

Report of the Head of Scrutiny and Member Development

Report to Scrutiny Board (Children and Families)

Date: 14 November 2013

Subject: Recommendation Tracking – Private Care Homes

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. This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny review into Safeguarding Children, Private Care Homes published 8th November 2012.
2. The Scrutiny recommendation tracking system allows the Scrutiny Board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The Board will then be able to take further action as appropriate.
3. This report relates specifically to recommendation 1 of the inquiry report which requests that the Director of Children's Services provides a progress report on the development of the Children's Residential Home Charter in the 2013/14 municipal year.

Recommendations

4. Members are asked to:
 - i. Note the information contained in this report
 - ii. Identify and agree if recommendation 1:
 - no longer requires monitoring **or**
 - progress is unsatisfactory and determine the action the Board wishes to take as a result. **or**
 - satisfactory progress is being made.

1 Purpose of this report

- 1.1 This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny review into Safeguarding Children, Private Care Homes.

2 Background information

- 2.1 Leeds has an ambition to be a child friendly city by 2030. The methodology for delivering this vision is outlined in The Children and Young People's Plan which details five headline outcomes one of which is to ensure Children and Young People are safe from harm. The Child Friendly City priority plan states that in a child friendly city all children and young people would have their basic rights met by having a home, feel they have a reasonable standard of living and also be protected from harm.
- 2.2 Following this Board's inquiry into External Placement in 2011/12 the Scrutiny Board (Children and Families) was conscious that children who are looked after often encounter other significant challenges that impact on their lives.
- 2.3 Mindful of the child exploitation in Rochdale the Board resolved to undertake an inquiry looking at the regulation of Private Care Homes (homes not owned or managed by the Local Authority) and how the Local Authority engages with these homes. The Board resolved that the purpose of the inquiry would be to understand the processes in place that enable Leeds City Council to identify where and when private care homes are established and also to identify if statutory regulation at that time was robust to enough ensure children in private care homes are proactively safeguarded.
- 2.4 At the meeting in November 2012, the Scrutiny Board (Children and Families) agreed the final inquiry report summarising its observations, conclusions and making two specific recommendations. The Board's report was also issued to Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families to help inform the work of expert working groups looking into strengthening regulation and driving up quality in care homes.
- 2.5 The response of the Director of Children's Services and Director of City Development was presented to the Scrutiny Board at the meeting on the 17th of January 2013 during which a report was provided which fulfilled the requirements of recommendation 2. No further tracking is required with regard to this recommendation (see appendix 2)

3 Main issues

- 3.1 A standard set of criteria has been produced to enable the Board to assess progress. These are presented in the form of a flow chart at Appendix 1. The questions in the flow chart should help to decide whether a recommendation has been completed, and if not whether further action is required.
- 3.2 With regard to recommendation 1 the Principal Scrutiny Adviser, in liaison with the Chair, has given a draft status. The Board is asked to confirm whether the assessment is appropriate or if amendment is required. Detail of progress against recommendation 1 is set out within the table at Appendix 2.
- 3.3 Leeds Children's Social Care Service, and colleagues from Children's Commissioning and Marketing have proactively been engaging with the private residential sector both

in Leeds and regionally to secure better outcomes for children and young people living in residential children's homes.

