

## Corporate Parenting Committee

Thursday June 25 2009

1.00 pm

Town Hall, Peckham Road, London SE5 8UB

### Membership

Councillor Lisa Rajan (Chair)  
Councillor Veronica Ward (Vice-Chair)  
Councillor Barrie Hargrove  
Councillor Adedokun Lasaki  
Councillor Eliza Mann  
Councillor Olajumoke Oyewunmi  
Councillor Lewis Robinson  
Councillor Althea Smith

### Reserves

Councillor James Barber  
Councillor John Friary  
Councillor Michelle Holford  
Councillor Caroline Pidgeon  
Councillor Sandra Rhule  
Councillor Ian Wingfield

**Non Voting Co-opted Members:** Barbara Hills (Southwark Primary Care Trust), Natalia Sali (Young Southwark Children's Trust)

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

Bola Roberts on 020 7525 7232 or email: [bola.roberts@southwark.gov.uk](mailto:bola.roberts@southwark.gov.uk)  
Webpage: <http://www.southwark.gov.uk>

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Members of the committee are summoned to attend this meeting

**Annie Shepperd**

Chief Executive

Date: June 17 2009



# Corporate Parenting Committee

Thursday June 25 2009  
1.00 pm  
Town Hall, Peckham Road, London SE5 8UB

## Order of Business

Item No.	Title	Page No.
	<b>MOBILE PHONES</b>	
	Mobile phones should be turned off or put on silent during the course of the meeting.	
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>MINUTES</b>	1 - 3
	To approve as a correct record the Minutes of the open section of the meeting held on April 2 2009.	
6.	<b>LONG TERM STABILITY OF PLACEMENTS</b>	4 - 8

Item No.	Title	Page No.
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To note the latest analysis of children and young people who have breached the indicator and the overall improvement in the stability of placements in Southwark.

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|----|---|--------|
| 7. | <b>IMPLICATIONS OF LAMING'S REPORT AND THE NEW CAA INSPECTION FRAMEWORK FOR CHILDREN'S SERVICES</b> | 9 - 23 |
|----|---|--------|

To consider the strategic implications of Laming's Report and the new CAA inspection framework for Children's Services.

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|----|---|---------|
| 8. | <b>LOOKED AFTER CHILDREN AND YOUTH OFFENDING SERVICES</b> | 24 - 44 |
|----|---|---------|

To note the new Youth Offending Service Protocol issued in November 2008 and the steps taken to improve preventative and support strategies for children involved in offending behaviour.

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|----|--|---------|
| 9. | <b>CHILDREN LOOKED AFTER: PERFORMANCE REPORT</b> | 45 - 55 |
|----|--|---------|

To note the report, and endorse the measures adopted to address performance in relation to long-term stability.

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**PART B - CLOSED BUSINESS**

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**



## CORPORATE PARENTING COMMITTEE

MINUTES of the OPEN section of the meeting of the CORPORATE PARENTING COMMITTEE held on THURSDAY APRIL 2 2009 at 2.00pm in the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillors Lisa Rajan (chair), Veronica Ward (vice chair) Lewis Robinson.

**ALSO PRESENT:** Cheryl Powell (scrutiny officer), Sarah Feasey (legal officer), Anne Marie Buchanan (CLA education team manager), Maria Heydon (childrens services officer), Jean E Hughes (services manager), David Hook (policy officer), John Howard (head of organisational development) Paul Angeli (business manager for assessment and safeguarding support) and Richard Blakeley (constitutional officer).

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Friary, Althea Smith and Caroline Pidgeon and Rory Patterson (assistant director of specialist children's and safeguarding).

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed as being present were confirmed as the voting members for the meeting.

### 3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were no urgent items.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

### RECORDING OF MEMBERS' VOTES

Committees and community councils procedure rule 1.8 (4) allows a member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following minutes. Should a member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the minute file and is available for public inspection.

The committee considered the items set out on the agenda, a copy of which has been incorporated in the minute file. Each of the following paragraphs relates to the item bearing the same number on the agenda.

**5. MINUTES** (see pages 1 to 3)

**RESOLVED:** The open minutes of the meeting held on February 3 2009 were agreed as the correct record.

**6. CHILDREN LOOKED AFTER: PERFORMANCE REPORT** (see pages 4 to 23)

The business manager for assessment and safeguarding support introduced the report. Members asked questions.

**RESOLVED:**

1. That the children looked after performance report be noted and the measures adopted be endorsed.
2. That the analyses in paragraph 25 and 34 of the report be clarified with the chair before the next meeting.
3. That future performance reports should contain numbers instead of percentages where this improves the quality of the report.

**7. REFERRAL AND ASSESSMENT INTERIM ANNUAL REPORT 2008-09**  
(see pages 24 to 32)

The business manager for assessment and safeguarding support introduced the report. Members asked questions.

**RESOLVED:** That the interim annual report on Referral and Assessment 2008-09 be noted.

**8. NEW APPROACH TO IMPROVING ATTAINMENT FOR CHILDREN IN CARE** (see pages 33 to 37)

The CLA education team manager introduced the report. Members asked questions.

**RESOLVED:** That the range of activities and support to promote the best possible educational outcomes for Southwark's looked after children be noted.

**9. LONG TERM STABILITY OF PLACEMENTS** (see pages 38 to 40)

The business manager for assessment and safeguarding support introduced the report. Members asked questions.

**RESOLVED:**

1. That the current measures to improve the long term stability of children in care be noted.
2. That a report on the long term stability of placements to include more analysis and case studies be placed on the workplan for the committee in the next year.

**10. SPEAKERBOX**

The item was withdrawn for consideration at the next meeting of the committee.

**11. UNACCOMPANIED MINORS SEEKING ASYLUM** (see pages 41 to 46)

The childrens services officer introduced the report. Members asked questions.

**RESOLVED:** That the services and issues relating to unaccompanied minors seeking asylum be noted.

**12. CHILDREN LOOKED AFTER AND THE COUNCIL'S APPRENTICESHIP PROGRAMME**

The Head of Organisational Development introduced the report. Members asked questions.

**RESOLVED:**

1. That the corporate parenting committee request the Strategic Director for Legal and Democratic Services to assist and advise on the inclusion of a term in procurement contracts that supports the employment of 1 apprentice for every £1 million value of contract.
2. That the executive member for childrens services writes to chief officers requesting their continued support and commitment to engaging and supporting greater opportunities within Southwark's apprenticeship scheme.

**13. CORPORATE PARENTING COMMITTEE WORKPLAN 2009-10** (see pages 51 to 54)

The constitutional officer introduced the report. Members asked questions.

**RESOLVED:**

1. That a presentation regarding the Laming report, a repeat item regarding placement stability and a report on the working relationship between the children looked after and youth offending team be tabled at the next meeting in June 2009.
2. That the remainder of the four points identified for service improvement in the Joint Area Review be timetabled for the committee workplan in 2009-10.

The meeting ended at 3.50pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> June 25 2009	<b>Meeting Name:</b> Corporate Parenting Committee
<b>Report title:</b>		Long Term Stability of Placements	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Assistant Director of Children's Specialist Services & Safeguarding	

## RECOMMENDATIONS

1. Members to note the latest analysis of children and young people who have breached the indicator and the overall improvement in the stability of placements in Southwark.

## BACKGROUND INFORMATION

2. Placement stability is crucial for children in care to help them achieve better outcomes and have a good experience of being in care. It is therefore important that authorities make achieving very high levels of placement stability a high priority. Placement stability is a critical quality indicator about standards of care in any children's residential service. In Southwark's Joint Area Review (JAR), it was noted that:

**“unvalidated data show the long-term stability placements for children who are looked after has declined”**

3. Performance in this area was subsequently noted as an important weakness in the final JAR report. While the inspector acknowledged that Southwark had many of the key elements in place to support the stability of placements, the success of these measures was not being evidenced by the performance data.
4. The definition of the indicator is: % CLA under 16 years old who have been looked after for 2-1/2+ years and living in the same placement for 2+ years or who have been placed for adoption. Following the JAR, validated returns showed that Southwark's performance was strong, and in line with statistical neighbours. However, as of February 2009, of the 179 under 16 CLA, only 119 were in stable placements (66.5%); less than its 07/08 Target & 07/08 SN of 70% and 68% respectively. However, this data must be treated with caution, because the cohort changes regularly as children become 16 and leave the cohort, while others enter the cohort as they become looked after for 2 and half years.
5. The latest validated data for Southwark shows that placement stability has risen to 71%, which is above our target and places us in the top quartile for performance nationally.

## KEY ISSUES FOR CONSIDERATION

6. As a result of the JAR recommendations, a working group was established to look in more detail at the factors causing placement instability, and measures that could be established to improve performance. A more detailed analysis of those children who had breached the indicator revealed that:

	Nov 2006	March 09
Total Children in Care	635	530
Over 2.5 years	220 (35%)	183 (35%)
Same place 2 years	135	130
Changed Placement	79	53
<b>D78</b>	<b>61%</b>	<b>71%</b>

7. The improvement in performance has been due to a number of factors including: rigorous data cleansing (every child who fails D78 currently is 0.6% of the PI); and children who have moved out of the cohort (age and stability) are proportionately more than those that have moved in. The improvement in performance is not related to the fact that there has been a steady reduction in the overall number of children in care, as the proportion of children in care who have remained in placement for 2.5 years or more remains the same (35%) despite a 17% reduction in overall numbers. Improved adoption and Special Guardianship Order performance will also have an impact on this indicator in the long-term.

	Male	Female
Overall %	74% (39)	26% (14)
Planned	56% (30)	44% (23)
Unplanned	82% (43)	18% (10)

8. 53 children in care were not able to remain in their placement for 2.5 years or more. Some of these changes are classed as unavoidable. 5 children changed placements due to reasons well outside anyone's control. Regrettably 2 foster carers died, and the children were no longer able to remain in the placement. 3 were moved following decisions of child protection strategy meetings, where it was not longer felt to be safe for the children to stay with the carers.
9. 19 children had planned placement moves which included the following: moves to kinship carers; moves from failed family placements; rehabilitation to families; moves from siblings where the placement had become untenable; move to an out of borough placement because of risk posed by parent. It is worth noting that 82% of the unplanned moves involved boys, and more analysis will be needed to understand whether there are particular factors which need to be addressed to improve performance in this area.
10. There were 29 unplanned placement changes. The main reason for unplanned changes was due to the disruptive behaviour of the child. Child behaviour issues may mask underlying issues relating to placement matching inadequate care; carer not equipped or supported to manage the changing needs of a child (for example, involvement in offending/gangs); inadequate provision of support services (CAMHS, social work, educational support). Further audits of cases are planned in order to better understand why placements have disruption. These cases are more likely to have had many placement moves (52% 5+) and more likely to be older. 82% were boys.
11. The case studies in Appendix 1 give examples of the different reasons for placement change. It should be noted that a good performance in adoption and permanence can have a negative impact on performance in long-term stability, as this would include children who were likely to be in more stable placements.



12. Previous studies have shown that no one action can have an impact on performance. However four key factors taken together can improve outcomes in this area. They are:
- Effective diversion from care and early intervention
  - Strong tracking and case planning to avoid drift and achieve permanence
  - Increased placement choice
  - Increased multi-agency and multi-disciplinary support to placements
13. Southwark has already put in place a range of services and interventions to address these key areas. The new strategy to reduce the need for children to enter care was endorsed by Members at the previous committee. Although this is a whole system approach, key services such as the development of Family Group Conferences, which draw on the support of the extended family, have enabled children to remain at home safely.
14. Southwark has strong and effective systems for care planning which are overseen by Independent Reviewing Officers (IROs). Members are familiar with the work of the IROs through their annual report which was presented to an earlier committee. The IROs are independent of the line management of a child's social worker and are empowered to ensure that there are clear plans in place for each child. They monitor these plans to make sure and they are completed within timescales which meet the child's needs.
15. Southwark has good fostering and adoption services which provide a range of placement choices for children in care. For children with more complex needs, the service is able to commission more specialist placements from private and voluntary sector providers. Ironically, our success at adopting more children from care will have had an adverse impact on our performance, as a more stable cohort of children will have moved out of care. Our adoption performance remains stronger than ever, and is evidence of effective permanence planning.
16. The children looked after service provides multi-agency support to children in care, and has helped to maintain placement stability. Services include: Carelink, which provides a flexible mental health service for children, and advice for foster carers; and additional education support and advice.
17. Although a range of services have been put in place to improve the long-term stability of children in care, progress against the indicator will continue to be monitored by the long-term stability working group which is chaired by the Assistant Director, Specialist Children's Services. Work is already underway to identify children and young people who will fall within the cohort next year, and plans will be put in place to minimise placement change.

### **Policy implications**

18. Work on this indicator is in line with the objectives for children looked after set out in the Children and Young People's Plan, and recommendations arising from Southwark's Joint Area Review.

**RESOURCE IMPLICATIONS**

19. There are no additional resource implications arising from this report.

**Finance Director**

20. There are no financial implications.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
None		

**AUDIT TRAIL**

<b>Lead Officer</b>	Rory Patterson, Assistant Director Children's Specialist Services and Safeguarding	
<b>Report Author</b>	As above.	
<b>Version</b>	Final	
<b>Dated</b>	12.6.2009	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director for Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
List other officers here		
<b>Executive Member</b>	Yes	Yes
<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>		16 June 2009

## **APPENDIX A**

### **Stability Examples for children who have been looked after for more than 2.5 years and NOT in the same placement for 2 years.**

Every case is different. A lot of detail is not needed to understand particular reasons in some cases.

#### **Unavoidable change**

CB. 8 year old boy, foster carer died. Has been looked after for 3 years. Placement changed due to death of foster carer.

#### **Planned change**

EB. 12 year old white and black African boy. Became a looked after child in June 2005. Mental health issues of mother leading to hospitalisation and unpredictable behaviour. EB experienced neglect in his mother's care when she was unwell and her illness placed him at risk of physical harm. He was 8 years old when he became looked after. Care proceedings started July 2005 and concluded with a full care order in July 2006. He was placed with his maternal grandmother who was assessed as a Southwark carer. The care plan was to discharge the care order should mother show stability in her mental health over a continuing period. This was achieved and he was rehabilitated to his mother's care in April 2008. Court proceedings to discharge the care orders commence on 5<sup>th</sup> June 2009 (date for first hearing).

#### **Unplanned change**

CB a 15 year old Black Caribbean boy. Became a looked after child in July 2006 at the age of 12 years. Drug misusing parents. Experienced chronic neglect and emotional harm. He was left caring for his siblings and brought them into care himself. Subject to care proceedings from July 2007 until December 2007. This was relatively short as the issues were clear and harm severe.

His first placement lasted 5 months. He was placed in an emergency as he was subject to an emergency protection order. His behaviour was difficult and emotionally challenging for the foster carer but as an emergency placement it would not necessarily fit with his needs which social workers were only beginning to understand. The second placement lasted 18 months. The same difficulties emerged but the foster carer was well supported. The child's father was extremely undermining of the placement and his behaviour was exacerbated by this which led to the breakdown. The behaviour was rudeness and defiance to carer, difficulties with boundaries, minor offending and at rivalry with other children in placement presenting chronic behaviour management problems. He received therapeutic support from Carelink but carried a great emotional conflict between his birth family and foster family, compounded by guilt around his siblings' care. Carelink also supported his foster carer with specialist advice and support and advised the professional network. His next placement lasted 4 months. Similar emotional difficulties. CB complained about things he didn't like in the placement despite many positives, he made it very clear he wanted to live with his father. The carer felt unable to continue despite support. He has been in his current placement for 9 months since September 2009. Issues remain as child wishes to live with his father and given child's age and some change in circumstances of the father, this is being actively considered currently.

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> June 25 2009	<b>Meeting Name:</b> Corporate Parenting Committee
<b>Report title:</b>		Implications of Laming's Report and the new CAA inspection framework for Children's Services	
<b>Ward(s) or groups affected:</b>			
<b>From:</b>		Assistant Director Children's Specialist Services	

### RECOMMENDATION(S)

1. That the report be noted and comments be raised at the meeting.
2. The Committee is invited to consider the strategic implications for the Corporate Parenting Committee and most notably those relating the Information Sharing System (ICS) and the new Looked After Children (LAC) inspection regime.

### BACKGROUND INFORMATION

3. This report provides an update on the recent changes and developments to the inspection framework for Children's Services and the Government's response to Lord Laming's report.
4. In November 2008, Lord Laming was asked by the Secretary of State for Children, Schools and Families to report on the progress of implementing effective arrangements for safeguarding children, following the death of Baby P. His report, published in March 2009, extensively criticised the way in which safeguarding is addressed and practiced and made 58 recommendations to bring about changes in protecting children from harm.
5. The Government's detailed response and action plan to Lord Laming's report was published on 6 May 2009, in which all 58 recommendations were accepted. The measures detailed in the action plan work towards implementing these recommendations. Implications and key issues are detailed in section A.
6. Following this, and as part of the new area and organisational assessment arrangements for the CAA assessments, Ofsted has issued a series of guidance documents, which provide a framework for how services for children are to be inspected and assessed (see section B). These replace the Joint Area Review. In addition to regular and ongoing inspections of services, settings and institutions, there are also to be new inspections of safeguarding and looked after children; unannounced inspections of contact, assessment and referral arrangements for children in need and children who may be in need of protection, and evaluations of serious case reviews. Along with performance against Every Child Matters indicators from the NIS and findings from triggered inspections, these will feed into a new Ofsted performance profile of the quality of services and outcomes for

children and young people in each local area. This will inform the annual rating, which is to be published each November as part of the CAA organisational assessment.

