



**CABINET – 24 MAY 2019**

**SUPPORTING CHILDREN IN CARE AND CARE LEAVERS IN  
LEICESTERSHIRE**

**REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY  
SERVICES**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to inform the Cabinet of the new arrangements for supporting care leavers in Leicestershire, including development of the Care Leavers Offer, the draft Care Leavers Protocol (housing), the Care Leavers Covenant and 'The Promise'.

**Recommendations**

2. It is recommended that
  - (a) The approach to supporting Care Leavers as outlined in the report be agreed, noting in particular:
    - *The Promise*, setting out the Council's commitment,
    - *The Care Leavers Offer*, of support available,
    - *The Care Leavers Covenant*, from the private, public and voluntary sectors in Leicestershire, and
    - *The draft Care Leavers Protocol (housing)*, to help address accommodation related needs;
  - (b) The ongoing development of closer working relationships with partners including district councils, local businesses, and the voluntary and community sector, to improve outcomes for Care Leavers be welcomed;
  - (c) The agreement reached with district councils for Care Leavers to be eligible for 100% Council Tax Support up to the age of 25 be welcomed.

**Reasons for Recommendations**

3. The County Council is the 'corporate parent' for children and young people in care and seeks to do all it can to ensure that they, and every young person leaving its care, has the same support and opportunities available to others.

4. Legislation and guidance emphasise that the corporate parenting is a role that needs to be shared not only across the whole of the Council but with other partners in the local authority area, such as district councils (which have responsibilities as the Housing Authorities), the NHS, schools and colleges, and other agencies. Working in partnership with the public, private, and voluntary and community sector will help ensure positive and aspirational outcomes for care leavers in Leicestershire.
5. It is recognised that young people leaving care frequently face more challenges living independently for the first time. To help mitigate the financial problems for care leavers, all local authorities in Leicestershire have therefore agreed, with effect from 1 April 2019, to waive the requirement for Care Leavers to pay Council Tax until after the age of 25.

### **Timetable for Decisions (including Scrutiny)**

6. Each of the 7 district councils has taken the draft Care Leavers Protocol (housing) through their own governance and accountability framework. The work is ongoing. Once agreed by district councils the protocol will go to Children and Families Overview and Scrutiny for consultation prior to implementation in the Department.

### **Policy Framework and Previous Decisions**

7. The work being presented is part of the overall support to children in care and care leavers within Leicestershire. The Promise and The Offer are all requirements of the Children and Social Work Act 2017.
8. The draft Leicestershire Care Leavers Protocol (housing) is an agreement which establishes the roles and responsibilities of signatory partners towards accommodation pathways for care leavers. It outlines the respective statutory responsibilities of Children and Family Services Departments and the Local Housing Authorities (LHAs) in ensuring care leavers are supported to move on to suitable accommodation.
9. The work outlined in this report will contribute towards the delivery of the
  - i. The Council's Strategic Plan, in particular the outcomes Affordable and Quality Homes and Keeping People Safe;
  - ii. The Children and Families Partnership Plan, agreed by the Cabinet in June 2018, which aims to improve outcomes for all children and young people aged 0 - 19 (25) across Leicestershire; and
  - iii. The Care Placement Strategy, agreed by the Cabinet in July 2018, which sets out the Department's whole system approach to care placements for children and young people.

**Resource Implications**

10. Whilst the proposed draft Care Leavers Protocol (housing) and The Promise will not create any additional resource requirements for the Department, the new duties introduced through the Children and Social Work Act 2017 requires local authorities to provide Personal Advisor support to all care leavers up to the age of 25. This new duty commenced on 1 April 2018. In order to fulfil this duty additional Personal advisers have been put into the Care Leavers Team.
11. The Director of Corporate Resources and Director Law and Governance have been consulted on this report.