- 3.4 Leeds City Council are part of a consortium approach to work with Independent Sector providers of Children's Homes. The consortium is made up of 8 Local Authorities and has established a framework agreement which defines price and quality of placements. The framework has established an arrangement for quarterly relationship and monitoring meetings between Leeds City Council and Independent Providers. Within these relationship meetings we have articulated Leeds' ambition and vision for its Looked After Children and have identified how the independent sector have a crucial role in the delivery of these ambitions and visions. This is a fundamental change from historic purchaser / provider relationships in that there is an expectation that providers share these ambitions and understand their responsibility in the delivery of these ambitions. Providers' agreement with the following key priorities:
1. For Leeds children to be placed in Leeds so that they benefit from the Child Friendly City and the known quality of the education, health, leisure and cultural services within the city.
 2. For children wherever possible to be placed within family-based care settings.
- 3.5 To build consistency between care provided in Leeds City Council Children's Homes and Independent Sector Children's Homes a quarterly service improvement forum for Homes Managers and Service Managers for internal and external Children's Homes is being established with aims of sharing good practice, tackling difficult issues together and ensuring consistency in the care provided and opportunities available. The initial meeting is scheduled for mid-November.
- 3.6 We have been working closely with looked after children and care leavers in Leeds to develop a joint children's homes charter that reflects our aspiration for residential care to be seen as a positive choice for some children and young people who need the specialist input that residential care can provide. It is anticipated that this charter will be adopted by Leeds residential homes and the private residential homes following the first meeting of the service improvement forum in November 2013 (the draft charter is at Appendix 3).
- 3.7 There has been a delay in the development of the charter as we have been awaiting responses following the report of the expert group on the quality of children's homes presented to DfE ministers in December 2012. Also the children's homes charter survey carried out by the office of the Children's Rights director. Unfortunately both of these reports failed to make a firm recommendation about the need for a charter for children's residential care, therefore we will be progressing with the development of our own charter.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Where internal or external consultation processes have been undertaken with regard to responding to the Scrutiny Board's recommendations, details of any such consultation will be referenced against the relevant recommendation within the table at Appendix 2.

4.1.2 The Directors and Executive Board Members for Children's Services and City Development have been consulted on the recommendations and response to the recommendations.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Where consideration has been given to the impact on equality areas, as defined in the Council's Equality and Diversity Scheme, this will be referenced against the relevant recommendation within the table at Appendix 2.

4.3 Council Policies and City Priorities

4.3.1 Leeds has an ambition to be a child friendly city by 2030. The methodology for delivering this vision is outlined in The Children and Young Peoples Plan which details five headline outcomes one of which is to ensure Children and Young People are safe from harm. The Child Friendly City priority plan states that in a child friendly city all children and young people would have their basic rights met by having a home, feel they have a reasonable standard of living and also be protected from harm.

4.4 Resources and Value for Money

4.4.1 Details of any significant resource and financial implications linked to the Scrutiny recommendations will be referenced against the relevant recommendation within the table at Appendix 2.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report does not contain any exempt or confidential information.

4.6 Risk Management

4.6.1 This section is not relevant to this report.

5 Conclusions

5.1 The Scrutiny recommendation tracking system allows the Board to monitor progress and identify completed recommendations. Progress in responding to those recommendations arising from the Scrutiny review into Safeguarding Children, Private Care Homes is detailed within the table at Appendix 2 for Members' consideration.

