authority sent information about private fostering to GP surgeries and to receptionists. The letter contained a telephone number which was a direct line to social workers. As a result of this work, referrals from GPs increased.

### **(NCB/BAAF research (DCSF 2010))**

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## **Appendix 3**

### **Not ready to call your local council?**

If you are a private foster carer, your child is being privately fostered or you know of a child being privately fostered you must inform your local council.

However if you would like to talk it through with someone first please call the BAAF advice line in your area:

South of England: 020 7421 2670

Central and North of England: 0870 241 0663

Wales: 029 2076 1155

Alternatively try one of these other organisations:

#### **Children's Legal Centre**

0845 1202948

[www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

The Children's Legal Centre has many years of experience in providing legal advice and representation to children, their carers and professionals throughout the UK.

#### **Fosterline ... the foster carers' adviceline 0800 040 7675**

Fosterline, provides confidential, independent and impartial advice about all fostering issues, including private fostering. Fosterline advisers listen carefully to callers before suggesting the next steps that the caller can take to deal with any fostering-related issue. Every year Fosterline offers advice to thousands of callers and also helps them to identify how to access other services and sources of support.

#### **Grandparents' Association**

[www.grandparents-association.org.uk](http://www.grandparents-association.org.uk)

National advice and Information line 0845 4349585

#### **Children and Families Across Borders (CAFAB)**

[www.cfab.uk.net](http://www.cfab.uk.net)

0207 735 8941

CAFAB is a registered charity which assists individuals and professionals in child and family welfare issues concerning two or more countries. Their helpline is open Monday to Friday, 10:00-13:00 & 14:00-16:00. Alternatively e-mail [info@cfab.uk.net](mailto:info@cfab.uk.net)

#### **Prisoners' Families Helpline**

0808 8082003

[www.prisonersfamilieshelpline.org.uk](http://www.prisonersfamilieshelpline.org.uk)

If you are looking after a child because their parent(s) are in prison you can talk to the Prisoner's Families Helpline, a free and confidential telephone service.

**Victoria Climbié Foundation**

[www.victoria-climbié.org.uk](http://www.victoria-climbié.org.uk)

An independent rights-based charity working with children and families; offering a link between statutory agencies, care services, and BME communities.

**Report of Director of Children’s Services**

**Report to Scrutiny Board (Children and Families)**

**Date: 23<sup>rd</sup> of August 2012**

**Subject: Scrutiny Inquiry into Private Care Homes (Children and Young People)**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**1 Purpose of this report**

1.1 This report provides written evidence to the Scrutiny Board (Children and Families) enquiry in relation to this Inquiry into Private and Independent Care Homes for children.

**2 Background information**

2.1 A private or independent care home can be defined as one that is not owned or managed by a local authority.

2.2 There is no legal requirement for a person planning to open a small private or independent home to inform the local authority of their plans or to consult with local residents or elected members. This has led some authorities experiencing large numbers of small private or independent homes being opened in their area, with a significant impact on the local community and resources.

2.3 Following a number of recent cases, most notably in Rochdale, the Government has expressed concern about both the number of private or independent homes in some local authorities and children living in private or independent homes some distance from their home authority. In a press release on Tuesday 3<sup>rd</sup> July ‘Urgent Reforms to protect Children in residential care homes from Sexual exploitation and to overhaul the wider system’, the government expressed their intention to instruct Ofsted to share information with the police and other relevant parties on the location of Children’s homes. It is expected that further regulation and guidance will follow.

### **3 Main issues**

- 3.1 All Children's homes, whether local authority, private or independent must register with Ofsted. Registration criteria are included as Appendix 1. Ofsted are responsible for ensuring that a children's home meet all regulatory requirements under The Children Act 1989 Guidance and Regulations Volume 5: Children's homes and the national minimum standards for children's homes.
- 3.2 Ofsted also undertake a full (Key) inspection of a Children's Home and a progress inspection every year. There is an inspection framework for children's homes with quality of care and outcomes for children at the centre. The outcome of every inspection is published on the Ofsted website.
- 3.3 Should an individual or agency have concerns about the management of a children's home they should contact Ofsted.
- 3.4 Planning regulations in relation to residential provision for both adults and children were simplified to make it easier for small group homes to be opened as part of the move away from large residential institutions. In practice this means that where an existing residential dwelling that accommodates less than 6 residents (staff and children) is used for a children's home planning permission is not required.
- 3.5 As planning permission is not required for most homes, community consultation is also not required. However, good practice would be to inform and consult with local residents and the community to ensure that the location is suitable and ensure local support.
- 3.6 Similarly, as planning permission is not required anyone opening a small children's home does not have to inform the host local authority of their plans and the local authority has no right to refuse a children's home in their area (other than the rare occurrences where planning permission is required).
- 3.7 The relaxation of planning regulations has led to some local authorities experiencing large numbers of children's homes being opened in their area. This has caused concern to elected members in these local authorities and the issue was the subject of a parliamentary debate on the 1<sup>st</sup> of February 2010 [<http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100201/debtext/100201-0024.htm>]. This debate suggested that it may be possible to interpret planning regulations differently, so that planning permission was required. Children's Services are discussing these possibilities with colleagues in Planning. However, it is important that any potential reinterpretation is considered very carefully as it will have implications beyond children's homes.
- 3.8 Where a local authority decides to place a child in a private or independent children's home they remain responsible for safeguarding and promoting the child's welfare and for ensuring that the placement continues to meet the child's needs. All looked after children must receive regular statutory visits from their social worker, during which the child should be seen and spoken to alone and their accommodation inspected. In addition the care plans for every looked after child is subject to external scrutiny by an Independent Reviewing Officer at least

every six months to ensure that it is appropriate to their needs. This will include whether the placement is appropriate and is offering a satisfactory standard of care.

- 3.9 In addition where a local authority places a looked after child in a private or independent home (or with a foster or kinship carer) outside of their local authority they must inform the host local authority. We have recently strengthened our arrangements in Leeds so that we write to local authorities to check information we have received and to ensure that it is up to date and accurate. Where a child from Leeds is placed in another local authority in addition to informing the local authority on placement we also provide an annual update.
- 3.10 Where safeguarding concerns arise in relation to a child placed in a private or independent children's home it is the responsibility of the local authority in which the children's home is located to investigate these concerns.
- 3.11 Ofsted have recently provided local authorities with a list of all children's homes in their area. The information provided is limited but in practice Children's Services were aware of the homes. There are currently ten private or independent homes in Leeds and Children's Services works hard to established positive relationships with providers. As part of the Child Friendly City Initiative Children's Services are looking to develop a residential children's home charter that all homes in Leeds will be invited to sign up to.
- 3.12 Children's Services has used eight of the ten homes but before placing a child in addition to reviewing the inspection reports from Ofsted, Children's Services will visit the home to assess its suitability and has developed considerable knowledge of local resources.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Where we are aware of private or independent children's homes in Leeds, Children's Services makes every effort to consultant and engage with them. All looked after children from Leeds placed in a private or independent children's home are consulted with and involved in developing and reviewing the plan for their care.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve its ambition to be the best city in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 4.2.2 Equality and diversity has been considered in completing this report and where an issue has been identified it has been highlighted in this evidence.

4.2.3 This inquiry will assist in achieving outcomes and priorities as defined in the Children and Young Peoples Plan 2011-15 and the Child Friendly City Priority Plan.

### **4.3 Resources and value for money**

4.3.1 There are no resource or value for money implications relating to this report

### **4.4 Legal Implications, Access to Information and Call In**

4.4.1 None

### **4.5 Risk Management**

4.5.1 None

## **5 Conclusions**

5.6 There is no legal requirement for a person planning to open a small private or independent home to inform the local authority of their plans or to consult with local residents or elected members.

5.7 Children's Services are in discussions with the planning department about the local interpretation of planning regulations.

5.8 Ofsted are responsible for the regulation and inspection of all children's homes.

5.9 There are robust arrangements in place in Leeds for children from Leeds who are placed in a private or independent home.

## **6 Recommendations**

6.1 The Scrutiny Board (Children and Families) are invited to note the contents of this report.

## **7 Background documents<sup>1</sup>**

7.1 <http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100201/debtext/100201-0024.htm>

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<sup>1</sup> The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

## Appendix 1

### Registration with Ofsted

Children's home providers and managers must meet a range of legal requirements; this includes a requirement to register with Ofsted. Ofsted expects providers and managers to show how they have taken account of the national minimum standards for children's homes and The Children Act 1989 Guidance and Regulations Volume 5: Children's Homes.

### What is a children's home?

1. The Care Standards Act 2000 says that 'an establishment is a children's home...if it provides care and accommodation wholly or mainly for children'.
2. The law also says that children are people who are aged under 18 years. A children's home must mainly care for children. This means that most or all of the people who live or stay there must be children. Young people who are aged 18 and over may live or stay there, but they must be in a minority.
3. Children's homes are diverse. Examples include:
  - n homes for children who are looked after by a local authority either as a short-term measure or more long term
  - n homes for disabled children and young people, including those with physical and learning disabilities
  - n homes for children and young people who have emotional and/or behavioural difficulties
  - n homes for children and young people who have a mental health condition
  - n homes that provide short breaks
  - n residential schools that provide accommodation for pupils for more than 295 days each year, including specialist and mainstream schools (a school must register as a children's home if, within any two-year period, one child or more who boards at the school, or in lodgings arranged by the school, stays for more than 295 days over any 12-month period within that two years; this also applies if the school intends to offer such an arrangement)
  - n establishments that provide holidays, leisure, sporting, cultural or educational activities wholly or mainly for disabled children, even where each individual child stays there for less than 28 days in any 12-month period.
4. Independent schools and residential special schools registered as children's homes have one registration with Ofsted as a children's home and one registration with the Department for Education as a school. When a new school intends to provide

accommodation for more than 295 days, inspectors try and carry out the two registration visits at the same time.