## **KEY ISSUES FOR CONSIDERATION**

### **Section A: Government's Response to Lord Laming – Action Plan**

7. In relation to the Government's Action Plan response to Lord Laming's report (see section A), at this stage, it is important to remain aware of the changes and policy implications that are forthcoming, though not in place yet. Anticipating and working towards these changes will enable us to meet them more readily when they form requirements.
8. There will be a number of significant local implications that result from the revised *Working Together* statutory guidance at the end of the year. These will affect all children's services partners in multi-agency service delivery, planning and training. There will be particular implications relating to referrals, assessments and joint working for all partners, which for the most part, are to be overseen by the Children's Trust. It will also particularly result in changes in the operation of Local Safeguarding Children's Boards, Serious Case Reviews and Children's Trusts.
9. The establishment of the National Safeguarding Delivery Unit (NSDU) in July will also result in local actions, particularly around the statutory training of frontline and interagency staff and SCR panel chairs and authors. The NSDU may also provide scope for opportunities in its role to promote dynamic learning and good practice development; the publication of the NSDU's work programme in September will provide clarification on this.
10. A comprehensive Social Work Reform programme to be confirmed in the autumn, will further build on the immediate actions that have been announced in relation to social work (see paragraph 23). These will have significant implications on the recruitment and training of social workers. A review of the Code of Practice and resulting legislative changes will also provide operational implications.
11. Nationally, there may be an emphasis on increasing the number of children taken into care in line with outcomes in the national report around thresholds. This may not impact on Southwark as starkly due to a relatively stable number of children entering care and higher than average numbers in other boroughs.

### **B. Inspection of Children's Services as part of CAA arrangements**

12. The new inspection process is designed to inspect the 'everyday business' of Children's Services. In other words, this will require Children's Services to ensure that they are continuously prepared and able to respond to an inspection, particularly in relation to the unannounced and short notice inspections. There will therefore be implications on the way in which Children's Services business is conducted, as well as implications for work with partners.

## Policy implications

### A. The Protection of Children in England: Action Plan – The Government's Response to Lord Laming

13. In March 2009, Lord Laming published his report on the progress of implementing effective arrangements for safeguarding children, following the death of Baby P. His report extensively criticised the way in which safeguarding is addressed and practiced and made 58 recommendations to bring about changes in protecting children from harm. The Government's detailed response and action plan to Lord Laming's report was published on 6 May 2009, in which all 58 recommendations were accepted.
14. The action plan responds to each of the 58 recommendations in turn, drawing on existing guidance and putting forward new initiatives. Existing guidance such as *Working Together to Safeguard Children* and the *Children's Plan* and initiatives such as the Social Work Task Force are to be strengthened and developed in line with the recommendations. In addition, a range of new initiatives are put forward. These changes are set against a timetable and plan for implementation. There will be no upcoming major legislative changes; many of the actions will be delivered through revised statutory guidance. A summary of the changes which will have an impact on the work of Children's Services and partners are provided below. A timetable of the upcoming changes is detailed at paragraph 29.
15. **National Safeguarding Delivery Unit (NSDU):** A new cross-government National Safeguarding Delivery Unit will be established. The role of the NSDU is to provide support and challenge to local authorities, promote dynamic learning and good practice development, including through sector-led approaches, and act as a bridge between national policy development and local implementation. The Unit will also support the development of explicit strategic priorities, and related national targets, where appropriate, for the protection of children and young people for frontline services.
  - The NSDU will be operational by 1 July 2009 and their work programme will be published by Sept 2009
  - The NSDU will deliver training for frontline and interagency staff, as well as for all serious case review panel chairs and authors (the latter will be an early priority for the NSDU).
  - They will also develop urgent guidance on referral and assessment systems for children affected by domestic violence, adult mental health problems, and drugs and alcohol misuse.
16. **Changes to Assessment and Inspection:** There will be statutory targets on safeguarding. The set of statutory targets are to be amended through the Apprenticeships, Skills, Children and Learning Bill, currently before parliament to include a number of safeguarding targets within the revised list of indicators. The precise number of statutory targets will be decided in the light of further discussion with partners, by autumn 2009 and implemented as soon as possible thereafter. There is also to be a new schools inspection framework, to strengthen the focus on safeguarding (see paragraph 25 below).
17. A 3-year Ofsted-led rolling programme of safeguarding inspections commences in June 2009, under the Comprehensive Area Assessment arrangements. These inspections also include assessment of the arrangements for care of looked after

children – a particularly vulnerable group often linked to safeguarding concerns. Further details on the Ofsted inspection programme is outlined below.

18. **Local Safeguarding Children's Boards (LSCB):** Changes relating to LSCBs will be reflected through revised regulations and the revised *Working Together* statutory guidance. These include:
- Ensuring that Children's Trusts and LSCBs are not chaired by the same person<sup>1</sup>
  - The chair of the LSCB is to be selected with the agreement of multi-agency partners, and have access to training to support them in this role
  - Membership should cover senior decision makers from all safeguarding partners – to attend regularly and be fully involved in decision-making
  - Should report to Children's Trust board<sup>2</sup>
  - LSCBs will need to have statutory representation from schools, adult mental health and adult drugs and alcohol services
  - LSCBs should publish an annual report to the CT board on the effectiveness of safeguarding in the local area<sup>†</sup>
  - LSCBs need to ensure SCR panel chairs and overview authors are independent of the LSCB and all services involved in the case (see below)
  - An interim report responding to Loughborough University's research on LSCBs will be published in June 2009, and practice guidance, developed in light of findings, will be issued by October 2009
19. **Serious Case Reviews:** A revised Chapter 8 of the *Working Together* guidance is to be published for consultation by July 2009, to progress many of the measures relating to SCRs at an early stage. These include:
- SCR panel chairs and overview authors are to be independent of the LSCB and all services involved in the case
  - SCR reports to include publicly available executive summaries, which accurately represent the full report, contain the action plan in full, and include the names of the SCR panel members.
  - Ofsted are convening a partners' discussion in May about revising the SCR framework; this will be developed and consulted alongside the revised Chapter 8, in July 2009.
  - Revisions to the Chapter 8 guidance and the SCR framework are also to reflect the formal purpose of lesson-learning, improving multi-agency working, and ensuring panel chairs are able to access all relevant documents and staff during the reviews.

In addition:

- All SCR panel chairs and authors must complete a DCSF training programme (this will be delivered by the NSDU)
- SCRs will not be fully published; however, executive summaries of SCRs will be shared by Ofsted with ACPO, PCTs and SHAs to promote learning (via

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<sup>1</sup> These requirements will be reflected in the revised statutory guidance *Working Together to Safeguard Children*, to be published by the end of the year.

<sup>2</sup> These requirements have been incorporated into amendments to the Apprenticeship, Skills Children and Learning Bill, currently before Parliament, and will be reflected in the revised *Working Together* guidance.

website link). Copies of SCRs will be shared in confidence with partner inspectorates.

- Ofsted will produce 6monthly reports on lesson of SCRs; this will be from 2009

20. **Children's Trusts:** Many of the actions relating to Children's Trust will be covered in the revised *Working Together* guidance, and delivered through the work of the NSDU. Children's Trusts must ensure the following:

- all referrals to children's services from other professionals lead to an initial assessment, including direct involvement with the child or young person and their family, and the direct engagement with, and feedback to, the referring professional;
- core group meetings, reviews and casework decisions include all the professionals involved with the child, particularly police, health, youth services and education colleagues. Records must be kept which must include the written views of those who cannot make such meetings;
- formal procedures are in place for managing a conflict of opinion between professionals from different services over the safety of a child
- All staff working with children receives initial training and continuing professional development to understand normal child development and potential signs of abuse/neglect.
- To have sufficient multiagency training in place to create a shared language and understanding of local referral procedures, assessment, information sharing and decision making across all service areas who work to protect children etc. A named child protection lead in each setting should receive this training.
- To ensure a named, and preferably co-located, representative from the police service, community paediatric specialist and health visitor are to be active partners within each children's services social work department
- To ensure that partners consistently apply the Information Sharing Guidance
- The needs assessment that informs their Children and Young People's Plan regularly reviews the needs of all children and young people in their area, paying particular attention to the general need of children and those in need of protection. This work is to be supported by the NSDU, who will develop exemplars of needs analyses.
- Children's Trusts are expected to make sure that the Government's Information Guidance is applied consistently by all partners and that all organisations have appropriate governance frameworks to enable this

21. **Budgetary issues:** In relation to Lord Laming's recommendation that children's services have protected budgets for the staffing and training for child protection services, the Government's response was as follows:

"Children's Trusts will prepare their annual assessments of need on which the financial contributions made by local partners to jointly-funded safeguarding initiatives will be based, taking account of other local priorities. These will be set out each year in the Children and Young People's Plan. Government Offices will challenge the quality of local needs analysis, the alignment of that analysis with local children and young people plan priorities and the adequacy of what is then commissioned in respect of support for all children, children 'in need' and those in need of protection. The NSDU, as one of its early priorities will explore the scope for disseminating comparative information on the pattern of local spend on children's services."



In relation to the recommendation on the adequacy of Children Trust's funding on children's services – under the new arrangements for statutory targets on safeguarding, the Government will closely monitor the trend in outcomes through indicators and targets and the quality of services through Ofsted's new inspection arrangements.

22. **Social Work:** Several immediate actions have been taken to address the recruitment and supply challenges in the workforce, and these will be further developed in the autumn, alongside wider social work reforms, including those relating to social work education, and a 'newly qualified social worker' support package, which will include induction and protected time for supervision and training. The Social Work Transformation fund will be used to deliver these measures.
23. Other recommendations relating to social work will be explored by the Social Work Task Force, who will put forward proposals. A comprehensive Social Work Reform programme is to be set out in autumn 2009 (October). A revised Code of Practice for Social Work, which will be distinct from wider social care, developed in conjunction with the General Social Care Council (to be in place by October 2009). The DCSF and DH will support GSCC in reviewing the Code of Practice for Employers and will seek to legislate appropriately at the earliest opportunity.
24. **Integrated Children's System (ICS):** The Government will work with local authorities to reform the ICS and to reflect the Social Work Task Force's advice that there should be locally-owned, locally-led systems on the basis of a greatly simplified set of national requirements. The Government's approach will be to remove unnecessary and prescriptive national requirements from the ICS, while providing more effective support to local authorities and professionals in commissioning and developing high quality local systems.

Immediate action will be taken on the following:

- national requirements in relation to the ICS will be freed up. Local authorities and suppliers, in discussion with professionals, will be authorised to remove or revise forms and exemplars in local ICS systems, with more flexibility to use professional judgement in deciding how statutory requirements will be complied with;
- local authorities will be supported in implementing Phase 1C of the ICS, and the deadline will be relaxed, to allow focus on fixing problems with local systems that are regarded as a priority; and
- improved support will be provided through carrying out a usability review of each ICS product, providing procurement support and issuing guidance on how the ICS can be used to support practice.

In addition, over time, the ICS will be reformed to reflect the Social Work Task Force's forthcoming advice on professional roles, practice and support in social work.

25. **Director of Children's Services (DCS)/ Senior Management/ Lead Members:**
- Revised guidance on Lead Members and DCSs will be published in June 2009, which will include the requirement for all DCSs who do not have direct

experience or background in safeguarding and child protection must appoint a senior manager within their team with the necessary skills and experience.

- There is to be training on safeguarding and child protection and on effective leadership for all senior political leaders and managers across frontline services; these will be delivered by the Centre 4 Excellence Office's extended programme, through research briefings and national workshops by June 2009, and regional workshops in November 2009. Based on this programme, further training will be developed as appropriate.

In addition, the revised *Working Together* guidance will reflect the following:

- all points of referral where concerns about a child's safety are received to ensure they are sound in terms of the quality of risk assessments, decision making, onward referrals and multi-agency working are regularly reviewed by DCSs and other chief and senior service managers in partner organisations

26. **Schools:** Ofsted have designed the new school inspection framework which will apply from September 2009 so that it will have a stronger focus on safeguarding. The current inspection framework already includes a judgement about whether safeguarding arrangements are satisfactory but this will be strengthened in the new framework with a grading on a scale from 1(outstanding) to 4(inadequate) for a school's safeguarding arrangements. Any school which receives a grade of 4 will also be likely to be awarded an inadequate grade for its overall performance and will need therefore to make urgent improvements.

## 28. Timetable of forthcoming changes

Date	Action
June 2009	3-year Ofsted-led rolling programme of safeguarding inspections commences, under the CAA arrangements.
	Revised guidance on Lead Members and DCSs published
	Interim report responding to Loughborough University's research on LSCBs, and practice guidance, developed in light of findings, will be issued by October 2009
July 2009	NSDU operational by 1 July 2009
	Consultation on revised Chapter 8 of the <i>Working Together</i> guidance
	Ofsted consultation on revising the SCR framework
September 2009	Ofsted's new school inspection framework to come into effect
	NSDU work programme published
October 2009	Revised Code of Practice for Social Work published
	Practice guidance on LSCBs issued (developed in light of research findings from Loughborough University)

Date	Action
Autumn 2009 (October)	New set of national safeguarding indicators introduced
	Social Work Reform programme announced
End of year	Revised statutory guidance <i>Working Together to Safeguard Children</i> published

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## B. Inspection of Children's Services as part of CAA arrangements

29. Inspections of children's services will be led by Ofsted as part of the new inspection approach in place from June 2009. These replace the Joint Area Review and contribute to the joint area and organisational assessment arrangements for the Comprehensive Area Assessments (CAA).
30. Ofsted will provide **a new annual rating for the performance of children's services**, which will form a significant contribution to the managing performance theme of each council's CAA organisational assessment, therefore also to each council's overall score. The assessments are to highlight strengths and weaknesses across the five Every Child Matters outcomes, identifying scope for service improvement.
31. The annual rating will be based on findings from Ofsted's inspection and regulation of the services for which the council is strategically or operationally responsible – including safeguarding services. Less emphasis will be placed on other performance data. In addition, a new Ofsted performance profile of the quality of services and outcomes for children and young people in each local area will inform the annual rating, which is to be published each November as part of the CAA organisational assessment.
32. **Performance Profiles** will be provided from June 2009, and will depict the quality of services and outcomes for children and young people in each local area, drawing together relevant findings from across Ofsted's inspections and regulation of education, care and skills. This evidence will be set alongside the relevant ECM indicators from the new National Indicator Set (NIS). There are 3 blocks of evidence:
- the findings from regular and ongoing inspection and regulation of services, settings and institutions (Block A);
  - findings from safeguarding and looked after children inspections; unannounced inspections of contact, assessment and referral arrangements for children in need and children who may be in need of protection; evaluations of serious case reviews; safeguarding and looked after children findings from recent joint area review inspections ; and findings from triggered inspections (Block B);
  - performance against Every Child Matters indicators from the NIS (Block C).

Diagram 1 (below) illustrates how these different elements fit together.