6 Recommendations

6.1 Members are asked to:

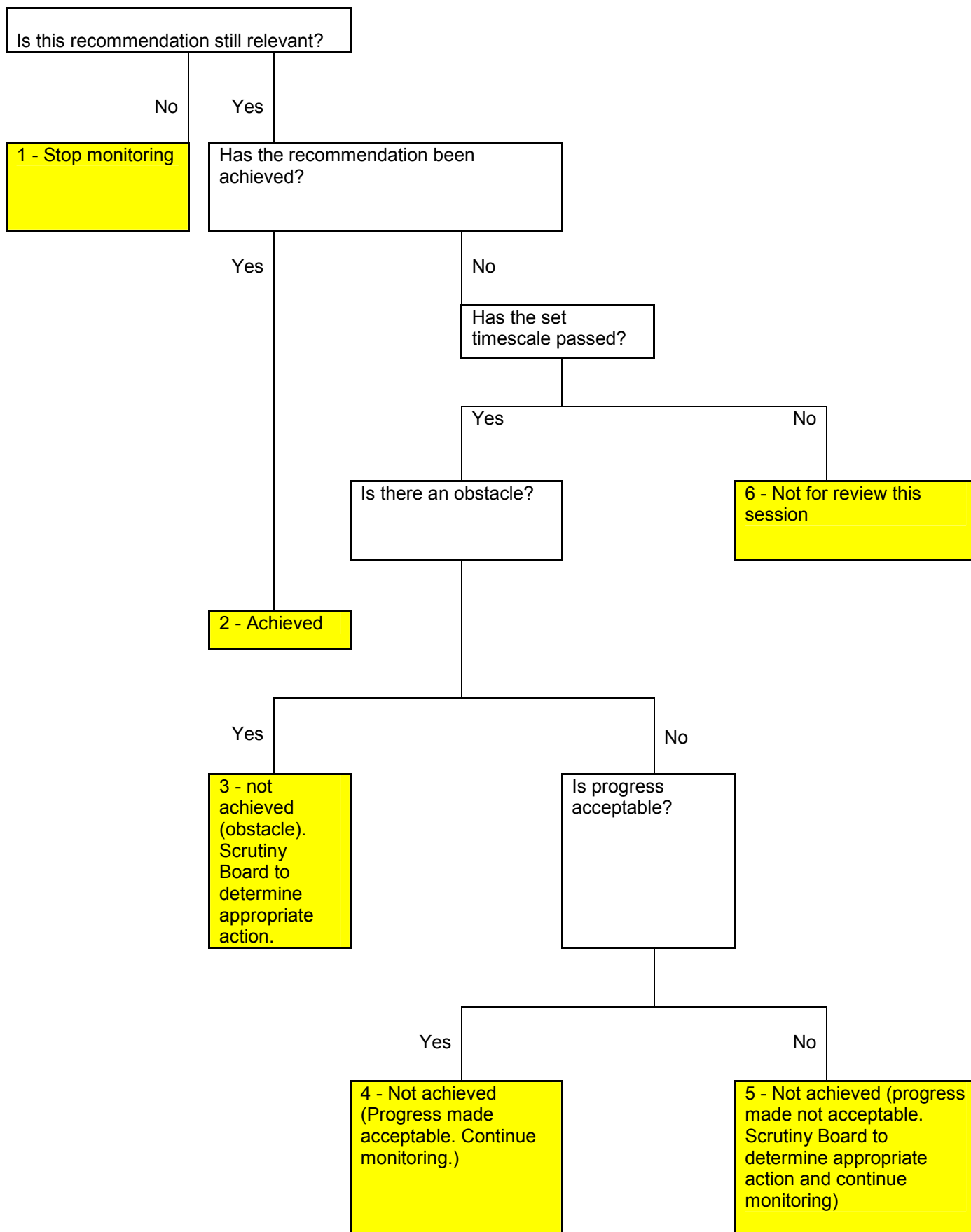
- i. Note the information contained in this report
- ii. Identify and agree if the recommendation:
 - no longer requires monitoring **or**
 - progress is unsatisfactory and determine the action the Board wishes to take as a result. **or**
 - satisfactory progress is being made.

7 Background documents¹

- 7.1 Report of the Head of Scrutiny and Member Development to the Children and Families Scrutiny Board – Scrutiny Inquiry Final Report Safeguarding Children, Private Care Homes, 8 November 2012.
- 7.2 Report of the Director of Children’s Services and Director of City Development to the Children and Families Scrutiny Board ‘Response to Scrutiny Inquiry Final report , 17 January 2013.