5. The law sets out some types of accommodation that are not children's homes and do not have to register with Ofsted. These include:
  - n a place where children live with their parents, relatives or foster carers
  - n bail or probation hostels
  - n hospitals or clinics
  - n schools, unless children live there for more than 295 days a year
  - n young offender institutions and secure training centres
  - n places where children live while on holiday or taking part in leisure, sporting, cultural or educational activities where each individual child stays there for less than 28 days in any 12-month period<sup>2</sup>
  - n places where young people of 16 or 17 live while undergoing training or apprenticeships, while on holiday or taking part in leisure, sporting, cultural or educational activities.<sup>3</sup>

## Registration

6. Any establishment that can be defined as a children's home must register with Ofsted before it can open. It is an offence to run a children's home without registration. This helps to prevent unsuitable people from owning, operating, managing or working within children's homes.
7. A person, partnership or organisation that wishes to open a children's home must demonstrate how they meet a number of legal requirements and minimum standards for children's homes. They must also take account of *The Children Act 1989 Guidance and Regulations Volume 5: Children's Homes* issued by the Department of Education.
8. In summary, a children's home must have:
  - n a registered provider and, where the provider is a partnership or an organisation such as a company or local authority, a person known as a 'responsible individual' who represents the partnership or organisation to Ofsted
  - n a registered manager
  - n a statement of purpose that sets out the overall aims of the children's home and the objectives for children who live there – the law sets out the information that the statement must contain in regulations.



- n a children's guide, which is a summary of the statement of purpose, the complaints procedure and contains the address and telephone number of Ofsted in a form that is appropriate to the age, understanding and communication needs of the children.
  - n a number of policies and procedures – these are set out The Children's Homes Regulations 2001 and 2010 amendments.
9. Each children's home must hold a separate registration. Occasionally a children's home may have a 'satellite' home. This is normally where buildings occupy the same site or are next to one another

### **Inspection**

10. Ofsted inspects every children's home once within the first seven months of it being registered. Every financial year Ofsted carries out a minimum of one full inspection and one interim inspection of every children's home. This frequency of inspections is set in regulation.
11. At inspection, inspectors will evaluate the outcomes for children. The evaluation schedule and the judgements made on inspection are underpinned by the regulations and the national minimum standards and are intended to test compliance and support improvement.

### **Complaints and concerns about providers**

12. If individuals or organisations have concerns about the operation of a children's home they may complain to Ofsted. When considering complaints, Ofsted does not act as a complaint adjudicator. The organisation does not decide if complaints are upheld, partially upheld or are unsubstantiated. Instead Ofsted investigate concerns to make sure that the provider continues to meet regulations and to take account of the associated national minimum standards, and remains suitable for registration. Where providers and/or managers do not, Ofsted may take enforcement action as described in the 'Compliance and enforcement' section below.

### **Compliance and enforcement**

13. Children's home providers and managers must comply with the requirements of the regulations and take account of the national minimum standards for children's homes and statutory guidance for children's homes.
14. Ofsted investigates all instances that suggest a children's home does not meet its legal obligations. Where they find non-compliance they take action to ensure children's safety and compliance with the law. The action taken is based on an 'escalating tariff'. Put simply this means that we begin with the minimum possible measures to bring about compliance. In most cases we achieve this by simply telling providers and/or managers in writing what they need to do to put things right: these requirements are called 'statutory requirements'. Where providers and or managers cannot or will not improve, a range of powers are used including restricting admissions to a home, issuing a compliance notice, cancelling a provider's registration or prosecuting an offence.



"All proposals for new buildings for children's homes will require planning permission. Frequently, however, the proposal is to use an existing residential dwelling house for the purpose. In such instances it will be necessary to determine whether a change of use of the building, requiring planning permission, is involved. This requires a judgement, having regard to the provisions of the latest government advice and guidance and any relevant case law. The Use Classes Circular updated in March 2005, clarifies that proposals for small care homes should be assessed/determined as a class C2, 'Residential Institutions', use class, distinct from the Class C3 'Dwelling Houses' class. Accordingly, in most cases, planning permission will be required for the change of use".

This will be welcomed by all my constituents. I congratulate Stockport council on issuing this new planning advice.

However, the problem is not just a Stockport problem. It is a national issue. Last week I tabled a parliamentary question asking how many planning applications for children's homes under C2 had been submitted, granted and refused in each local authority in England and Wales in the past five years, but I was told that this information was not held centrally. This makes it very difficult to establish the extent of the problem.

It is right that, in the interests of the welfare of the young people placed as well as the wider community, the suitability of the location be considered. That can be done only through a planning application and the process of consideration of that application. My right

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hon. Friend the Secretary of State for Children, Schools and Families said last week that the Government response on the draft national minimum standard is due in June. If standard 23 is accepted, the presumption that all applications for children's homes will have been through a thorough planning application will have implications for the current interpretation that children's homes are C3 use and no planning approval is required to open one.

I agree that the use classes order must strike a balance between the categories that are too broad, which leave local planning authorities with too little control of changes, and the categories that are too narrow, which increase the number of planning applications. I understand that tension, but, if planning authorities try to deal with the difficulties of community opposition to a children's home by simply not introducing a planning process, local people's hostility to children's homes will continue.

Although avoiding a planning process may be less difficult in the short term, it will not be easier in the long term if children's homes turn out to be in unsuitable locations, because the residents will blame the local council for failing to consider their interests. The best way of getting community support for children's homes is to ensure that there is a proper planning process, and that local residents' comments are taken into account and reflected in planning conditions. The wider community would then feel that it had some influence and control over the process, because it clearly does not have any at the moment. A proper planning process would also mean that any failure to comply with planning conditions could be reported to Ofsted, which would take that into account in its inspection of the home. That would help raise standards.

There should be a proper planning process for children's homes. A Greater Manchester police analysis showed that 81 per cent. of children missing from home in Stockport are missing from children's homes, compared with a conurbation average of 65 per cent. of children running away having gone missing from children's homes.

**Helen Southworth (Warrington, South) (Lab):** I congratulate my hon. Friend on securing this important debate and recognise her contribution to the Government's support for children who either go missing or run away from care or from home. Would planning approval for a change of use provide police forces with the information that they need on the number and location of children's homes in their area? A senior police officer told me last week that he had not been able to obtain from the registration authority the information on the location and number of children's homes in his police force area, and that he had had to resort to checking the Yellow Pages and other advertising media in order to identify their location. Would my hon. Friend's proposals have any wider benefits than those that she has already identified by virtue of their helping those authorities that needed to work together?

**Ann Coffey:** I thank my hon. Friend for that intervention. She is absolutely right: it is very important that the inspection of children's homes take into account the widest possible range of comments from the local agencies that are involved with the children from the home in question. A proper planning process would enable the police and other local agencies to comment on what

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was happening in that neighbourhood and provide better details to inform the planning decision on whether the location was appropriate for a home. Furthermore, the owners of a home would therefore try their very best to ensure that a proper management system was in place, because without one they would break their planning conditions, and that in turn would affect their registration. That process would be important in raising standards.

Our local authority has a larger number of children missing from home, compared with the conurbation average of 65 per cent. of children running away having gone missing from children's homes. That reflects the complex difficulties of those young people, the high level of private provision in Stockport and the difficulty that those private homes have in managing such children. It also gives some indication of the pressure on local agencies. I welcome the measures in the Children and Young Persons Act 2008 to restrict out-of-borough placements. That should help, but it will not resolve planning process issues.

Young people in the care system face huge challenges and often come from very dysfunctional families. Children's homes must have proper management systems and provide the high-quality care that is needed to improve the life chances of those young people. The registration process is integral to the establishment of those high standards, and so is the planning process. The Government have consulted on planning responses to HMOs and recognised the problems caused by high concentrations of those homes. However, I urge my hon. Friend the Minister to undertake a similar consultation on the possible planning responses to children's homes, and to remove the current ambiguities of the single household—a singularly unhelpful definition that has had its time. That would also ensure that people, wherever they live, have the protection of planning laws that respond to the challenges of providing high-quality children's homes in appropriate locations. Times have changed since 1987, and the planning laws need to be adapted. I urge my hon. Friend to bring about the necessary changes.

9.24 pm

**The Parliamentary Under-Secretary of State for Communities and Local Government**

**(Mr. Ian Austin):** I thank my hon. Friend the Member for Stockport (Ann Coffey) for securing this important debate on planning and children's homes. She has spoken eloquently of the issues that arise in providing accommodation for looked-after children. It is clear that this matter is of particular concern in Stockport because of the relatively high concentration of such children in that area.

I am very sympathetic to the problems that my hon. Friend has described. While we must address the needs of vulnerable children, we must also assess the needs of the community in which they live. The aim of the Government's policy on looked-after children is to ensure that all children's homes are properly run and situated in locations that take into account the safety and protection not only of the children living there but of the local community. As she said, all children's homes are subject to national minimum standards that are underpinned by regulations governing the running of the home. I understand that she has been active in commenting on the draft national minimum standards that were the subject of recent consultation, and she is to be commended for that.

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The standards call for those running children's homes to prepare and implement a policy that sets out measures of control, restraint and discipline and to show how the home will promote appropriate behaviour. They also require a home and its registered manager to maintain appropriate links with the local community to ensure good relations with neighbours. The regulatory system thereby aims to tackle problems of the sort that my hon. Friend has described by ensuring that children's homes are run in a way that promotes good behaviour and addresses antisocial behaviour when it occurs and maintains links with the host community to foster good relations.

Children's homes must be registered with Ofsted, which is responsible for registering and inspecting care homes. In considering an application for registration, Ofsted will look carefully at the fitness of the applicant and the skills and experience of the proposed manager. Where homes do not meet the required standards, Ofsted has a range of enforcement powers at its disposal. Action needs to be taken against poor homes, in the interests not only of local communities that may be affected but of the children living there. Ofsted has a key role to play in driving up standards through the inspection of children's homes.

