



**REPORT TO: CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE ON
13 FEBRUARY 2019**

SUBJECT: NEW FOSTERING SCHEME FOR MORAY

**BY: ACTING CORPORATE DIRECTOR (EDUCATION AND SOCIAL
CARE)**

1. REASON FOR REPORT

- 1.1 To seek approval for the establishment of a new fostering scheme in Moray having consulted on the proposed arrangements.
- 1.2 This report is submitted to Committee in terms of Section III (D) (2) of the Council's Scheme of Administration relating to the functions of the Council in respect of Looked After Children.

2. RECOMMENDATION

2.1 It is recommended that Committee:-

- i) approves the establishment of a new fostering scheme in Moray described in this report (APPENDIX I); and**
- ii) considers and notes the issues relating to allowances made payable for children in foster and kinship care.**

3. BACKGROUND

- 3.1 A series of reports headed - "Fostering in Moray" and - "Moray Fostering Scheme" were tabled at Community Services Committee meetings on 3 December 2003 (para 39 of the minute refers); 2 June 2004 (para 37 of the minute refers); 11 August 2004 (para 32 of the minute refers); 9 August 2006 (para 14 of the minute refers) and 4 October 2006 (para 18 of the minute refers). The focus of these reports was to create a new fostering scheme; to develop and expand the fostering scheme and to review progress.
- 3.2 The most recent report to this Committee on 2 May 2018 (paragraph 13 of the minute refers) considered the need for a new fostering scheme for Moray, given the passage of time and the many changes and expectations that have developed, including from within legislation and outcome from the National Foster Care Review.

3.3 Committee agreed that action underway should progress, to result in recommendations being made to Committee in September 2018, for a new fostering scheme in Moray. Delay in presentation to Committee was to support further consultation with carers and to confirm the various variables indicated within what would be budget required.

3.4 Factors influencing the need for a new scheme include: -

- (i) the need for increased foster households.
In 1998 there were 75 foster households reported;
In 2003 there were 46 foster households reported:
The numbers of carers increased following the creation of what was then the new scheme that was the result of work reflected within 3.1. however there has been loss over recent years.
In 2016 there were 61 fostering households.
In 2017 there were 54 fostering households.
At time of writing there are 50 fostering households.
- (ii) the complex nature of need presented by a number of our young people in need of alternative care; children who have experienced significant abuse, trauma and neglect in their early years.
- (iii) the fact that some of the independent foster placements Moray has to make for children, are made with carers who live in Moray but who offer services to an independent foster agency, when they might have been foster carers for Moray Council.
- (iv) the new health and social care standards.
- (v) the learning and development framework – the standard for foster care.
- (vi) the need to provide care for Moray's most vulnerable children in Moray, when needs can be met in Moray: children should not be placed out of Moray because of resource issues.
- (vii) new placement descriptors.
- (viii) the Foster Care Review which will consider fees and allowances.
- (ix) the plan to target recruitment of carers who will meet the needs of specific young people who are currently placed out of Moray. Planning is concerned with care for up to 4 children whose placements jointly cost £840k per year. Of these children, 2 are very young and they should return to Moray at an early time so that they can re-engage with Moray structures.
- (x) the consideration that more usually children benefit from living within a family, rather than within residential care. This supports the need to develop a new fostering scheme that recognises and values foster carers and one which can offer a viable alternative to residential care.. Group living with unconnected children, together with staff working on a

rota can have impact on the sense of stability experienced by children. It is recognised that for some children and young people residential care is a positive option. In financial terms residential care is more always more expensive than foster care.

3.5 The following characteristics are identified for the fostering service: -

- Consistent and good quality support
- Sufficient allowances to cover the real cost of caring for foster children
- Access to quality training and development as carers
- Respite and holiday breaks
- Working in partnership and feeling valued

3.6 Initial consideration for a new scheme for fostering had looked at a fee per household scheme rather than the current, complicated scheme where there are levels of skills based carers who receive a fee per young person in placement on a sliding scale.

3.7 Enquiry developed, and based on discussion with some of the neighbouring local authorities, the option of a core fee and additional fees linked to the number of children in placement, was considered.

3.8 Other elements that have been considered and which were included within the consultation questionnaire for foster carers are: -

- (i) A review of the complicated process that applies in terms of whether a carer takes a short break, including review of the different fees made payable for short breaks.
- (ii) Introducing 4 discreet levels to reflect the skills and abilities of the carers to meet complex need: the current scheme supports level 4 carers of children who require permanent care. Moray requires level 4 carers for children who may not require permanent care.