**Circulation under the Local Issues Alert Procedure**

12. A copy of this report will be circulated to all members.

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## **PART B**

### **Background**

13. As a corporate parent the County Council has a collective responsibility to be a good parent to the children and young people in its care, so that they grow up happy, achieve well and are able to make a success of their lives. This means the Council is expected to do what any responsible parent would do for their children; care about their children's safety and their health, their education and their leisure interests, their friendships and their futures.
14. The Children Act 1989 requires the responsible authority (the County Council) to continue to provide various forms of advice, assistance and guidance to young people over the age of 18 making the transition from care to more independent living arrangements.
15. The Children (Leaving Care) Act (2000) Regulations and Guidance also detail how the local authority's strategy for care leavers should where possible consider:
  - The diverse accommodation and support needs of care leavers
  - The capacity to offer young people a degree of choice of accommodation
  - Existing and planned provision of safe and affordable accommodation
  - Gaps in provision
  - Priority setting
  - The need for contingency arrangements.
16. The Local Authority must also have due regard to Chapter 22: Care Leavers of the Homelessness Code of Guidance, updated to reflect the new measures set out in the Homelessness Reduction Act 2017, about the following:
  - Corporate parenting principles
  - Joint working arrangements
  - The prevention and relief of homelessness
  - Assessing priority need
  - Suitability of accommodation.
17. Under previous legislation, local authorities were required to provide care leavers with Personal Advisor support until they reached the age of 21, and up to the age of 25 only if they were engaged in education or training. The Children and Social Work Act 2017 introduced a new duty on local authorities to provide this support to all care leavers towards whom the local authority had duties, up to the age of 25, if it is wanted. This includes those who return to the local authority requesting Personal Advisor support after the age of 21 and up to the age of 25. This new duty commenced on 1 April 2018.
18. The County Council aims to support the majority of its children and young people within their own families and communities. Preventative services provide targeted supported in an attempt to avoid a child needing to become

accommodated by the authority and will be key in ensuring everything is done to keep families together where appropriate. There are however a small group of children and young people who will need to be accommodated. Where a child or group of siblings is in need of accommodation the authority will strive to place children with a family member in the first instance as long as they are able to meet their needs. It is only once this has been exhausted that other care is considered.

19. There are currently 590 children in care and 260 care leavers for whom the local authority is responsible.
20. The Children and Family Services Department has developed a number of initiatives that set out the Council's commitment to children in care and care leavers and the protocols for ensuring the best support is provided to care leavers. These are:
  - i. The Promise;
  - ii. The Care Leavers Offer;
  - iii. The Care Leavers Covenant;
  - iv. The (draft) Care Leavers Housing Protocol.
21. Throughout the development of these documents, a variety of stakeholders have been consulted:
  - i. Young people have been proactively involved in sharing their views on the draft Care Leavers Protocol (housing), The Promise and The Care Leavers Covenant. This was done through the children in care council and Supporting Young People After Care Group where their views were added to, and used in shaping, the Protocol.
  - ii. Staff have been engaged through team meetings and staff events to share their views as well as input into standards expected when working with children in care and care leavers;
  - iii. A launch event was held on 1 April 2019 when agencies and young people came together to sign up to The Promise;
  - iv. Partners and district councils have been actively involved in the writing and support of the Care Leavers Protocol and will continue to engage with them going forward. This has taken place through regular meetings where views have been sought to shape and develop the protocol.

### The Promise

22. 'The Promise' (Appendix A) is the commitment the Local Authority and agencies such as district, Police, Health (Clinical Commissioning Group and Provider Services) and voluntary sector organisations, have made to Children in Care and care leavers to work together to improve outcomes for them. The Promise sets out our commitment to children in care and care leavers that:-

We will:

- i. Support you
- ii. Believe in you
- iii. Respect your identity
- iv. Listen to you
- v. Support you to find a place you can call home
- vi. Inform you
- vii. Be a lifelong champion.

23. The Promise was launched on 1 April 2019. Further detail is provided in Appendix A to this report.

### Care Leavers Offer

24. The Care Leavers Offer (Appendix B) is a statutory requirement under the Children and Social Work Act 2017 to deliver an extended offer to young people up to the age of 25 years and the work required to achieve the best outcomes for these young people in Leicestershire.

25. The Offer sets out the Council's and partners' commitment, covering -

- i. Benefits and income: There is now a protocol in place with the Department of Work and Pensions that recognises the specific needs of care leavers claiming benefits and helping them maximise their income.
- ii. Careers Advice: The careers advice service has been brought in-house. This has helped to increase the number of care leavers in education, employment and training.
- iii. Local Businesses: The Department is working with colleagues in the Chief Executives Department to see what help local businesses can offer to care leavers, for example through discounts or personal support.
- iv. Multi-agency risk panel: A multi-agency risk-management panel meets every 2 months to discuss the needs of the most vulnerable care leavers and put together plans to help them.
- v. Council Tax Exemption: All local authorities in Leicestershire have agreed to council tax exemption for all care leavers up to the age of 25 to be in place by the beginning of April 2019.
- vi. Apprenticeships: From May 2018 6 apprenticeship opportunities at the County Council were ring-fenced for Leicestershire care leavers.
- vii. Higher Education: As at the beginning of October 2018, 8 young people started at University, 1 young person has started a Master's Degree, 1 young person has started a Level 5 course at college (foundation degree), and 7 young people are in their second or third year at University.