Through the Children and Young Persons Act 2008, Ofsted has been given further powers to take action against homes that do not meet standards or regulations. These include new powers such as restricting new admissions to a home. Further provisions will ensure that all local authorities are notified of enforcement action being taken by a home in cases where the chief inspector has brought proceedings or where a notice to cancel registration has been issued. These measures should lead to greater transparency and will improve the information available to local authorities in making decisions about commissioning placements. I would expect any local authority to investigate instances where a children's home has been badly run or is the subject of complaints from the local community.

My hon. Friend has raised the planning aspects of providing accommodation for looked-after children, particularly in relation to concerns about the operation of the Town and Country Planning (Use Classes) Order 1987. The planning system is primarily concerned with the use of land and the effect on amenity of any alteration or changes to the use of land. It may be helpful if I explain briefly how the order works. It operates by grouping together into classes land uses that have similar amenity impacts. The order allows changes between certain land uses where the amenity impacts of such would be minimal, without the need for planning permission. In most cases, the permissible change of use is within the same class, but there are cases where movement between classes is permitted. For example, premises currently used as a restaurant-class A3-could be converted to a shop, which would be class A1, without the need to seek planning permission, because the impact of a shop on the surrounding area would be likely to be the same or less than that of a restaurant.

The order is intended to be a deregulatory mechanism that allows changes of use with minimal impact in terms of land use and amenity. This removes the need

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for the time and expense of making a planning application and allows local authorities to concentrate their planning resources where they are most needed. However, it is for local planning authorities to decide on a case-by-case basis which class a particular use falls into. When a change of use occurs, the local planning authority must consider whether a material change has occurred that would require planning permission. The planning guidance from Stockport council, which my hon. Friend quoted, recognises that. It is an important principle that material change of use is the test for whether planning permission is required.

Under the use classes order, I would expect most children's homes to fall into the same use class as other residential institutions, such as nursing homes or training centres-class C2. It applies when there are more than six occupants, or when the occupants are not considered to be living together as a single household.

However, as my hon. Friend said, it is also possible that some smaller children's homes could fall into the same class as dwelling houses-class C3. That use class provides for dwelling houses used by a single person or a family, but also for small groups of people living together as a single household, including cases where there is an element of care. As she has been advised, there is discretion in the way in which local planning authorities apply that. It is important to retain some discretion to avoid unintended consequences, given the variety of living arrangements that broadly have the same planning impact.

Depending on the particular circumstances, there may be occasions when a house previously occupied by a family could be changed to a children's home, which would take the premises into class C2 and so require planning permission. There could also be instances of such a change resulting in a children's care home that would still be classified as C3 in planning terms. For example, it would be difficult to argue that significantly different planning impacts arise from a family of six living in a house on the one hand, and four or five children with a carer living there on the other.

My hon. Friend has drawn attention to the need to consider carefully the location of a home for looked-after children, in relation to the needs of children and young people and to those of the host community. I absolutely agree that such considerations should be carefully applied, and they can take place in other ways, in addition to the planning system.

For example, the draft standards that my colleagues in the Department for Children, Schools and Families are considering include draft standard 23, which says among other things that

"location is carefully considered at the planning stage for a new home",

and that

"the home is situated in a location which takes into account the safety and protection of children living there and the community."

The importance of that is already stated in the "Children Act 1989 Volume 4: Statutory Guidance on Residential Care". Those provisions are not about blanket planning requirements, but are intended to make providers of children's homes consider the location when setting up a children's home.

For example, particular thought should be given to the suitability of the location for providing an environment helpful to each child's development, by giving access to

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schools, shops and amenities. The standard also lays down that thought should be given at the planning stage to any aspects of design and location which might assist in maintaining a responsible, positive relationship with the neighbourhood.

As my hon. Friend pointed out, the nature of children's homes has changed over the years and I am sure that it will continue to change. It is therefore right that local authorities have the discretion to determine on a case-by-case basis whether a material change of use has occurred basis so that we can achieve a balance between giving local authorities strong powers to shape their local areas and not being unduly burdensome on users of the planning system.

**Helen Southworth:** Will my hon. Friend give particular consideration to the point that I made earlier? It is so important that local authorities and police forces work together to protect vulnerable children. An aspect of that, considering the police of the 24/7 authority, to which missing children are reported, is that they know where children's homes are located in their area and can build up a relationship with them. Will the Minister consider how he can use the levers in his Department to help with that?

**Mr. Austin:** I thank my hon. Friend for raising that important point, which she mentioned earlier. I hope that she accepts that I am not an expert in the way in which the police and local authorities react to those matters. I am surprised, because I would have thought that, if the standards require proper management, it is reasonable to expect what my hon. Friend suggests to happen automatically. I will ask ministerial colleagues

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who are responsible for those matters to contact my hon. Friend and perhaps meet her to discuss them.

**Helen Southworth:** I should also like to mention comments that have been made in the past few weeks on national indicator 71, in which my hon. Friend's Department has a key interest, on support for runaway and missing children. It has been in place since April last year, and the evidence I am getting from local authorities, police forces and charities working with vulnerable children is that it is driving change very effectively. Will he consider how he can support that?

**Mr. Austin:** My hon. Friend is an acknowledged expert on such issues and probably knows more than any other hon. Member about how those things work. I would be happy to look at the details and perhaps to arrange for her to meet officials in my Department so that she can provide evidence as to how those measures are working on the ground.

**Ann Coffey:** Will the Minister and some of his officials meet me to explore further how the planning responses to the HMO document might impinge on the planning applications for children's homes, particularly as they are clear that the single household definition is unhelpful? As he knows, the definition also applies to whether a children's home application is determined as C2 or C3 use. It would be helpful if I had the opportunity to discuss the matter further with him.

**Mr. Austin:** I would be very happy to meet my hon. Friend to discuss this matter and also to ensure that she can have proper discussions with officials.

*Question put and agreed to.*

**9.36 pm**

*House adjourned.*



**Report of the Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Children and Families)**

**Date: 23<sup>rd</sup> August 2012**

**Subject: Work Schedule**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**1 Purpose of this report**

1.1 The purpose of this report is to consider the Scrutiny Board's work schedule for the forthcoming municipal year.

**2 Main Issues**

2.1 A draft work schedule is attached as appendix 1. The work programme has been provisionally completed pending on going discussions with the Board. The work schedule will be subject to change throughout the municipal year.

2.2 Also attached as appendix 2 and 3 respectively are the minutes of Executive Board for 18th July 2012 and the Council's current Forward Plan.

**3. Recommendations**

3.1 Members are asked to:

- a) Consider the draft work schedule and make amendments as appropriate.
- b) Note the Executive Board minutes and Forward Plan

**4. Background papers – None used**

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## Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year

Area of review	Schedule of meetings/visits during 2012/13		
	June	July	August
<b>Inquiries</b>		<u>Agree scope of review for **</u> 1) Private/Independent Care Homes 2) Private Fostering	<u>Evidence Gathering</u> Private/Independent Care Homes Private Fostering <u>Agree scope of review for **</u> 4) The best start – providing good foundations in early life for children to succeed
<b>Annual work programme setting - Board initiated pieces of Scrutiny work (if applicable)</b>	Consider potential areas of review		
<b>Budget Update</b>		Budget 2012/13	
<b>Care Home Review</b>		Deferred report from April plus update	
<b>Scrutiny Inquiry – Directors Response</b>		<ul style="list-style-type: none"> <li>• Attendance, Child Poverty, Service Redesign</li> <li>• Young People engagement in Culture (SEC Board – for info only)*</li> </ul>	
<b>Recommendation Tracking</b>		External Placements Inquiry	
<b>Performance Monitoring</b>	Quarter 4 Performance Report		
<b>Working Groups</b> 1) Child Poverty 2) Youth Services 3) Social Services Care System 4) Education Challenge		Youth Services- 26 <sup>th</sup> of July @2pm – Ken Morton Lead	Call In – Young Carers Working Group – 5 <sup>th</sup> September 10am – Civic Hall

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\* Prepared by S Newbould

## Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year

Schedule of meetings/visits during 2012/13			
Area of review	September	October	November
<b>Inquiries</b>	<u>Evidence Gathering</u> The best start – providing good foundations in early life for children to succeed  <u>Board Agree Report *</u> Increasing the number of young people who are in EET  <u>Agree scope of review for **</u> 3) Education Challenge – supporting children to achieve in Maths and English	<u>Evidence Gathering</u> The best start – providing good foundations in early life for children to succeed  <u>Board Agree Reports*</u> <ul style="list-style-type: none"> <li>• Private/Independent Care Homes</li> <li>• Private Fostering</li> </ul>	<u>Evidence Gathering</u> The best start – providing good foundations in early life for children to succeed  <u>Directors Response</u> NEET Inquiry
<b>Exec Board Request for Scrutiny</b>	Basic Need 2012: Carr Manor and Roundhay: All Through Schools Revised Costs		
<b>Recommendation Tracking</b>			<ul style="list-style-type: none"> <li>• Attendance Inquiry</li> <li>• Service Redesign Inquiry</li> <li>• External Placement Inquiry</li> <li>• Pre 2012 outstanding recommendations</li> </ul>
<b>Performance Monitoring</b>	Quarter 1 performance report		
<b>Working Groups</b> 1) Child Poverty 2) Youth Services 3) Social Services Care System 4) Education Challenge	Evidence Gathering Inquiry - Education Challenge – supporting children to achieve in Maths and English.  Social Services Care System	Child Poverty Update and Recommendation Tracking  Youth Services – 2 <sup>nd</sup> October @2pm – Ken Morton Lead	Evidence Gathering Inquiry - Education Challenge – supporting children to achieve in Maths and English  Social Services Care System

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\* Prepared by S Newbould

**Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year**

Area of review	Schedule of meetings/visits during 2012/13		
	December	January	February
<b>Inquiries</b>		<u>Directors Response</u> Private/Independent Care Homes Private Fostering <u>Report to be Agreed*</u> The best start – providing good foundations in early life for children to succeed	<u>Report to be Agreed*</u> Education Challenge – supporting children to achieve in Maths and English
<b>Budget</b>		Budget Update	
<b>Academies</b>	The Board to consider the implications of Academies for the Local Authority and Education in general.		
<b>Safeguarding Update</b>	Subject to date of Ofsted inspection – Lead Steve Walker		
<b>Performance Monitoring</b>	Quarter 2 performance report	Common Assessment Framework- To consider if improvement have been established with a view to increasing the number of CAF's undertaken. – Lead Steve Walker	
<b>Working Groups</b> 1) <b>Child Poverty</b> 2) <b>Youth Services</b> 3) <b>Social Services Care System</b> 4) <b>Education Challenge inquiry</b>	Evidence Gathering Inquiry Education Challenge – supporting children to achieve in Maths and English  Youth Services	Child Poverty Update and Recommendation Tracking	

