



CABINET – 19 APRIL 2016

**CHILDREN AND FAMILY SERVICES COMMISSIONING STRATEGY AND
COMMISSIONING INTENTIONS**

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

PART A

Purpose of the Report

1. The purpose of this report is to present to the Commissioning Strategy and related Commissioning Intentions for services that will support children and families through the Children and Family Services department for the period 2016-2020, and to seek Cabinet approval for these documents.

Recommendations

2. It is recommended that:
 - (a) The Children and Family Services Commissioning Strategy 21016-20, together with the Children and Family Services Commissioning Intentions 2016-20, as appended to this report, be approved;
 - (b) The key performance indicators associated with the high level outcomes set out in the Outcomes Framework be approved;
 - (c) That it be noted that the Director of Children and Family Services will continue to develop a comprehensive workforce development strategy to support delivery of the Commissioning Strategy;
 - (d) That the Director of Children and Family Services be authorised to make amendments to the Commissioning Strategy and Intentions arising from future changes to national policy.

Reason for Recommendations

3. The Strategy relates to the County Council's new approach to Commissioning and is the high level strategic document that informs the commissioning decisions and work programme for Children and Family Services over the next four years, from April 2016 to March 2020. The Commissioning Plans that sit beneath the Strategy contain more specific needs analysis and identify current performance, trends and future targets. Approval of the Children and Family Services Commissioning Strategy 21016-20, and associated Commissioning Intentions will enable a new model for delivering children and family services to be implemented over the four year period.

4. The Strategy has been developed to fulfil statutory duties, meet savings and efficiency targets and provide a basis for commissioning and delivering Children and Family Services for the next four years.
5. Authorising the Director of Children and Family Services to make changes to the Commissioning Strategy and Intentions will ensure that the documents continue to comply with national policy. In the event of substantial changes being required a report would be submitted to the Cabinet.

Timetable for Decisions (including Scrutiny)

6. The Children and Families Overview and Scrutiny Committee considered the draft Children and Family Services Commissioning Strategy 21016-20, and associated Commissioning Intentions on 4th April 2016, The Committee raised significant concerns about the use of the word “delay”. It was the view of the Committee that this was an inappropriate way to describe the work of Children and Family Services, The Committee’s concerns are further described in paragraph 23 of this report below. As a result the Department’s Commissioning Strategy has been changed in Chapter 5, page 18 to reflect this view.
7. Implementation of the Children and Family Services Commissioning Strategy 2016-20, and associated Commissioning Intentions will take place over the full four-year term. For each year of the Strategy term there will be annual delivery plans and the Children and Families Overview and Scrutiny Committee will receive quarterly performance reports on the key performance indicators associated with the outcomes identified in the Strategy.
8. Recent changes in government policy have been taken into account when developing these documents, however, any future policy changes may mean that the Strategy and the Intentions may need to be re-worked. Further reports will be taken through the Overview and Scrutiny Committee for consideration, and to the Cabinet should approvals be required as a result of changes that may need to be made.

Policy Framework and Previous Decisions

9. The relevant policy framework is the current County Council Strategic Plan 2014-18 and statutory legislation as set out in paragraph 12 of this report.

Resource Implications

10. As set out in the Council’s Medium Term Financial Strategy (MTFS), demographic pressures are increasing as income reduces resulting in a funding gap that needs to be addressed. Key changes to the delivery model for Children and Family Services are required in the next four years to keep the final consequences of growth to a minimum.
11. The implementation of the Children and Family Services Commissioning Strategy will require departmental and transformational resources to deliver the long term financial benefits as detailed in the MTFS.

Circulation under the Local Issues Alert Procedure

None.

