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Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraidd



To:

CS/NG

Councillors: Marion Bateman, Amanda Bragg,
Peter Curtis, Adele Davies-Cooke, Ian Dunbar,
Carol Ellis, David Evans, Veronica Gay,
Ron Hampson, Cindy Hinds, Hilary Isherwood,
Stella Jones, Colin Legg, Phil Lightfoot,
Brian Lloyd, Mike Lowe, Dave Mackie,
Nancy Matthews, Hilary McGuill, Ann Minshull,
Ian Roberts, Paul Shotton, Ian Smith, Nigel Steele-
Mortimer, David Williams and David Wisinger

5 June 2013

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

Co-opted Members

Carole Burgess, David Hytch, Rita Price, Rebecca
Stark and Stephanie Williams

Dear Sir / Madam

A meeting of the **JOINT LIFELONG LEARNING AND SOCIAL & HEALTH CARE
OVERVIEW & SCRUTINY COMMITTEE** will be held in the **ALYN & DEESIDE
COMMITTEE ROOM, COUNTY HALL, MOLD** on **TUESDAY, 11TH JUNE, 2013** at
2.00 PM to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **APPOINTMENT OF CHAIRMAN**

Nominations will be sought for a Chairman for the meeting.

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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

- 3 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 4 **MINUTES** (Pages 1 - 6)
To confirm as a correct record the minutes of the last meeting.
- 5 **EDUCATIONAL ATTAINMENT OF LOOKED AFTER CHILDREN** (Pages 7 - 24)
Report of Director of Lifelong Learning and Director of Community Services
- 6 **YOUNG CARERS** (Pages 25 - 28)
Report of Director of Lifelong Learning.
- 7 **CORPORATE PARENTING ACTIVITY UPDATE** (Pages 29 - 38)
Report of Director of Community Services.

THE FOLLOWING REPORT IS FOR INFORMATION ONLY

- 8 **ANTI-SOCIAL BEHAVIOUR POLICY** (Pages 39 - 70)
Report of Director of Community Services.

Agenda Item 4

**JOINT LIFELONG LEARNING AND SOCIAL AND HEALTH CARE
OVERVIEW AND SCRUTINY COMMITTEE
21 MARCH 2013**

The minutes of the meeting of the Joint Lifelong Learning and Social and Health Care Overview and Scrutiny Committee held on Thursday, 21 March 2013, at County Hall, Mold.

PRESENT:

Councillors: A. Bragg, P.J. Curtis, A.I. Dunbar, C. Ellis, V. Gay, R.G. Hampson, S. Jones, R.B. Lloyd, M. Lowe, H.J. McGuill, H.G. Roberts, I.B. Roberts, P. Shotton, I. Smith, N.R. Steele-Mortimer, C.A. Thomas and D. Wisinger.

CO-OPTED MEMBERS: Mr. D. Hytch and Mrs. R. Price

SUBSTITUTIONS: Councillors P.G. Heesom for P. R. Lightfoot and R.J. T. Guest for N.M. Matthews.

ALSO PRESENT: Councillor B. Mullin and A. Shotton

APOLOGIES: Councillor M. Bateman, Mrs. R. Stark and Mrs. C. Burgess

CONTRIBUTORS:

Cabinet Member for Education, Cabinet Member for Social Services, Director of Lifelong Learning, Director of Community Services, Head of Children's Services, Children and Young People's Partnership Co-ordinator and Families First Lead.

IN ATTENDANCE:

Acting Overview and Scrutiny Manager, Housing and Learning Overview and Scrutiny Facilitator, and Committee Officer

1. APPOINTMENT OF CHAIRMAN

Nominations were sought for a Chairman for the meeting.

RESOLVED:

That Councillor C.A. Ellis be nominated as Chairman for the meeting.

2. DECLARATIONS OF INTEREST

The Chairman advised Members of the need to declare a personal interest in school related items on the agenda if they were school or college governors. All Members present except Councillors R.C. Bithell, A. Bragg, A.I. Dunbar, P.G. Heesom and P. Shotton (who were not school governors) declared an interest as school governors.

3. **CHILDREN AND YOUNG PEOPLE PARTNERSHIP (CYPP)**

The Director of Lifelong Learning introduced a report on the progress of the Flintshire Children and Young People's Plan "Making a Positive Difference 2011-2014" as the vehicle for Flintshire to deliver the Welsh Government Child Poverty Strategy 2011, and as the catalyst to commission collaborative strategic projects. He invited Ann Roberts, Children and Young People's Partnership (CYPP) Co-ordinator and Families First Lead, to give further detail on the development of the Plan.

The CYPP Co-ordinator provided background information and referred to the key considerations in the report. She advised that the Flying Start plan had been agreed by the Welsh Government and was being delivered and supporting families. The Communities First and the Health Social Care and Wellbeing plans had significant cross over to the CYPP plan with some agreed shared priorities. All three plans enhanced each other to deliver the best outcomes for children, young people and families.

The CYPP Co-ordinator referred to the Families First Plan which was a delivery plan for the CYPP and informed the CYPP about the level of vulnerable families in Flintshire. It was also informed by a mapping profile of services for families with a disabled child. The Co-ordinator explained that the CYPP took an active part in the recent Estyn Monitoring Visit to demonstrate to inspectors how the whole CYPP worked in an outcomes focussed approach to all delivery.

The Coordinator distributed copies of the Families First in Flintshire Programme Overview for members' information.

During discussion the Director of Lifelong Learning and CYPP Co-ordinator responded to the questions and concerns raised by members around how families and young people in need of support were identified and how they gained access to the information and services provided.

Councillor P.G. Heesom raised concerns regarding admission arrangements in schools, and also referred to communities which had a high number of families with recognised needs. The Director agreed to provide further explanation to Councillor Heesom on the schools admission policy following the meeting. He gave an assurance that the services which had been outlined by the CYPP Co-ordinator to help families and young people were available county wide.