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\* Prepared by S Newbould

## Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year

Area of review	Schedule of meetings/visits during 2012/13		
	March	April	May
<b>Inquiries</b>		<u>Directors Response</u> The best start – providing good foundations in early life for children to succeed and Education Challenge – supporting children to achieve in Maths and English	
<b>Partnership Review - Children's Trust Board</b>	To review the performance of the Children's Trust Board.		
<b>Budget and Policy Framework</b>		Children and Young Peoples Plan – to be agreed by Council July 2013	
<b>Recommendation Tracking</b>	<ul style="list-style-type: none"> <li>• Attendance Inquiry</li> <li>• Service Redesign Inquiry</li> <li>• External Placement Inquiry</li> <li>• Pre 2012 outstanding recommendations</li> </ul>		
<b>Performance Monitoring</b>	Quarter 3 performance report		
<b>Working Groups</b>  1) Child Poverty 2) Youth Services 3) Social Services Care System 4) Education Challenge Inquiry	Youth Services	Child Poverty Update and Recommendation Tracking	

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Need to schedule Ofsted report

Updated 15<sup>th</sup> August 2012

Key: SB – Scrutiny Board (Children and Families) Meeting

WG – Working Group Meeting

EXECUTIVE BOARD

WEDNESDAY, 18TH JULY, 2012

**PRESENT:** Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,  
S Golton, P Gruen, R Lewis, L Mulherin,  
A Ogilvie and L Yeadon

**33 Exempt Information - Possible Exclusion of the Press and Public  
RESOLVED** – That the public be excluded from the meeting during the consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix A to the report referred to in Minute No. 40 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains commercially sensitive information on the Council's approach to procurement issues (including project affordability position) and commercially sensitive information in relation to the Preferred Bidder. As such, the benefit of keeping the information exempt is considered greater than that of allowing public access to the information.
- (b) Appendix 1 to the report referred to in Minute No. 42 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains the detailed prices submitted by the contractor for the goods supplied. It is, therefore, considered that the public interest in maintaining the content of appendix 1 as exempt outweighs the public interest in disclosing the information contained in Appendix 1, as disclosure would prejudice the commercial interests of the contractor and the prices submitted relates to the financial/business affairs of a particular company.
- (c) Appendix 1 to the report referred to in Minute No. 45 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council and/or proposed partner. It is therefore deemed in the public interest not to disclose such information.
- (d) Appendix A to the report referred to in Minute No. 53 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption in relation to this confidential appendix outweighs the public interest in disclosing the information, by reason of the fact that it contains information and

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financial details which, if disclosed, would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

- (e) Appendices B to F to the report referred to in Minute No. 54 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendices contain information relating to the financial or business affairs of third parties and of the Council, and the release of such information would be likely to prejudice the interests of all parties concerned. Whilst there maybe a public interest in disclosure, in all the circumstances of the matter, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time.
- (f) The Appendix to the report referred to in Minute No. 57 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that this is information relating to the financial or business affairs of Caddick and the Council, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.
- (g) Appendix A, together with Plans A and B to the report referred to in Minute No. 60 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption in relation to this documentation outweighs the public interest in disclosing the information by reason of the fact that they contain information and financial details which, if disclosed, would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

### **34 Late Items**

There were no late items as such, however, it was noted that exempt Appendix A to agenda item 9, entitled, 'Little London, Beeston Hill and Holbeck: Housing PFI Updated Affordability Position' had been circulated to Executive Board Members for their consideration, following the publication of the agenda (Minute No. 40 refers).

### **35 Declaration of Disclosable Pecuniary and Other Interests**

There were no declarations of interest made at this point in the meeting, however, declarations of interest were made later in the meeting (Minute No. 54 refers).

### **36 Minutes**

**RESOLVED** – That the minutes of the meeting held on 20<sup>th</sup> June 2012, be approved as a correct record.



## **NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES**

### **37 Gambling Act 2005 Statement of Licensing Policy**

The Head of Licensing and Registration submitted a report on the triennial review of the Gambling Act 2005 Statement of Licensing Policy, with the recommendation that the matter be referred to Scrutiny Board (Resources and Council Services) for consideration, in accordance with the Council's Budget and Policy Framework.

#### **RESOLVED –**

- (a) That the current Gambling Act 2005 Statement of Licensing Policy 2010-2012 be noted.
- (b) That the contents of the submitted report, together with the letter appended to the report, be noted.
- (c) That the policy be referred to Scrutiny Board (Resources and Council Services) for its consideration.

(The matters referred to within this minute were not eligible for Call In, as the development of a Policy under the Gambling Act 2005 was a matter for full Council and follows the Council's Budgetary and Policy Framework process)

### **38 Scrutiny Inquiry into Affordable Housing by Private Developers**

The Director of City Development together with the Director of Environment and Neighbourhoods submitted a joint report providing a response to the nine recommendations of the former Scrutiny Board (Regeneration), following its inquiry into Affordable Housing by Private Developers.

Councillor J Procter attended the meeting as Chair of the Scrutiny Board (Regeneration) which had undertaken the inquiry.

**RESOLVED –** That consideration of the responses to the Scrutiny Board's recommendations, as set out within section 3 of the submitted report, be deferred, in order to enable all relevant parties to discuss such matters further, with an updated report being submitted to the September 2012 meeting of Executive Board for consideration.

### **39 Derelict and Nuisance Site Programme**

The Director of City Development submitted a report presenting the emerging derelict and nuisance site programme, whilst also providing an overview of the early work which had been undertaken in this field.

A Member raised concerns in respect of the related consultation exercise which had been undertaken with Members and the extent to which the programme had been considered by Area Committees. In response, such concerns were acknowledged and it was noted that local Ward Members would be consulted directly on the programme. Additionally, it was noted that if Ward Members wished to suggest further sites for inclusion within the

programme, then such suggestions would be welcomed and considered in line with the programme's processes.

**RESOLVED –**

- (a) That the progress made on the project to deal with derelict and nuisance sites be noted.
- (b) That the first tranche of properties to be tackled be agreed, and that a further report be submitted to the Board in June 2013 covering the progress made during 2012/13.

**40 Little London, Beeston Hill & Holbeck: Housing PFI Updated Affordability Position**

Further to Minute No. 217, 7th March 2012, the Director of City Development submitted a report confirming the outcomes being sought for the Little London, Beeston Hill and Holbeck Private Finance Initiative Project and providing updated details of the financial position, in advance of the Financial Close.

Appendix A to the submitted report, which was designated as exempt under Access to Information Procedure Rule 10.4(3) was circulated to Board Members for their consideration, following the publication of the agenda papers.

Responding to an enquiry, the Board received assurances in respect of the processes which had been followed regarding public procurement regulations.

The Chief Executive advised that dialogue continued with central Government with the aim of ensuring that wherever possible, the pace of progress for such initiatives was maximised.

Following consideration of Appendix A to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –** That (without affecting the authority to proceed to financial close of the project and approvals in relation there to resolved at previous meetings of this Board [and in particular Executive Board resolution 184 (g) – (j) inclusive made on 9 March 2011]):-

- (a) The progress made, and the intention to let the contract by the end of July 2012, or as soon as possible after that, to allow a start on site by November 2012, with mobilisation and preliminaries prior to this date, be noted.
- (b) The process in place to achieve financial close be noted, and in particular, the action taken by the Director of Environment and Neighbourhoods to seek revised section 27 Housing Act 1985 consents in support of the project be noted and endorsed.

- (c) The key decision to re-profile the Council's affordability contribution to the project, as set out within exempt Appendix A to the submitted report be approved, and the Director of Environment and Neighbourhoods be authorised to approve the final profiling of the contributions.
- (d) The updated financial implications and affordability parameters, as set out within exempt Appendix A to the submitted report, be approved.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions referred to within this minute)

(The matters referred to within this minute were not eligible for Call In, as it was considered that any delay to such matters would seriously prejudice the Council's or the public's interests)

### **CHILDREN'S SERVICES**

#### **41 Design and Cost Report : Hugh Gaitskell Primary School: Additional Accommodation**

The Director of Children's Services submitted a report seeking approval to provide additional accommodation at Hugh Gaitskell Primary School for September 2012, whilst also seeking the necessary authority to incur the associated expenditure.

Responding to a concern raised, officers provided assurances in respect of the budgetary implications arising from the proposed provision of additional accommodation within schools and also undertook to submit a report to the September 2012 Executive Board meeting responding to a previous request specifically regarding Bankside Primary School.

#### **RESOLVED –**

- (a) That approval be given to proceed with works to provide additional accommodation at Hugh Gaitskell Primary School, at an estimated total cost of £514,690.
- (b) That approval be given to incur expenditure of £514,690 from capital scheme number 15822\HUG\000.

#### **42 Basic Need programme - Permission to consult on School Place Expansions for 2014**

The Director of Children's Services submitted a report which sought permission to consult upon proposals relating four primary school expansions, scheduled to take effect from September 2014, which would form part of the Council's Basic Need programme.

Having reported a concern which had been received from a school governor regarding faith education, the Executive Member for Children's Services

assured the Board that such matters would be addressed as part of the associated consultation exercise.

Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the development of the Little London community hub project be noted.
- (b) That approval be given to the following consultation exercises being undertaken:-
- to expand Little London Primary School from a capacity of 210 pupils to 630 pupils with an increase in the admission number from 30 to 90 with effect from September 2014;
  - to expand Tranmere Park Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014;
  - to expand Rufford Park Primary School from a capacity of 210 pupils to 315 pupils with an increase in the admission number from 30 to 45 with effect from September 2014;
  - to expand Sharp Lane Primary School from a capacity of 420 pupils to 630 pupils with an increase in the admission number from 60 to 90 with effect from September 2014.