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PART B

Background

Legislative requirements for the delivery of services to children and young people

12. The relevant national legislation impacting on the Department's Strategy and Commissioning Intentions is as follows:
- The **Education and Adoption Act 2016** makes provision about schools in England that are causing concern, including their conversion into Academies and about intervention powers. It also makes provision about joint arrangements for carrying out local authority adoption functions in England.
 - The **Childcare Act 2016** makes provision for free childcare for young children of working parents and the publication of information about childcare and related matters by local authorities in England.
 - The **Children and Families Act 2014** requires Local Authorities to adopt a 'whole family approach', necessitating much closer collaboration between Children and Adult services and partner organisations including health and education. Specifically, children's social care functions relating to parent carer assessments and support, young carer assessment and support and Special Educational Needs and Disability (SEND) have changed. The Act introduced a new assessment process for children and young people from birth to the age of 25 with learning difficulties or disabilities resulting in a single Education, Health and Care (EHC) plan. It also brought in personal budgets, and a 'Local Offer' which could help families engage better in a local service provision 'market'. To enable this to happen the Act included a focus on key working, improved multi agency working and placed a requirement on Local Authorities to ensure that the views of children, young people, and families are central to the assessment and planning process.
 - A new **SEND Code of Practice**: for 0 to 25 years published in June 2014 set out the right of children, young people and families to impartial information and advice, to request an EHC assessment, to be consulted by local authorities and others involved in providing services, and to be involved in the development of strategy and policy. It set out the expectations on local authorities, health services and providers in terms of joint commissioning, the local offer, and assessment processes leading to an EHC plan. It also covers personal budgets, and arrangements for those in specific circumstances, such as those looked after or crossing local authority boundaries.
 - **The Care Act 2014**: This legislation highlights for the Council the requirement of effective person-centred planning to help vulnerable young people and their families prepare for adulthood. This will include those who are already known to Local Authorities (for example those with an Education, Health and Care Plan or young carers). However it will also include those who may not currently receive services but who are likely to have care and support needs as adults.

- The **Working Together to Safeguard Children** guidance (2013) following the Munro Review of Child Protection places clear emphasis on the importance of early intervention services for promoting children's welfare. The refreshed document (2015) stresses the responsibility of those in universal services to identify emerging need, to share information and work together to tackle problems to prevent their escalation. It requires local agencies to work together to assess the social care needs of individual children and young people who may benefit from early help.
- **The Academies Act 2010** and **The Education Act 2011** significantly changed the way that schools operate including their relationship with central and local government. The role of the local authority is described as a 'champion' for parents, children and vulnerable pupils. Greater autonomy for schools has seen them grow as commissioners of prevention and early intervention services to meet local needs.
- **The Education and Skills Act 2008** places the duty on the Local Authority to promote the effective participation of young people in education or training and to make arrangements to identify young people not participating in education employment or training through the maintenance of a comprehensive tracking system at in post-16 provision. These duties complement the Authority's duties in securing good suitable and sufficient education and training for all young people aged 16-19 and having a process in place that can deliver the September Guarantee. An amendment to the Act has been made such that from September 2013 all young people participate in education and training until the end of the academic year in which they are 17, and from September 2015 onwards they will participate until their 18th birthday.

Regulatory Requirements

13. The Children and Family Services department is subject to a range of regulatory requirements as carried out by Ofsted and Her Majesty's Inspection of Probation (HMIP) as set out below. Commissioning Intentions must fulfil the requirements of such inspections.
 - a) Ofsted Single Inspection of Local Authority Children's Services
 - b) Ofsted Joint Targeted Area Inspection of Children's Services
 - c) Ofsted Single Thematic Inspection of Local Authority Children's Services
 - d) Ofsted Inspection of Children's Centres
 - e) Ofsted Inspection of Adoption Support Agencies
 - f) Ofsted Inspection of Local Authority Children's Homes
 - g) Ofsted inspection of local authority arrangements for supporting school improvement
 - h) Ofsted inspection of Special Educational Needs and Disability services

- i) HMIP Quality and Impact Inspection of Youth Offending Services
- j) HMIP Full Joint Inspection of Youth Offending work
- k) HMIP Thematic Inspection of Youth Offending work
- l) HMIP Short Quality Screening of Youth Offending work.