The CYPP Co-ordinator commented on the need to capture the overall performance of interventions and track consistently the progress of children and young people. She referred to the benefit of early bespoke interventions with families which made measurable contributions to improved educational outcomes for learners. However, the early intervention work by wider support services with learners and their families was not known or built on by schools or school improvement services. She advised that there was a need for awareness to be raised through schools and suggested that school governing

bodies could assist in this respect. Members were informed that a referral training programme was provided to individuals and it was suggested by Councillor V. Gay that it would be helpful if this could be included in the School Governor Development Training Programme produced by the Lifelong Learning directorate.

Councillor S. Jones expressed a concern around the cost of providing referral training. The CYPP Co-ordinator explained that funding had been secured from the Welsh Government for a period of 18 months for informing and training people and that additional funding was expected in the future.

The Director of Lifelong Learning and CYPP Co-ordinator responded to the further queries raised by members concerning how families who did not wish to respond to the referral process were supported, the mechanisms in place for recording the source of referrals, and how the Local Service Board could be more demanding of the outcomes of the CYPP.

The CYPP Co-ordinator commented that it was anticipated that there would be an increase in referrals in future as a result of changes in the Welfare Reform and improved information and knowledge amongst communities.

RESOLVED:

- (a) That the update be noted;
- (b) That the Families First Programme Overview attached to the report be noted; and
- (b) That a report on how the views for securing further improvement from Estyn can be implemented be submitted to a future meeting of the Lifelong Learning Overview and Scrutiny Committee.

4. **FAMILIES FIRST**

The Children and Young People's Partnership Co-ordinator introduced a report to inform Members of the progress and ongoing development of the Families First Programme and the transition from the Cymorth Programme to the Families First Programme which had been completed.

The CYPP Co-ordinator provided background information and referred to the key considerations in the report. She advised that the Families First programme aimed to build on best practice in the development of integrated service models to deliver preventative and early intervention approaches which targeted families most in need. She also reported that the Family and Adolescent Support Team (FAST) provided a range of family centred interventions.

Members were informed that following guidance from the Welsh Government (WG) each local authority was required to submit a Families First Plan. An updated Flintshire Families First Plan had been approved by the WG for roll out in April 2013. A key element of the Plan was the development of the Team Around the Family (TAF) which had supported over a 100 families and worked with local services and support to co-ordinate a holistic whole family support approach via the implementation of TAF meetings and interventions for the most vulnerable families. The Flintshire Families First Plan focused on national outcomes and local workstream areas. The CYPP Co-ordinator explained that evidence and data from the workstreams had informed the development of the tendering process for the commissioning of the full Families First programme to deliver the broader Flintshire Families First Plan and commissioned projects.

During discussion the CYPP Co-ordinator responded to the concerns and observations made by Councillor P.G. Heesom around co-ordination and collaborative working concerning the Families First Programme and the Children and Young Peoples Partnership. Councillor H.G. Roberts commented on the difficulties experienced in practice through collaborative working. The CYPP Co-ordinator commented that Flintshire had worked closely with Wrexham and Denbighshire Authorities to share good practice and the results of collaborative working had been positive.

Councillor H.J. McGuill asked if links had been established with the Housing service. The CYPP Co-ordinator explained that there had been a number of referrals from Housing. Councillor McGuill also asked what support was provided for families which experienced very difficult and unsettled lifestyles.

The Chairman asked how the Children and Young Peoples Partnership fed into the Health Social and Well-being Care Partnership. The CYPP Co-ordinator advised that the Health Social Care and Well Being Partnership had created a shared agenda.

Councillor I.B. Roberts queried how local communities were supported when intervention with families and young people had not been successful and communities suffered disruption as a result. In his response the Director of Community Services referred to a number of approaches which could be taken to resolve the issues alluded to. He also commented on the close links established between Housing services and Families First and the policies in place to address problems caused by anti-social behaviour.

Councillor C.A. Thomas raised further questions concerning funding, access to information and services, awareness raising, consistency, and play provision. The CYPP Co-ordinator responded to the matters raised and explained that funding had been provided by the Welsh Government for 18 months and further funding for the next three years was expected.

The Head of Children's Services referred to the Integrated Family Support Services Team which operated across Wrexham and Flintshire. She

outlined the remit of the Team and explained that it was only able to work with substance misuse families due to the fiscal position.

It was agreed that the CYPP Co-ordinator would provide members with contact numbers for the Families First service.

RESOLVED:

- (a) That the report be received;
- (b) That a further report be submitted to a future meeting of the Committee to include how challenges can and have been overcome and the impact on receiving communities; and
- (c) That the CYPP Co-ordinator would provide members with a contact number for the Families First service.

5. EDUCATIONAL ATTAINMENT OF LOOKED AFTER CHILDREN

Councillor I.B. Roberts proposed that the item be deferred to the next meeting of the Committee so that the Learning Advisor for Children Looked After could be present. The proposal was seconded and when put to the vote became the resolution of the Committee.

RESOLVED:

That the item be deferred to the next meeting of the Committee.

6. MEMBERS OF THE PRESS AND PUBLIC

There was one member of the press in attendance.

7. DURATION OF THE MEETING

The meeting commenced at 2.00pm and closed at 3.50pm.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **JOINT LIFELONG LEARNING AND SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE**

DATE: **TUESDAY 11TH JUNE, 2013**

REPORT BY: **DIRECTOR OF LIFELONG LEARNING AND DIRECTOR OF COMMUNITY SERVICES**

SUBJECT: **EDUCATIONAL ATTAINMENT OF LOOKED AFTER CHILDREN**

1.00 PURPOSE OF REPORT

1.01 To update members of the attainment of Looked After Children (LAC) in Flintshire - March 2013 [Academic Year 2011 – 2012]

2.00 BACKGROUND

2.01 This report is based statistically upon the last day of term for the academic year 2011/12 for children and young people in care on that day. It includes all LAC irrespective of how long they have been in care and covers Foundation Phase through to post 16 education.

2.02 The data has been grouped into five age groups corresponding to the National Curriculum Key Stage 1 to 5.

Table 1 – Primary	School Year	Age	Number of LAC 2011/12
	Pre-school	0-3	5
Foundation Phase	Nursery	3-4	42
	Reception	4-6	
	Year 1	5-6	
	Year 2	6-7	
Key Stage 2	Year 3	7-8	35
	Year 4	8-9	
	Year 5	9-10	
	Year 6	10-11	

Table 2 - Secondary	School Year	Age	Number of LAC 2011/12
Key Stage 3	Year 7	11-12	23
	Year 8	12-13	
	Year 9	13-14	
Key Stage 4	Year 10	14-15	27
	Year 11	15-16	
Key Stage 5	Year 12	16-17	15
	Year 13	17-18	
	Year 14	19	

For the purposes of the report children looked after under Short Breaks/Respite Care is not included in the statistical analysis.