**LEISURE AND SKILLS**

**43 Establishment of the Leeds Apprenticeship Training Agency (ATA)**

The Director of City Development submitted a report which sought approval for Leeds City Council to establish the Leeds Apprenticeship Training Agency (ATA) in partnership with Leeds City College, which would operate as a jointly owned and separate company limited by guarantee.

The Board emphasised the crucial role which Small and Medium Enterprises (SMEs) would play in the delivery of this initiative and received an update on the work currently ongoing to engage with such enterprises. In addition, Members were provided with assurances that the initiative would be a key component of Leeds becoming a NEET (Not in Education, Employment or Training) free city, and that it would also help to equip young people with the necessary skills they required for employment.

In conclusion, the Chair emphasised the ambitious nature of this initiative and thanked the Board for the cross-party support it had received.

**RESOLVED –**

- (a) That Leeds City Council's involvement in the establishment of the Leeds Apprenticeship Training Agency be approved.

- (b) That approval of the detailed terms of the Articles of Association and the Member Agreement be delegated to the Director of City Development.
- (c) That the Director of City Development, or his nominated representative, be appointed as a Director of the Leeds Apprenticeships Training Agency.
- (d) That the Board's endorsement be given to the new company being registered with Companies House.

## **ADULT SOCIAL CARE**

### **44 Update on the Award of the Contracts for Neighbourhood Network Services for the East of Leeds and on Wider Neighbourhood Network Developments**

Further to Minute No. 5, 22nd June 2011, the Director of Adult Social Services submitted a report which provided details of the approval given by the Director to award the contracts for the Neighbourhood Network Service provision for the East of Leeds. In addition, the report detailed background information to the current service provision and the decision to procure the services detailed within the submitted report, whilst also outlining the procurement process and the outcomes from the evaluation stage, taking account of the recommendations and lessons learned from the 2009 citywide Neighbourhood Networks procurement exercise and the Independent Review in 2010.

The Board welcomed the outcomes arising from the procurement process, whilst the Chair thanked the Director of Adult Social Services and her team for all of the work which they had undertaken on this matter.

#### **RESOLVED –**

- (a) That the award of the contracts for the Neighbourhood Network Services for the East of Leeds to the following organisations be noted:
  - Burmantofts area – Burmantofts Senior Action
  - South Seacroft area - South Seacroft Friends and Neighbours Scheme
  - Richmond Hill - Richmond Hill Elderly Action Limited
  - Swarcliffe area - Swarcliffe Good Neighbours Scheme
  - Crossgates - Crossgates & District Good Neighbours.
- (b) That the procurement process undertaken, and the implementation of lessons learned from the 2010 Independent Review, be noted.
- (c) That the continued importance and potential of the Neighbourhood Network Services in delivering the priorities associated with the Adult Social Care 'Better Lives for People in Leeds' programme, be noted.

**45 Shared Service Partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care Technology Requirements**

The Director of Adult Social Services submitted a report outlining the options available for replacing the current Electronic Social Care Record (ESCR) and ESCR financial systems, whilst also detailing the case for adopting a shared service partnership arrangement with another local authority. In addition, the report outlined the supporting technology components, including Electronic Document Record Management and Reporting, to be implemented alongside the case management solution. The report also sought approval to enter into a partnership agreement with Calderdale Council, release the related funding and incur the necessary expenditure.

The report noted that a number of options for the replacement of the existing ESCR and ESCR financial systems had been investigated. The options considered related to:

- Upgrading the existing system;
- The use of health systems;
- The procurement of a third party system; and
- A potential 'shared service' arrangement with another local authority, where Leeds adopted their case management recording system.

Responding to specific concerns raised as to whether the Adult Social Care Client Information System used by Calderdale Council would be fit for Leeds' purpose, it was requested that related matters were referred to the Corporate Governance and Audit Committee, so that the acquisition of the system could be monitored.

Following a Member's enquiry regarding the costs associated with this scheme, together with the equivalent system used by Children's Services, the Member in question was provided with further details, with officers undertaking to provide more detailed information, should this be required.

Having noted the comments which had been made, it was agreed that further to the related matters being referred to the Corporate Governance and Audit Committee, Executive Board receive an update report every 6 months in order to monitor the progress of the initiative.

Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That approval be given to enter into a partnership agreement with Calderdale Metropolitan Borough Council for the purchase of an initial 20% share of their Adult Social Care Client Information System (CIS), with options to increase this share as described in section 3.2 of the submitted report.
- (b) That the necessary expenditure be authorised, as defined within exempt Appendix 1 to the submitted report, to undertake the following:-

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- purchase a share in the system and implementation support from Calderdale Metropolitan Borough Council;
  - implement the Case management, integrated financial and contract management modules of Calderdale's CIS in partnership with Calderdale Metropolitan Borough Council to meet Leeds requirements;
  - implement and integrate Leeds City Council's corporate Electronic Document and Records Management System (EDRMS) in parallel with the Case Management System;
  - build and develop a reporting and Business Intelligence (BI) solution utilising existing corporate reporting and Business Intelligence technology.
- (c) That the matters raised in relation to the Adult Social Care Client Information System be referred to the Corporate Governance and Audit Committee, so that the acquisition of the system can be monitored.
- (d) That Executive Board receive a report every 6 months which provides an update in respect of the project's progress.

#### **46 Consultation on the Charges for Non-Residential Adult Social Care Services**

The Director of Adult Social Services submitted a report setting out proposals for a consultation process on proposed changes to charges for non-residential Adult Social Care services following approval for a further charging review by Executive Board on 27<sup>th</sup> July 2011 (Minute No. 36 referred). In addition, the report outlined the reasons for the proposals and the likely implications for customers and income levels. The report also detailed the way in which the public consultation on the impact of these proposals would be conducted.

Members highlighted the need to ensure that the proposed consultation exercise was handled as sensitively as possible.

#### **RESOLVED -**

- (a) That the public consultation on the proposed new charges that are set out within section 4.8 of the submitted report, be approved.
- (b) That the impact of the proposed changes on commissioned services, as outlined within sections 4.17 and 4.18 of the submitted report, be noted.
- (c) That the impact of the proposed changes on other Council services, as set out within sections 4.19 and 4.20 of the submitted report, be noted.
- (d) That the public consultation on the proposed changes to the financial assessment methodology that are set out within sections 4.21 and 4.22 of the submitted report, be approved.

- (e) That a further report be brought to Executive Board later this financial year, with final charging proposals following a more detailed analysis of the impact and the outcome of the consultation.

**47 Leeds Safeguarding Adults Partnership Annual Report 2011/2012**

The Director of Adult Social Services submitted a report introducing the fifth annual report of the Leeds Safeguarding Adults Partnership Board and providing an update on the work of the Leeds Safeguarding Adults Partnership.

Professor Paul Kingston, Independent Chair of the Adult Safeguarding Partnership Board, provided an introduction to the key points raised within the annual report, together with a summary of the work undertaken by the Partnership.

Responding to an enquiry, the Board was provided with details regarding the level and source of safeguarding referrals in Leeds. Having noted the significant increase in the number of safeguarding referrals which had been reported over the past year, Members discussed the reasons for such a rise and the accompanying capacity issues.

The Board highlighted the importance for Elected Members to be aware of the safeguarding process and welcomed the fact that a further Members' seminar on such matters was proposed for later in the year. In addition, it was requested that Executive Board members were provided with a further, more detailed breakdown of data relating to the source and levels of safeguarding referrals, which included a distinction between those referrals made in respect of public and private service provision and also NHS provision.

In conclusion, Members welcomed the annual report and the detailed discussion which had taken place, and it was agreed that the submitted report and associated documentation be referred to Scrutiny Board (Health and Wellbeing and Adult Social Care) for further consideration.

**RESOLVED –**

- (a) That the contents of the 2011/12 Leeds Safeguarding Adults Partnership Annual Report, as appended to the submitted report be noted, and that the work programme of the Adult Safeguarding Partnership Board for 2012/13 be endorsed.
- (b) That the submitted report and associated documentation be referred to Scrutiny Board (Health and Wellbeing and Adult Social Care) for further consideration.

**RESOURCES AND CORPORATE FUNCTIONS**

**48 Treasury Management Annual Outturn Report 2011/12**

The Director of Resources submitted a report providing a final update on the Council's Treasury Management Strategy and operations for 2011/2012.



The Chair thanked all of the officers who had been involved in the Council achieving its current Treasury Management position.

**RESOLVED** – That the treasury management outturn position for the year 2011/2012, be noted.

**49 Annual Risk Management Report**

The Director of Resources submitted a report providing assurances upon the strength of the Council's risk management arrangements, whilst presenting an overview of the authority's strategic risks.

The Executive Member for Development and the Economy provided the Board with an update in respect of the current position regarding city flooding. Having considered this matter, Members emphasised the need for all parties to continue to lobby central Government with regard to accessing the funding streams required to establish the level of flood defences necessary to protect the city, given the substantial economic and commercial impact that flooding to Leeds city centre would have upon the whole of the city region.

**RESOLVED** – That the contents of the annual risk management report be received, and the related assurances provided within the submitted report be noted.

**50 Financial Health Monitoring 2012/2013 - First Quarter Report**

The Director of Resources submitted a report presenting the Council's projected financial health position for 2012/2013 after three months of the financial year, in respect of the revenue budget and the Housing Revenue Account.

Responding to a Member's concerns, the Board discussed the projected overspend within refuse collection and any potential impact that this may have upon the roll out of further service provision in this area.

**RESOLVED** – That the projected financial position of the authority, after three months of the financial year, be noted.