¹ The background documents listed in this section are available to download from the Council’s website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Recommendation tracking flowchart and classifications:
Questions to be Considered by Scrutiny Boards



Review of Combating Child Poverty and Raising Aspirations Inquiry (June 2012)

Categories

- 1 - Stop monitoring
- 2 - Achieved
- 3 - Not achieved (Obstacle)
- 4 - Not achieved (Progress made acceptable. Continue monitoring)
- 5 - Not achieved (Progress made not acceptable. Continue monitoring)
- 6 - Not for review this session

Recommendation for monitoring	Evidence of progress and contextual information	Status (categories 1 – 6) (to be completed by Scrutiny)	Complete
<p>Recommendation 1 - That the Director of Children's Services provides a progress report on the development of the Children's Residential Home Charter as part of his formal response to the Board and early in the 2013/14 municipal year.</p>	<p>Directors Response: Children's Services have established positive relationships with local providers of private children's homes. The authority is part of the White Rose partnership which has developed a regional commissioning framework for external residential placements.</p> <p>Children's Services are working with local private children's home providers to develop a local charter for Leeds setting out how the homes and council will work together to safeguard and promote the welfare of all looked after children placed in the authority.</p> <p>The Director of Children's Service will provide an update to the Scrutiny Board (Children and Families) early in the 2013/14 municipal year on this work.</p> <p>Current Position: To build consistency between care provided in Leeds City Council</p>	4 or 5	

	<p>Children’s Homes and Independent Sector Children’s Homes a quarterly service improvement forum for Homes Managers and Service Managers for internal and external Children’s Homes is being established with aims of sharing good practice, tackling difficult issues together and ensuring consistency in the care provided and opportunities available. The initial meeting is scheduled for mid-November.</p> <p>We have been working closely with looked after children and care leavers in Leeds to develop a joint children’s homes charter that reflects our aspiration for residential care to be seen as a positive choice for some children and young people who need the specialist input that residential care can provide. It is anticipated that this charter will be adopted by Leeds residential homes and the private residential homes following the first meeting of the service improvement forum in November 2013 (the draft charter is at Appendix 3).</p> <p>There has been a delay in the development of the charter as we have been awaiting responses following the report of the expert group on the quality of children’s homes presented to DfE ministers in December 2012. Also the children’s homes charter survey carried out by the office of the Children’s Rights director. Unfortunately both of these reports failed to make a firm recommendation about the need for a charter for children’s residential care, therefore we will be progressing with the development of our own charter.</p>		
<p>Recommendation 2 - That the Director of City Development explores the interpretation of planning regulations to identify if a different approach can be implemented which requires all private children’s care homes to seek planning permission, regardless of size. The</p>	<p>Directors Response: The Director of City Development accepted this recommendation and provided the requested report which was appended. The report determined, after further investigation, that the rules are set nationally and that the interpretation of the rules must be based on the facts of each case on their merits.</p>	<p>2</p>	

Director is required to report the viability and potential impact of implementing a revised interpretation in his formal response to the Scrutiny Board.			
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Children's Home Charter

The Children's Homes Charter is a simple list that could help to make a children's home a really good place to live rather than somewhere that is just alright.

The list contains important things for the children and the staff to do that will make the house a better home and a better place for children and young people to live and grow up in.

- Children's homes feel and look like a home.
- Children and young people's views and wishes are listened to and make a difference to what happens in the home.
- The rules of the home are fair and clear to everyone.
- Staff are reasonable about what children and young people can and cannot do and take into account the views, ages and behaviours of children and young people when they make a decision.
- Rewards and consequences for how children and young people behave are fair and reasonable and are discussed and agreed between the children, young people and the staff so that everyone knows what should happen.
- Staff respect children and young people's privacy and do not share information about them without the young person being told who the information will be shared with and why.
- Children and young people are helped to have a safe and active social life and to take part in a range of leisure activities.
- Children and young people are helped to go to school, college or training, to do their homework or coursework and are given the support they need to do well.
- Children and young people are helped to develop the skills they will need in later life.
- Children and young people are supported to have a healthy lifestyle and are helped by health professionals when they need it.
- Staff act quickly to deal with bullying and help children and young people to learn how to stay safe.
- Children and young people are helped to learn how to take responsibility for their behaviour, according to their age and understanding.