Needs Analysis

14. The Children and Family Services Strategy sets out a 'Mission' whereby: "children and families in Leicestershire are safe and living in families where they can achieve their potential and have good health, wellbeing and improved life chances within thriving communities." For the vast majority of children and families in Leicestershire, this is their experience.
15. There are groups of more vulnerable children, young people and families for whom a range of outcomes are much poorer than the population as a whole and this is exemplified by data as set out below.

15.1 Safe and living in families

- Whilst most outcomes as good as or better than the national average, some outcomes for children who remain in local authority care in Leicestershire are poorer than comparator authorities and placement instability is too high.
- Many of the most vulnerable children and young people have multiple risks of poorer outcomes.
- The majority of children experiencing neglect are in families with a prevalence of the 'toxic trio' of mental health difficulties, substance misuse, and domestic violence.
- The number of referrals for children at risk of, or experiencing, child sexual exploitation has doubled and continues to rise.
- Expenditure on externally commissioned placements has more than doubled since 2011 and there is a lack of local specialist provision.

15.2 Achieving potential

- Whilst attainment and progress in all key stages is around the national average in Leicestershire the gap between vulnerable children and their peers is higher than the national average.
- The proportion of children and young people with Special Educational Needs and/or Disability has increased over the last five years, and is forecast to continue to increase.
- Children with Special Educational Needs and/or Disability and disadvantaged pupils are over represented in the figures for permanent exclusion and for low attendance.

- The overall rate of 16-19 year olds who are Not in Education, Employment or Training (NEET) is consistently low but the NEET rate for Children in Care and young people with Special Educational Needs and/or Disability aged 19-25 is much higher.

15.3 Health and Wellbeing

- Evidence shows that nationally the health, educational and social outcomes for children in care (also referred to as Looked After Children) remain poor.
- Children with Special Educational Needs and/or Disability, Children in Care, pupils missing education, young people who are NEET, or children eligible for Free School Meals have a higher prevalence of Social Emotional Mental Health needs.
- The latest Joint Strategic Needs Assessment (JSNA) found that:
 - There is a trend for increasing numbers of children and young people with complex health needs.
 - The prevalence of mental health problems in children and young people is increasing nationally.
 - A significant increase in specialist placements is needed for children and young people with autism.
 - The number of children with behavioural, emotional and social difficulties has also increased, many of whom are known to Children and Adolescent Mental Health Service (CAMHS).

15.4 Thriving Communities

- The cohort of first time entrants to the youth justice system is now comprised of offenders with more complex needs and whose characteristics mean that they are more likely to re-offend.
- A significant percentage of the most prolific young reoffenders in Leicestershire were or had been Children in Care (Looked After Children), had ongoing relationship problems with their family, had statements of special educational needs, were NEET, and were actively misusing substances.
- Research undertaken by Leicestershire Youth Offending Service (YOS) in 2014 indicated that around 15% of the young people involved with the service were exhibiting behaviour linked to child on parent violence.

Leicestershire's Children and Family Services Strategy

16. The **vision** of Children and Family services is that Leicestershire is the best place for all children, young people and their families.
17. The **mission** is that children and young people in Leicestershire are safe, and living in families where they can achieve their potential and have their health, wellbeing and life chances improved within thriving communities.
18. The **values** that drive the Strategy are:
 - Being open, inclusive and accountable

- Valuing children and getting it right from early childhood and in adulthood
- Ensuring children, young people and families are central to decisions about them, and their voice and experiences are heard and responded to
- Planning and delivering cost efficient services based on the voice of children, young people and their families and evidence of what works
- Creating a confident and effective workforce that improves outcomes for children, young people and families
- Supporting children, young people and families and their communities to be safe, independent and responsible for their own wellbeing
- Establishing meaningful, strong and effective partnership working to secure improved outcomes.

Delivering Priorities

19. The Council aims to focus resources on whole family support in line with the significant '**ages and stages**' milestones in a child and family's life. These key milestones are described as:
 - Ready for school
 - Ready to choose
 - Ready for adulthood.