3.00 CONSIDERATIONS

3.01 Profile of the Group

3.02 There are 147 relevant children within the cohort. There is a notable increase in the number of LAC within the Primary sector (Foundation Phase and Key Stage 2) with numbers increasing from 43 in 2010/11 to 77 in 2011/12. Within the Secondary Sector (Key Stage 3 & Key Stage 4), numbers have decreased from 65 in 2010/11 to 50 in 2011/12.

3.03 74% of the 147 children are identified as having Special Education Needs (SEN). The level of need is indicated below:

- 32% have a Statement of Special Educational Need.
- 35% receiving support at School Action Plus
- 7% receiving support at School Action

3.04 Placement type

Pre-school / Primary Sector:

- 38 (46.4 %) residing with a parent or friend / family carers, 24 living with parent(s) under an agreement and 14 with a relative or friend.
- 3 (3.6%) within residential units
- 41 (50 %) with local authority or agency foster carers.

Secondary Sector

- 13 (26%) residing with a parent or friend / family carers, 4 (8%) of which are with a relative.
- 11 (22%) within residential accommodation
- 1 (2%) in prison

- 1 (2%) within a Mental Health Unit
- 24 (48%) reside with foster carers

3.05 Pupil Outcomes

Foundation Phase

Pupils are assessed against the Foundation Phase Indicator (FPI). To achieve FPI at Key Stage 1, the child must gain a level 2 in all core subjects to include Maths, Science and English (or Welsh). The Flintshire average 2011-2012 was 79.65%, Welsh Average 80.47%.

Three pupils were assessed against the FPI with 2 out of these (66.6%) meeting the expected level.

Key Stage 2

To achieve the core subject indicator (CSI) at Key Stage 2 the child must gain a level 4 assessment in all core subjects to include Maths, Science, English (or Welsh). The Flintshire Average was 81.30%, Welsh Average was 82.58%.

Out of the 5 children who were assessed, 3 (60%) achieved the CSI. The other 2 pupils had SEN which impacted on their ability to achieve this indicator. One had a Statement of SEN for Moderate Learning Difficulties and the other was accessing support for significant literacy difficulties.

Key Stage 3

To achieve the core subject indicator at Key Stage 3 the child must gain a level 5 in all core subjects to include Maths, Science, English (or Welsh). The Flintshire Average was 76.02% and the Welsh Average was 72.53%.

Out of the 7 pupils assessed, 5 achieved the CSI (71.4%). The other 2 pupils had SEN which impacted on their ability to achieve this indicator; one had a Statement of SEN for Moderate Learning Difficulties and Behavioural, Social & Emotional Difficulties. The other was accessing support for significant literacy difficulties.

Key Stage 4 /5 – See Table 2 Appendix 1

An overview of the outcomes at KS4 indicate that of the 19:

- 16 young people were entered for public examinations in the last year of compulsory education (year 11)
- 1 young person was entered in Year 10 and achieved 2 GCSEs at C grade (child KM)
- 2 young people were entered for GCSEs in Year 12 because they were unable to sit the exams in Year 11 due to their personal circumstances (child F & Child V).
- all young people achieved a formal qualification compared with 93% for 2010/11.
- 12 young people sat GCSEs achieving grades in the full range

of A* to G.

- 3 young people achieved the Level 2 Threshold of 5 GCSEs at C and above
- The average point score for 2011/12 was 155.6 with a range of 12 to 548. This compares favourably with 99.2 for the last academic year.

3.06 Cohort Profile

The following information should be considered alongside pupil outcomes.

Legal Status:

- 9 out of 19 were subject to Full Care Orders to the local authority – joint parental responsibility between local authority and parent
- 10 were looked after under Section 20, Voluntary accommodation- Parental responsibility with parents only; and
- the average age of becoming LAC for Year 11 pupil cohort was 12 years 2 months.

Special Educational Needs (Year 11)

The number of Looked After Children with special educational needs (SEN) continues to be significant in the cohort for 2011-2012. compared to the general school population given the smaller numbers as a defined by their Care Status as can be seen below:

- Statement - 6 out of 16 (37.5%)
- School Action Plus – 5 out of 16 (31%)
- School Action – 4 out of 16 (25.7%)
- None Identified – 1 out of 16 (6%)

Type of Educational Establishment:

The 19 young people were placed in:

- Mainstream school – 10 out of 19 - 52.6%;
- Pupil Referral Unit (PRU) – 4 out 19 - 21%;
- Residential Day Provision – 2 out 19 - 10%;
- Special School LA – 1 out 19 - 5.2%;
- Home Tutor – 1 out 19 – 5.2%;
- 1 in special circumstances (prison) – 1 out 19 - 5%; Child E above had 8 placement changes during year 11 an unable to complete planned GCSE programme; and
- 4 out of 19 in Out of County Provision in Year 11 - 21%

Care Placement Type:

- Foster care – 13 out 19 young people (68.4%)
- Foster care (Kinship) – 2 out 19 young people (10.6%)
- Placement with parent (PWP) – 1 out 19 young people (5.2%)

- Residential / Special Circumstances 3 out of 19 young people (15.7%)

3.07 **Post 16 Destinations in September 2012:**

18 Young People in Post 16 Education had destinations as follows:

- 14 continuing in education
- 1 employment
- 2 not in Education, Employment or training (NEET); and
- 1 prison

3.08 **Conclusion**

Children who are Looked After do not regularly achieve comparable results to their peers or compare favourably as a cohort with the Welsh average in respect of Core Subject Indicator and Point Score. Many of these children and young people demonstrate a lack of basic skills along with the aspirations to achieve educationally. Earlier, more formal interventions by social workers and schools to support strategies to address the gaps apparent in basic skills, school attendance and social relationships enhance the potential for these young people to achieve favourable outcomes at the end of KS4.