26. On their 18<sup>th</sup> and 21<sup>st</sup> birthdays, care leavers are sent a letter from the Director of Children and Family Services enclosing a copy of 'The Offer' and setting out the Services and support on offer. This is followed up with an annual letter until they reach 25.

### Care Leavers Covenant

27. The Covenant (Appendix C) has been developed in response to 'Keep on Caring' a major policy document (published in 2016) on support for young people from care to independence. A key policy commitment in the 'Keep on Caring' paper is a strategic pledge to introduce a Care Leaver Covenant. This is a promise made by the private, public and voluntary sectors to provide support for care leavers aged 16-25 to help them to live independently. The County Council is developing its links with local business and partners as part of the Care Leavers Covenant.
28. The aim of the Covenant is to encourage partners and private businesses to provide additional support for those leaving care; making available different types of support and expertise from that statutorily provided by local authorities.
29. Drawing on the resourcefulness and imagination of their staff and their working environment, organisations have the potential to offer new perspectives and professional expertise.
30. Organisations can offer opportunities and a new way of thinking to aid the care leavers in moving forward successfully to the next phase of their lives. Each organisation that commits to the Covenant will be able to offer a support package to care leavers that is tailored to its specific expertise.
31. The organisation would underpin its commitment to the Covenant with a specific 'offer', setting out what it can provide for care leavers, such as:
- i. Opportunities to enter the world of work, such as offering work experience placements, work shadowing placements, internships, traineeships and apprenticeships;
  - ii. Additional support. For example, one-to-one mentoring or pastoral support and guidance on various aspects of their lives, financial guidance, career/employment guidance, educational prospects and opportunities;
  - iii. Opportunities to broaden their horizons e.g. concessionary access to sport, leisure and cultural activities along with discounted retail offers;
  - iv. Encouraging their involvement in specific activities and events which inspire their personal interest and widen their employment prospects;
  - v. Providing or supporting them in educational and training opportunities that will improve their vocational and educational profile and open future employment opportunities.

### The Draft Care Leavers Protocol (housing)

32. The draft Care Leavers Housing Protocol (Appendix D) sets out a formal agreement between the County Council, Blaby District Council, Charnwood Borough Council, Harborough District Council, Hinckley and Bosworth Borough Council, Melton Borough Council, North West Leicestershire District Council, Oadby and Wigston Borough Council, The Bridge (a housing support service), and partner agencies working with care leavers.
33. The Protocol establishes the aims, roles and responsibilities of signatory partners towards accommodation pathways for care leavers and sets out the support offered to care leavers, in particular in ensuring the most suitable accommodation is provided for this group of young people. Dialogue with districts is ongoing and their intention is to complete and launch the Protocol in the Autumn of 2019.
34. The purpose of the protocol is:
  - i. To ensure the effective discharge of corporate responsibilities between the County Council (Children and Family Services), Local Housing Authorities, The Bridge and other partners by jointly addressing the diverse accommodation needs of young people leaving care in Leicestershire and related equality issues.
  - ii. To identify gaps in service provision for young people, taking a multi-agency approach to address these gaps by meeting where appropriate to discuss and explore such gaps further with the view to finding a realistic solution.
  - iii. To prevent care leavers becoming homeless, entering the homelessness system, and to avoid the use of unsuitable Bed and Breakfast accommodation.
  - iv. To ensure that there is a range of good quality accommodation options to meet the needs of young people leaving care.

### Council Tax Exemption

35. All district councils in Leicestershire have now agreed that care leavers should be exempt from the payment of Council Tax until the age of 25. This arrangement was put in place in recognition of the particular difficulties faced by care leavers when living independently for the first time, often without the support of family or much financial education. This has been in place since 1 April 2019.

### Equality and Human Rights Implications

36. All children in care and care leavers are vulnerable and have specific needs due to them being in care. The documents within this report set out the arrangements that will be in place to support all children in care and care



leavers enabling young people to have positive outcomes regardless of their protected characteristics.

37. Once the protocol has been agreed an EHRIA screening will be undertaken.

### **Background Papers**

The Children and Social Work Act 2017

<http://www.legislation.gov.uk/ukpga/2017/16/contents/enacted>

Homelessness Reduction Act 2017

<http://www.legislation.gov.uk/ukpga/2017/13/contents/enacted>

Keep on caring: supporting young people from care to independence

A cross-government strategy to transform support for young people leaving care.

<http://bit.ly/2PVJwbP>

### **Appendices**

Appendix A - The Promise

Appendix B - The Care Leavers Offer

Appendix C - The Care Leaver Covenant

Appendix D - The Care Leavers Protocol (housing)

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