



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 26 MAY 2021**

SUBJECT: FOSTERING SCHEME AND SHORT BREAKS

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE

1. REASON FOR REPORT

- 1.1 To seek approval for proposed changes to short break entitlement for the fostering scheme and update Committee on the outcome of the consultation carried out with carers.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers)

2. RECOMMENDATION

- 2.1 **It is recommended that Committee approves the proposed changes to the short break scheme for foster carers set out in 3.7 a) to d) on the basis that the required consultation with carers has been undertaken as set out in 3.8.**

3. BACKGROUND

- 3.1 The new scheme approved by Committee 13 February 2019 (paragraph 19 of the minute refers) changed the number of short breaks days accessible to ensure simplicity. All carers now have the option of up to 35 days per year. This meant that “mainstream” carers – levels 1-3 in the old scheme would have the option of additional breaks from 28 to 35 days. Whereas Choices carers in the old scheme, now Level 4 carers were reduced from 42 nights to 35.
- 3.2 The system that had been in place in the old scheme was complicated. Carers who took a short break (a holiday without the foster child in their care) lost their full fees for that period and only retained 50% of their fostering allowances. Carers who had not taken any short breaks received the 28 days entitlement as a payment because they had taken the child with them on holiday and kept them included within the family.

- 3.3 Within the new scheme, carers who do not take a short break essentially lost out on that additional sum. Not many carers were affected: but a few were and some had only appreciated that they would not receive this additional fee at the end of the financial year – March 2020.
- 3.4 The impact for one family was that rather than have that sum of money which they, by habit, would use to book a family holiday, they did not have that sum and could not book the holiday. The impact on the child in foster care would have been that the family might have accessed a short break for the child, while they had a holiday without the child with them. This would not have met the needs of the child in question so was assessed as necessary to agree a sum of 2 weeks fostering fee to enable planning to progress as they would have usually done. This was agreed at this Committee on 25 November 2020 (para 40 of the minute refers).
- 3.5 The service was inspected by the Care Inspectorate in October 2019: the report was considered by Children and Young Peoples Committee on 4 March 2020 (paragraph 20 refers). The verbal feedback expressed surprise that carers could access up to 35 days short breaks: most other schemes offer 21 or 28 days. The offer in Moray had been in an endeavour to simplify an already complicated system where two schemes were in operation.
- 3.6 Given the outcome of The Care Review – The Promise, it would be expected that foster carers would include the child/ren they care for in their holiday plans.
- 3.7 It was agreed at Committee on 25 November 2020 (para 40 of the minute refers) that consultation is undertaken with carers in the following areas;
- (a) Decrease the number of accessible short break days from 35 to 28.
 - (b) Have an expectation that at times foster carers will include the cared for child in their holiday plans
 - (c) For carers who do not access short breaks they will receive a pro-rata payment for between 0 and 28 days for the days they have not taken.
 - (d) The fee is calculated on the daily rate of the carers approved level (1-4) based on them having cared for a child for 294 days
 - (e) Based on last year's figures of carers who would have been entitled to this payment for the full 28 days payment then this sum of money paid to the carers would be £23,514.
 - (f) This sum can be accessed within budget in part because the service no longer has two retained short breaks carers and this made available budget of £48,000 but currently we have fewer carers: there is an active recruitment campaign ongoing to recruit carers and we will continue to develop and promote this.

Foster carer feedback:

- 3.8 The results of the consultation of 4 focus groups meeting with all carers invited to attend and a survey monkey questionnaire are noted within:
- i) Out of 41 carers 19 responded = 47.5%
 - ii) 16 attended the meetings and three emailed with their preferences
 - iii) 15 opted for 28 days as their preference
 - iv) 1 thought a compromise of 21 days was another option
 - v) 2 were happy to go with the majority decision
 - vi) 1 thought that as they were newly approved that they didn't know enough to comment.

4. **SUMMARY OF IMPLICATIONS**

(a) **Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 - 2017**

The Children's Services plan 2020/23 identifies improving outcomes for looked after children as a key priority the Children and families and Justice Social Work service improvement plan identifies actions to be taken to support these improvements the Corporate plan (2020 update) identifies the following priorities:

Work with families as partners to give their children the kind of lives they want them to lead so that children grow up to be strong and resilient. Improve the life chances and outcomes for care experienced children and young people, improvement in children and young people's health and well-being.

(b) **Policy and Legal**

The policy considerations are those that tie with The Promise – and with duties within corporate parenting. The Council's paramount legal duty in terms of the Children (Scotland) Act 1995 when making decisions in respect of looked after children is to safeguard and promote the welfare of the child.

(c) **Financial implications**

Corporate Management Team

Additional Expenditure Warning

When the Council approved the budget for 2021/22 on 3 March 2021 (paragraph 3 of the Minute refers) it balanced only by using one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make significant savings in future years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding

could reasonably be deferred until the budget for future years is approved.

Financial implications are detailed within the body of the report.

(d) Risk Implications

As noted one carer specifically challenged the current functioning of the scheme, as they do not request short breaks for the child/ren in their care and as such lost out on the additional sum of money. There would be an impact on children if carers found they could not include the child in the family holiday plans.

(e) Staffing Implications

There are no staffing implications associated with this report.

(f) Property

There are no property implications associated with this report.

(g) Equalities

The proposal outlined is consistent with the United Nations Convention on the Rights of the Child Articles: 20, 25, 27 and 31.

(h) Consultations

Chief Executive, Moray Council; Chief Social Work Officer; Head of Service, Children and Families and Criminal Justice Services; Head of HR, ICT and Organisational Development; Principal Accountant; Legal Services Manager, Tracey Sutherland, Committee Services Officer and the Equal Opportunities Officer have been consulted in the preparation of this report and are in agreement with the content relating to their areas of responsibility.

5. CONCLUSION

5.1 It is proposed that Committee approves the proposed changes to reduce the short break entitlement from 35 to 28 days and reinstate the end of year payment to foster carers who do not take the full 28 day entitlement to short breaks.

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Background Papers:

Ref: SPMAN – 1315769894-96