

CABINET – 5 FEBRUARY 2016

PROPOSED CLOSURE OF GREENGATE CHILDREN’S HOME – OUTCOME OF PUBLIC CONSULTATION

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of Report

1. The purpose of this report is to advise the Cabinet of the outcome of consultation on the proposed closure of Greengate Children’s Home in Wigston and seek approval to close the Home with effect from 1st April 2016.

Recommendations

2. It is recommended:
 - a) That the responses to the consultation concerning the proposed closure of Greengate Children’s Home, including the comments of the Children and Families Overview and Scrutiny Committee, be noted;
 - b) That the Director of Children and Family Services be authorised to proceed with the closure of Greengate Children’s Home with effect from 1st April 2016;
 - c) That it be noted that the County Council will seek to increase specialist in-house foster carer provision that will allow young people to remain within Leicestershire and be supported to return to family care or to more independent living.

Reasons for Recommendations

3. Local authorities are required to ensure that there are sufficient placements available to meet the needs of the children and young people that it is looking after.
4. In December 2013, the County Council agreed a policy entitled ‘Choices for Children and Young People 2013; A Placement and Sufficiency Strategy’ which sets out the ambition to ensure that the children who are looked after by the Council are placed with families as opposed to in institutions. In 2014 the Children’s Care Monitor Report (produced by the Children’s Commissioner for England) indicated that across the board children in residential homes feel significantly less happy and more vulnerable than children in foster homes.

Those who did not feel they were living in the right place felt they were not part of a family.

5. The County Council currently operates two of its own children's homes and in order to help implement the ambition to achieve family based care, it is recommended that one, Greengate Children's Home in Wigston, should close once the existing resident has been supported to move onto his adult placement.
6. The size and style of the home does not meet the requirements of providing, as far as possible, a replicated domestic dwelling or family based care. The proposed closure is consistent with the County Council's intention to ensure that more of the children in the care of the County Council are looked after in family settings such as foster care. This approach is better for the child or young person because they will live in a family placement and, is also more cost effective, as it reduces the overheads of running and maintaining a large building. Greengate Children's Home is amongst the most expensive of placements currently provided by the Council and closure could reduce the current overspend by approximately £400,000 per annum.
7. The Departmental budget for placement commissioning has been under pressure for some years with a forecasted overspend for 2015/16 of £7.9million, and it is therefore necessary to find ways to contain spending within the budget available. The demands on the placements commissioning budget are unpredictable and difficult to forecast as they are significantly affected by national issues such as the increased visibility of child sexual exploitation and the additional numbers of asylum seeking children.
8. Whilst planning to meet the challenges of demands for specialist placements, it is also necessary to consider the broadest range of opportunities for reducing the placement costs for the population of children in the care of the County Council as a whole, whilst continuing to protect the quality of that provision for those who are more vulnerable. This will require a different model of care and will need to be carefully planned and risk assessed as part of the Children and Family Services transformation plans.

Timetable for Decisions (including Scrutiny)

9. The Children and Families Overview and Scrutiny Committee received a report regarding the proposals on 18th January 2016. The Committee supported the proposal which would be made to the Cabinet to close the Home.
10. Children's homes are registered with Ofsted and therefore their activities are regulated. Regulation 49 of the Children's Homes Regulations 2015 requires the Registered Person (i.e. the children's home registered manager) to give notice in writing to Her Majesty's Chief Inspector of Ofsted (HMCI) as soon, as it is practicable to do so, if a registered provider proposes to cease to carry on or manage the Home. If the Cabinet agrees to the recommendations contained within this report, officers will notify HMCI of the proposals.

Policy Framework and Previous Decisions

11. The Children Act 1989 (Section 22G) places a statutory duty on the Local Authority to ensure sufficient suitable provision of care for looked after children within the area. This includes taking reasonable steps to meet the child's needs and requires the Council to have regard to:
 - a) The benefit of having a number of accommodation providers in the area; and
 - b) The need to have a range of different types of accommodation capable of meeting the different needs of children in the Council's area.
12. The Cabinet has previously considered a report of the Director of Children and Family Services setting out proposals to improve the placement arrangements for young people in care to secure 'permanence', where possible, moving away from residential placements towards a family-based care approach. The 'Choices for Children and Young People 2013 – Placement and Sufficiency Strategy' was agreed by the Cabinet in December 2013.
13. On 7th October 2015 the Cabinet considered a report of the Director of Children and Family Services about the proposed closure of Greengate Children's Home. The Director of Children and Family Services was authorised to commence a period of consultation during November and December 2015 on the proposal to close Greengate Children's Home with effect from 1st April 2016.

