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Meeting	Safeguarding Overview & Scrutiny Committee
Date	12 December 2012
<b>Subject</b>	<b>Members Visits to Children's Homes &amp; Young People's Hostels, Options Paper</b>
Report of	Assistant Director, Social Care / Scrutiny Office
Summary	This report outlines how Member and officer visits to Children's Homes currently operate and statutory requirements in relation to this. The Committee are requested to provide their views on the continuation of Member visits to Children's Homes.

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Status (public or exempt)	Public
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Wards affected	All
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Enclosures	None
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Reason for urgency / exemption from call-in	Not applicable
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## **1. RECOMMENDATION**

- 1.1 That the Safeguarding Overview and Scrutiny Committee consider the background to Member visits to Children's Homes and identify a preferred option regarding the continuation of Member visits from those options identified at paragraph 9.31 below.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 First Class Education and Children Overview and Scrutiny Committee, 13 June 2006 – the Committee agreed that Members should undertake monthly visits to Children's Homes to review activity in relation to the five outcomes for children identified in the Children's Act 2004. Between 2006 and 2012, findings from Member visits to Children's Homes have been regularly reported to the following committees and considered in the exempt part of the meeting:
- First Class Education and Children Overview and Scrutiny Committee (2005 – 2009);
  - Children's Services Overview and Scrutiny Sub-Committee (2009 – 2011); and
  - Safeguarding Overview and Scrutiny Committee (2011 to date)
- 2.2 First Class Education Overview and Scrutiny Committee, 7 May 2009 – the Committee resolved that Member visits should be recommended to continue under the new scrutiny structure.
- 2.3 Policy and Performance Overview and Scrutiny Committee, 30 June 2009 – the Committee approved the Children's Services Overview and Scrutiny Sub-Committee work programme which included the continuation of Member and Officer Visits to Barnet Children's Homes. The Committee also resolved that Member visits to Barnet's Children's homes should be undertaken by Members of the Children's Services Overview and Scrutiny Sub-Committee
- 2.4 Children's Services Overview and Scrutiny Sub-Committee, 28 April 2011 – the Committee resolved that its successor committee should continue to facilitate Member visits to Barnet's Children's Homes and Young People's Hostels
- 2.5 Safeguarding Overview and Scrutiny Committee, 24 September 2012 – the Committee considered a paper which set out options for the future of Members Visits to Children's Homes & Young People's Hostels and resolved that consideration of the item be deferred to enable Officers to discuss options for Member Visits with the Corporate Parenting Advisory Panel and for the report to be re-presented to the 12 December 2012 meeting.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Corporate Plan 2012/13 includes the strategic objective to 'Safeguarding vulnerable children and adults'. Officer visits to Children's Homes help to support this priority. Member visits to Children's Homes and Young People's Hostels provide an opportunity for elected Members to discharging their responsibilities as Corporate Parents.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 Members are required to have Criminal Records Bureau (CRB) checks to undertake visits. Until recently, there were only a limited number of Members of the Safeguarding Overview and Scrutiny Committee who had the required CRB clearance to undertake visits and some of these checks are still outstanding in the current cohort of committee members. Due to the limited pool of Members who have obtained the required checks over recent months, the majority of visits have been undertaken by a small group of Members. If Member visits are to continue, it is essential that all Members of the Committee obtain the required CRB clearance and that they are apportioned on an equitable basis. Without the required CRB checks, the Council will not have the required level of assurance required to ensure that residents of children's homes and young people's hostels are not at risk. Following the meeting of the Committee on 24 September 2012, serving Committee Members were approached by the CRB team and the majority of those outstanding have now been completed.
- 4.2 Member visits are scheduled on a cyclical basis and occur approximately bi-monthly. Some of these visits have not been completed by Members that have been appointed to undertake them resulting in inconsistencies in the Member inspection cycle and reporting to Committee.
- 4.3 Elected Members may be exposing themselves to risk when undertaking visits to children's homes and hostels as they are interacting on a one-to-one basis with vulnerable children and young adults. In children's homes settings, council officers will be able to assess the risk that may be posed to councillors by the young people residing at the care home. When elected Members visit children's homes, staff will be on duty at all times and it is considered that in these circumstances, the risk is manageable. However, council officers do not undertake visits to young people's hostels so will not be aware of the potential risk that any young person may pose to Members when they undertake visits. Additionally, staffing levels at young people's hostels are lower than in children's homes meaning that there will be fewer staff to intervene should there be an issue.
- 4.4 Ceasing to carry out the visits removes the opportunity for an additional level of scrutiny to assure quality of service provision. To mitigate this, an alternative means of monitoring quality could be established (section 9.31 c) and d) refer).