**51 Capital Programme Update for 2012 - 2015**

The Director of Resources submitted a report providing an update upon the financial position for 2012/13 as at June 2012, including an update on capital resources, a summary of schemes upgraded from 'Amber' to 'Green' status since February and a summary of progress which had been made on some major schemes. In addition, the report also included ALMO capital investment proposals and sought specific approvals in order to allow some schemes to progress.

**RESOLVED** –

- (a) That the latest position on the general fund and Housing Revenue Account capital programmes, be noted.

- (b) That the transfer of schemes from the Amber to the Green programmes, as set out within section 3.3 of the submitted report, be noted.
- (c) That the following allocations from the Economic Initiatives provision in the capital programme be approved:-
  - § £885,000 for the Eastgate development
  - § £250,000 for Brunswick Terrace
  - § £500,000 for Town and District Regeneration Scheme
  - § £3,345,000 to support the delivery of superfast broadband in the region
- (d) That the injection into the capital programme of £10,173,000, funded by government grant to enable the provision of additional primary school places, be approved.
- (e) That the economic impact of the Council's capital programme, as detailed within section 5 and Appendix D of the submitted report be noted.

**52 Council Business Plan Refresh 2012-2013**

The Assistant Chief Executive (Customer Access and Performance) submitted a report outlining a number of proposed amendments and updates to the Council Business Plan, which would ensure that the Plan remained up to date, continued to reflect the Council's main challenges and included targets which were both challenging, but also realistic.

Responding to a Member's enquiry, the Board received reassurance in respect of the proposed target for 2012/2013 regarding the maintenance of non main roads.

**RESOLVED** – That the changes to the Council Business Plan for 2012-2013, as detailed within the submitted report, be approved.

**53 Phase 1 Changing the Workplace: City Centre Office Accommodation**

Further to Minute No. 137, 2nd November 2011, the Director of Resources, the Assistant Chief Executive (Customer Access and Performance) and the Director of City Development submitted a joint report detailing the progress which had been made to date in relation to the Changing the Workplace programme, whilst also highlighting the benefits being delivered as a result. Specifically, the report sought agreement to roll out new ways of working within the city centre, which would lead to a reduction in the number of the Council's city centre office properties.

Members highlighted the importance of the scheme and the need to ensure that the progress of it was monitored in terms of costs, savings and value for

money. The Chair acknowledged the comments made and emphasised the vital role that face to face contact played in the delivery of Council services.

Following consideration of Appendix A to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED** – That the proposals outlined within the submitted report, regarding city centre office accommodation, together with the specific recommendations contained within section 6.0 of the exempt appendix to the submitted report (which included the submission of an annual report to Executive Board providing an update position of spend on the programme against outcomes delivered), be approved.

#### **54 Loan with Yorkshire County Cricket Club - Variation of Agreement and Granting of Consents**

Further to Minute No. 184, 14<sup>th</sup> January 2009, the Director of Resources submitted a report providing information on a request received by the Council from Yorkshire County Cricket Club regarding a loan provided by the Council to the Club in 2005. The Club's request related to amending the current schedule of repayments for the loan and extending the repayment period. In addition, the report noted that the Club was also seeking the Council's consent to amend its term loan with its bank and to enter into a financial liability.

On behalf of the Board, the Chair thanked all officers who had been involved in the negotiation process with the Club in respect of this matter.

Following consideration of Appendices B to F to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

#### **RESOLVED –**

- (a) That the variation to the Council's loan agreement with Yorkshire County Cricket Club be agreed, as outlined within the submitted report.
- (b) That the necessary consents be granted to facilitate Yorkshire County Cricket Club entering into a variation in respect to their loan agreement with their bank and also to enable the Club to accept the loan from its Chairman.

(Councillor Yeadon declared an Other Significant Interest in respect of this matter, as a member of Yorkshire Disabled Cricket Club. The Director of City Development declared an interest in respect of this matter, as the Council's nominated Director on the Board of Yorkshire County Cricket Club)

#### **55 Commission on the Future of Local Government - Progress Update**

Further to Minute No. 232, 11<sup>th</sup> April 2012, the Assistant Chief Executive (Customer Access and Performance) submitted a report providing an update on the outcome of the work undertaken by the Commission on the Future of

Local Government which explored the concept of Civic Enterprise as a means to respond to the changes and challenges which faced local government.

**RESOLVED –**

- (a) That the findings of the Commission, in particular the five Propositions, along with the Commitments and Calls to Action, be noted.
- (b) That the work which is underway to enable Leeds to become an enterprising council be supported.

**DEVELOPMENT AND THE ECONOMY**

**56 Design and Cost Report for Broadband Projects**

The Director of City Development submitted a report regarding the various broadband initiatives which were underway in the city, whilst also seeking approval and commitment to a Leeds City Council contribution to the delivery of such projects.

**RESOLVED –**

- (a) That the Broadband Delivery UK (BDUK) Local Broadband Plan process be ratified and supported.
- (b) That the capital funding contribution to the BDUK and super connected cities project, as outlined within section 4.4.1 of the submitted report be approved.

**57 Quarry Hill, Leeds, LS2**

Further to Minute No. 7, 11<sup>th</sup> June 2008, the Director of City Development submitted a report advising of the revised terms upon which the Council's site at Quarry Hill in the city centre could be sold to Caddick Developments Limited.

Responding to an enquiry, Members received clarification in respect of proposals for the development regarding public car parking provision.

Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED** - That the terms, as detailed within the exempt appendix to the submitted report, be approved.

**58 Community Asset Transfer of Holbeck Youth Centre to Health for All (Leeds) Ltd**

The Director of City Development submitted a report on the proposed Community Asset Transfer of Holbeck Youth Centre to Health for All (Leeds) Ltd. by way of a 25 year peppercorn, full repairing and insuring lease.

**RESOLVED** – That the Community Asset Transfer of Holbeck Youth Centre to Health for All, by way of a 25 year peppercorn lease with full repairing and insuring liabilities, be approved.

**59 Community Asset Transfer of the former Bramley Lawn Day Centre to Bramley Elderly Action**

The Director of City Development submitted a report regarding the proposed Community Asset Transfer of Bramley Lawn Day Centre to Bramley Elderly Action by way of a 25 year peppercorn full repairing and insuring lease.

**RESOLVED** – That the Community Asset Transfer of Bramley Lawn Day Centre to Bramley Elderly Action, by way of a 25 year peppercorn lease with full repairing and insuring liabilities, be approved.

**60 Land Proposals for Eastgate**

Further to Minute No. 214, 7th March 2012, the Director of City Development submitted a report which sought to obtain the necessary authority for further land acquisition which related to the delivery of the Eastgate redevelopment scheme. In addition, the report also detailed the current position regarding the delivery of the John Lewis Partnership store as part of the development and which sought the necessary approvals to enable the delivery of a car park on the land presently held by the West Yorkshire Police Authority.

Following consideration of Appendix A and Plans A and B to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That approval be given to the capital injection of funds and the authority to spend (identified in the exempt appendix to the submitted report) into the capital programme for the Council to acquire the West Yorkshire Police landholdings, as shown on exempt plan A, and that approval also be given to allocating the sum identified within the exempt appendix for the demolition of the Millgarth building, which will be dealt with as a Design & Cost report to a future Executive Board.
- (b) That subject to the agreement of final terms, approval be given to the Council releasing to Hammerson part of the acquired site necessary to allow for the construction of the John Lewis building (as identified upon exempt plan A to the submitted report).
- (c) That the principle that the Council enters into an agreement, subject to the agreement of final terms, with either or both John Lewis and Hammerson, in respect to the delivery and/or operation of the car park, be approved.
- (d) That the principle that should the Council be unable to agree acceptable Heads of Terms with Hammerson to deliver the car park, approval be given to the Council delivering a car park, the details of

which would be subject to a further Design & Cost report to Executive Board.

- (e) That the necessary authority be provided to the Director of City Development, with the concurrence of the Executive Member for Development and the Economy and the Director of Resources, for the completion of all necessary Heads of Terms and legal documentation, for the various property transactions (as set out within the submitted report and exempt appendix A), so that such matters can be dealt with under the appropriate scheme of delegation.

(The matters referred to within this minute were not eligible for Call In as it was considered that any delay in such matters would seriously prejudice the Council's or the public interest. A delay in completing the Heads of Terms and legal documentation as soon as practically possible may have an impact upon the critical path of approvals which were being sought both from Hammerson and John Lewis Boards)

## **ENVIRONMENT**

### **61 Leeds Climate Change Strategy 2012-2015 (Light Touch Review)**

The Director of Environment and Neighbourhoods submitted a report seeking the endorsement of, and approval to publish the updated Leeds Climate Change Strategy 2012-2015. In addition, the report also outlined the support available from the European Local Energy Assistance (ELENA) mechanism and sought formal approval to join the EU Covenant of Mayors, as a first step towards submitting an ELENA bid.

#### **RESOLVED –**

- (a) That the Leeds Climate Change Strategy 2012-2015 be approved and that it be published via the Leeds Initiative channels, together with a short non-technical summary.
- (b) That the Council's role in delivering the priority actions contained within the strategy be supported and championed.
- (c) That the development of an expression of interest and full business case to ELENA to refine and commercialise a series of strategic low carbon energy infrastructure and energy efficiency projects, in order to deliver the objectives of the Leeds Climate Change Strategy 2012-2015, be supported.
- (d) That approval be given to Leeds becoming a signatory to the EU Covenant of Mayors and to the submission of the Leeds Climate Change Strategy 2012-2015, as Leeds' Sustainable Energy Action Plan, in order to support an ELENA bid.

**62 Funding Application to Department for Communities and Local Government for Weekly Food Waste Collections and Associated Infrastructure**

Further to Minute No. 144, 14th December 2011, the Director of Environment and Neighbourhoods submitted a report regarding the submission of a final bid for funding from the Weekly Collection Support Fund (WCSF) managed by the Department for Communities and Local Government (DCLG).

Responding to concerns raised, the Board was assured that the proposed bid was realistic and that the proposals outlined within the submitted report would not lead to a two-tier system across the city. In addition, assurances were also provided in respect of a Member's specific concerns regarding the future delivery of food waste collections in Leeds.