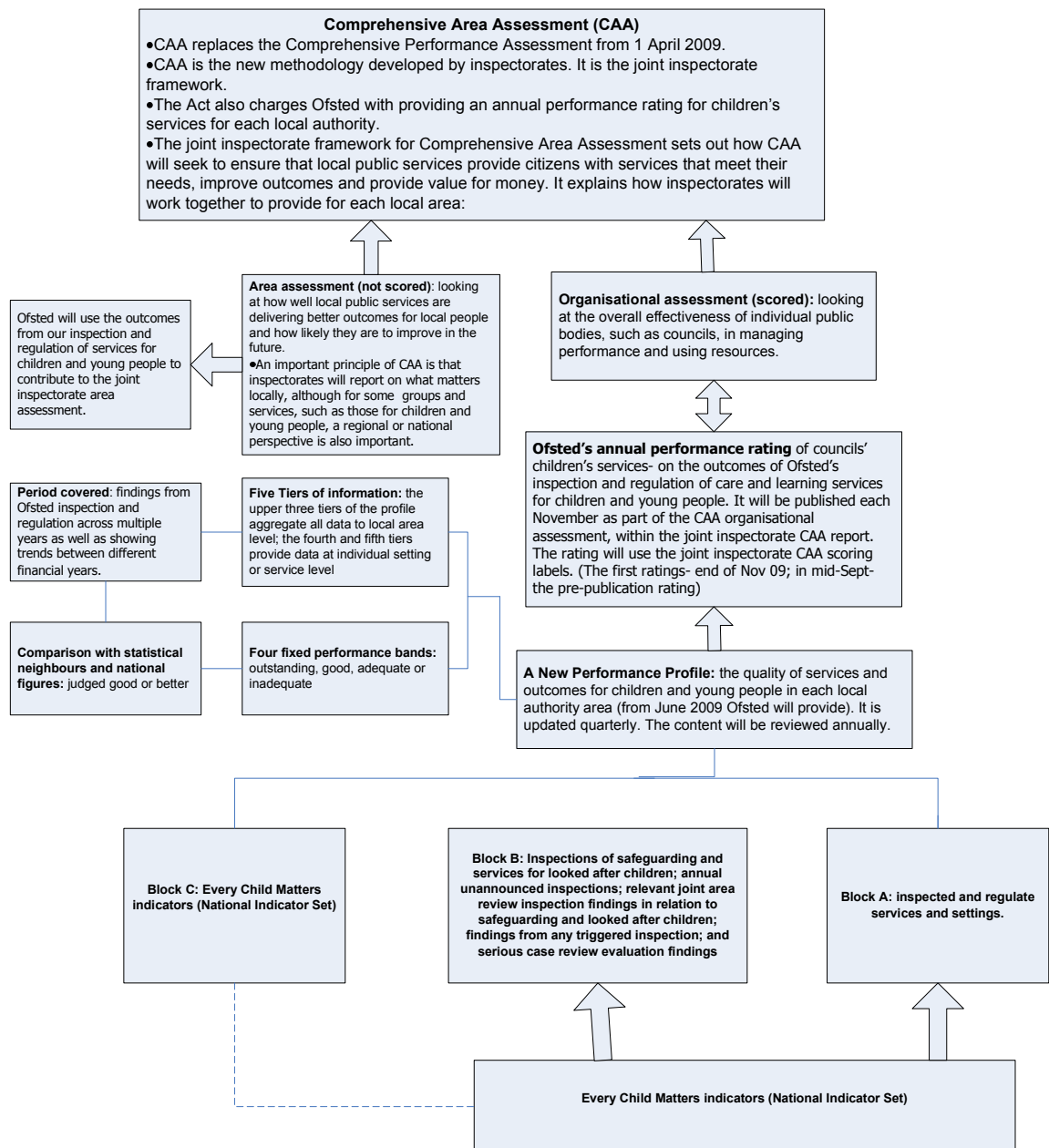


Diagram 1

33. **Block A - Inspected and Regulated Services and Settings:** The findings of inspection and regulation into the categories described in Appendix 1 will be grouped to under this section of the performance profile; incorporating details of the judgements made about the quality of services, settings and institutions inspected and regulated by Ofsted. Information provided in the profile will cover multiple years and show trends between different financial years, to provide a more comprehensive view of the quality of services and settings and highlight improvement etc.
34. Four fixed performance bands will be used to summarise the performance of services, settings and institutions under Block A, applied to the proportions judged to be good or better over the period covered. Cut-off points for the bands will be

derived from comparative national analyses and will be reviewed annually to ensure they are achievable but continue to drive improvement. Comparisons with statistical neighbours will also be included in the performance profiles.

35. **Block B findings:** These will cover new inspections of safeguarding and services for Looked After Children (LAC); new unannounced inspections; relevant previous joint area review inspection findings in relation to safeguarding and looked after children; findings from any triggered inspection; and serious case review evaluation findings. It is expected that in 2009, these inspections will have taken place in a relatively small number of local authorities; as a result, for some authorities, the safeguarding and looked after children grades awarded in joint area review inspections after 1 April 2007 will also be used in the 2009 performance profile<sup>3</sup>. Although they will not be included in the profile, any substantiated complaints received by Ofsted, including through whistle blowing, will also be considered alongside this block of evidence in determining the rating. Where there are no issues of confidentiality, councils will have been advised of these complaints. Diagram 2 (below) demonstrates the range of Block B.
36. The new **triennial Safeguarding and Looked After Children (LAC) inspections** will be outcome and impact-focused, i.e. evidence will be sought on how local services have a positive and protective benefit on children's lives. These inspections will be led by OFSTED, with other inspectorates contributing, and will include user and stakeholder views – looking at recent surveys and where possible undertaking surveys and meeting with service users and partners. They will also draw on data and information from unannounced inspections of contact, referral and assessment (see paragraph 37). These inspections will take place at least once every 3 years from 1 June 2009 but may be triggered by other events from unannounced inspections, school inspections, other inspections or evaluations of Serious Case reviews, etc. Appendix 2 includes further information about the scope of these inspections.
37. **Unannounced inspections of contact, referral and assessment:** have two elements which will look at practice in relation to contact, assessment and referral processes for children in need and children who may be in need of protection; and how well practice supports the effective management of risk and minimises the incidence of child abuse and neglect. There will be one inspection in any 12-month period; notification of the inspection will be on the same day. The inspections will be scheduled on the basis of findings from other inspections and regulatory work, e.g. evaluations from serious case reviews, or evidence from other sources, e.g. annual questionnaires of users and stakeholders and the new Ofsted whistleblower hotline. If the unannounced inspection raises serious concern, follow-up inspections may be triggered, including a full safeguarding inspection either undertaken separately or combined with an inspection of services for looked after children. Inspection activity will focus on scrutinising case files, to assess the quality of practice and actions taken to ensure good or better outcomes for children and their families and evidence as to how well initial assessment informs case planning will also be considered. Findings about partners' contributions and the quality of multi-agency prevention and support for safeguarding children and young people, including the impact of the Local Safeguarding Children Board and Children's Trust Board, will also be reported on, but the main focus will remain on local authority services.

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<sup>3</sup> Where the full inspection of safeguarding and looked after children has not taken place but the analysis week of the joint area review took place after 1 April 2007.

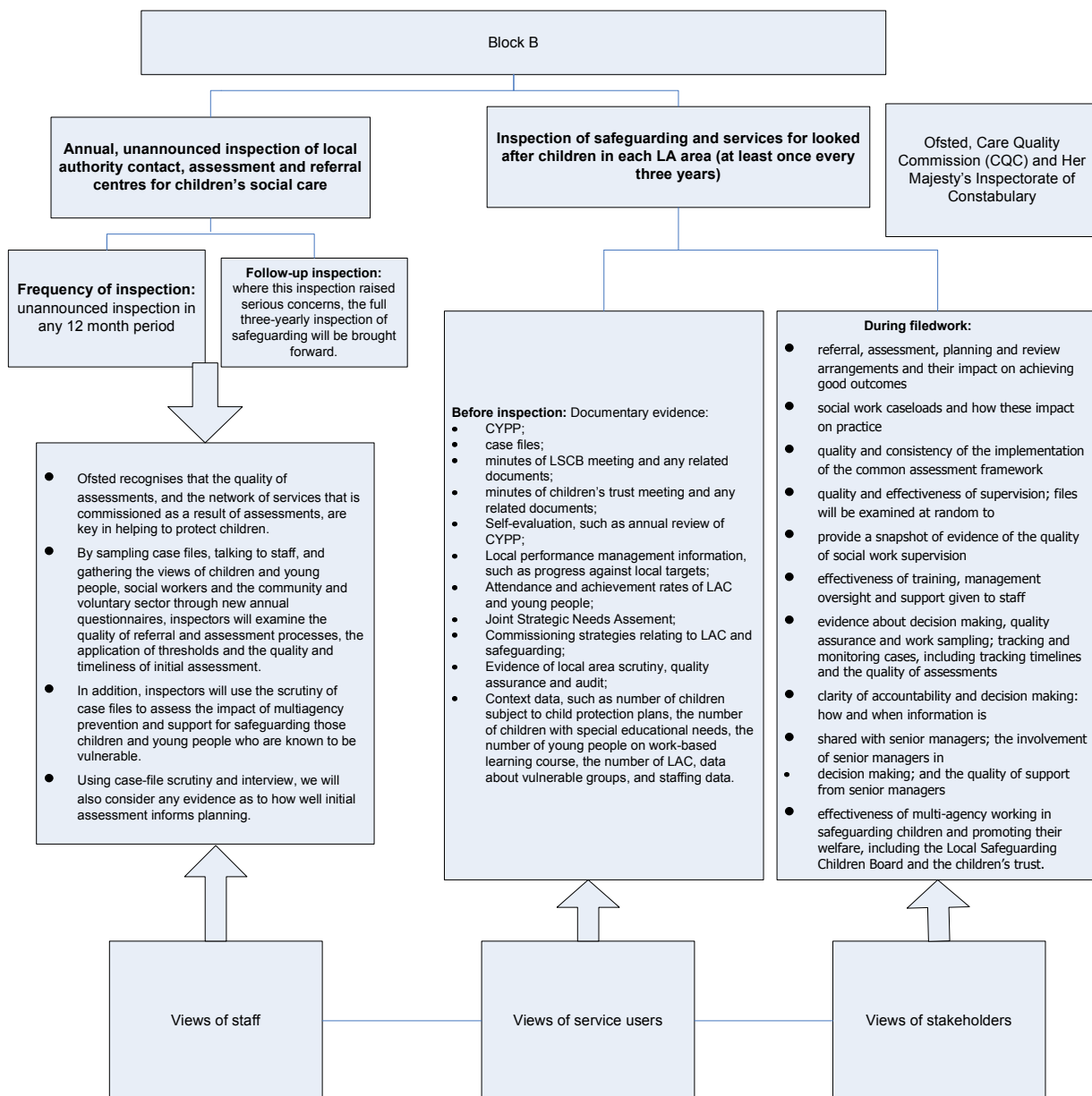


Diagram 2

**Community Impact Statement**

19. This report has been judged to have no or a very small impact on local people and communities.

**Resource implications**

23. There are no budgetary or resource implications from this report.

**Consultation**

28. Not applicable.

**Legal/Financial Implications**

30. There are no legal or financial implications.

### BACKGROUND DOCUMENTS

Background Papers	Accessible At
Government's Action Plan and response to Lord Laming's report	<a href="http://publications.dcsf.gov.uk/eOrderingDownload/DCSF-Laming.pdf">http://publications.dcsf.gov.uk/eOrderingDownload/DCSF-Laming.pdf</a>
Lord Laming's Progress Report (March 2009)	<a href="http://publications.everychildmatters.gov.uk/eOrderingDownload/HC-330.pdf">http://publications.everychildmatters.gov.uk/eOrderingDownload/HC-330.pdf</a>
Ofsted inspection frameworks	<a href="http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Local-services/How-we-inspect">http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Local-services/How-we-inspect</a>

### APPENDICES

No.	Title
Appendix 1	List of inspected services, settings and institutions included in the performance profile (Block A)
Appendix 2	Scope of inspections - Tiers of information included in the performance profile

### AUDIT TRAIL

<b>Lead Officer</b>	Rory Patterson Assistant Director Children's Specialist Services	
<b>Report Author</b>	Tasneem Mueen-Iqbal	
<b>Version</b>	Final version	
<b>Dated</b>	15 June 2009	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director for Communities, Law & Governance	No	No
Finance Director	No	No
List other officers here		
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>	June 16 2009	

## Appendix 1 - List of Inspected services, settings and institutions included in the performance profile (Block A)

The following will be judged in relation to the proportion of services, settings and institutions judged good or better

### Overall effectiveness judgements:

#### Early Years

- Childminders
- Childcare on domestic premises
- Childcare on non-domestic premises

#### Schools

- Nursery
- Primary
- Secondary (including city technology colleges and academies)
- Sixth-form school (secondary, special, pupil referral unit)
- Special school
- Pupil referral unit

#### Post-16 education

- General further education college and tertiary college (includes further education delivered by higher education institutions)
- Sixth-form college
- Independent specialist college

#### Social care

- Children's home
- Local authority fostering agency
- Local authority adoption agency
- Private fostering arrangements
- Residential family centre
- Boarding school
- Residential special school

### For judgements on the 5 Every Child Matters Outcomes:

#### Early Years

- Childminders
- Childcare on domestic premises
- Childcare on non domestic premises

#### Schools

- Nursery
- Primary
- Secondary (including city technology colleges and academies)
- Sixth-form school (secondary, special, pupil referral unit)
- Special
- Pupil referral unit

#### Post-16 education

- General further education college and tertiary colleges

- (includes further education delivered by higher education institutions)
- Sixth-form college
- Independent specialist college

#### Social care

- Children's home
- Local authority fostering agency
- Local authority adoption agency
- Residential family centre
- Boarding school
- Residential special school



## Appendix 2 – Scope of inspections

### Tiers of information included in the performance profile

Tier	Local authority or provider level data	Block A: Inspected services	Block B: Looked after children and safeguarding, joint area reviews and serious case reviews	Block C: Every Child Matters outcomes (NIS)
1 – Summary profile	Local authority level	Overall effectiveness grades for full period, based on latest grade for each provider (see Annex B for periods)	Inspection outcomes: <ul style="list-style-type: none"> <li>■ annual assessment and referral visits</li> <li>■ looked after children and safeguarding</li> <li>■ joint area reviews</li> <li>■ outcomes from evaluations of serious case reviews</li> </ul>	Summary of the NIS indicators relating to children’s services, grouped under Every Child Matters outcomes
2 – Latest data for the local area	Local authority level	Overall effectiveness and Every Child Matters grades for full period, based on latest grade for each provider (see Annex B for periods)	n/a	NIS data for the most recent period available to Ofsted By September this will be 2008–09 data where possible (see Annex A for list of NIS)
3 – Historical data for the local area	Local authority level	Overall effectiveness and Every Child Matters grades for the individual financial years within the full period (see Annex B for periods). Some providers may be included more than once if inspected more than once in the period	n/a	NIS data for each year or period individually Additional indicators displayed for context under NIS indicators (see Annex A for list of NIS and additional indicators)
4 – Provider, setting or service level data	A list of each provider, setting or service inspected in the area, with the relevant grade	Overall effectiveness and Every Child Matters grades for the full period (see Annex B for periods) Some providers may be included more than once if inspected more than once	n/a	NIS attainment measures at school level – details to be confirmed

		within the period		
5 – Individual inspection reports	Provider, setting or service	Link to published reports for each provider	n/a	n/a

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 25 June 2009	<b>Meeting Name:</b> Corporate Parenting Committee
<b>Report title:</b>		Looked After Children and Youth Offending Services	
<b>Ward(s) or groups affected:</b>			
<b>From:</b>		Assistant Director Children's Specialist Services	

## RECOMMENDATION(S)

1. Corporate Parenting Committee notes the new Youth Offending Service Protocol issued in November 2008.
2. Corporate Parenting Committee notes the steps taken to improve preventative and support strategies for children involved in offending behaviour.

## BACKGROUND INFORMATION

3. The Youth Justice Board Inspection of the Youth Offending Services in February 2008 and JAR Inspection in April 2008 both recommended that there needed to be improved joint working arrangements between the Children Looked After and Youth Offending Services.
4. There are currently 533 children in care in the London Borough of Southwark. Of these 5 are in care as a result of significant/severe offending behaviour which resulted in criminal courts remanding them into care for extended periods of time and it was subsequently agreed it would be unsafe for them to return home (or their parents are not willing to have them home because of the nature of the offences).
5. It should be noted that the courts regularly remand children into care for a few days whilst court reports are provided to assist the court in determining the most appropriate sentence. In such cases assessment processes are undertaken by the Assessment and Safeguarding Service and Youth Offending Service jointly.
6. Each year Southwark provides performance information relating to the offending patterns of looked after children who have been in care for over a year. Southwark's current performance (September 2008) shows Southwark is performing well. 14 of the 304 looked after children who have been in care for over a year had been convicted or subject to a final warning. This equates to 5% which is a drop of the 7% recorded in 2005, 2006 & 2007.

## KEY ISSUES FOR CONSIDERATION

7. Following detailed discussions between the Youth Offending Service, Children Looked After and Assessment and Safeguarding Service a revised youth offending protocol was developed implemented from November 2008.
8. This was launched at a Management Conference for Children's Specialist Services on the 4<sup>th</sup> December and through respective service meetings held in

January 2009.