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 As at 31 March 2012, males were overrepresented in the children in care population, 59.7% of children in care were male, compared with 51.1% of males in Barnet's 0–19 population. 18.3% of the children in care population were Black/Black British children compared to 14.3% of the 0–9 population. In contrast, children with ethnicities of White British/White Irish/White other make up only 46.4% of the children in care population, but make up 56.9% of the 0–19 population. Children aged 0–4 years and 5-9 years are underrepresented in the children in care population, and children aged 10-14 and 15-19 are overrepresented in the children in care population. Ensuring that Children's Homes are of a high standard helps to support the children and young people placed there.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 Officer visits that are required under Regulations are contained within existing Children's Service Budgets.
- 6.2 Buildings used as Children's Homes are existing council assets.
- 6.3 There are no other resource implications relevant in the context of this report.

## **7. LEGAL ISSUES**

- 7.1 As set out in sections 9.1 to 9.3.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The scope of Overview and Scrutiny Committees is contained within Part 2, Article 6 of the Constitution
- 8.2 The terms of Reference of the Scrutiny Committees are in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution). The Safeguarding Overview and Scrutiny Committee has within its terms of reference the following responsibilities:
  - To scrutinise the Council and its partners in the discharge of statutory duties in relation to safeguarding.
  - To scrutinise the provision of education (children and adults), special educational needs provision, and the protection and welfare of children.

## **9. BACKGROUND INFORMATION**

### **Officer Visits to Children's Homes**

- 9.1 The provision of Local Authority Children's Homes is not a statutory requirement. However, where provided, they are managed in accordance with the Children Act 1989, Guidance and Regulations, Volume 5: Children's Homes, and the Children's Homes National Minimum Standards, issued as guidance by the Secretary of State under section 7 of the Local Authority and Social Services Act 1970 and the Children's Homes Regulations 2001 (as amended) made by the Secretary of State under the Care Standards Act 2000.
- 9.2 The Governance arrangements for oversight of Children's Homes are contained within Regulation 33; local authorities are required to have quality assurance arrangements in place. Monthly Regulation 33 visits to the two Children's Homes are carried out by a Service Manager from within the Social Care Service who has no line management responsibility for the running of the homes. These reports are submitted to Ofsted as required by Regulation. This fulfils all statutory requirements for governance.
- 9.3 Regulation 34 requires that a system is in place to monitor some matters that are set out in Regulation 33, in order to improve the quality of care provided. This is also an officer function.

## **Member Visits to Children's Homes**

- 9.4 Members' visits to Children's Homes are not a statutory requirement. Instead, they were an arrangement established under previous committee structures as a means of contributing to the Corporate Parenting function assigned to Members. The practice of Members regularly visiting Children's Homes is not universal and practice in other local authorities varies.
- 9.5 Member visits commenced in June 2006 when the First Class Education and Children Overview and Scrutiny Committee agreed that visits to Barnet's children's homes should be undertaken. The decision to visit children's homes was influenced by the enquiry findings into the death of Victoria Climbié conducted by Lord Laming and the subsequent publication of the Every Child Matters (ECM) Green Paper by the Department for Education and Skills. The Every Child Matters Green Paper affirmed a commitment to support all children and young people to achieve their potential through maximising opportunities and improving life chances. It was given statutory force within the Children Act 2004 and identified five outcomes for children:
- Be healthy
  - Stay safe
  - Enjoy and achieve
  - Make a positive contribution
  - Economic well-being
- 9.6 The First Class Education Overview and Scrutiny Committee sought to achieve these outcomes for looked after children for whom they had corporate parenting responsibilities. The Committee proposed that Members of the Committee visit Barnet children's homes on a monthly basis and review activity in relation to the five outcomes.
- 9.7 A Members visit template was developed to provide a summary of the types of activity that could be considered under each of the outcomes. Members used the template as a guide to record their observations and findings.
- 9.8 When Members visit Barnet Children's homes their completed templates are sent to the Scrutiny Office. The Scrutiny Office then forwards the template to the Manager for Looked After Children/Head of Children's Social Care who co-ordinates an officer response to Members observations and comments, and addresses any issues that have been raised. These are then returned to the Scrutiny Office for publication in the Safeguarding Committee agenda and are discussed during the exempt part of the committee meeting.
- 9.9 All Members who visit the Children's homes are expected to have undertaken the necessary CRB check. All information is shared within appropriate bounds of confidentiality.
- 9.10 Staff and children/young people in the children's homes are made aware that during visits that it is not the role of Members to become involved in individual children's casework issues. Any individual issues raised during visits are referred by Members to the appropriate Children's Service Managers.
- 9.11 To support Members in obtaining the required skills to undertake visits to children's homes, a Member development session on being a good corporate parent and on conducting visits took place in 2006/07. During this session, Members of the committee

discussed whether the visits should be based on the five key outcomes (as outlined at xx above) and it was agreed that visits should continue on that basis.