**RESOLVED –**

- (a) That the contents of the submitted report be noted, and that the submission of a final bid to the WCSF by August 17th 2012, to fund the roll-out of weekly food waste collections to 80% of residents in the City be approved.
- (b) That the continued provision of these weekly food waste collections for at least two years beyond the end of the DCLG funding period (i.e. 2015/16 and 2016/17) as required by DCLG, be agreed.
- (c) That additional funding of approximately £4,000,000 per annum to deliver this service during the financial years 2015/16 to 2016/17 be approved, but it be noted that the savings in disposal costs (compared to landfill) derived from the development of the Residual Waste Treatment PFI facility would significantly offset these costs. Savings of an estimated £2,500,000 per annum from the fortnightly collection of residual waste and recycling that would accompany weekly food waste collections would also mitigate the costs of food waste collections post 2014/15 (as section 4.4 of the submitted report details).
- (d) That authority be delegated to the Director of Environment and Neighbourhoods to amend the bid to address feedback from DCLG, provided that the proposals remain within the level of funding, as agreed at resolution (c) above.
- (e) That if the bid is successful, approval be given to a fully funded injection into the Capital Programme of the capital costs included within the final approved bid (currently calculated at £8,150,000), and that Authority to Spend up to this amount also be approved.
- (f) That officers' intentions to seek further Member approvals regarding the specific weekly food waste collection service roll-out plans be noted, including the proposed geographical areas for inclusion within Phase 1, or, in the event that the DCLG bid is unsuccessful, for the pilot phase of fortnightly residual waste and recycling collections agreed by Executive Board in December 2011.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions referred to within this minute)

**63 RE:FIT Phase 2**

Further to Minute No. 157, 5<sup>th</sup> January 2011, the Director of City Development and the Director of Resources submitted a joint report which sought the support of Executive Board to participate in phase 2 of the RE:FIT programme. In addition, the report also sought agreement to the scope of the procurement.

**RESOLVED –**

- (a) That the project proposals for RE:FIT phase 2, including the associated portfolio of buildings, be approved.
- (b) That the injection of £1,500,000 into the capital programme, to be fully funded by unsupported borrowing, be approved.
- (c) That the expenditure of up to £1,500,000 on this project be approved.
- (d) That authority be delegated to the Director of City Development in order to approve any changes to the portfolio of buildings falling under the RE:FIT phase 2 proposals, in terms of additions or removals.
- (e) That authority be delegated to the Director of City Development in order to approve the award of the contract.

**DATE OF PUBLICATION:** 20<sup>TH</sup> JULY 2012

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 27<sup>TH</sup> JULY 2012 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on 30<sup>th</sup> July 2012)

Draft minutes to be approved at the meeting  
to be held on Wednesday, 5th September, 2012





**FORWARD PLAN OF KEY DECISIONS**  
**Scrutiny Board – Children and Families**

1 August 2012 – 30 November 2012

## **What is the Forward Plan?**

The Forward Plan is a list of the key decisions the Authority intends to take during the period 1 August 2012 – 30 November 2012. The Plan is updated monthly and is available to the public 14 days before the beginning of each month.

## **What is a Key Decision?**

A Key decision, as defined in the Council's Constitution is an executive decision which is likely to:

- result in the Authority incurring expenditure or making savings over £250,000 per annum, or
- have a significant effect on communities living or working in an area comprising 2 or more wards

## **What does the Forward Plan tell me?**

The Plan gives information about:

what key decisions are coming forward in the next four months  
when those key decisions are likely to be made  
who will make those decisions  
what consultation will be undertaken  
who you can make representations to

## **Who takes key decisions?**

Under the Authority's Constitution, key decisions are taken by the Executive Board or Officers acting under delegated powers.

## **Who can I contact?**

Each entry in the Plan indicates the names of all the relevant people to contact about that particular item. In addition, the last page of the Forward Plan gives a complete list of all Executive Board members.

## **How do I make contact?**

Wherever possible, full contact details are listed in the individual entries in the Forward Plan. If you are unsure how to make contact, please ring Leeds City Council and staff there will be able to assist you:

**Leeds City Council - Telephone: 0113 2474357**

## **How do I get copies of agenda papers?**

The agenda papers for Executive Board meetings are available five working days before the meeting from:

Governance Services, Civic Hall, Portland Crescent, Leeds, LS1 1UR

Telephone: 0113 2474350

Fax: 0113 3951599

Email: [cxd.councilandexec@leeds.gov.uk](mailto:cxd.councilandexec@leeds.gov.uk)

On occasions, the papers you request may contain exempt or confidential information. If this is the case, it will be explained why it will not be possible to make copies available.

### **Where can I see a copy of the Forward Plan?**

The Plan can be found on the Leeds City Council Website [www.leeds.gov.uk](http://www.leeds.gov.uk). The Plan is regularly updated and for legal reasons is formally published on a monthly basis on the following dates:

#### **2012/13**

17 <sup>th</sup> May 2012	16 <sup>th</sup> November 2012
15 <sup>th</sup> June 2012	17 <sup>th</sup> December 2012
17 <sup>th</sup> July 2012	17 <sup>th</sup> January 2013
17 <sup>th</sup> August 2012	14 <sup>th</sup> February 2013
17 <sup>th</sup> September 2012	15 <sup>th</sup> March 2013
17 <sup>th</sup> October 2012	16 <sup>th</sup> April 2013

### **About this publication**

For enquiries about the Forward Plan of Key Decisions please:

E-mail: [cxd.councilandexec@leeds.gov.uk](mailto:cxd.councilandexec@leeds.gov.uk) or telephone: 0113 247 4357

Visit our website [www.leeds.gov.uk](http://www.leeds.gov.uk) for more information on council services, departments, plans and reports.

This publication can also be made available in Braille or audio cassette. Please call: 0113 247 4357

If you do not speak English and need help in understanding this document, please phone: 0113 247 4357 and state the name of your language.

We will then make arrangements for an interpreter to contact you. We can assist with any language and there is no charge for interpretation.

(Bengali):-

যদি আপনি ইংরেজীতে কথা বলতে না পারেন এবং এই দলিলটি বুঝতে পারার জন্য সাহায্যের দরকার হয়, তাহলে দয়া করে 0113 2243462 এই নম্বরে ফোন করে আপনার ভাষাটির নাম বলুন। আমরা তখন আপনাকে লাইনে থাকতে বলে কোন দোভাষীর (ইন্টারপ্রিটার) সাথে যোগাযোগ করব।

(Chinese):-

凡不懂英語又須協助解釋這份資料者，請致電 0113 22 43462 並說明本身所需語言的名稱。當我們聯絡傳譯員時，請勿掛斷電話。

(Hindi):-

यदि आप इंग्लिश नहीं बोलते हैं और इस दस्तावेज़ को समझने में आपको मदद की ज़रूरत है, तो कृपया 0113 224 3462 पर फ़ोन करें और अपनी भाषा का नाम बताएँ। तब हम आपको होल्ड पर रखेंगे (आपको फ़ोन पर कुछ देर के लिए इंतज़ार करना होगा) और उस दौरान हम किसी इंटरप्रिटर (दुभाषिए) से संपर्क करेंगे।

(Punjabi):-

ਅਗਰ ਤੁਸੀਂ ਅੰਗਰੇਜ਼ੀ ਨਹੀਂ ਬੋਲਦੇ ਅਤੇ ਇਹ ਲੇਖ ਪੱਤਰ ਸਮਝਣ ਲਈ ਤੁਹਾਨੂੰ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰ ਕੇ 0113 22 43462 'ਤੇ ਟੈਲੀਫ਼ੋਨ ਕਰੋ ਅਤੇ ਅਪਣੀ ਭਾਸ਼ਾ ਦਾ ਨਾਮ ਦੱਸੋ. ਅਸੀਂ ਤੁਹਾਨੂੰ ਟੈਲੀਫ਼ੋਨ 'ਤੇ ਹੀ ਰਹਿਣ ਲਈ ਕਹਾਂ ਗੇ, ਜਦ ਤਕ ਅਸੀਂ ਦੁਭਾਸ਼ੀਏ (Interpreter) ਨਾਲ ਸੰਪਰਕ ਬਣਾਵਾਂ ਗੇ.

(Urdu):-

اگر آپ انگریزی نہیں بولتے ہیں اور آپ کو یہ دستاویز سمجھنے کیلئے مدد کی ضرورت ہے تو براہ مہربانی اس نمبر 0113 22 43462 پر فون کریں اور ہمیں اپنی زبان کا نام بتائیں۔ اس کے بعد ہم آپ کو لائن پر ہی انتظار کرنے کیلئے کہیں گے اور خود ترجمان (انٹر پریٹر) سے رابطہ کریں گے۔

**LEEDS CITY COUNCIL**

**FORWARD PLAN OF KEY DECISIONS**

For the period 1 August 2012 to 30 November 2012

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer (To whom representations should be made and email address to send representations to)</b>
Recommendations and outcomes arising from the Strategic Sector Review for the future provision of housing related support services for Young People. Authorisation from the Director of Environment and Neighbourhoods to implement the recommendations and outcomes of the Strategic Sector Review for the future provision housing related support services for Young People.	Director of Environment and Neighbourhoods	1/8/12	n/a	Report to be presented to the Commissioning Body and the Director	neil.evans@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Construction Skills Commissioning	Director of City Development	1/8/12	Jobcentre Plus, Members, existing/potential providers	Delegated decision report	jane.hopkins@leeds.gov.uk
<p>FIRE SAFETY WORKS IN SCHOOLS 2012/13</p> <p>Approval of a programme of fire safety works in Hugh Gaitskell, Pool C/E, Wetherby St James and Bramley St Peters C/E Primary Schools. This work is to commence during the 2012/13 financial year, and the associated approval to incur expenditure.</p>	Director of Children's Services	1/8/12	Consultation with schools.	Design and Cost report (to be submitted)	alex.macleod@leeds.gov.uk



Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Leeds Community Learning Programme 2012-13 Award of contract(s) following a procurement exercise, to deliver Community Learning provision from August 2012 (Formal First Step and Community Learning funding)	Director of City Development	30/8/12	Consultation has taken place with the Executive Member Leisure and Skills and the Executive Board Member, formerly Neighbourhoods, Housing and Regeneration. There has been specific internal consultation with Children's Services and City Development and external partners including Jobcentre Plus, the Skills Funding Agency, training providers and local FE/HE representatives	None	sue.wynne@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>Troubled Families Programme Approval of initial spending profile for Troubled Families programme. Approximately £2.3 million will be made available to Leeds from the DCLG in 2012/13 to work with families to positively impact on a range of issues including worklessness, crime, anti-social behaviour and school attendance.</p>	<p>Director of Children's Services</p>	<p>1/9/12</p>	<p>Consultation on the direction of travel of the troubled families programme, including an outline of an options appraisal for spending have been presented to Corporate Leadership Team, Children's Service Leadership Team, Children's Trust Board, Safer Leeds Executive and the Troubled Families Programme Board.</p>	<p>Programme Board Mandate, Troubled Families Financial framework, Options Appraisal (to follow)</p>	<p>jim.hopkinson@leeds.gov.uk</p>
<p>Young Carers Service Delegated decision required to award a new contract following conclusion of a procurement exercise.</p>	<p>Director of Children's Services</p>	<p>1/8/12</p>	<p>Consultation was undertaken with young carers prior to development of the service specification.</p>	<p>Award report to be presented at delegated decision panel</p>	<p>paul.bollom@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Contract with Leeds Community Healthcare Request to waive contracts procedure rule 13 and enter into a new contract with Leeds Community Healthcare	Director of Children's Services	1/8/12	n/a	Waiver Report	paul.bollom@leeds.gov.uk
Youth Inclusion Projects, Inclusion Service, Substance Misuse Treatment To agree the waiver of contracts procedure rule 13 to enter into contracts for the provision of: Youth Inclusion Projects, Inclusion Services, Substance Misuse Treatment.	Director of Children's Services	1/8/12	Children's Services Directorate, Procurement Unit, Chief Officer Concerned	Proposals from the existing contracted providers	iain.dunn@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Leeds 10 Primaries PFI Project (PFI-10) - Outcome of TUPE Negotiations Recommendation that the Director of Children's Services approves this one off payment (actual figure to be confirmed within Decision Report) in respect of the TUPE settlement submitted through the 10 Primaries PFI Project.	Director of Children's Services	1/8/12		LCC Decision Report/TUPE Reconciliation Data (Spreadsheet)	nigel.wilson@leeds.gov.uk/ matthew.cooper@leeds.gov.uk
Framework Agreement for the Procuring of fixed play ground equipment including MUGAs, teen shelters and skateboard BMX equipment Awarding of the Framework Contract for the supply and installation of playground equipment for a period of 3 years from the 1 <sup>st</sup> March 2012 with the option to extend for a further 2 years if so required.	Director of City Development	1/8/12	Parks and Countryside, Procurement Unit.	Tender Returns	martin.wright@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Reinstatement works following fire damage at Temple Newsam Farm Authority to spend from insurance fund	Director of City Development	1/8/12	Corporate Procurement Unit, Insurance Section, Ward Members, Executive Member for Leisure	Design and Cost Report	anne.chambers@leeds.gov.uk
Youth Contract: Support for 16-17 year olds who are not in education, Employment or Training To approve £815k of fully funded expenditure into the Children's Services 12-13 budget.	Director of Children's Services	1/8/12	Elected Members	Funding Letter	ken.morton@leeds.gov.uk
NGT - update on progress and spending approvals Update on progress / approval to spend	Executive Board (Portfolio: Development and the Economy)	5/9/12	Extensive consultation already undertaken	The report to be issued to the decision maker with the agenda for the meeting	andrew.wheeler@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>Outcome of consultation on expansion of school places for 2014 Permission to publish statutory notices for the proposals</p>	<p>Executive Board (Portfolio: Children's Services)</p>	<p>5/9/12</p>	<p>The report will summarise the formal statutory 6 week consultation period held 11 June to 27 July 2012 with prescribed consultees and other local stakeholders. This includes area committees and all ward members city wide.</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>stuart.gosney@leeds.gov.uk</p>
<p>Monthly Financial Health report 2012/13 In noting the financial position for the month for the Authority, a decision will be required as to the treatment of any variation identified.</p>	<p>Executive Board (Portfolio: Leader of Council)</p>	<p>5/9/12</p>		<p>The report which will be issued to the decision maker with the agenda for the meeting</p>	<p>Doug Meeson, Chief Officer (Financial Management) doug.meeson@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Tropical World Refurbishment To approve the design and cost report for the proposed Tropical World refurbishment	Executive Board (Portfolio: The Environment)	17/10/12	Consultation will commence once Executive Board have agreed in principle to inject funds into a capital scheme	The report to be issued to the decision maker with the agenda for the meeting	sean.flesher@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Outcome of competitions for two new primary schools To determine the outcome of the competitions held to open two new primary schools.	Executive Board (Portfolio: Children's Services)	17/10/12	The competitions were approved following formal statutory consultation held 12 Sep – 11 Oct 2011. This included consultation with and members directly and through area committees, and with all other stakeholders. Following the competition, a statutory notice was published describing the bids received, and advertised to ward members and all other stakeholders. A public meeting was held during the notice period, to allow members of the public and other stakeholders to find out more about the bids. Information on the views expressed during that notice period form the basis of the report.	The report to be issued to the decision maker with the agenda for the meeting	stuart.gosney@leeds.gov.uk



## **NOTES**

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £250,000 per annum, or
- are likely to have a significant effect on communities living or working in an area comprising one or more wards

### **Executive Board Portfolios**

### **Executive Member**

Leader of Council

Councillor Keith Wakefield

Deputy Leader and Executive Member for  
Children's Services

Councillor Judith Blake

Deputy Leader and Executive Member for  
Neighbourhoods, Planning and Support  
Services

Councillor Peter Gruen

Executive Member for Leisure and Skills

Councillor Adam Ogilvie

Executive Member for Development and the  
Economy

Councillor Richard Lewis

Executive Member for the Environment

Councillor Mark Dobson

Executive Member Adult Social Care

Councillor Lucinda Yeadon

Executive Member for Health and Well Being

Councillor Lisa Mulherin

In cases where Key Decisions to be taken by the Executive Board are not included in the Plan, 5 days notice of the intention to take such decisions will be given by way of the agenda for the Executive Board meeting.

**LEEDS CITY COUNCIL**

**BUDGET AND POLICY FRAMEWORK DECISIONS**

<b>Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be considered by Decision Maker</b>	<b>Lead Officer</b>
Budget	Council	February 2013	Via Executive Board, Scrutiny Board (Resources and Council Services), relevant stakeholders	Report to be issued to the decision maker with the agenda for the meeting covering the following reports a) Revenue Budget b) Council Tax c) Capital Programme d) Treasury Management	Director of Resources
Vision for Leeds	Council	To be confirmed	Via Executive Board, all Scrutiny Boards	Report to be issued to the decision maker with the agenda for the meeting	Assistant Chief Executive (Planning, Policy and Improvement)
Children & Young People's Plan (includes Children and Families City Priority Plan and Youth Justice Plan)	Council	July 2013	Via Executive Board, Scrutiny Board (Children and Families), Leeds Initiative Board, Children's Trust Board	Report to be issued to the decision maker with the agenda for the meeting	Director of Children's Services
Council Business Plan	Council	July 2013	Via Executive Board, all Scrutiny Boards	Report to be issued to the decision maker with the agenda for the meeting	Assistant Chief Executive (Policy, Planning and Improvement)

<b>Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be considered by Decision Maker</b>	<b>Lead Officer</b>
Development Plan documents	Council		Via Executive Board, Scrutiny Board (Regeneration)	Report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Plans and alterations which together comprise the Development plan	Council		Via Executive Board, Scrutiny Board (Regeneration)	Report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Licensing Authority Policy Statement (Gambling Policy)	Council	November 2012	Via Executive Board, Scrutiny Board (Resources and Council Services), Licensing Committee, stakeholders, general public, Ward Members, current licensees	Report to be issued to the decision maker with the agenda for the meeting, including the new policy, consultation report and relevant sections from the Gambling Act 2005.	Director of Resources
Insertion of Large Casino Section	Council	18 <sup>th</sup> January 2012			
Health and Wellbeing City Priority Plan	Council	July 2013	Via Executive Board, Scrutiny Board (Health & Wellbeing and Adult Social Care), Leeds Initiative Board, Health and Wellbeing Board	Report to be issued to the decision maker with the agenda for the meeting	Director of Adult Social Care

<b>Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be considered by Decision Maker</b>	<b>Lead Officer</b>
Safer and Stronger Communities Plan (includes Safer and Stronger Communities City Priority Plan)	Council	July 2013	Via Executive Board, Scrutiny Board (Safer and Stronger Communities), Leeds Initiative Board, Safer and Stronger Communities Partnership Board	Report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods
Sustainable Economy and Culture City Priority Plan	Council	July 2013	Via Executive Board, Scrutiny Board (Sustainable Economy and Culture), Leeds Initiative Board, sustainable Economy and Culture Partnership Board	Report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Housing and Regeneration City Priority Plan	Council	July 2013	Via Executive Board, Scrutiny Board (Regeneration), Leeds Initiative Board, Housing and Regeneration Partnership Board	Report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods

<b>Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be considered by Decision Maker</b>	<b>Lead Officer</b>
Local Flood Risk Management Strategy	Council		Via Executive Board, Scrutiny Board (Sustainable Economy and Culture)	Report to be issued to the decision maker with the agenda for the meeting	Director of City Development

**NOTES:**

The Council's Constitution, in Article 4, defines those plans and strategies which make up the Budget and Policy Framework. Details of the consultation process are published in the Council's Forward Plan as required under the Budget and Policy Framework.

Full Council ( a meeting of all Members of Council) are responsible for the adoption of the Budget and Policy Framework.

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