Resource Implications

14. The process to close Greengate Children's Home will be led by the integrated Fostering, Adoption and Placement Service, Service Manager supported by the Transformation Project (T3). No additional resource will be required to undertake this activity.
15. The County Solicitor and the Director of Corporate Resources have been consulted in the preparation of this report.

Circulation under the Local Issues Alert Procedure

16. Mr M. H. Charlesworth CC

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PART B

Background

17. The County Council delivers services to children and young people in accordance with statutory duties under the Children Act 1989. This Act requires the provision of services to those children and young person's deemed at risk of significant harm and those who need services to achieve or maintain a reasonable standard of health. These children typically present with injuries, significant health and developmental needs and complex social/emotional/behavioural needs who without the provision of a service would not be able to meet basic developmental outcomes. The most vulnerable children and young people receive services from children's social care teams.
18. The placements commissioning budget is currently forecasted to be overspent by £7.9million in this financial year. It is anticipated that the proposed closure of Greengate Children's Home will reduce the current overspend by £400,000 which is included within the Department's Medium Term Financial Strategy savings proposals.
19. The future of the property will be considered against corporate priorities as part of the Council's Corporate Asset Management Plan together with the potential for investment in new, suitable, specialist provision.

Closure of one of Leicestershire's Children's Homes

20. Nationally, children's residential care is used for only a small proportion of looked after children, mostly over the age of 12, many of whom have moved there, either from home or from foster care, as a result of their challenging behaviour. The correlation between the type of need, emotional/behavioural, and placement choice is in itself stigmatising for young people and increases social isolation and makes social integration more difficult.
21. The County Council has two 'in-house' (internally commissioned) children's homes, both of which are registered with Ofsted as providing services for children with Emotional/Behavioural Difficulties. Over the past three years the Ofsted inspections of Welland House Children's Home have rated the facility consistently good or better. However, the Ofsted inspections of Greengate over the past three years have rated it from inadequate to good. Recently, within the Home's Interim Inspection, it was judged good for the provision of care for the one resident living there. The size and style of Greengate does not meet the requirements of providing as far as possible, a replicated domestic dwelling.
22. Leicestershire County Council needs to deliver the best possible placement and care choices for these young people. In the face of the difficulties in delivering a consistently good or better care in Greengate children's home, there is a duty to identify and consider other ways to best provide services for these children and young people. In 2013 Leicestershire's Placement and Sufficiency Strategy 'Choices for Children and Young People' set out the profile of Leicestershire's care population and care provision needs.

A New Commissioning Approach and Transformation

23. In addition to a Departmental Commissioning Strategy, Children and Family Services has prepared a Market Position Statement (MPS) that provides a comprehensive foundation for the delivery of safeguarding, fostering, adoption and placement services aligned to the County Council's sufficiency duty.
24. The underlying principles of the MPS include improving the journey of the child through the provision of services, moving from control to influence and promoting independence, collaborating through partnerships and listening and responding to the voice of the child, young people and families.
25. There is a strong emphasis on commissioning the right placements for children based on robust assessment of care needs, educational needs and relationship needs.
26. In the context of placement commissioning, the most vulnerable children are those children for whom the local authority has the most difficulty in meeting the children's need.
27. The Council's Transformation Programme is supporting the Fostering, Adoption and Placements (FAP) service, including efforts to recruit foster carers with a range of training, knowledge and experience to meet the needs of children with more complex needs and to implement measures to develop the market in relation to independent provision for children with complex emotional and behavioural difficulties.
28. Consideration is also being given to further options to address the need for specialist provision, such as developing new in-county, directly provided, placements. This requires considerable business planning, including good financial modelling, and will be incorporated into the Children and Family Services transformation plans. The skills and expertise of the staff at Greengate are valuable to the County Council and it is anticipated that their experience of working with very vulnerable young people will contribute to a new approach to supporting Level 6/One2One foster carers and other specialist schemes to provide family based placements to young people experiencing behavioural difficulties.

Consultation

29. As a matter of public law, any proposal to close a facility requires a period of engagement and consultation with those affected by such a proposal.
30. A formal 6-week public consultation exercise took place from 9th November to 21st December 2015. The approach was inclusive through:
 - Proactive engagement directly with key stakeholders that would be affected by the closure, including the staff at Greengate and the resident and the resident's family;