3.9 Taking the issues that have been raised either: -

- (i) during supervision with foster carers;
- (ii) identified at annual review;
- (iii) or informal discussions at coffee morning;

a questionnaire was constructed and issued to all approved Moray Council foster carers. The questionnaire was also issued to a number of partners.

3.10 The period of consultation was for 6 weeks, but given concern that this had been during the school summer holiday period, the survey was extended by a 7th week.

3.11 The letter, information paper and questionnaire can be found at **APPENDIX II**.

3.12 The detail within the outcome of the consultation can be found at **APPENDIX III**, with summary and clarification of points for discussion.

3.13 Key points and findings from the consultation: -

- (i) 16 questionnaires were returned, and limited comments from 2 additional carers were included within. This equates to a 35% return.
- (ii) As part of the process of consultation there have been group and individual sessions available for foster carers. 3 further foster carers were engaged with those sessions but they did not complete a questionnaire.
- (iii) The total number of foster carers who engaged with the process of consultation was 22: this represents 42% of what had been the number of fostering households at that time, 53.
- (iv) 100 % of those who responded to the questionnaire agreed or strongly agreed with the thinking behind the need for the development of a new scheme.
- (v) 94 % of those who responded to the questionnaire said that the outline of the skill levels is clear and understandable. There are four levels reflecting skill, experience and being willing and able to care for children with complex needs. In level 4 “carers will care for the children and young people who display the most complex behaviours/ needs including older children”. For level 4 “one carer should not have work outside the home”.
- (vi) 87.5 % of those who responded to the questionnaire agreed or strongly agreed with the proposed skill levels: 6% (1 person) disagreed with the levels.
- (vii) 94% of those who responded to the questionnaire agreed that there was clarity in how to progress through the skills levels. There is work to be done in terms of the detail of this via the working group which will be established. There after there will be a mapping exercise over the winter months to match skill and experience with skill level.
- (viii) 94% of those who responded to the questionnaire either agreed or strongly agreed that supervision will support them in the new scheme.
- (ix) 100% of those who responded to the questionnaire either agreed or strongly agreed with the plan to develop peer support. There will need to be clarity about differences in support/ peer/ facilitated groups.
- (x) 100% of those who responded to the questionnaire agreed or strongly agreed that the three options for fees were made clear. Option 1, to remain as is, was not preferred. Option 2 is a fee per household. This could result in carers not providing care for more than 1 child per household. Option 3 offers a core fee for the first child place, but increased fee for 2nd and 3rd child placed.
- (xi) For carers who agree to offer short breaks to children, it is proposed that they receive the level of fee for their skill. Currently irrespective of

level of skill, carers who provide short breaks receive level 1 fee: carers have expressed concern about this for some time, in supervision and in formal annual review.

- (xii) To ensure simplicity in the length of short break accessible by carers, it is recommended that all carers have the option of up to 35 days per year short break. This means carers currently regarded as “mainstream” carers (levels 1-3) would have the option of additional short breaks: from 28 nights to 35. “Choices” carers (level 4) would reduce from 42 nights to 35.
- (xiii) A working group, including carers, considered the issue of short breaks and that of the % of allowances retained when a child is away on a short break. Currently carers retain 50% of allowances when the child is on a short break and the carer, who is caring for the child on the short break, receives 100% of the allowance. The working group advised of set annual fees that need paid even when the child is away on short break. To this we have worked through the options of retention of allowances at 25%: 33% and 50. The recommendation is retention of 25%.
- (xiv) Option 3 in terms of fee options was favoured. Carers rated the fee options and the following was the score: -

Please rate your support for each proposed option

Rating 1-5 - 1 being not in support of the proposal as outlined and 5 being very much in support.

	1	2	3	4	5
Option 1	7	1	1	1	2
Option 2	2	1	3	5	2
Option 3	1		5	2	5

54% of the 13 carers who responded to this question support equally options 2 and 3 based on pooling together “agree or strongly agree” which is the method that was applied throughout the analysis of the questionnaire, however as depicted above, the weight of support is with option 3.

3 of the 16 carers chose not to rate their support, noting: -

- Pros and cons for each.
- Specific situation of carer.
- Suggestion for alternative fees reflected within **APPENDIX IV**, column headed FC.