9. The Protocol (Appendix 1) outlines the following strategies for Southwark's children namely:
  - Youth crime prevention
  - Work with children 8-13 years
  - Young people aged 14-17 years at risk of offending or anti social behaviour
  - Pre court services for young offenders aged 10 -17
  - Young people appearing in court and made subject to court ordered interventions
  - joint procedures relating to young offenders sentence to custody
10. The services provided to looked after children have been integrated throughout the document thereby enabling CLA social workers to understand how the whole youth offending service operates and where different services might apply.
11. The Youth Offending Services provide reports for looked after children appearing in court. Wherever possible Youth Offending Services staff will also attend court for looked after children placed outside the borough to ensure continuity and close communication with children looked after services. If, due to distance, this is not possible, Southwark's Youth Offending Services will liaise with the local Youth Offending Services to ensure full information is exchanged and agreements are reached concerning recommendations made to the court.
12. The CLA service works partnership with Southwark's Youth Offending Service to avoid custodial sentences whenever possible. Research has shown that custody rarely improves outcomes for children and in the case of children in care can result in a placement disruption with its ultimate impact on education and support networks.
13. Southwark's Youth Offending Services has a well established risk management panel attended by all services involved with young people. This panel identifies the most prolific young offenders in Southwark or those presenting the most concern. The CLA service is fully represented on the panel to ensure an integrated approach where a looked after child might reach the panel's threshold. This enables additional resources to be targeted in a coordinated way for certain looked after children to break the cycle of offending behaviour and to assist their re-engagement with core services.
14. The Heads of the Youth Offending Service and Adolescent and Aftercare Service are meeting with the Police in June to identify a specific strategy around information sharing concerning children in care. This is particularly important given that 60% of Southwark's Looked After Children are placed outside of Southwark's boundaries therefore requiring effective information sharing protocols.
15. The joint initiative will also be focusing on how Police, Youth Offending Service and Looked After Services can work more effectively together to promote the stability of young people in care who are members of gangs. This particular area has been of particular concern for both the Youth Offending Service and Looked After Service as children in care are amongst the most vulnerable people in the community to the allure of gang culture and manipulative adults.
16. The process of case hand over and joint working have been reviewed and significantly improved since the YJB/JAR Inspection process. The revised

protocol clearly outlines the lead responsibilities for the assessment and safeguarding service to comprehensively assess the personal family circumstances of all young people remanded into local authority care. Assessment and Safeguarding Services can work with the Youth Offending Service to develop effective family support and community interventions to avoid the need for custody or the repetition of offending behaviour. This ensures that activities of the Youth Offending Services are appropriately channeled whilst addressing any child protection issues. This agreed joint allocation process also ensures that the required early activities (first 6 weeks) of statutory care planning are undertaken to avoid drift should the child have to remain in care for a longer period.

17. Additional training provided for the Youth Offending Service Administration Team has enabled direct inputting of all remands into care onto Carefirst. This enables the Looked After Service, Quality Assurance Unit and Assessment and Safeguarding Service to become immediately aware of a new care episode (remanded into care) and trigger appropriate assessment and looked child statutory activities. This enables Children's Specialist Services to provide Management reports relating to the numbers of children remanded into local authority accommodation, delivery of core assessments and outcomes.
18. During the last eighteen months a health and safety meeting has been established between the Adolescent and Aftercare Service and the Youth Offending Service located at Bradenham. This joint group chaired by Head of Service Children Looked After has delivered joint plans concerning risk assessments, working with difficult and challenging behaviour, reception management, shared resources and revision of all risk assessments relating to outside activities.
19. During 2008/9 agreement was reached that the Head of Operations (YOS) and the Service Manager (Adolescent and Aftercare Service) would liaise immediately should there be any specific issue concerning a named child where there were concerns.
20. There may be occasions whereby a child already in care commits an offence and receives a custodial sentence. Government guidance has provided clarification that children subject to a full care order will remain the responsibility of the local authority during the sentence and would need to be subject to statutory reviews and pathway planning and ongoing support. The guidance also confirmed that children who are subject to S20 (voluntary accommodation) at the point of sentencing would not remain in care during the period of sentencing. Southwark has decided if a child has been in care under Section 20 beyond the second review and is receiving services from the Adolescent and Aftercare Services, that child will be deemed as remaining in care during the period of their sentence.
21. Both groups of children require the support of the CLA Service at the point of discharge from the Youth Offending Institution. Working in partnership with the Youth Offending Services, a discharge training plan is developed prior to discharge and arrangements put in place for accommodation and support (including education, finance and supervision).
22. While there is not a causal link between the long-term stability of children in care and offending, there is no question that children who are in unstable placements are more at risk of falling in a pattern of criminal behaviour in later life. Considerable support is put into residential and fostering placements to prevent breakdown, including therapeutic support, and help with education, mentoring and

independent visitors.

23. All children looked after have regular reviews of their arrangements, and their care plan is updated regularly, this includes identifying measures, which can help young people stay out of trouble, including a referral to the Youth Offending Service for advice and support where warranted.

### **POLICY IMPLICATIONS**

24. There are no policy implications as this report relates to Children's Specialist Service providing services within the current legal framework.

### **COMMUNITY IMPACT STATEMENT**

25. Southwark CLA Service works to promote the 5 outcomes for children in care as outlined in every child matters. It is recognised that placement stability, engagement in education, access to additional activities, linked with health, lifestyles, all contribute to building resilience in young people to avoid offending behaviour.
26. The Youth Offending Service and Looked After Service recognise that offending is a significant concern for the community and is subject to intense scrutiny, especially around gang activity and knife crime. The Youth Offending Service has a range of specialist services and staff who provide targeted interventions for named looked after children as part of a Team around the Child (TAC) approach.

### **RESOURCE IMPLICATIONS**

- 27 Children Looked After and Youth Offending Services are statutory services which are core funded as well as being supported by a targeted central government grant. It is recognised that children remanded into Southwark's care possibly require a specialist placement as a result of serious offending. By their nature these are residential and costly.

### **CONSULTATION**

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director for Communities, Law & Governance**

28. There are no legal implications arising from this report.

#### **Finance Director**

29. There are no financial implications arising from this report.

#### **Human Resource Implications**

30. There are no staffing implications arising from this report.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
None		

**APPENDICES**

No.	Title
Appendix 1	Youth Offending Service/CLA Protocol
Appendix 2	2008/9 Remand into Care Carefirst Report

**AUDIT TRAIL**

<b>Lead Officer</b>	Rory Patterson, Assistant Director Children's Specialist Services & Safeguarding	
<b>Report Authors</b>	Chris Saunders, Head of Services for Children in Care Chris Domeney Youth Offending Services	
<b>Version</b>	Final	
<b>Dated</b>	15/6/09	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director For Communities, Law & Governance	Yes/No	Yes/No
Finance Director	Yes/No	Yes/No
List other officers here		
<b>Executive Member</b>	Yes/No	Yes/No
<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>	June 15 2009	

**APPENDIX 1**

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**A Protocol Between  
Southwark Children's Services  
Children's Specialist Services Division  
And  
Southwark Youth Offending Team**

**1. Introduction**

Southwark Youth Offending Team is a multi-disciplinary team, managed by an inter-agency management board, with the aim of preventing young people from becoming involved in crime. The local authority Children's services department is a key partner in this endeavour.

The establishment of the YOT by the local authority and its partner agencies is a key requirement of the 1998 Crime and Disorder Act. The services to be provided and/or co-ordinated by the YOT are outlined in S37 1998 CDA, and local arrangements are specified in the Southwark Youth Justice Plan.

The responsibilities of partner agencies within the Youth Justice system are set out in S17 1998 CDA, which places a duty on agencies to consider the impact upon youth crime prevention in the performance of their core functions. This reinforces the responsibilities placed upon local authority Children's services departments pursuant to Schedule II of the 1989 Children Act.

This protocol will not specifically address issues concerning information exchange, which is subsumed under a wider protocol between the local authority and its partners. The respective duties and responsibilities of the YOT and Children's Specialist Services concerning local Child Curfews, and Anti-social Behaviour orders are dealt with elsewhere and will not be specifically addressed in this document.

The following clarifies roles and responsibilities where the activities of the two services interface.

- ◆ Early intervention to prevent offending behaviour, and services to children in need.
- ◆ Children looked after and those young people involved in the Criminal Justice System who are eligible or relevant with respect to 16+ service provision pursuant to the Leaving Care Services Act.
- ◆ The provision of services to children under 10 years of age with respect to Child Safety orders.
- ◆ The provision services to young offenders sentenced to custody.

These activities relate, in broad scope, to the Crime and Disorder Act strategy priorities S06 and S07.



## 2. Youth crime prevention

2.1 Traditionally, Youth Justice services have been delivered to young offenders being prosecuted at court. The CDA 1998, however, clarifies the aim of the Youth Justice Service as being to prevent offending behaviour. This entails:

- ◆ Targeted intervention for young people at risk of involvement in criminal or anti-social behaviour, preferably at the pre-offending stage
- ◆ Early intervention before patterns of offending behaviour have become firmly established, i.e. schemes of diversion for young people receiving Reprimands/Final Warnings and, as of 2002, Referral order programme for young offenders pleading guilty at their first appearance in the Youth Court for offences not warranting custody
- ◆ Evidence-based interventions aimed at reducing the risk of re-offending for young people receiving Reparation orders, Community Penalties and custodial sentences.

2.2 The range of services provided or co-ordinated by the YOT with respect to Pre-offending intervention, Early intervention, and Confronting offending behaviour are outlined in the local annual Youth Justice Plan.

**2.3 The following discusses the roles and responsibilities of the YOT and the Children's Specialist Services, and how areas of interface should be managed in the context of S17 1998 CDA requirements.**

**2.3.1 This protocol seeks to improve key areas:**

- ◆ **Broaden the definition of agency roles and responsibilities with respect to young offenders and their families.**
- ◆ **Increase clarity as to the role and function of partner agencies in the youth justice arena, and improve the shared understanding of the requirements of S17 1998 CDA.**

**2.4 The involvement of one agency in a case does not preclude the legitimate involvement of another. The emphasis should be placed upon delivering a 'joined-up' service, rather than segmented interventions. This process will require clear Case Management, and the active involvement of operational and service managers to prevent young people being left unsupported, inter-agency conflict or, alternatively, wasteful duplication of efforts.**

**This protocol provides a framework for working effectively in partnership to prevent offending, reduce re-offending and to address significant risk factors associated with involvement in crime and other aspects of social exclusion.**

**2.5 The protocol is organized, in the interests of accessibility, into the following discrete areas, but clearly there is considerable overlap.**

- ◆ **Work with children under 10 years at risk of involvement in crime.**
  - ◆ **Young people aged 13 -17 years at risk of involvement in crime.**
  - ◆ **Pre-court services to young offenders aged 10-17 years.**
  - ◆ **Services to young offenders made the subject of court-ordered interventions, including custody.**
3. **Work with children 8 – 13 years**
- 3.1 **The age for criminal responsibility is 10 years and, therefore, younger children cannot commit offences. However, many children misbehave in ways that would constitute an offence if they were aged 10 years or over. Research indicates that the early onset of such behaviour is associated with future persistent and/or serious offending.**
- 3.2 **The Crime and Disorder Act 1998 introduced the Child Safety order to provide local authorities with the means to address effectively concerns relating to this age group.**
- 3.2.1 **A Child Safety order is available in the Family Proceedings Court upon application by the local authority, and the order is a Family Proceedings as defined by SVIII of the 1989 Children Act.**
- 3.2.2 **The criteria for application are:**
- i. **Behaviour which would constitute an offence if aged 10 years or more**
  - ii. **Evidence of being at risk of behaving in a way that would constitute an offence if aged 10 years or older**
  - iii. **Breach of a Local Child Curfew order**
  - iv. **Behaviour likely to cause alarm or distress to persons not living in the same household.**
- 3.2.3 **The local authority must demonstrate that:**
- a. **The grounds are met, and**
  - b. **That the imposition of an order is likely to be effective.**  
**This requires the specification of services to be provided.**
- 3.2.4 **The order must specify the Responsible Officer who may be either an employee of the Children’s Specialist Services department, or a member of the Youth Offending Team. The Youth Inclusion and Support Panel (see below) will determine the lead agency but application for a Child Safety Order must be made by Children’s Specialist Services with the necessary advice and guidance from Legal Services.**
- 3.3 **The order is of 12 weeks duration and may be accompanied by a Parenting order. A Parenting order requires the parent(s) to attend counselling/guidance sessions once per week for a maximum of 12 weeks. Additional requirements, such as ensuring their child attends school regularly may be imposed for up to a year.**

- 3.3.1** The YOT provides a range of services for parents that may be appropriate under these circumstances, and is experienced in the process of assessing the suitability of a Parenting order, which may include intensive support to the whole family provided by the Family Intervention Project.
- 3.4** If breach proceedings are necessitated by the child's failure to comply with requirements without reasonable cause the court may consider Family Proceedings pursuant to S31 1989 Children Act. (The grounds for breach proceedings are set out in Section 7.4.3 of the National Standards for Youth Justice, with which all Responsible Officers must be familiar).
- 3.5** The process for identifying children at risk, determining the need for intervention and whether this can be delivered on a voluntary basis or requires the imposition of an order is set out below. A process map is attached (Appendix I).
- 3.5.1** Concerns about children's behaviour in relation to the criteria outlined in 3.2.2 will enter the system by differing routes. Concerns relating to criteria *iv* may be conveyed to Children's Specialist Services and the YOT by the Anti-Social Behaviour Team, who will have been alerted by Housing Management Services or the police. Breaches of Local Child Curfews, where applicable, will be notified to Social Care by the police. These two areas are addressed in specific protocols elsewhere. In most cases the YOT and Children's Specialist Services will be notified via the police Merlin reports via the Public Protection desk, although the process needs to be sufficiently flexible to respond to concerns raised by schools, and parents themselves, and these may be routed through the Assessment Safeguarding and Family Support Services (ASAFs) or the YOT.
- 3.5.2** Merlin reports are sent to Children's Specialist Services and the YOT, where they are reviewed by the seconded police sergeant for concerns in relation to criteria *i* and *iv*, concerns relating to *ii* and *iii* are most likely to be identified by Children's Specialist Services, and shall be conveyed to the operational manager (YOT) for Early Intervention Services. It is expected that a Child in Need Assessment will have been undertaken prior to notification so that concerns and possible interventions can be specified.
- 3.5.3** All Merlin notifications are entered on the YOT's database for reference. In the event of behaviour likely to result in prosecution, rather than Reprimand, if the child were aged 10 years or over, or a repetition of less serious behaviour, an assessment for intervention is indicated. An officer designated under the joint information sharing protocol will check whether the child is currently allocated to Children's Specialist Services and, also, confirm the child's status with the education services.
- 3.5.4** All cases of concern, whether identified by the YOT or a partner agency with respect to children aged 8 – 13 years, will be discussed at a monthly multi-agency Youth Inclusion and Support Panel meeting. There are two Panels in the borough (North and South) with senior representatives in attendance from the YOT Early Intervention Team, Education, Child and Adolescent Mental Health, Police and the Anti-

**Social Behaviour Unit. The Panels are currently chaired by senior managers from Children's Social Care.**

**3.5.4.1 The YISP will determine whether the threshold for an intervention has been met based on an assessment of the risk factors associated with future involvement in offending or anti-social behaviour (see separate YISP proposals document). If the thresholds are met, the YISP will identify a lead agency:**

- **Children's Specialist Services if a Child in Need, or where there are child protection concerns.**
- **YOT where risk of Offending or anti-social behaviour is indicated.**
- **On occasion other agencies can take on the lead role.**

**The lead agency is responsible for agreeing an Individual Support Plan with the child, family and partner agencies, and the allocated worker will be responsible for co-coordinating and case managing the various agency responses, and reporting back to the YISP as indicated by the chair.**

**3.5.4.2 It is imperative that the Plan is supported by rigorous assessment and it is expected that the YISP-specific Onset assessment tool will be used. This tool will always be used even when Children's Specialist Services have already completed a core assessment as the Onset identifies the criminogenic risk factors to be addressed in an intervention.**

**3.5.4.3 It is a general requirement that children who are referred to the YISP should not be discussed unless there is parental consent. In certain circumstances where consent has not been given but the chair of the YISP takes the view that the concerns about a child or young person outweighs this the YISP will review the young person.**

**3.5.4.4 In some cases children and families may not engage voluntarily. The Panel must then consider the grounds for a statutory intervention with respect to the powers and duties of a local authority pursuant to the Children Act 1989 a Child Safety Order (see above) if the child is aged under 10 years, or an Anti-Social Behaviour Order if 10 years or above. If the grounds for an ASBO application are met, the YISP can fulfil the functions of a properly constituted ASBO conference without recourse to a further conference. All other powers available under the Children Act should also be considered.**

**4. Young people aged 14 – 17 years at risk of offending or anti-social behaviour**

**4.1 Joint working between the YOT and Children's Specialist Services depends upon a reciprocal flow of information, and the provision of appropriate support.**

**4.2 Children's Specialist Services will have numbers of young people in need, or looked after who may be involved, or at risk of involvement in crime. The YOT has a duty to prevent offending by young people and will offer an assessment and, where appropriate, an intervention to address evident criminogenic factors.**

**4.2.1 The YOT provides a group work programme for Children Looked After in in-borough children's homes and foster care.**

**4.2.2 Children Looked After in other situations, or requiring individual work, and children deemed at risk of involvement in crime should be referred by the ASAFs or CLA Services (Team Manager) to the YOT for the attention of the operational manager (Prevention). The post holder will decide:**

- a. Whether a YOT assessment (using Onset) is appropriate, and**
- b. On the basis of any assessment whether an intervention should be offered**

**These decisions will be taken in consultation with the referee, but will be based on the evidence of criminogenic risk factors.**

*The involvement of the YOT is predicated on the assumption of working in partnership and is not an alternative to continued Children's Specialist Services involvement (ASAFs.).*

**4.3 Notification of youths at risk will, ordinarily, be made by police, or the Anti-Social Behaviour Team. The latter is dealt with in a separate multi-agency protocol.**

**4.3.1 As noted above, Merlin reports are analysed by the police sergeant seconded to the YOT. Youths identified as coming to police notice for criminal behaviour, but not Reprimanded, Warned, or Charged, or anti-social behaviour without reference to SASBU will be offered a YOT assessment after consultation with Children's Specialist Services and the LEA. Where the young person is currently allocated to Social Care joint working will be offered. If the young person is not allocated, the YOT will offer a service separately after due consultation. A young persons status in relation to ASAF or CLA services can be checked by YOT through access to the Care First database.**

**4.3.2 Where concerns arise, during an assessment or intervention process, relating to broader issues of welfare or child protection, the operational manager (Prevention) will make a referral to the Referral and Assessment Duty Service, or the allocated team or Operational Manager (Court Services) as appropriate. It is imperative that action is not delayed through repetitive assessments of children and their families. It is, therefore, required that the agency receiving the referral, whether YOT or R&A, responds within 1 working day of receipt of the referral.**

**4.3.3 Procedures with respect to child protection concerns are detailed elsewhere. However, in the event of children and young people assessed by the YOT as requiring accommodation services pursuant to S20 1989 Children Act, R&A or the allocated team should accept the YOT assessment of need until the first review, or an appropriate assessment and plan has been completed. The necessity for prompt inter-agency action may arise in the following circumstances:**

- Where the Court grants bail with a condition to reside as directed by Children's Specialist Services because parents/carers have refused to accept care responsibilities for the young offender, have not attended court and cannot be contacted, or the Court has imposed a negative requirement prohibiting a return home.