- 9.12 More recently, all Members of the Safeguarding Overview and Scrutiny Committee have been encouraged to attend annual safeguarding Member development sessions which provide an overview of the principles and practice of good safeguarding. Any new Members who are assigned a visit to a home or young people's hostel are paired with a more experience Member of the Committee who has undertaken several visits to provide support and guidance during the visiting process.

### **Visits to Young Peoples Hostels**

- 9.13 Hostel provision is not an area of responsibility for the Social Care Division of the Children's Service and officer visits to these premises are not undertaken. There is no statutory officer requirement to conduct these visits.
- 9.14 In November 2009, a Task and Finish Group review was conducted into Homelessness and Young People. The Group made a number of recommendations to improve the provision of support to young people living in temporary council accommodation.
- 9.15 During the review, Members of the Group derived great benefit from visiting young people's hostels and meeting with hostel staff and residents. Members identified a number of issues relating to the estate management and provision of support. These included the availability of floating support for young people, the standards of furnishing and housekeeping provision, maintenance issues, and the availability of opportunities for young people to move on to more permanent accommodation and return to education or seek employment.
- 9.16 The Group did not make a formal recommendation for Members to visit young people's hostels. However, the Group strongly encouraged elected Members to visit council run establishments housing young homeless people in order to develop a greater understanding of issues relating to young vulnerable people and those that care for them.
- 9.17 In November 2010, the Children's Services Overview and Scrutiny Sub-Committee considered the findings of the TFG review on Homelessness and Young People and of the positive outcomes achieved by Members of the Group who had continued to visit Barbara Langston House and Adamson Court following the completion of the review.
- 9.18 In April 2011, the Children's Services Overview and Scrutiny Sub-Committee considered the findings of the TFG review on Youth Homelessness and resolved that Member visits should be extended to include hostels for young people with findings reported to the Sub-Committee.
- 9.19 In extending the remit of Member visits, the Sub-Committee believed that the visits would enable Members to engage with young vulnerable people and gain a better understanding of the issues they faced, in addition to improving the standard of support and opportunities available to young people living within these environments.
- 9.20 Since April 2011, Members of the Children's Services Overview and Scrutiny Sub-Committee and its successor committee, the Safeguarding Overview and Scrutiny Committee, have been visiting young people's hostels on a rota basis. Members are requested to submit their findings into a template for consideration by the Committee, but completion of these are not consistent across the board.

- 9.21 Members submit their visit reports for Adamson Court and Barbara Langston House to the Scrutiny Office which is then passed to Children's Services (Adamson Court) and the Head of Social Housing (Barbara Langston House) for comment. These are then returned to the Scrutiny Office for publication in the Safeguarding Committee agenda and are discussed during the exempt part of the committee meeting.
- 9.22 In April 2012, the Divisional Manager for Youth Support Services informally met with Members who had visited Adamson Court to discuss with them their observations and findings. It was suggested that these meetings could be formalised (subject to committee approval) and used as part of the monitoring of the Metropolitan Housing Support contract.

### **Issues for Consideration**

- 9.23 Member visits are not a statutory requirement and have emerged as custom and practice over a number of years. Initially, visits were limited to children's homes and findings from Member visits complemented the Regulation 33 officer visits. Visits to young people's hostels have developed as an addition to already established arrangements for Member to visit children's homes.
- 9.24 Whilst Members have responsibilities as corporate parents, it is questionable as to whether site visits are the most appropriate way for them to fulfil their obligations in this regard. Children's homes are subject to regular visits by professional officers and Ofsted inspections at six monthly intervals. Young people's hostels are subject to Ofsted inspections at six monthly intervals. Ofsted also receive monthly quality assurance reports for both children's homes and young people's hostels. Key issues arising are identified through these mechanisms, bringing into question the usefulness and appropriateness of elected Member visits which are in addition to existing inspections carried out by experts.
- 9.25 Members who have undertaken visits have expressed concern that there is only a small cohort of Members visiting children's homes and young people's hostels on a regular basis. Other Members have not conducted visits as they either do not have a CRB check or have not been able to co-ordinate visits amongst themselves.
- 9.26 Initially it was envisaged that Members would undertake unannounced visits to children's homes and young people's hostels. On occasion, Members have attended premises and residents have been off-site. Consequently, suggested best times to visit were introduced. The introduction of such an arrangement could remove the benefit of unannounced visits as staff at homes and hostels may have an opportunity to prepare the accommodation and brief the residents.
- 9.27 The Committee considered the information set out above and some outline options at their meetings on 10<sup>th</sup> and 24<sup>th</sup> September 2012. The Committee were unable to reach a decision regarding which option(s) to adopt and resolved that consideration of the item be deferred to enable Officers to discuss options for Member Visits with the Corporate Parenting Advisory Panel and for the report to be re-presented to the 12 December 2012 meeting.
- 9.28 Subsequent to the meetings of the Committee referred to at 9.27 above, the Corporate Parenting Advisory Panel considered the Member Visits Options Paper and identified the following key points:
- (i) Children's homes are just that; they are the home of children and young people. They are already regulated by Ofsted and by a council appointed officer; therefore, they

can be subject to a number of uninvited people coming into their home.