In response to this Local Authority officers are working closely with colleagues in schools and other agencies to improve attainment for children who are looked after. School Effectiveness Grant funding has been allocated and used to target literacy and numeracy skills as a priority.

Joint partnership working with teachers and social workers is on going. A secondary school event took place at the end of October. It was well supported by designated teachers and well received by social workers.

Social Workers and Independent Reviewing Officers (IROs) commented positively on the support given by the designated teachers at Holywell High, Connah's Quay High School and the Argoed. (See Appendix 2 Role of the Designated Teacher.) Much praise is also given to staff at Queensferry Primary, St Mary's R.C Primary, Ysgol Cae'r Nant.

A second joint partnership day with Primary Schools is planned for May to develop plans for 'catch up' and basic skills recovery. It is hoped that there is continuation of support for LAC from the school Effectiveness Grant to support basic skills.

It is pleasing to note that the academic attainment for 2011-2012 shows an overall improvement in attainment for pupils within Flintshire when compared with those of the last academic year. This improvement is a reflection of the efforts of the young people, their

teachers and carers along with the targeted support and actions indicated above. It is important to note that a great number of young people within the Key Stage 4 cohort had identified issues around family relationships, a history of poor attitudes to learning and education and regular periods out of school and despite this a number had achieved outcomes in excess of Welsh averages.

4.00 RECOMMENDATIONS

4.01 That Members note the educational progress of looked after children in Flintshire.

5.00 FINANCIAL IMPLICATIONS

5.01 None.

6.00 ANTI POVERTY IMPACT

6..01 None.

7.00 ENVIRONMENTAL IMPACT

7.01 None.

8.00 EQUALITIES IMPACT

8.01 Strategies to support the achievement of looked after children are aimed to ensure that they achieve their potential.

9.00 PERSONNEL IMPLICATIONS

9.01 None.

10.00 CONSULTATION REQUIRED

10.01 None.

11.00 CONSULTATION UNDERTAKEN

11.01 None.

12.00 APPENDICES

12.01 Appendix 1 -Table 2 Key Stage 4
Appendix 2 - Role of the Designated Teacher.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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QUALIFICATIONS & OUTCOMES KEY STAGE 4 2011-2012

Social Services No.	Name	Care Status	Gender	Age at LAC Admission	Additional Needs	Care Placement	Type of School/Changes in provision Keystage 4	OOO	Key Stage 4 changes in care placements	Qualifications	Post 16 Education	Accom Care Placement	Point Score
54486	Child B	CO	M	11yrs	SEN - MLD	Foster care	Mainstream	N	1 change	BTEC engineering,English lang F, home econom E,Maths U,Science G, Applied science E,Entry level English 2, Entry level Maths 2.	College Voc	Foster care	198
24057	Child E	CO	M	4yrs	SEN - ESB	Residential with Education prison	Residential unit prison	Y	8 changes	BTEC Applied Science Pass/Entry level 3 ICT Pass/BTEC Engineering L2	Prison Educ	Prison	183
6638	Child G	Accom Sec 20	F	15yrs	School Action Plus - ESB	Residential	PRU / 1 change	N	1 change	Entry level Eng 2/Entry level Maths 3/Science 3	College Voc	Residential Home	40
52279	Child J	Accom Sec 20	F	12yrs	SEN - MLD	Kinship care	Mainstream	N	none	GCSE Wlesh 2nd Lang E/Religious Studies E/ Media Studies D/Maths G Eng lang D/D&T F/Science F/G	College Voc	Kinship care	194
5996	Child P	CO	F	5yrs	School Action - ESB	Foster care	Mainstream	Y	1 change	GCSE Eng lang F Eng lit F/Drama E/Child dev E/ Maths G/Science G/E/ RE G/ Welsh D	College Voc	Foster care	207
11750	Child RJ	Accom Sec 20	F	15yrs	School Action - ESB	Kinship care placement	Mainstream	N	1 change	GCSE Art & Design D/BTEC Perform Arts Pass/D&T Textiles E/ Science E/Eng lang D/Maths G/Welsh 2nd Lang C/Welsh Bac pass /Entry L1 Info & Comm pass/ L2 Communication 2/ Applic of numbers level 2 pass	College	Kinship care	311
50721	Child L	Accom Sec 20	M	15.6yrs	SEN - ESB	Foster care	PRU- Refused to attend	Y	1 change	Entry level Eng 2/ Entry level Maths 2	Education Refused	No longer LAC Discharged to parents June2012	24
24741	Child M	I.C.O	F	15.9yrs	None Identified	Foster care	Mainstream	N	Discharged from section 20	GCSE Maths Foundation F/Entry level communication L2	College placement	No longer LAC	34
70202	Child JM	Accom Sec 20	F	16yrs	School Action - ESB	Foster care	Mainstream	N	Discharged from section 20	GCSE-Art B/Drama C/English C/Maths C/ RE C/Science C/ Welshs/I C	School Sixth Form	No longer LAC -July2012	326
24043	Child Mc	Accom Sec 20	M	15.9yrs	School Action Plus - ESB	Residential	PRU - Refused to attend	Y	3 changes	Entry level 2/ Application of number	Education Refused	Supported lodgings	12
19926	Child R	I.C.O	F	15yrs	School Action Plus - ESB	Foster care	PRU/ Home tutor	Y	2 changes	Entry level 3 - application of number	College Voc	Foster care	14
33172	Child S	CO	M	12yrs	School Action Plus - ESB	Foster care	PRU/Residential Day Sch	N	2 changes	Entry level Maths 3 Entry level Eng 1 Refused to sit GCSE's	College/Employment	Foster care	24
12852	Child V	Accom Sec 20	F	16.6yrs	SEN -MLD	Foster care	Mainstream	N	2 changes	GCSE Art & Design C/Science E/ Eng lang F/Maths G/Health & Social Single award G Communication L2 - pass/App of Number L2 - pass	College Voc	Foster care	146
62028	Child W	Accom Sec 20	M	15yrs	School Action Plus - ESB	Foster care	Home tuition	Y	None	Entry level Maths 3 Entry level Eng 2	Employment	Supported lodgings	26
3535	Child JW	CO	M	5yrs	SEN - moderate learning difficulties	Foster care	Secondary Special Day S/N	N	None	Communication Entry L3/Maths Entry L2/Science Entry	Sixth Form	Foster care	62
9352	Child TW	CO	F	7yrs	School Action- ESB	Foster care	Mainstream	N	none	GCSE D&T Food Tech E/Eng lang F/ Eng lit F/Home Econ F/Maths Foundation G/Science A E/Applied Science French Written F/Religious Studies E/Welsh 2nd lang F	Sixth Form	Foster care	268
Key Stage 4- Year 10													
37603	Child KM	CO	M	12yrs	School Action plus- ESB	Residential placement with parent		N	1 change	GCSE Eng lang C/Maths C	still in compulsory educ	placement with pa	80
Key Stage 5 - Year 12													
70695	Child F	Sect 20 Accom	F	15yrs	School action ESB	Fostercare	Mainstream	N	1 change	GCSE Science A D/D&T B/ Adt Applied Science D/French D/ Art & Design B/Eng lang C/ Eng lit C/History E/Info &full course B/Religious Stud E/Science D/Maths C/Science D/Maths foundation C	College, Higher tier	Supported lodgings	510
70168	Child NV	Sect 20 Accom	F	16yrs	School action ESB	Fostercare	Mainstream	N	none	GCE Psyc B AS D/GCE H&Social care D/GCSE Art & Design D/ French B/D&T C/Eng B/Eng Lit C/Maths Foundation C/Media Studies C/Religious Stud D/Welsh Second B/Religious Studies C	Sixth form	Supported lodgings	543