20. The Department's focus is primarily on targeted early help with vulnerable groups and formal intervention but there remains a range of **universal services** that continue to be the responsibility of the Local Authority relating to the provision of early learning and childcare, school places and school admissions for all children and young people including:
 - Ensuring fair access to educational opportunity
 - Ensuring that the right number of school places is available to meet pupil numbers
 - Securing sufficient childcare for parents who are working, studying or training for employment.

Ways of Working

21. The following principles are integral to the way the Council works:
 - a) Making commissioning choices that recognise and improve the journey of the child through services and life stages;
 - b) Moving from control to influence and promoting independence (promoting, enabling and influencing more autonomous communities)
 - c) Collaborating through partnerships;
 - d) Maintaining commitment to early help services that divert need, providing the right support at the right time, and managing the demand to specialist services;
 - e) Retaining what works locally and recognising where creative and new ways of working are needed to improve outcomes;
 - f) Integrating service planning and delivery to maximise impact;
 - g) Listening and responding to the voice of the child and young person;
 - h) Promote customer self-service by ensuring services are simplified, transparent and easily accessible.

22. The Department operates on the principles of outcomes-based commissioning. Children and families will have access to different levels of County Council support

and service provision based on the severity and complexity of their needs. The commissioning model is driven by these differing levels of need as described in the County Council's Target Operating Model for commissioning:

Preventing the need for services	universal services, supporting wellbeing;
Reducing the need for services	intervening early for those who may be at risk of needing support in the future;
Delaying the need for services	targeting services to those who have experienced a crisis or who have defined illness or disability or are in need of protection;
Meeting the need for services	providing services for those with long term needs.

23. At its meeting on 4th April 2016 the Children and Families Overview and Scrutiny Committee recognised that the four elements of Prevent, Reduce, Delay and Meet need originate from the Care Act 2014 and have particularly strong resonance for Adults and Communities and Public Health. The work of the Children and Family Services department will therefore be mapped onto only the Prevent, Reduce and Meet elements to reflect the inappropriateness of describing any of its work as potentially contributing to Delay in addressing need.

The Department's Approach

24. The Children and Family Services Department has a number of roles. It:
- Commissions the delivery of services, both internally and externally provided, to fulfil its statutory obligations;
 - Works collaboratively and cooperatively with partner organisations from the statutory, voluntary and community sector, and
 - Facilitates integrated working to build capacity in partnership with other organisations and across other partnerships.
25. The Department works with other County Council departments to adopt a 'whole life' approach when planning services for children and young people into adulthood and old age.
26. The Department uses a whole family approach that builds on the capacity of families and communities towards their own resilient sustainability and independence and uses the best evidence practice where possible. Practitioners across the department will increasingly use the approaches described in Growing Safety and Appreciative Inquiry which are methodologies used as national best practice in working with children and families.
27. The Department will work towards similarity in the way internal and external service providers are held accountable for outcomes.

Development of the Commissioning Intentions

28. Children and Family Services undertook a process of identifying, developing and then sharing the Commissioning Strategy and Commissioning Intentions between departments. This provided an opportunity to take into account the interdependencies between services, to check the 'read across' with other departments and the impact upon service users and communities, as well as assisting with future work planning for support services.
29. Children and Family Services together with Adults and Communities and Public Health departments have all used the Target Operating Model of 'prevent, reduce, delay and meet' to assess their departmental commissioning intentions and to identify those intention statements which were common to the three departments. At the same time, a summary of the support required from corporate areas was also produced. At this stage there is no requirement for external consultation beyond that which has already taken place with the voluntary and community sector and SEND Reform, both during 2015.

Background Papers

Report to the Cabinet 19 April 2016 - Review of the County Council's Strategic Plan: Embedding a New Approach to Transformation and Commissioning
<http://ow.ly/10oOyW>

Appendices

Appendix A - CFS Commissioning Strategy
Appendix B - CFS Commissioning Intentions
Appendix C - CFS Outcomes Framework with Key Performance Indicators

Equality and Human Rights Implications

30. The Strategy and the Commissioning Intentions do not infer change that would require either consultation or an Equality and Human Rights Impact Assessment. Once the process of commissioning takes place, there will be a need to consult as necessary with service users, providers, and other stakeholders.