- In such cases, the Operations Manager (Court Services) will refer the case to the Referral & Assessment Service or the allocated team for appropriate assessment and intervention in partnership with the YOT supervising officer. The agreement to accommodate under Section 20 1989 Children Act must be made at the level of service manager within the ASAF.
- A young offender under the age of 16 years subject to supervision in the community by the YOT becomes estranged from their family.
- In such cases, the Operations Manager (Court Services) will refer the case to the Referral & Assessment Service Or the allocated team. The referral should be processed at the earliest point once it becomes apparent that the home situation is breaking down to enable the YOT and Social Services to joint plan an assessment and intervention. In the event that the situation has broken down without advance warning, the Referral & Assessment Service will arrange for accommodation to be provided on the day of referral in consultation with the YOT as to the needs and supervision requirements of the young person. In this event, an inter-agency planning meeting will be convened within 2 working days to determine an agreed course of action.
- Young offenders under the age of 16 years who are estranged from their families at the point of release from custody (see below).

## **5. Pre-court services to young offenders aged 10 to 17 years**

- 5.1 Young offenders in receipt of a Police Reprimand or Final Warning are immediately notified to the YOT. A Final Warning necessitates a YOT assessment and, in most cases, the offer of a 12-week intervention programme. Reprimands who are CLA/CiN, excluded from school, or have siblings who are offenders will also be offered an assessment and intervention.
- 5.2 The Operations Manager (Pre-Court and Prevention) will ensure that with respect to CLA/CiN details of offences and programmes offered will be entered onto the Care First database within 2 working days of the bail-back meeting. The allocated social worker will be contacted by the YOT officer, and notified of outcomes and plans within 1 working day.
- 5.3 The issues outlined in 4.3.2 will be managed as described in that note.

6. Young people appearing in court and young offenders made the subject of court-ordered interventions.

- 6.1 The YOT has responsibility for monitoring all young people appearing in court, recording outcomes, and advising the court of services available where appropriate. However, not all young people appearing in court require services provided directly or co-ordinated by the YOT, particularly where young people are remanded to appear on unconditional bail.
- 6.2 Where objections to bail are raised the YOT will provide an assessment, wherever possible on the day of the 1<sup>st</sup> hearing and, where practical, provide or

co-ordinate a bail supervision programme. The bail assessment may give rise to concerns relating to the home circumstances that would warrant a referral to R&A or the allocated team. This will be progressed via the YOT duty manager. In cases where Children's Specialist Services are already actively involved they are expected to retain their involvement, and the YOT caseworker will involve the Specialist Services caseworker in the planning process, and vice versa. Clearly, open information exchange within the parameters of the information sharing protocol in line with S115 1998 CDA is required.

6.3 The court has the power to Remand into Local Authority Accommodation a young person under the age of 17 years appearing for an offence for which a custodial sentence would be available if they were an adult.

**6.3.1 Young males aged 15 or 16 years will ordinarily be remanded into custody where bail has been refused. However, if assessed as vulnerable by the YOT officer in court, they will be remanded into local authority secure accommodation. Any young person aged between 12 and 14 years remanded for serious offences may be similarly remanded into secure accommodation. Young women may not be remanded into custody under the age of 17 years.**

6.3.2 The majority of young people refused bail will be remanded into open accommodation.

6.3.3 The YOT manages the Children's Specialist Services placement budget for remands and has responsibility for commissioning placements, either through Children's Specialist Services brokerage or, in the case of secure accommodation, through the Youth Justice Board.

**6.3.3.1 Exceptionally, young people will be bailed with a condition to reside as directed by the YOT / Children's Specialist Services. This will occur where the offence(s) does not warrant a remand into local authority accommodation or custody, but the young person cannot offer a safe address for the purposes of bail.**

*In such cases the YOT will commission a placement where appropriate, but will automatically refer the case to R&A or allocated team, given the current estrangement from the primary carers. The case will transfer to the Children Looked After Service if the young person remains looked after at the time of the first review.*

6.4 All young people RiC, RiLAA, or bailed with a condition to reside due to estrangement from primary carers will be allocated a YOT worker to manage the remand, and to liaise with Children's Specialist Services via the provision of services\* as appropriate. However, all young people remanded into local authority accommodation will be notified to ASAF by the YOT officer(s) in court at the point of the remand, and a social worker from ASAF will be allocated within 2 working days. The social worker will be responsible for liaising with any accommodation provider in relation to a placement agreement in consultation with the allocated YOT officer, completing all Looked After Children documentation and ensuring compliance with timescales for statutory reviews in consultation with the Quality Assurance Unit. The ASAF social

worker will retain case responsibility until the first review at which point the case will be transferred to the Adolescent and Aftercare Service. The YOT and ASAFs worker will conduct a joint assessment prior to the first CLA review within 4 weeks, which the ASAF worker will arrange in consultation with the Quality Assurance Unit. At first review a CLA services worker will be allocated for the duration of the looked after episode.

- 6.5 A critical function of the joint assessment, as well as identifying criminogenic factors, is to assess the possibility/desirability of a return home upon completion of the criminal proceedings. Where this is deemed unlikely or undesirable, the young person will be accommodated (S20 1989 C.A). If the young person can return home with support a joint referral will be made to ASAFs or Localities Team.
- 6.5.1 In cases where Children's Specialist Services are actively involved it is required that case involvement continue and be integral to the case planning and service delivery process.

***N.B.** Where young people are already looked after, the allocated social worker is primarily responsible for ensuring the young person's attendance at court, and that the department is adequately represented in proceedings.*

Where a pre-sentence report is required, this will be completed by the YOT, but details of the young persons Care Plan (or Pathway Plan) must be included.

- 6.6 Court-ordered interventions will be supervised by the YOT, in accordance with sentence requirements and National Standards for Youth Justice. This role does not preclude Children's Specialist Services remaining involved in a case, or becoming involved after an assessment of need prompted by a YOT referral. It is essential that Joint Planning of Service Provision is appropriately planned and managed. It would be appropriate for reviews of court-ordered interventions to be organized and chaired by a YOT manager, while Child Care reviews are chaired by Independent Reviewing Officers. Where appropriate a single meeting can fulfil both functions if agreed by both services.
- 6.7 In the event of CLA/CiN being charged with an offence and prosecuted in court the following procedures will apply.
- The YOT will notify the allocated social worker within 1 working day of having received notification of the offence, court appearance, or PSR request. The YOT will continue to update the social worker as appropriate. However, where the child is looked after, the functions of the YOT **do not** remove the imperative for the social worker to act in loco parentis as a responsible adult in the court proceedings.
  - In the case of Children Looked After, out-of-borough and committing offences, the social worker will notify the YOT of any proceedings within 1 working day of notification of charge, court appearance, or conviction to enable Southwark YOT to liaise with the home YOT as appropriate
- 6.8 If a child has been RiLAA until the first statutory looked-after review, arrangements must be made for the young person (CLA) to be transferred to



the CLA Services. This must happen within five working days after the review (to be arranged by the allocated ASAFs social worker).

- 6.9 The Quality Assurance Unit will endeavour to deploy an IRO with specialist knowledge of youth offending processes.

## 7. Joint procedures relating to young offenders sentenced to custody

- 7.1 Young offenders convicted of serious offences, or where the offending behaviour is considered by the Court to be persistent may be sentenced to custody.
- 7.1.2 The majority of custodial sentences for young people are Detention and Training Orders with a minimum sentence of 4 months and a maximum of 2 years. In general, half of the sentence is served in custody and the remainder served in the community under supervision of the YOT. Young people charged with an offence for which a longer sentence would be appropriate, are committed by the Youth Court to the Crown Court, where they can be sentenced to longer terms of imprisonment pursuant to S91 or 92 of the Crime and Disorder Act 1998. However, it is usually the case that the young person will be released into the community under the supervision of the YOT at the midway point of the sentence.
- 7.1.3 The facility exists for the Prison Governor, in both categories of sentence, to allow early release in response to good behaviour. The prison authority will inform the allocated YOT worker of the early release date and the mandatory release date in the early days of the sentence.
- 7.2 There are significant implications for joint working with young people receiving custodial sentences both pre and post release.
- 7.2.1 All young prisoners are the subject of a Training Plan agreed by the custodial establishment and the supervising YOT, which considers tackling offending behaviour, associated risk factors, education, well-being, and post-release arrangements and continuing supervision. The supervising YOT officer will invite an officer from the Quality Assurance Unit to the final Training Plan meeting held in custody with respect to any Child Looked After (S31 1989 C.A.), or who was looked after (S23 1998 C.D.A, or S20 1989 C.A.) immediately prior to sentencing and considered to require continuing support upon release from custody. **LOCAL AUTHORITY CIRCULAR LAC (2004)26**

In the case of Children Looked After whether pursuant to S31 or S20 1989 C.A, it is imperative that the Training Plan is integrated with the local authority Care Plan with respect to Children Looked After and/or accommodated. It is recognised that S20 1989 C.A status ceases upon sentencing to custody, but remains good practice for the former care authority to remain involved in the planning process. This may include plans to re-accommodate upon release, where the young person remains vulnerable.

*Children Looked After allocated workers should maintain involvement unless and until a properly constituted statutory review considers that planned objectives have been met, and that satisfactory arrangements consistent with the child's welfare and rehabilitation to the community are in place.*

It is therefore expected that CLA will make arrangements for regular contact with any child who is looked after under a care order while they are in custody, whether by visiting themselves or by making arrangements with the local authority in whose area the YOI or STC is located. The responsible authority should arrange to maintain regular contact with the child and reviews of his care plan or pathway plan should continue. The responsible Team should also ensure that ongoing contact with siblings, where that is part of the care plan, is facilitated. When considering where the young person should live on release from custody, it will be necessary to make appropriate plans in advance of the end of the sentence. It will be important to assess the parental capacity to resume care of the young person or to plan for their move to a placement that is appropriate to meeting the needs identified in the care or pathway plan.  
Local Authority Circular LAC (2004) 6

- 7.3 In the event of a young prisoner being entitled to early release, the YOT is required to provide the Prison Governor with details of the intended address for the young person and its suitability for the installation of electronic monitoring. The Governor must receive this information 10 working days before the release date or early release may be denied, leaving the YOT and local authority open to criticism and possible judicial review. It is imperative that Children Looked After services enable the YOT to comply with these requirements by providing details of the post-release placement 20 days prior to release to enable the premises to be assessed as suitable for the purposes of electronic monitoring.
- 7.4 Some complex cases may require a more flexible approach in relation to referral pathways:
- The domestic arrangements for young offenders supervised by the YOT in the community, whether as part of a custodial sentence post-release, or a community penalty either temporarily or permanently, and appropriate levels of support must be provided without the delay occasioned by repetitious assessment processes.

Therefore, in the case of:

- A young person aged 16 years or over eligible for a leaving care service (a period of Remand into Local Authority Accommodation is relevant to eligibility) the Adolescent & Aftercare Service should accept and action a referral for service from the YOT even if there is not current Children's Specialist Services involvement. Continued service delivery will be monitored through the existing case review process. The YOT worker will invite the CLA Service to the pre-release Training Plan meeting to plan release arrangements, which may include the provision of accommodation under S20 1989 C.A depending upon the assessed vulnerability of the young person, although it is expected that plans will be well-advanced at the point of the pre-release meeting.

- A child under the age of 16 years may need to be accommodated by the Referral & Assessment Service or the allocated team pending joint assessment of need taking account of welfare factors and the risks of re-offending. Subsequent assessment and review should be jointly conducted by Children's Specialist Services and the YOT.

## **8. Further interface issues**

8.1 This protocol does not include issues concerning:

- ◆ The interface between young sex offenders and the child protection process (procedures have been written under separate cover).
- ◆ Service obligations with respect to the investigation and intervention vis complaints of anti-social behaviour, and the application for orders in the Magistrates Court
- ◆ Applications for local child curfew schemes and the implementation of specified notices.

Such documentation will be appended to this protocol as is appropriate.

## YOUTH OFFENDING SERVICES

YOS is a multi-agency service, including Social Care, Connexions, Probation Service, CAMHS, Police and PCT, whose principal aim is to ‘prevent young people from becoming involved in offending or anti-social behaviour’. This entails supervising young offenders subject to court orders and intervening to reduce the risk of re-offending, but also diverting young people at risk away from criminal behaviour and into positive activities.

The service is composed of a number of core elements:

## COURT SERVICES

The YOT Court Services Team provides a duty service to the Youth Court. Providing staff on a rostered basis to undertake Appropriate Adult duties, supervise young people in the court environs and give oral evidence as appropriate to the circumstances. They are responsible for the preparation of Pre-Sentence Reports and the supervision of a range of Court-ordered interventions following a high quality assessment, in accordance with National Standards and the principles of Effective Practice to address offending behaviour, and the assessment and management of Risk of Harm to others, Safeguarding and the assessment and management of vulnerability.

Southwark is an inner-city borough with a number of high-risk young offenders and therefore we aim to provide high quality interventions and innovative solutions to the problems young people face.

[For further information contact Sharon Barton-Chambers]

## GANG DISRUPTION PROJECT

The project aims to challenge young people’s attitudes demystifying the appeal of gangs, and raising consciousness about the effects of negative behaviour.

Based within the Youth Offending Team, the Gang Project is working with individuals who are identified as either known gang members or those on the periphery of involvement, interventions are geared towards exploring the influences on young people, dissecting values and beliefs and assisting them to make more informed life choices.

We offer a 14 week programme that confronts young people on pertinent issues around violence, masculinity, identity, and peer pressure. Using a variety of mediums and sources from visual aids, video, photography, literature and interactive workshops, an emphasis is placed on empowerment and peer education. Where it is felt that individuals are unsuitable for group engagement, one to one work is employed to address issues relating to offending and re-integrating the young person back into society.

[For further information contact Sameera Khan or Amanda Drayton]

### **EARLY INTERVENTION TEAM**

The Early Intervention Team (EIT) is part of the Youth Offending Team and is, along with a multi-agency network, responsible for delivering youth inclusion and support services. The team work with children and young people aged between 8 and 16 who have started to exhibit anti-social and disruptive behaviour and may be at significant risk of offending.

They provide support for parents/carers and young people through mediation and mentoring to help strengthen family relationships.

They support young people by providing group work programmes, one-to-one sessions and constructive leisure activities. They also give support to manage transition to secondary school and home-school liaison to enhance links between home and school.

*[For further information contact Vicky Agnew or Maggie Gilbert]*

### **YOUTH INCLUSION and SUPPORT PANEL (YISP)**

Young people requiring support from more than one service to reduce criminogenic risk factors are referred to multi-agency Youth Inclusion and Support Panels who coordinate holistic intervention plans.