LOOKED AFTER CHILDREN

DESIGNATED TEACHER

Kate Wyld
Learning Advisor for Children Looked After
Y Delyn
Alexandra Road
Mold
Flintshire CH7 1HJ Tel: 01352 707811

The Education of Children and Young People who are/were Looked After by Local Authorities

Key Principle

Corporate parenting – the role of the school

Schools have duties and roles under the auspices of the corporate parent.

Corporate parenting; the local authority has a moral and legal duty to do everything a good parent would do.

Corporate parent; the local authority as a whole, including wider services such as health and the agencies who work on behalf of the local authorities such as independent fostering providers. Ultimately the elected lead member and the Director of Children's Services are responsible for the outcomes of looked after children.

Four important duties for local authorities

In regard to looked after children's educational achievement, local authorities must ensure that:

- Looked after children have educational outcomes comparable to their peers;
- All local authority processes demonstrate a proactive commitment to educational outcomes for looked after children;
- All looked after children are encouraged to have high expectations;
- There is sufficient training and support for all local authority staff to facilitate understanding of the needs of looked after children.

The importance of the designated teacher's role is reflected by its place in legislation and statutory guidance. (The Children and Young People's Person's Act 2008)

- The designated teacher's over-arching objective is to ensure steps are taken to improve the educational progress and attainment of looked after children within the school.
- In acting upon this objective, the designated teacher's role can be broken down into a number of subsidiary aims, including developing and implementing the looked after child's personal education plan, and being aware of his or her wellbeing more generally.
- In order to see that the child receives the best possible support in his or her education, the designated teacher must co-ordinate effectively with members of staff, carers and professionals outside school.
- A designated member of staff has a crucial role as a leader and manager because of the complexity of the looked after population (In Our Hands, 2011 www.cymru.gov.uk)

The Role and Responsibility of the designated teacher

Key information – required qualifications for the designated teacher/person

The designated person should be: (In Our Hands, 2011 5.11)

- Where there is a significant number of looked after children, it is recommended that a member of the leadership team, already working in a strategic, inclusion or pastoral role, is given the responsibility
- A headteacher and/or acting headteacher of the school
- A qualified teacher who has completed the appropriate induction period and is working as a teacher at the school or
- May not necessarily be a qualified teacher, although this is likely to be the case in the majority of the schools.

The principle duties of the designated teacher/person

- To work with other teachers to identify the looked after child's educational needs;
- To take lead responsibility for the child's personal education plan;
- To have high expectations for the looked after child;
- To ensure that the looked after child has access to extra learning support;
- To be aware of the wider wellbeing of the looked after child; and
- To work effectively with others, both inside and outside the school, in supporting the looked after child's learning.
- To establish school policy and oversee its implementation
- To assess work during periods of non attendance
- To liaise with social workers, foster carers and designated members of staff in children's homes on a regular basis

The Headteacher

In designating a member of staff the Headteacher will maintain a responsibility and ensure that:

- There is a policy on looked after children in school;
- The Governing Body is conversant with their roles and responsibilities as corporate parents;
- There are clear and well established processes to communicate with internal staff and key partners such as social service departments, local authority education departments, foster carers, youth services and youth offending teams;
- Training is regularly given to all members of staff on the personal education plan and issues associated with being in care;
- They know who all the looked after children are in their school;
- They know where the looked after children are receiving their education, particularly for learners who are on a 14-19 learning pathway.

The designated teacher, the school and the care placement

- Looked after children are likely to have many more adults involved in their lives that their non-looked after peers
- The designated teacher forms a crucial part of the network of people and services around the looked after child, and will need to be able to effectively communicate

with these people and services to ensure that the looked after child's education is supported.

- The designated teacher should be aware of the particular role that different people and services play and how changes in other areas of the looked after child's life may affect their educational progress and attainment.

Key Information

The designated teacher role is fundamental to making sure there is a central point of initial contact – not necessarily the designated teacher him or herself – within the school who can manage the process of how the school engages with others from outside the school.

Designated teachers are responsible for:

- Ensuring an agreed means of working with other professionals to review and develop educational attainment;
- Seeing that school policies are communicated to the carers, social workers and, as appropriate, the parents of looked after children;
- Ensuring the child's teachers know who to contact for different reasons, e.g. in an emergency, or for signing permission slips;
- Creating strong communication and partnerships between school and the relevant services, including the looked after children service, and specialist services such as youth offending teams and child and adolescent mental health services (CAMHS).

Good Practice – working with Foster Carers/Carers

- Get to know the looked after child's foster carers, make an introduction and exchange contact details
- Put together a specific induction pack of school materials and information for carers including information for carers including information about the role of the designated teacher and the personal education plan.
- Make sure the foster carer knows the child's form tutor and year head and has opportunities to attend parent's evenings, school events and awards events.