- (ii) There is no statutory duty for Members to visit either children's homes or hostels.
- (iii) Members are corporate parents and our children and young people need to be assisted to understand the prominence and importance of their role.
- (iv) Continuity and consistency are imperative to children and young people. However, we are aware that there are high numbers of 'people' in the lives of children who know all about them, yet the child has no relationship with them. Members undertake a range of duties and functions and unless they can commit to consistency in visiting patterns, it can be difficult and unsettling for the children.
- (v) Members have a crucial role in monitoring and evaluating quality assurance, satisfaction and value for money for our children and young people.

9.29 At the conclusion of the discussion, the Panel decided the following:

- (i) Members of the Corporate Parenting Advisory Panel feel there is significant value in continuing to visit children's homes as those Members have a crucial role in the lives of our children.
- (ii) The arrangements must reflect the prominence of the role of Councillors' as corporate parents and, to enable them to give an objective view about the quality of service that is offered to children and young people.
- (iii) Member visits to the children's homes will focus on whether children and young people are satisfied with the quality of the relationships with staff and the quality of the service that they receive, they will engage with children and young people and listen to their complaints or comments.
- (iv) Officers already undertake statutory duties in relation to visiting children's homes and Members do not need to duplicate that work.
- (v) The current structure and process for undertaking visits to children's homes needs to be revised and replaced by a new structure.

9.30 The recommendations of the Corporate Parenting Advisory Panel are as follows:

- (i) Responsibility for visiting children's homes should lie solely with Members of the Corporate Parenting Advisory Panel.
- (ii) Of the eight Councillors who attend the Corporate Parenting Advisory Panel, four will be assigned to New Park House and four to 68A. The same Councillors will commit to visiting for a one year period.
- (iii) Members will visit four times a year; children and young people will be made aware that there will be two announced visits and two unannounced visits.
- (iv) The Members feedback format for reporting back to Corporate Parenting Advisory Panel will be revised.
- (v) The assigned Members, who attend the children's homes visits, will feedback to the next planned Corporate Parenting Advisory Group to update them of their findings.
- (vi) The findings of the visits to children's homes will be presented annually to the Safeguarding Overview and Scrutiny Committee.
- (vii) Arrangements for the visits to children's homes will be reviewed and evaluated by the Corporate Parenting Advisory Panel at the end of the first and subsequent years.
- (viii) Members of the Corporate Parenting Advisory Panel are not in a position to comment as to whether Members of Safeguarding Overview and Scrutiny Committee wish to continue visits to hostels.



## Options

9.31 Options to the Committee to discuss are as follows:

- a) Support the proposal that the Corporate Parenting Advisory Panel assumes responsibility for member visits to children's homes, as outlined at 9.30 above. Retain current arrangements, subject to clarification on officer support arrangements and all Committee Members having valid CRB checks.
- b) Members of the Safeguarding Overview and Scrutiny Committee continue to visit young people's hostels. In line with the approach of the Corporate Parenting Advisory Panel, Members will visit four times a year; hostel residents will be made aware that there will be two announced visits and two unannounced visits.
- c) Consider alternative arrangements for Members to engage with young people placed in children's homes and young people's hostels (e.g. a one-off forum meeting or other arrangement) to ensure that issues of concern can be raised and subsequently addressed by officers and the home / hostel.
- d) Consider alternative means of quality assurance, such as:
  - i) Detailed officer monitoring reports to the Committee (or Corporate Parenting Advisory Panel) on all matters set out in Regulations 33 and 34 (frequency to be determined); and/or
  - ii) Detailed monitoring reports to the Committee (or Corporate Parenting Advisory Panel) following Ofsted inspections of homes.
- f) Cease carrying out the visits as they are not a statutory requirement;

9.32 The list above is not exhaustive and Members may have alternative options that they wish to propose and consider. One or more of the options above can be implemented.

## 10. LIST OF BACKGROUND PAPERS

10.1 None

<b>Cleared by Finance (Officer's initials)</b>	<b>MC/JH</b>
<b>Cleared by Legal (Officer's initials)</b>	<b>LC</b>