*[For further information contact Vicky Agnew or Maggie Gilbert]*

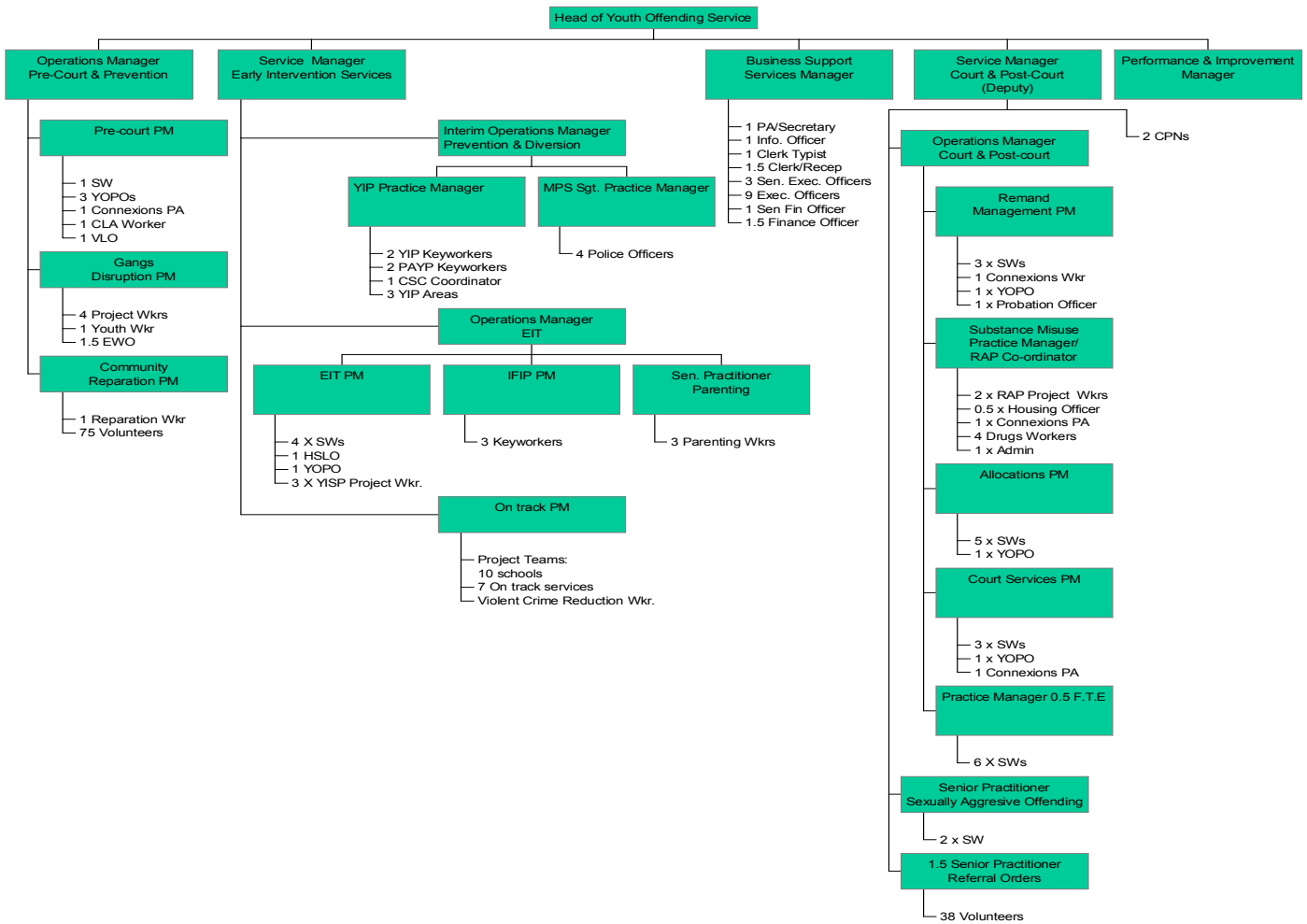
### **YOUTH INCLUSION PROJECTS (YIPs)**

A YIP provides generic youth support for young people, including a range of magnet activities. Targeted support is provided for the 50 most at risk of involvement in crime in the targeted geographical area. This includes dedicated keyworker support.

There are 6 YIPs in the borough, 3 are provided by Kickstart (voluntary sector) and 3 by the YOT in partnership with Southwark Community Games.

*[For further info contact Hannah Edwards or Anna Lumley]*

YOS STRUCTURE – SEPTEMBER 2008



**A Protocol Between  
Southwark Children’s Services  
Children’s Specialist Services Division  
And  
Southwark Youth Offending Team**

**ACCEPTANCE**

**I agree to the terms of the protocol as set out above**

*Signed* ..... *Date:* .....

**Chris Domeney**

Head of Youth Offending Service

*Signed* ..... *Date:* .....

**Rory Patterson**

Asst. Director for Specialist Children’s Services

*Signed* ..... *Date:* .....

**Romi Bowen**

Director of Children’s Services

<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 25 June 2009	<b>Meeting Name:</b> Corporate Parenting Committee
<b>Report title:</b>		Children Looked After: Performance Report	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Assistant Director Children's Specialist Services	

### 1.0 RECOMMENDATION

That the committee note this report, and endorse the measures adopted to address performance in relation to long-term stability.

### 2.0 BACKGROUND INFORMATION

Services for Children Looked After (CLA) are monitored through a series of national and local performance indicators. Southwark's latest performance against these indicators, together with other relevant activity data, can be seen in the CLA Business Unit Report (**appendix 1**).

This information is monitored on a monthly basis at senior management meetings. Summary information is monitored by the Young Southwark Executive.

Data in appendix 1 shows the comparative position of Southwark's Statistical Neighbours (SN) which under the new system are;

**Hackney, Lambeth, Haringey, Islington, Lewisham, Hammersmith and Fulham, Greenwich, Waltham Forest, Camden, Newham**

### 3.0 KEY ISSUES FOR CONSIDERATION

Overall the performance for Children Looked After for Southwark as at the end of March 09 is strong and improving.

#### 3.1 Particular Success

- The number of CLA per 10,000 population aged under 18 has shown great improvement from a 105 rate (574 CLA) ending 2007/08 to currently 97.8 (533 Children Looked After; exceeding our 2008/09 Target of 101. Indicators 8 & 14.
- Of the 213 of CLA aged 10 to 15, Southwark had 184 in foster placements or placed for adoption an 86.4% rate; hitting the target of 86% and better in performance than 2007/08 outturn of 85.7% (192 of 224) and 2007/08 SN performance of 83%.Indicator 17
- % of CLA adopted during the year who were placed for adoption within 12 months of the decision (NI 61) has shown steady improvement (Fig 7 in page 6) since its drop in August 08 of 88.2% from 90.9% ending Q1, and is currently at 90.3% end of 2008/09 Q4 exceeding the 2008/09 Target of 85%. Indicator 18
- Excellent performance through out the year for CLA who communicated their views with a provisional 2008/09 outturn of 95.7%; exceeding the Target of 94% and better than last year outturn of 94.7% and 2007/08 SN average of 91%. Indicator 19



- As at end of 2008/09 quarter 4. of the 86 Care Leavers, 82 of them are in suitable accommodation a 95% rate; exceeding 2008/09 Target, last year's performance and 2007/08 SN of 93%, 91.6% and 91.1% respectively. Indicator 29
- % of CLA with 3 or more placements has shown steady increase throughout the year and is currently at **12.0%** ending 2008/09 Q4; hitting the Target at 12% and exceeding 2007/08 SN of 11%. Indicator 39
- Of the 174 Children under 16 who had been looked after continuously for more 2.5years prior to date, there were 121 CLA living in the same placement for at least 2 years, or were placed for adoption for at least 2 years. A Rate of **69.5%**, (NI 63) hitting the 2008/09 Target of 69% and better in performance than last year's outturn of 68% and 2007/08 SN of 68%. Indicator 40
- There was a total of 44 adoptions in the whole of 2007/08 (Indicator 39); a 10.1% rate of all CLA, which was above the statistical neighbour average of 9.5%. This year has shown considerable improvement and as of 2008/09 Q4, Southwark has 54 adoptions (including SGO) Year To Date (from April 08 to end March 2009); a 14.1% rate. Indicator 41
- % Care Leavers aged 16 or over with 5 or more GCSEs at grade A\*-C has typically shown improvement over the years and is currently at 17.3% 2008/09 Q4, exceeding its 07/08 Target and SN average of 13% and 12.2% respectively. Indicator 44

### **3.2 Areas for development**

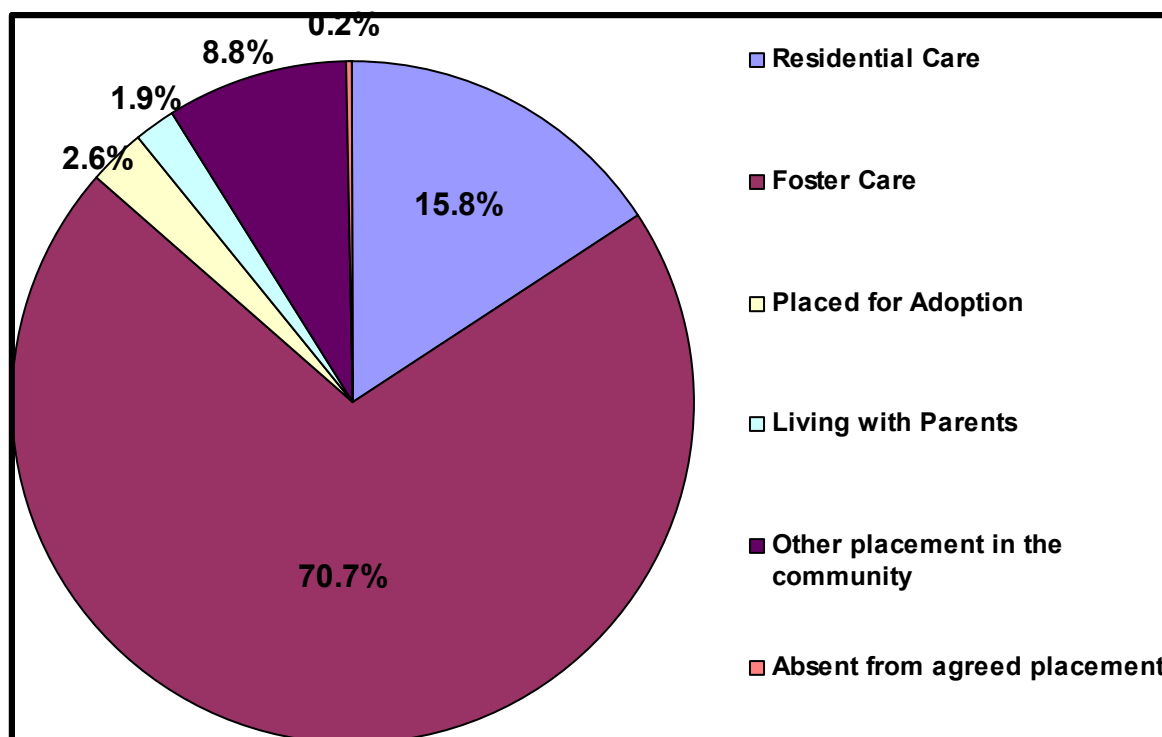
- Due to the great increase in the number of care leavers reaching 19 (from April 1st to Date) compared with the slower-moving trend of CLA in EET, there was a drop from 2007/08 outturn at 67.5% to 61.6% ending March 2009; below the 2008/09 Target of 68%. Indicator 28
- Children in Care reaching level 4 in English at KS2 (NI 99) and Math at KS2 (NI 100) are both below their targets of 50% at 30.8% and 26.9% respectively. Indicators 51 & 52

### **3.3 Ones to watch**

- Of the 533 CLA, only 33 are staying with Relative/Friend at 6.2% a poorer performance than 2007/08 outturn of 7.4%. 2007/08 SN average at 9.8%. Indicator 16. However, this is balanced by the very high rate of adoption and Special Guardianship Orders.
- % of CLA placed within a 7 mile radius of their home address has been steady at 64% since November 2008, 6% below its 2007/08 Target of 70%. Indicator 22

## 4.0 SUMMARY OF THE FEBRUARY 2009 INDICATOR SET (APPENDIX 1)

### 4.1 Accommodation of CLA



**Fig 1: Accommodation Breakdown of CLA in Southwark**

4.1.1 With the reduction in the number of CLA, the % of CLA in Residential Care (*APA 2052SC, Indicator 15*) increased from 2007/08 outturn of 14.8% (85 of 574 CLA) to 15.8% (84 of 533 CLA) end March 2009. 2007/08. SN average was 15%.

4.1.2 Whereas there was a slight drop in the % of CLA in Foster Care (*Indicator 23*) from 2007/08 outturn of 75.1% (431 of 574 CLA) to 70.7% (377 of 533 CLA) end March 2009. SN average was 73%

4.1.3 There are currently 47 CLA in lodging, residential employment of living independently (*Indicator 6*) an increase from 07/08 outturn of 32 CLA.

4.1.4 There are 10 CLA Living with Parents (*Indicator 5*) ending Mar 09; a good improvement from 19 in 08/09 Q2 but close to 07/08 outturn of 9.

4.1.5 There has been a steady drop in the number of Unaccompanied Asylum Seeking Children (UASC) since 06/07 outturn of 86 and is currently at 41 children end March 09.

### 4.2 Legal Status

4.2.1 There has been an increase in the number of Interim Care Orders, from 67 in 07/08 to 75 ending Mar 09, and may be a reflection of the events in Haringey last year. Indicator 12

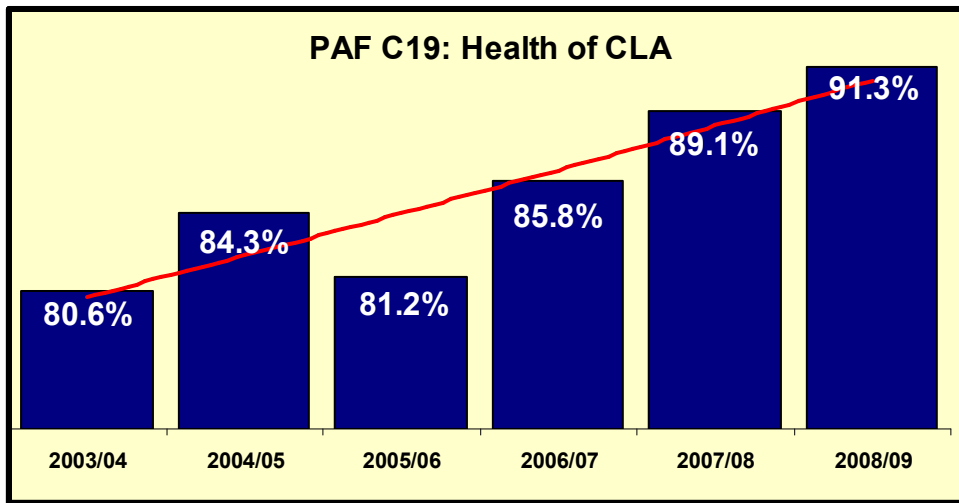
4.2.2 There has been a drop in the number of Section 20 Agreements from 232 in 05/06 to 188 in 07/08 and currently 173 ending Mar 09. Indicator 10

4.2.3 The number of children with Full Care Orders has dropped from 317 in 05/06 to 304 07/08 and is currently at 246 ending Mar 09. Indicator 11

**4.3 CYPP Outcome 1: Being Healthy**

- **Health of CLA (medical & dental) – 1037SC, Indicator 45**

This Indicator has improved over the years with current OC2 Return shows we have 91% on the health of CLA (dental & annual health checks) which exceeds 2008/09 target of 88% and 2007/08 Statistical Neighbour average of 89%.



**Fig 2: Health of Children Looked After**

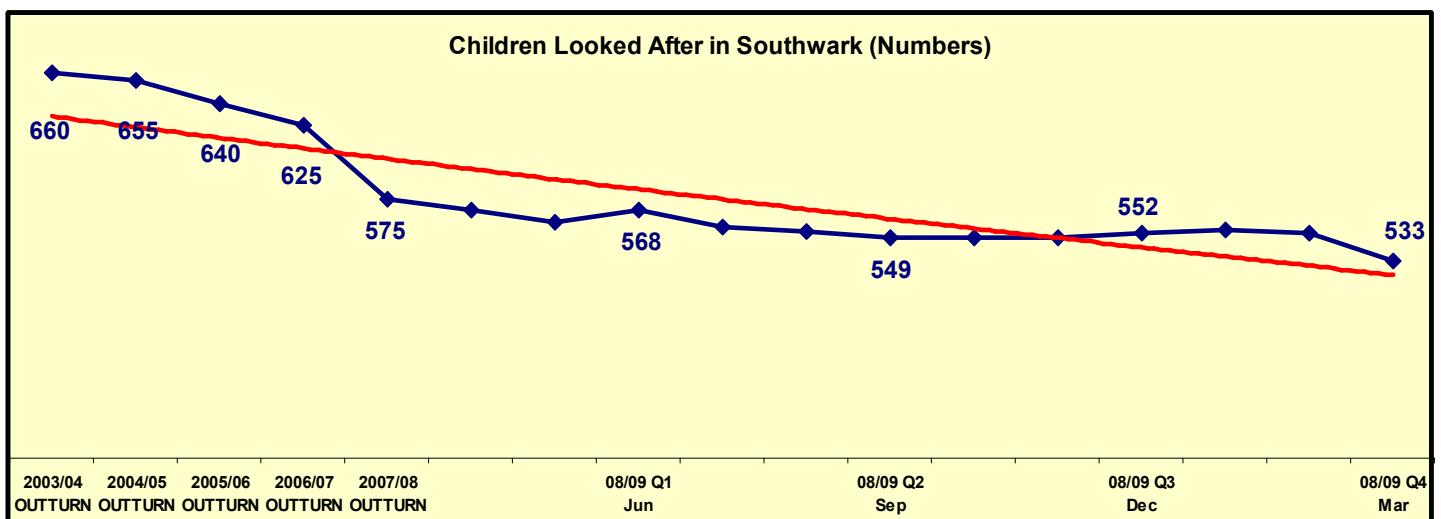
**4.4 CYPP Outcome 2: Staying Safe**

**4.4.1 Placement Choice**

- **No. of CLA per 10,000 population aged under 18 (Indicator 14) – 2042SC:**

This Indicator has shown great improvement from a 105 rate (574 CLA) ending 2007/08 to currently 97.8 (533 Children Looked After; exceeding our 2008/09 Target of 101.