- Partner agencies that have an interest and those that work directly with the Home were contacted;
 - Face to face meetings with young people involved in the Children in Care Choir and at the Older Children in Care / Care Leavers Christmas meeting, capturing the opinions of 74 young people;
 - An online survey was available for interested parties and the general public, with paper copies available on request. In total, 91 responses were received.
31. Overall, 56% of survey respondents either agreed strongly (24%) or tended to agree (32%) with the plans for closing Greengate. Comments provided in support of this view relate mainly to the unsuitability of the building and its high running costs. Overall, 29% of survey respondents either disagreed strongly (18%) or tended to disagree (11%) with the proposal. Comments provided in support of this view relate mainly to concern that care provision for children would be lost, and that for some young people a family based environment would not be suitable. 15% neither agreed nor disagreed or did not know.
32. On 18th January 2016, the Children and Families Overview and Scrutiny Committee considered the report and feedback from the consultation. The Committee agreed to support the proposed closure of the Home confirming that this was in line with the Council's placement and sufficiency strategy of encouraging and providing family-based care where possible.
33. The full consultation report is attached as Appendix A.
34. Given that Greengate has one current resident a specific piece of consultation was undertaken with him, his parent and Social Worker to ensure that they were reassured the proposals would take into account the need to ensure his future placement was secured in consultation with all parties. They have been actively involved in identifying a future placement in line with his care plan and not as a direct result of the proposal.

Conclusions and Next Steps

35. The County Council has a duty to provide suitable and high quality care for children and young people who cannot remain in the care of their families. Meeting the needs of young people with complex emotional and behavioural needs requires more specialist knowledge and a particular range of skills. The type of provision needs care consideration and commissioning. This type of provision should, wherever possible, be in family-based care.
36. In accordance with the above stated policy the County Council has a preferred approach of placing children in care with families where possible. This will continue to be the primary approach, with business activity focused on increasing in-house provision of more specialist carers and block purchasing residential placements through external providers.

37. The County Council will continue to provide a small number of beds (4) through Welland House Children's Home and block purchase beds for young people with emotional and behavioural needs.
38. The County Council will also seek to increase the specialist in-house foster carer provision that will allow young people to remain within Leicestershire and be supported to return to family care or to more independent living.
39. Where necessary, residential placements will be commissioned on a spot purchase basis.

Background Papers

Cabinet Report 13 December 2013: Choices for Children and Young People 2013 A Placement and Sufficiency Strategy for Children and Young People in Leicestershire's Care.

[http://cexmodgov1/Published/C00000135/M00003972/AI00036551/\\$5ChoicesStrategy.docA.ps.pdf](http://cexmodgov1/Published/C00000135/M00003972/AI00036551/$5ChoicesStrategy.docA.ps.pdf)

Cabinet Report 7 October 2015 – Proposed Closure of Greengate Children's Home

[http://cexmodgov1/Published/C00000135/M00004504/AI00045324/\\$GreengatesChildrensHome.docxA.ps.pdf](http://cexmodgov1/Published/C00000135/M00004504/AI00045324/$GreengatesChildrensHome.docxA.ps.pdf)

Report to the Children and Families Overview and Scrutiny Committee on 18 January 2016 – Proposed Closure of Greengate Children's Home - Report on the Public Consultation November-December 2015, and minutes of that meeting.

[http://cexmodgov1/Published/C00001043/M00004485/AI00046380/\\$Greengatesconsultationversion22.docxA.ps.pdf](http://cexmodgov1/Published/C00001043/M00004485/AI00046380/$Greengatesconsultationversion22.docxA.ps.pdf)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=1043&MId=4485&Ver=4>

Children and Family Services Market Position Statement

http://www.leics.gov.uk/children_families_service_market_position_2015-16.pdf

Appendices

Appendix A - Responses from the Public Consultation on the Proposed Closure of Greengate House Children's Home 9th November 2015 - 21st December 2015, Final Report.

Appendix B - Equality and Human Rights Impact Assessment.

Relevant Impact Assessments

Risk Assessment

40. The risks to the County Council arising from demand for placements are kept under regular review by officers within Children and Family Services and are reported to the Departmental Management Team.
41. Any additional risks that arise from potential change to the current model of provision will be regularly reviewed and, if necessary, escalated to the Corporate Risk Register.

Equality and Human Rights Implications

42. Consultation with those affected by the proposed closure of Greengate Children's home has ensured that all stakeholders are made aware of the difficulties in meeting these children's needs and that proper consideration has been given to the equality of opportunity of those affected. The consultation has been carried out in keeping with the Council's corporate standards.
43. An Equality Impact Questionnaire (EIQ) was completed on 10th April 2015 to inform the decision to progress with a proposal to the Cabinet to initiate a public consultation on the closure of Greengate Children's Home.
44. The outcome of the EIQ was that the closure of the Home was likely to have a positive impact for the children and young people in Leicestershire.
45. The Council has considered its obligations under the Human Rights Act 1998 and in particular the Article No 8 - Rights of the young person to respect for his private and family life. The Council believes that the proposal is proportionate and that the rights of this resident will be safeguarded in that other measures will be put in place to provide for his accommodation requirements.