3.14 It is recommended that Committee approves the proposed new fostering scheme, the detail of which is at **APPENDIX I**. The scheme which will comprise: -

- (i) Increased training – formal and less formal including use of peer support/ facilitated groups. This will support carers to engage with the foster care standard.
 - (ii) Clarity concerned with short breaks: carers will receive a fee when they provide short breaks at the rate consistent with their assessed and agreed skill level.
 - (iii) Skill levels that are based on experience, training, ability and willingness to offer care for children with more complex presented needs and behaviours.
 - (iv) A period of retention of fee for levels 1 and 2 carers, a 2 week period of retention following the end of a placement and prior to another being made, subject to the carer being available to agree to a placement. For levels 3 and 4 carers a 4 week period of retention following the end of a placement and prior to another being made, subject to the carer being available to agree placement or offering active peer support to other carers.
 - (v) Support carers to engage with SVQs: engagement with SVQs will not be mandatory.
 - (vi) The current budget for fostering fees and allowances is £1,441,412. The new scheme, assuming allowances retained over a short break period at 33.33%, and working with option 3 would result in a scheme that, based on existing numbers of children, would be able to be met within existing budget.
- 3.15 For two carers (two fostering households) there will be the need for separate arrangements given the specific circumstances within the context of the needs of the children for whom they are caring. Within the proposed new scheme those carers would experience a significant reduction in the fees that are made payable to them. Given need for two carers or the specific needs of the children concerned, it is recommended that as noted in **APPENDIX V** those carers sit outwith the approved scheme for the placement that they currently have. Should there be change and these placements end, then those carers would revert to the approved scheme.
- 3.16 The issues raised by the carers are detailed in the consultation document. Comment is made to the points raised by carers. There is overwhelming support for a new scheme.
- 3.17 One of the goals of revision of the scheme is to create increased placement options for children in Moray. Assuming we achieve increased placement options then the good practice of active matching of the child in need of placement with the skills of the carer could be achieved.
- 3.18 Recommendation 2 refers to the need for Committee to be alert to the issues relating to allowance made payable for children in foster and kinship care. Over recent years there has been no increase in the allowance paid for children in these placements. Until 4 years ago the Foster Network (tFN)

made recommendation annually to increase allowances. Since tFN stopped making recommendation Moray has not applied percentage increases for allowances. As part of the National Foster Care review this issue is being considered. It is inappropriate to make a recommendation at this time pending outcome of that review and audit of other local authorities. Recommendation for change in allowances will be reported to committee

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This will offer children the opportunity to have their needs met in Moray, by Moray carers. Revision of the scheme will evidence more clearly the value Moray places on its foster carers, offering a range of supports, including greater clarity in fees.

(b) Policy and Legal

The relevant policies are detailed within the report.

(c) Financial implications

The current budget for fostering fees and allowances is £1,441,412. The new scheme, assuming allowances retained over a short break period at 33.33%, and working with option 3 would result in a scheme that, based on existing numbers of children, would be able to be met within existing budget.

(d) Risk Implications

Failure to ensure that the Council provides the services and support necessary may expose the Council to reputational and financial risks and possible legal challenge.

Failing to implement the recommended revised scheme could result in:

- Continuing to have fewer skilled carers than our children need
- Continued use of out of area placements based on limited resource rather than need
- Future inspections identifying reduced standards and significant areas for improvement
- Continuing low staff morale – reported to Committee 13 December 2017 (paragraph 19 of the minute refers), Inspection of Moray Fostering Service

(e) Staffing Implications

There are no direct staffing implications associated with this report.

(f) Property

There are no direct property implications associated with this report.

(g) Equalities

The equality implications are within the body of this report.

(h) Consultations

Corporate Director, (Education and Social Care); Head of Integrated Children's Services; Head of Schools and Curriculum Development; Head of Lifelong Learning, Culture and Sport, Katrina McGillivray, Senior Human Resources Adviser; Paul Connor, Principal Accountant; Morag Smith, Senior Solicitor (Litigation & Licencing); Legal Services Manager (Litigation & Licensing); Equal Opportunities Officer and Tracey Sutherland, Committee Services Officer have been consulted in the preparation of this report. Comments received have been incorporated within the report.

5. CONCLUSION

5.1 Committee is asked to approve the recommendations noted at 2 above.

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