Although this PI has shown great improvement from previous years down from 660 (120 rate) in 2003/04 outturn, however the rate still stands higher than as compared with it's 07/08 SN of 87 (Figure 3 & 4)



**Fig 3: Southwark Performance over the years**

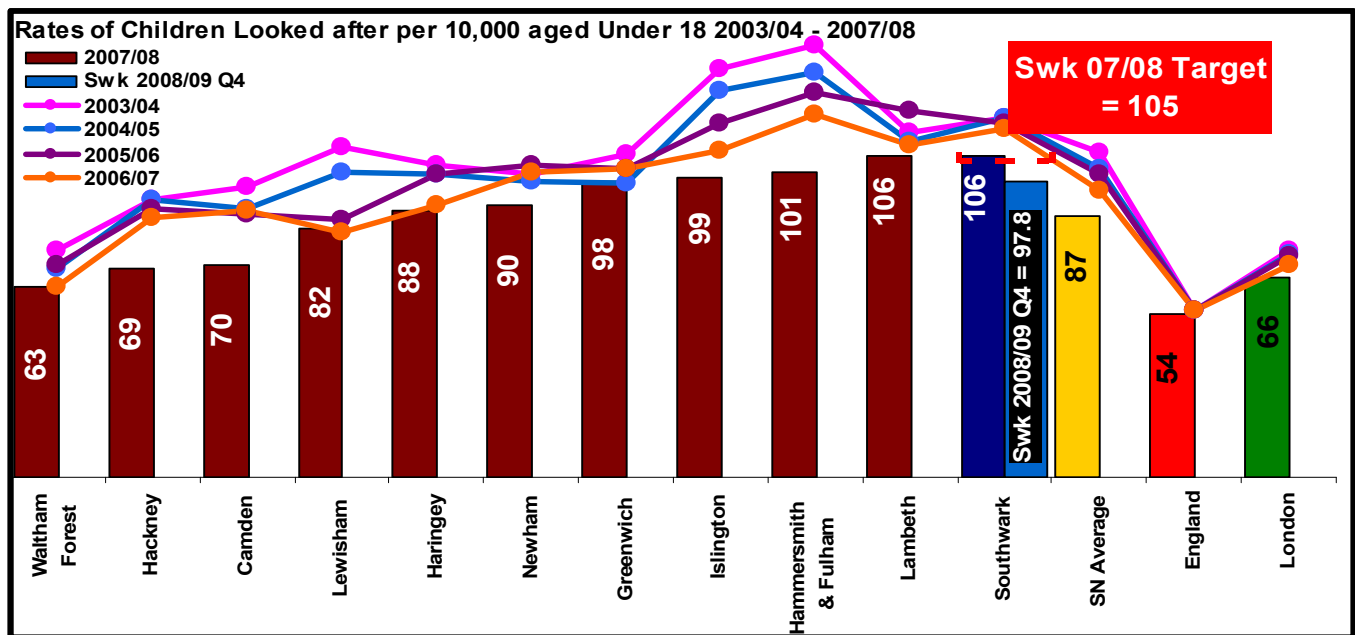


Fig 4: Comparing CLA Rates with Statistical Neighbour (2003/06 – 2007/08)

- % of CLA fostered by Relative or Friend (Indicator 16) – 2054SC:**  
 Of the 533 CLA, only 33 are staying with Relative/Friend at 6.2% which is less than 2007/08 outturn of 7.4%. 2007/08 SN average at 9.8%

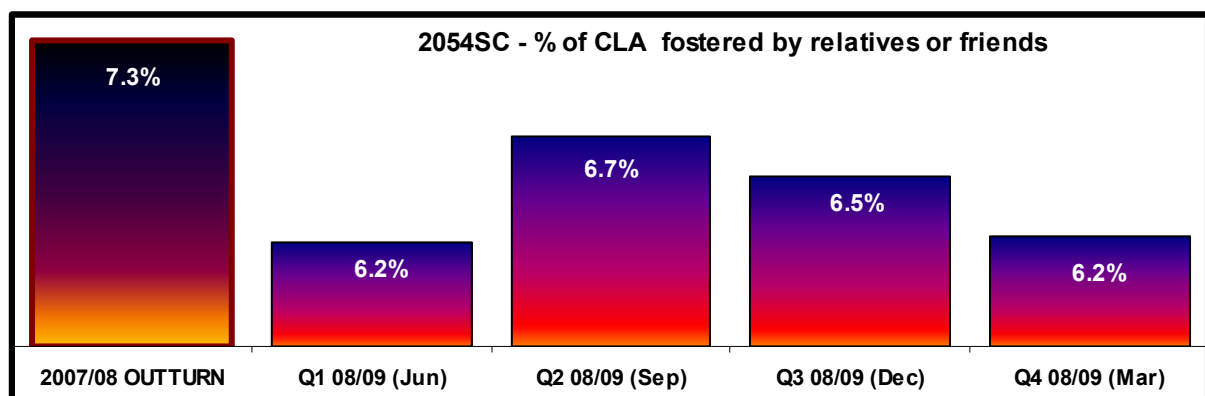


Fig 5: % CLA being fostered by a Relative or a Friend

- % CLA (aged 10 to 15) in foster placement (Indicator 17) – 2068SC**  
 Of the 213 of CLA aged 10 to 15, Southwark had 184 in foster placements or placed for adoption an 86.4% rate ending 2008/09 Q4; hitting the target of 86% and better in performance than 2007/08 outturn of 85.7% (192 of 224) and 2007/08 SN performance of 83%.

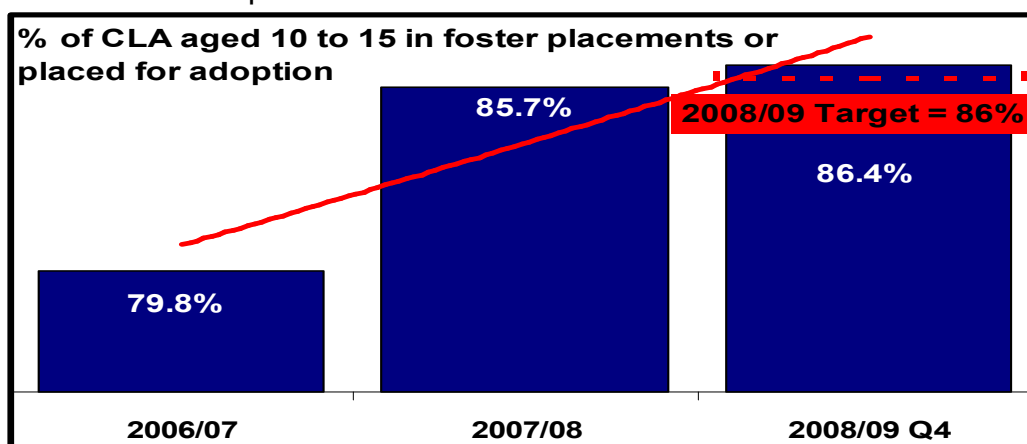


Fig 6: CLA (aged 10 to 15) in foster placement/placed for adoption

- **NI 61: Timeliness of Placement (Indicator 18)**

As of 2008/09 Q4, Southwark had a total of 31 adoptions and 27 SGOs (58 in total) and of the 31 adoptions, 28 adopted within timescale; 90.3% within timescale. This Indicator has been above its 85% 2008/09 Target and steady within 90% (Fig 7)

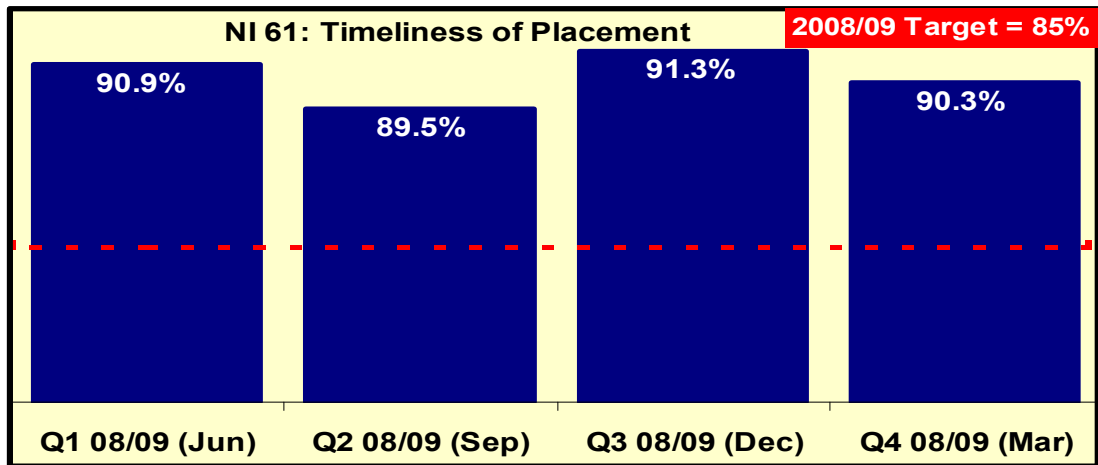


Fig 7: Timeliness of Placement

#### 4.4.2 Adoption

- **NI 62: Long Term Stability of Placement of CLA (Number of Moves)**

**Indicator 39:**

The % of CLA with 3 or more placements has increased from 2007/08 outturn at 11.4% to 12%, but is in line with the 2008/09 Target. Our performance was behind 2007 statistical neighbours and at 11%. (Fig 9).

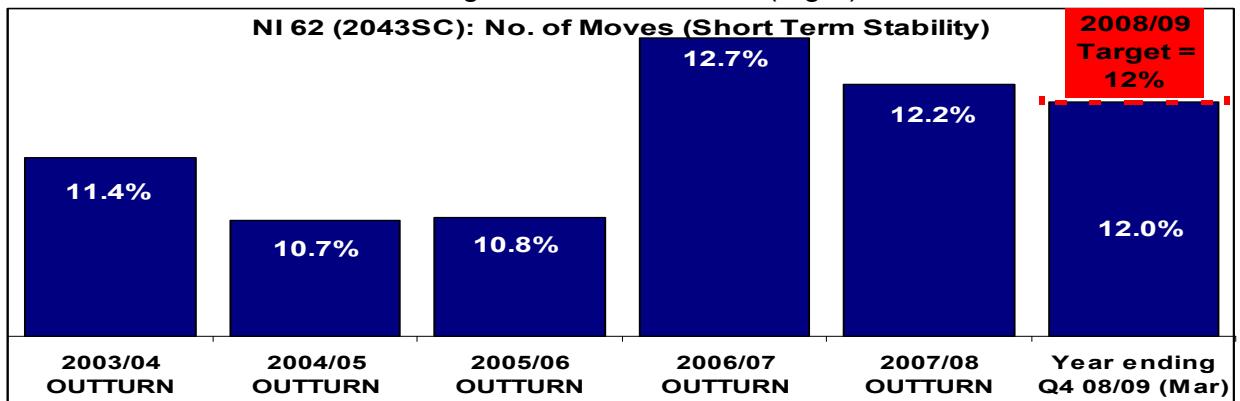
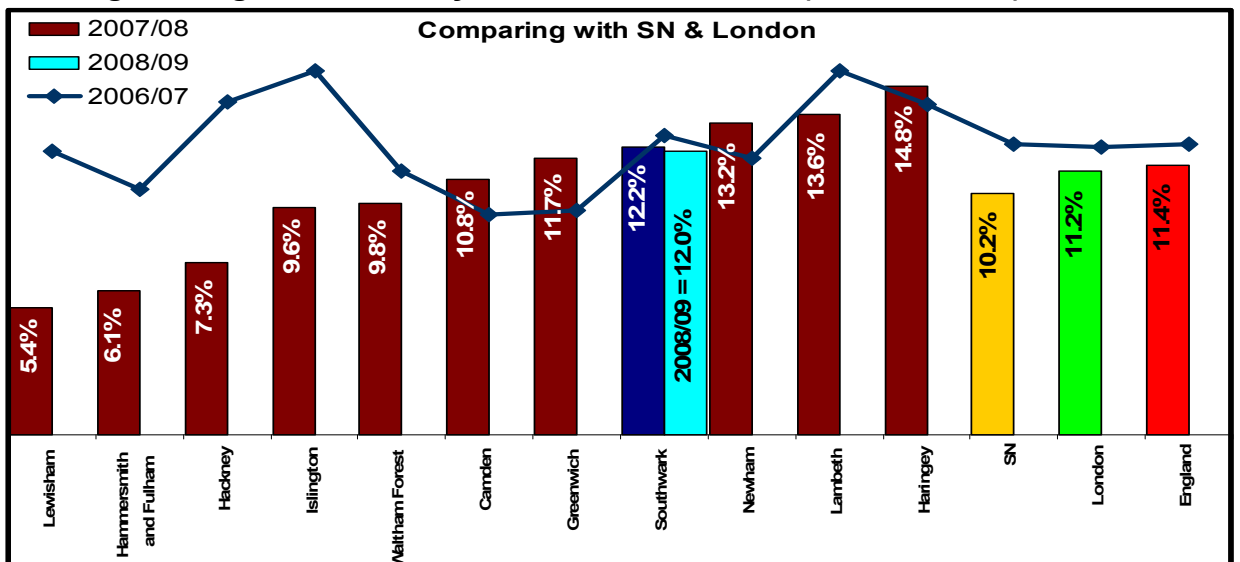


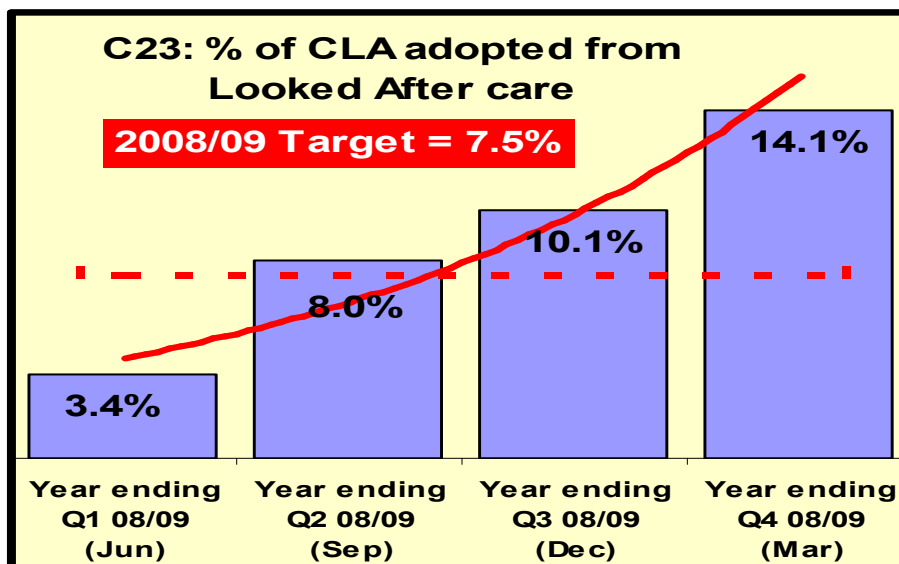
Fig 8: Long Term Stability of Placement of CLA (No. of moves)



**Fig 9: No. of moves (Comparing with SN, London & England)**

- **% of CLA adopted from Looked After Care – Indicator 41**

There was a total of 44 adoptions and SGOs in the whole of 2007/08 (at 10.1% rate), which was above the statistical neighbour average of 9.5%. This year has shown considerable improvement and as of 2008/09 Q4, we have 54 adoptions & SGO Year To Date (a 14.1% rate); exceeding last year's performance and its target of 7.5% (Fig 9)

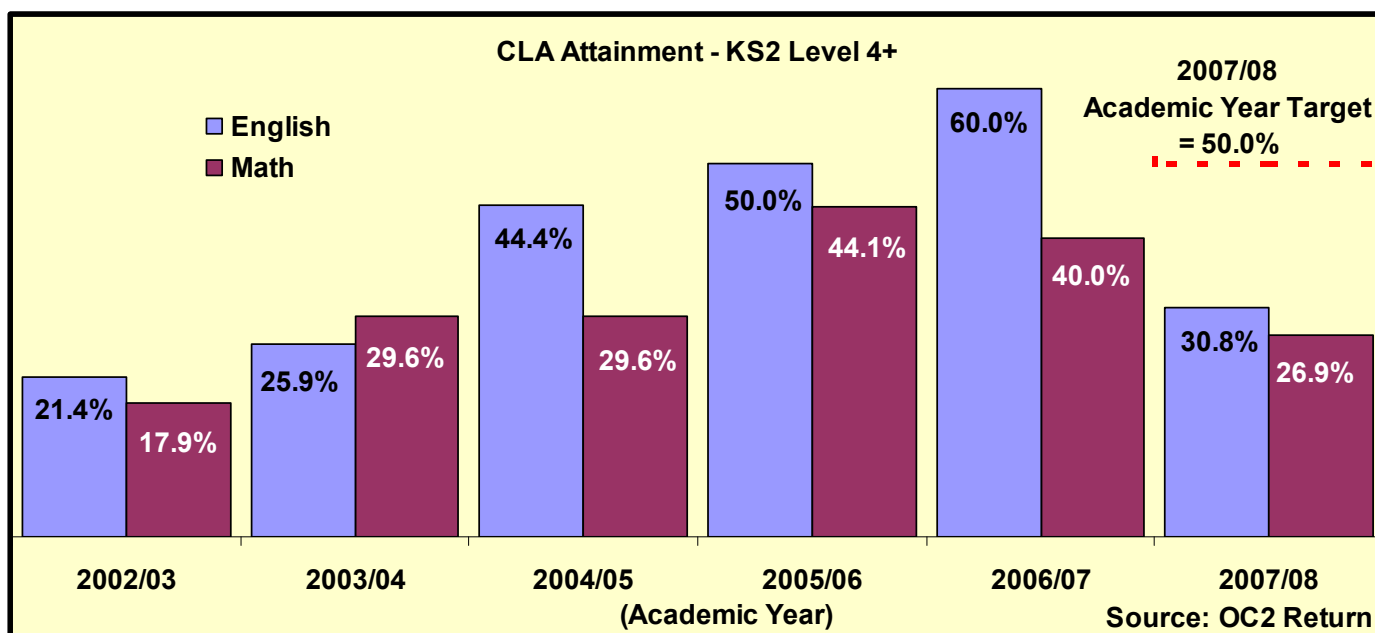


**Fig 10: CLA Adopted from Looked After Care**

#### 4.5 **CYPP Outcome 3: Enjoying & Achieving**

##### 4.5.1 **Attainment (NI 99 & 100; Indicators 51 & 52)**

- Of the 26 CLA in year 6 at school who were eligible for the end of year Key Stage 2 tests, 16 sat for all the SAT tests, and only 8 and 7 of the 26 Children in Care attained at least level 4 in the English (NI 99) and Mathematics (NI 100) respectively. Both Indicators fall below their Summer 2008 targets of 50% at 30.8% and 26.9% in English and Math respectively.