The Role of the Residential Home

Residential homes generally provide 24 hour care for young people, rarely younger children under eleven years.

The Responsibilities of a Children's Home

The children's home must communicate with the teacher to ensure:

- They are up to date with the home-school agreement;
- There is an understanding about time keeping and attendance;
- They are happy with any arrangements for maintaining the looked after child's homework diary;
- The child's personal educational plan is on track.

Good Practice

- Find out who the looked after child's residential carers are, establish contact and ensure both parties know how to connect with each other;
- Consider putting together a specific induction pack of school materials and information for carers including information about the role of the designated teacher, and the personal education plan;
- Ensure the carer or key worker knows the child's form tutor and year head and has opportunities to attend parents' evenings and awards events;
- Liaise with the social worker to establish practicalities such as who is responsible for signing permission slips, usually this is the social worker but the responsibility can be delegated to the carer.

Key Information

Roles and responsibilities of the Social Worker

- All children looked after by the local authority will have a designated social worker; older pupils may have a Personal Advisor.
- The social worker will assess the individual child's needs following comprehensive assessments.
- The social worker will develop a Care Plan taking into account the information gathered from colleagues, health, education, family and the child.
- The Care Plan will identify outcomes to be achieved to maximise the child's health and well being.
- The information gathered from education colleagues and contained in the Personal Education Plan (PEP) annual reviews, planning meetings is vital in updating the Care Plan.
- Get to know the social worker responsible for the Care Plan.
- Arrange to meet the social worker to gain and exchange information (see guidance – Completion of a PEP).

The Role of the Independent Reviewing Officer (IRO)

- The local authority is required under statutory regulations to review the child's Care Plan at regular intervals, initially 28 days, three months and six months thereafter. If the child moves placement or circumstances change the cycle returns to 28 days, three months, and six months.
- The IRO is tasked with ensuring the local authority is fulfilling its legal duty of care and maximising the child's wellbeing and life chances;
- If possible the designated person should attend the review or provide an update report or updated PEP;
- The IRO will ensure that the Care Plans outcomes are being adhered to and have the powers to take appropriate action if there is lack of progress.

Additional Information

Who is looked after?

Children who are looked after and defined in Section 22 of Children Act 1989. They are children who are subject to care orders and those who are provided with accommodation for more than 24 hours by the Authority. They fall into 4 main groups:

- Children who are accommodated under a voluntary agreement with their parents (Section 20);
- Children who are the subject of a care order (Section 31) or an interim care order (Section 38);
- Children who are the subject of emergency orders for their protection (Section 44 and 46);
- Children who are compulsorily accommodated. This includes children remanded to the local authority or subject to a criminal justice supervision order with a residence requirement (Section 21);
- In some cases children subject to a full care order remain living with their parents under a Placement with Parent Agreement. Parents sign a contract with Social Services. If the parent does not adhere to the agreement the child can be removed from their care;
- In some cases children live with grandparents or close relatives. If the carers are paid to care by Social Services this is kinship care. The carers must provide care to the same standard as foster carers.

Guidance Notes for completing the Personal Education Plan

What is a PEP

A PEP is an individual needs lead education plan which focuses on the action that is required for the child to fulfil their potential. It is a working document that plans, sets targets and acts as a record of progress and achievement. It is a school/education based record and an important source of continuity for the child and parent/carer.

Who should have a PEP?

Every looked after child should have a PEP

Who informs the school that a PEP is required?

It is the responsibility of the social worker to initiate the drawing up of the PEP

Whose responsibility is it to draw up a PEP?

It is the school's responsibility, and within the school the designated person ensures it is completed.

It should be noted that the PEP is a working document.

Stage 1

Within 3 days

- The social worker to send the notification that a child/young person is looked after to the school
- The social worker completes the PEP cover and the Care detail pages
- The social worker to send PEP to Designated teacher to arrange date and time of the PEP meeting with the Social Worker
- Child/young person and parents (if applicable) to be invited
- Others may include Class Teacher, Education Coordinator, Learning Support Assistant, Health, Careers Wales, care professionals etc.

Stage 2

Prior to the Meeting

- Designated teacher to meet with child/young person to explain the PEP process and purpose, and to help with the child's/young person's contribution to the Plan.
- Designated Teacher to begin to arrange short term targets with the child/young person. These should include: specific literacy, numeracy and/or subject targets, behaviour, attendance
- Designated Teacher to collect all additional information in preparation for the meeting e.g. attendance statistics, SEN statement, IEP, PSP (Personal Support Plan) etc
- The Social Worker should ensure that all relevant parts such as Legal Status are filled in prior to the meeting
- The Social Worker to inform the Designated teacher of the circumstances of the child/young person that may impact upon education

Stage 3

The Meeting

- PEP meeting to look at the child's/young person's achievements and the positive aspects of their education, social skills etc
- PEP meeting will usually be Chaired by Designated Teacher
- Everyone should be invited to contribute to the Plan, and to clarify the short and long term targets for the child/young person
- Designated Teacher to identify appropriate Link Teacher (taking into account the child's/young person's preferences)
- All parties should be clear how the Plan will contribute to the child's/young person's education, well-being and what their role in it will be
- Check contact details and other details are correct
- Set date and time for Review
- Completed PEP to be distributed by the Designated Teacher to Social Worker, parents, carer and the Education Coordinator (preferably at the time of the meeting)

Stage 4

The Review

- Peps should be reviewed every 6 months initially in accordance with Statutory Reviews
- For children/young people with statements, the PEPs may be reviewed alongside the Annual SEN statement review
- The Review should check the progress against the short term targets in the original PEP
- The PEP should be renewed annually or sooner if there have been major changes
- Set date and time for next Review

NB: The PEP should be completed within 20 school days of changing school/placement