**Fig 11: Attainment for CLA**

## CYPP Outcome 4: Making a Positive Contribution

### 4.5.2 Placement Choice

- **4016SC: CLA who communicated their views (Indicator 19):**

Excellent performance through out the year with a provisional 2008/09 outturn of 95.7%; above the Target of 94% and better than last year outturn of 94.7% and 2007/08 SN average of 91%

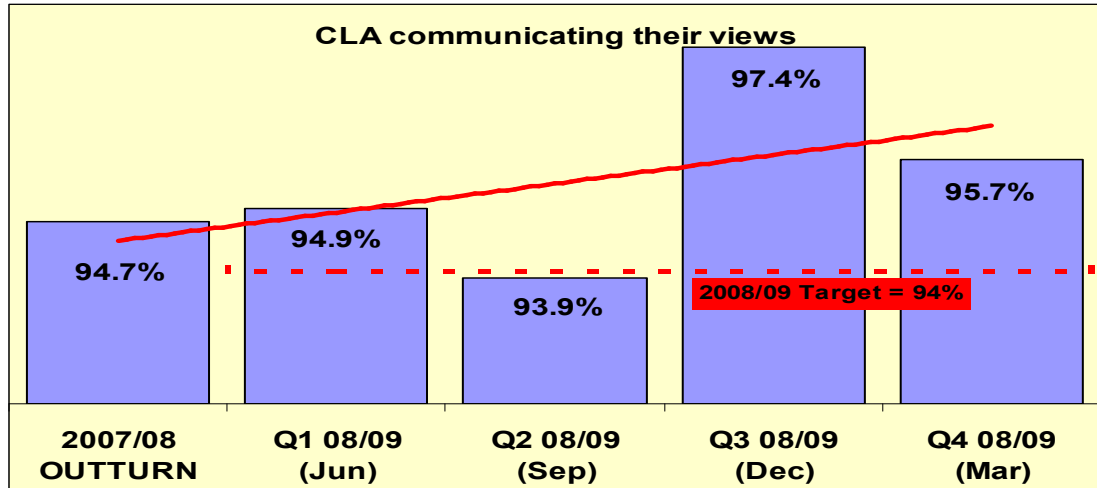


Fig 12: CLA communicating their views

## 4.6 CYPP Outcome 5: Achieve Economic Wellbeing

### 4.6.1 Care Leavers

- **Care Leavers in EET**

Indicator 28, NI 148

As at end of quarter 4, 61.6% of care leavers (86 at age 19) were in Employment Education or Training (53 in EET); a poorer performance from last year's 64.4%. It is also below the current Southwark population (Labour Force Survey data 2007 for Southwark at 77.71%) of the same age group in EET (76%). This equates to a ratio of 0.79, which is below target of 1.0. Falling below the Target of 68%

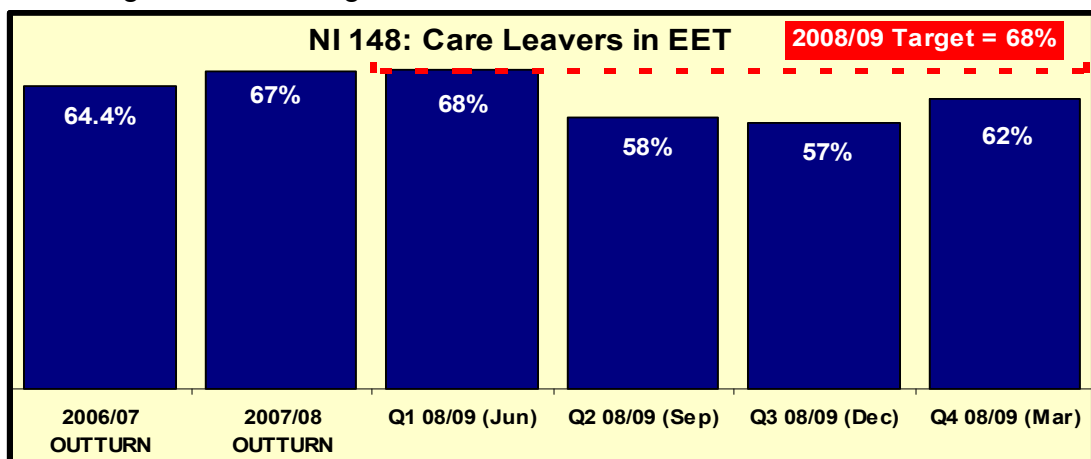
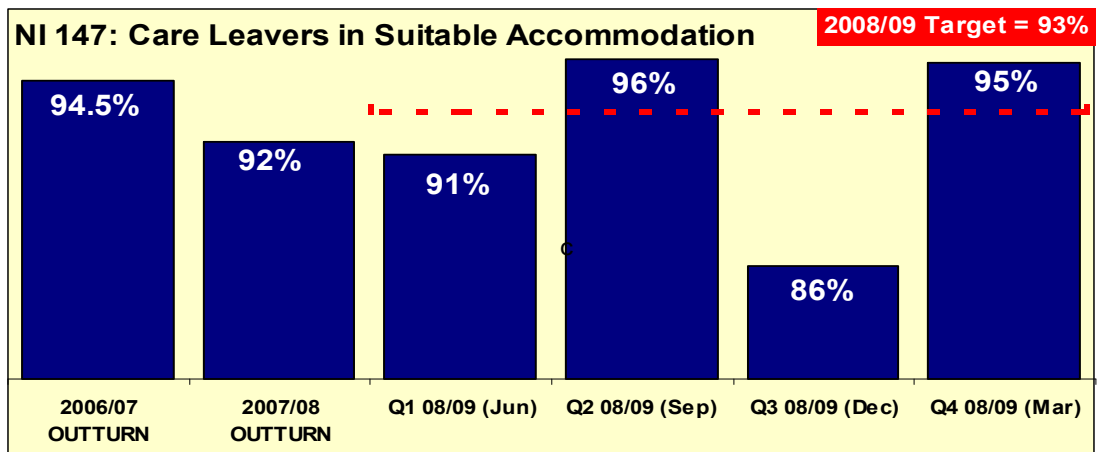


Fig 12: Care Leavers in EET

- **Care Leavers in suitable accommodation**

Indicator 29, NI 147

As at end of quarter 4, 95% of care leavers were in suitable accommodation, exceeding 2008/09 Target, last year's performance and 2007/08 SN of 93%, 91.6% and 91.1% respectively



**Fig 14: Care Leavers in suitable accommodation**

#### 4.7 Other Placement Outcomes

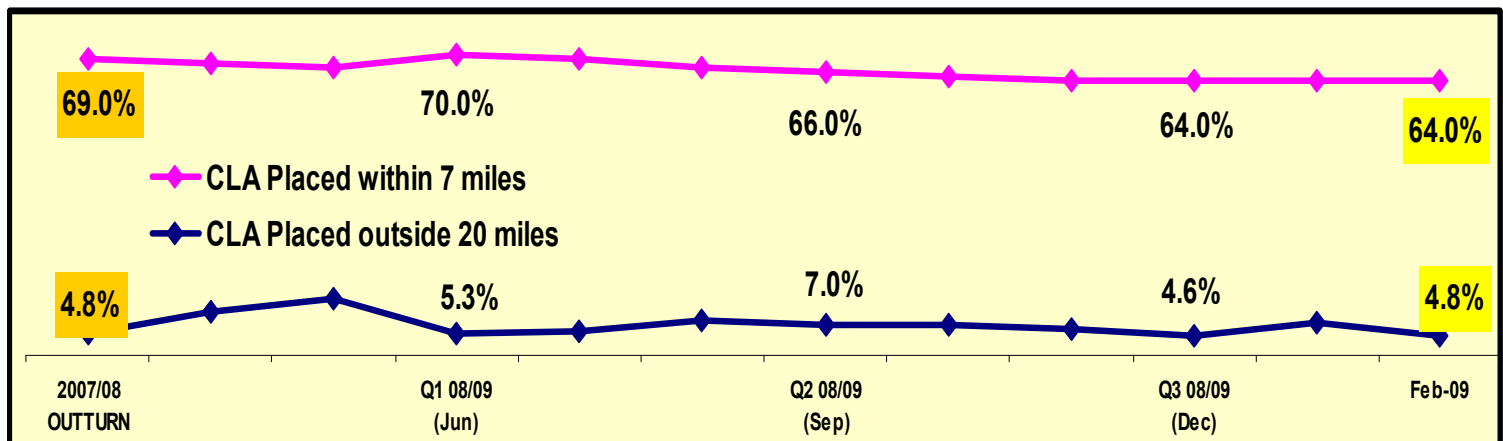
The capacity of councils to have sufficient placements near to home to allow contact with natural parent(s), siblings and other relatives and local communities to be facilitated; typically the further from home a child is placed, the harder it is to maintain links with their family and for them to return to their community when they leave school or care.

- **Indicator 22: Placement within 7 mile Radius of Home**

% of CLA placed within a 7 mile radius of their home address has been steady at 64% since November 2008, worse than its 2007/08 Target of 70%.

- **Indicator 21: Placement outside 20 mile Radius of Home**

Although worse in performance than its last year outturn of 4.8%, it is better in performance than its 2007/08 SN of 11%



**Fig 15: Placement within 7-mile and outside 20-mile radii**

- **Indicator 25: % Plan for Permanency**

There are currently 84.1% (401 with completed plan and 76 CLA without a completed plan) CLA that had a plan for permanency as recorded on CareFirst; a drop from Q2 08/09 of 89.8% a better performance than last year's outturn of 83.4%

- **Indicator 55: % CLA missing 25+ days of School (APA 3074SC)**

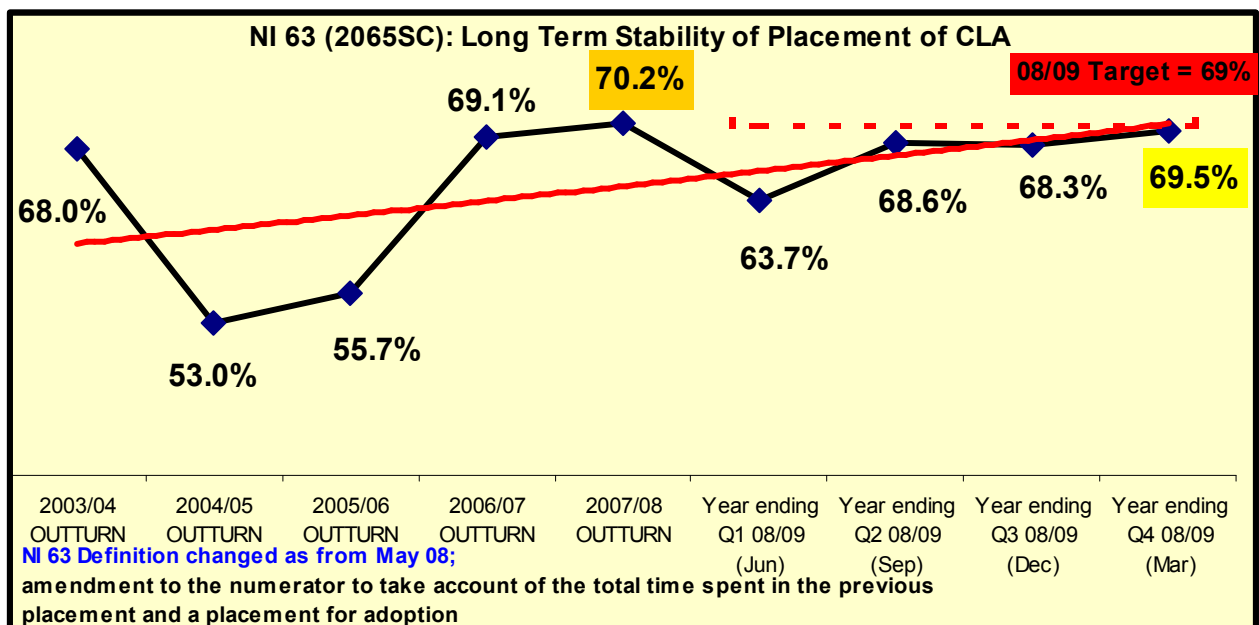
Great improvement from 07/08 outturn of 14.5% to 7.9% in September (Source – OC2 Returns).



- **NI 63: Long Term Stability of Placement of CLA (Length of Placement) (2065SC) Indicator 40:**

Placement stability is crucial for children in care to help them achieve better outcomes and have a good experience of being in care. It is therefore vitally important that authorities make achieving very high levels of placement stability a high priority. Placement stability is a critical quality indicator about standards of care in any children's residential service. In Southwark's JAR, it was identified as an area for improvement, even though the performance is in line with comparator authorities. (Figure 16)

Of the 174 Children under 16 (as at 31<sup>st</sup> March 2009) who had been looked after continuously for more than 912 days (2.5years+) prior to date (excluding children with agreed short – term placements), there were 121 CLA living in the same placement for at least 2 years, or were placed for adoption (their adoptive placement together with their previous placement) for at least 2 years. A Rate of 69.5%, better in performance than last year's outturn of 68% and 2007/08 SN of 68%; hitting the target at 69%



**Fig 16: Long Term Stability of CLA (Length of Placement)**

### Policy Implications

5. This decision has been judged to have no policy implications.

### Community Impact Statement

6. The decision to note this performance report has been judged to have no or a very small impact on local people and communities. Clearly the quality of these services has a big impact on children looked after from all communities. The ethnicity breakdown of the children looked after population is shown in appendix 1.

### Resource Implications

7. This decision has no resource implications.

## Consultation

8. The management team of Children's Safeguarding and Specialist Services have discussed the indicators set out in appendix 1.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Every Child Matters Performance Reports	Performance Team	'Eko Gilbert 0207 525 5243

## LIST OF APPENDICES

No.	Title
Appendix 1	Children Looked After Business Unit Report March 2009

## AUDIT TRAIL

<b>Lead Officer</b>	Rory Patterson, Assistant Director of Children's Specialist Services & Safeguarding	
<b>Report Author</b>	'Eko Gilbert / Gwen Sinnott	
<b>Version</b>	Final	
<b>Dated</b>	16/6/2009	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
	<b>Officer Title</b>	<b>Comments Sought</b>
	Strategic Director for Communities, Law Governance	No
	Director of Finance	No
	<b>Executive Member</b>	Yes
	<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>	16/06/2009

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**CORPORATE PARENTING COMMITTEE AGENDA DISTRIBUTION LIST MUNICIPAL YEAR  
2009-10**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Bola Roberts 020 7525 7232

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L Rajan/ / A Lasaki/ E Mann /L Robinson/ A Mohamed/ O Oyewunmi / Barrie Hargrove/ L Robinson / V Ward/ A smith	1 each	<b>Total:</b>	37
<b>Reserves</b>			
C Pidgeon / J Barber/ J Friary /I Wingfield / S Rhule/ M Holford	1 each		
<b>Co-opted members</b>	1 each		
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Romi Bowen Rory Patterson Chris Saunders Adrian Ward David Hook	1 each		
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Sarah Feasey Jill Easty	1		
<b>Organisational Development</b>		<b>Dated: June 16 2009</b>	
John Howard			