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **JOINT LIFE LONG LEARNING & SOCIAL HEALTH OVERVIEW AND SCRUTINY**

DATE: **11TH JUNE 2013**

REPORT BY: **IAN BUDD, DIRECTOR OF LIFELONG LEARNING / NEIL AYLING, DIRECTOR OF COMMUNITY SERVICES**

SUBJECT: **YOUNG CARERS**

1.00 PURPOSE OF REPORT

1.01 To update Members on the range of services available in Flintshire to support Young Carers

2.00 BACKGROUND

2.01 A Young Carer is defined as: *“Anyone under the age of 18 whose life is in some way restricted because of the need to take responsibility for the care of someone who is ill, has a disability, is elderly, is experiencing mental health problems, or is affected by substance misuse.”* (The Carers National Association, now Carers UK, 1998)

2.02 From the census 2001 it was estimated that there were 2500 young carers in Flintshire

2.03 Young Carers may carry out a range of tasks from making a cup of tea or taking a sibling to school to providing the most intimate personal care, such as changing a parent with incontinence. Providing a caring role at a young age may negatively impact on a young person’s well-being and development (socially, emotionally and educationally). For example educationally, problems at school may manifest as truancy, lateness, fatigue in class, failing to complete homework culminating in finishing school with no qualifications. On the flip side for some children and young people caring can be a positive experience, but only if the right support is put in place. For example the positive impacts may include greater sensitivity towards others, enhanced living skills and strong family bonds.

2.04 In Flintshire we have a Young Carers Subgroup (a multi-agency subgroup of the Carers Strategy Group). The subgroup has responsibility for producing and implementing a multi-agency Young Carers Action Plan which sets out how we will deliver on the

outcomes we want for Young Carers in Flintshire, namely:

- Young Carers are acknowledged, recognised by professionals and fully informed
- Young carers are skilled to undertake their caring role
- Young carers have access to a range of quality flexible imaginative and responsive support, including at times of crisis and emergency
- Young carers are treated as individuals with needs in their own right, specifically around their needs to access life long learning

2.05 In order to achieve these outcomes we have:

- Developed and promoted a Young Carers professional pack. The aim of the pack is to raise awareness of young carers and the available support. It contains a revised assessment protocol, which clearly communicates to staff in Adult and Children Social Services teams that young carers can be referred to Barnardo's for a young carers assessment (*The Young Carers Forum have told us that they do not want to be referred to Social Services for an assessment because of the stigma associated with this.* As a result of this action the number of young carers being identified and supported is on the increase.
- Commissioned services (through both the Carers and Families First funding) from Barnardo's to provide 1:1 emotional support and a range of fun and leisure based activities. Also commissioned NEWCIS and Barnardo's as a collaborative to provide training to care. The added value of the collaboration is that there is the opportunity of a smooth transition from young carers to adult carers' support; we know that many young adult carers feel unsupported as they fall between services.
- Ensured all agencies work together to promote the Access to Action (A2A) card which is now being rolled out to all secondary schools in Flintshire. Deeside College has agreed to be involved from September 2013 and have started the process of promoting to staff. The A2A Card is an ID card, which when presented in a school or social services setting signals that the young person has personal circumstances that may require extra support or further discussion in a private space. The card is shaped to the individual needs of the young person but could include arrangements or collection of young siblings, quicker access to Social Services staff or allowing time out from class. All four schools in the initial pilot have endorsed A2A and will continue to use. Young people who carried the card reported that having the card boosted their confidence and offered reassurance
- The Young Carers Subgroup is currently looking to update the

Action Plan, following the positive progress made. We are now looking to focus our efforts in the forthcoming year on engaging G.Ps and BME young carers.

- We are linked into the regional young carers group where we benefit from shared learning and expertise. We have recognised that the services we need and are commissioning on a local level do not lend us at this current time to embark on a joint commissioning arrangement with other North Wales Local Authorities. We are confident that our current arrangements are delivering on the outcomes young carers in Flintshire want.

3.00 CONSIDERATIONS

- 3.01 Seek endorsement from members to maintain our approach to how we support Flintshire Young Carers.

4.00 RECOMMENDATIONS

- 4.01 To maintain our approach in the way we support Young Carers in Flintshire.

5.00 FINANCIAL IMPLICATIONS

- 5.01 Funding is provided to the Young Carers Project through a range of sources.

Carers Commissioned Services

Per annum:

£52,000 to Barnardo's Young Carers Project

£8,000 to NEWCIS & Barnardo's to provide training to young carers.

Families First

£35,500

Substance Misuse Alcohol Team (SMAT)

£10,000

Match funding from Barnardo's £80,000

6.00 ANTI POVERTY IMPACT

- 6.01 Supporting young carers will improve future life chances

7.00 ENVIRONMENTAL IMPACT

- 7.01 None.

8.00 EQUALITIES IMPACT

8.01 None, inclusive of all Young Carers.

9.00 PERSONNEL IMPLICATIONS

9.01 None.

10.00 CONSULTATION REQUIRED

10.01 None.

11.00 CONSULTATION UNDERTAKEN

11.01 In relation to the Young Carers Action Plan, Young Carers and Partner Agencies were consulted.

12.00 APPENDICES

12.01 None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **JOINT LIFELONG LEARNING AND SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE**

DATE: **TUESDAY, 11 JUNE 2013**

REPORT BY: **DIRECTOR OF COMMUNITY SERVICES**

SUBJECT: **CORPORATE PARENTING ACTIVITY UPDATE**

1.00 PURPOSE OF REPORT

- 1.01 To provide an update to members on activity surrounding the corporate parenting responsibilities of the County Council which were first set out in “Circles of Care : Corporate Parenting in Flintshire”.

2.00 BACKGROUND

- 2.01 A guidance document “If this were my child...” was originally issued to all County Councillors in March 2005 setting out their key responsibilities as corporate parents to the children in their care. The document was re-issued in 2009.
- 2.02 In April 2005 Flintshire launched a corporate forum – the Children’s Services Forum – to oversee and promote corporate parenting activity within the County Council.

3.00 CONSIDERATIONS

- 3.01 The Children’s Services Forum continues to meet and has extended it’s membership to include Foster Carers; Health; Headteacher representatives, as well as senior Members and four young people representatives. The agenda items are referenced in the attached report which provides the activity update report on all areas of corporate parenting activity recently considered and undertaken.

4.00 RECOMMENDATIONS

- 4.01 That the Committee consider the report and endorse the current financial support offered to corporate parenting activity in Flintshire.

5.00 FINANCIAL IMPLICATIONS

- 5.01 Since 2009 a budget has been allocated to support corporate

parenting activity within the County Council.

- 5.02 As with all good parents we are encouraged by the Welsh Government to contribute to our young people's future needs via Child Trust Funds and now Junior ISAs, details of which are contained within the attached report.

6.00 ANTI POVERTY IMPACT

- 6.01 A commitment to the aims and objectives of the Welsh Government as set out in the guidance document(s) will ensure that children who are or were in the local authority's care will not be disadvantaged by poverty.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None directly as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 None directly as a result of this report but support for our looked after children ensures that they are given equal opportunities with their peer group.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None directly as a result of this report.

10.00 CONSULTATION REQUIRED

- 10.01 None directly as a result of this report.

11.00 CONSULTATION UNDERTAKEN

- 11.01 Four young people from the Speaking Out for Children in Care Group and the Care Leavers Support Network are standing members of the Children's Services Forum.
- 11.02 Their involvement in associated activity is described in the attached report.

12.00 APPENDICES

- 12.01 Appendix 1 : Update Report on Corporate Parenting.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

- "If this were my child..." (2009) Welsh Government
- Circles of Care: Corporate Parenting in Flintshire (Policy,

Strategy and Action Plan)

- Further information on any of the issues referenced in Appendix One is available upon request.

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REPORT ON CORPORATE PARENTING WITHIN FLINTSHIRE COUNTY COUNCIL

**REPORT AUTHOR: Carol Salmon
Head of Children's Social Services**

INTRODUCTION

The Children's Services Forum remains the focus for corporate parenting activity within the county council and the annual Pride of Flintshire Awards held in the autumn are the major events held to celebrate the achievements of our looked after children and care leavers.

Flintshire has adopted the following Corporate Parenting Pledge which is:

- To be a good parent to the children we look after
- To make sure those children have the best life possible
- To make sure everyone works together to make this happen
- To help children become health and independent adults

The following sections outline some of the detail around corporate parenting activity during 2012/13.

1. CHILDREN'S SERVICES FORUM

During 2012/13 a variety of topic areas were discussed. These included some external speakers, i.e.

- National Youth Advocacy Service
- Looked After Children's Nurse
- Child + Adolescent Mental Health Service
- Supported Lodgings Evaluation (BAAF)
- Children + Young People's Partnership

A Forward Work Programme was drawn up to ensure that ideas and suggestions are logged and members can contribute to the activity.

The CSF had been in existence since 2005 and I therefore suggested that a self – assessment event was long overdue. An external facilitator was appointed to guide us through the self assessment. The event took place on the evening of the 28.11.12. and the outcomes were included in our forward work plan.

2. EDUCATION OF LOOKED AFTER CHILDREN

A separate report has been produced by the Looked After Children (Education) Coordinator.

3. CARE LEAVERS IN EMPLOYMENT

During 2010 a “skillbuild” initiative was piloted with the assistance of Deeside College and our Corporate Training Department. The scheme could not be repeated due to grant funding changes with partners. Care leavers will be given consideration within Flintshire’s Apprenticeship Scheme and in the interim the CYAS Team (Children’s and Young Adults Support Team) encourage our care leavers to access further education and work opportunities.

During 2012/13 one of young care leavers was offered a placement within the Corporate Finance Team as part of his accountancy studies, funded jointly by Social Services for Children and the County Treasurer’s Department.

3. CARE LEAVERS’ HOUSING SUPPORT NEEDS

This is an ongoing preoccupation and the impact of Welfare Reform heightens the need to ensure appropriate accommodation is available for care leavers given the increased restrictions placed upon the payment of benefits to this group. Isolation is often an issue for young people and current legislation seeks to ensure that children within the care system have access to support until they are 21 years of age and 24 years of age if they are in full time education. That support includes support to remain in foster care, should that be their choice post 18, by “re-badging” the placement as supported lodgings. Other forms of supported living are available and in conjunction with the Housing Department a “shared living” scheme was developed for 3 young people which we hope will be extended in the coming year. Close working between the children’s services and housing departments ensures that young people leaving care have access to a range of accommodation to meet their needs and an action plan is in place to continue to develop targeted accommodation support for this group alongside our responsibilities to all young people in need following the Southwark Judgement.

4. THE HEALTH OF LOOKED AFTER CHILDREN AND CARE LEAVERS

The Looked After Children’s Nurse continues in post, monitors the health assessments of Looked After Children and assists with GP and Dentist registration. These activity areas are governed by PI reporting and at the end of Quarter 4 the results were as follows:

- Health Assessments within timeframe 45.4%
- Teeth checked by a Dentist within a 12 month period 35%
- Registered with a GP within 10 days of placement 100%

Timeliness of LAC medicals is dependant upon many variables – the availability of the LAC Nurse, paediatrician, carers and child or young person and the willingness of older children to participate in the process. The same is true for dental checks and when young people reach 15-16 years of age they often make their own life choices in this regard.

In the summer of 2012 a new Transition Team was launched and cases open to the Children’s Integrated Disability Service currently transfer at 16 to the new team. The new arrangements seek to ensure that the journey into adulthood for this group of young people with complex health needs is as smooth as possible. Some of these young people will be deemed looked after and the team have had training in LAC processes as part of the implementation plan. A service review is to be completed in the summer of this year.

5. OTHER SUPPORT TO LOOKED AFTER CHILDREN AND CARE LEAVERS

All children are allocated a key worker and we have a group of volunteer mentors available to enhance the support available. We support our children to engage in leisure activities and provide funds for additional tuition if that is required.

Our participation groups [Care Leavers Support Network and Speaking Out for Children in Care Group] ensure that our work is child – friendly and act as critical friends to activity and information. The group have recently reviewed our “LAC Pack” contents and contributed to several publications. Amongst these was “My Planner” an initiative led by the Children’s Commissioner for Wales’ office which is now provided for all our looked after children.

We continue to commission the National Youth Advocacy Service to provide advocacy and independent visitors for our looked after children and care leavers. Our Independent Reviewing Officers ensure appropriate levels of support during the review process and are diligent in their duties towards this group of young people ensuring that care plans are followed through and the voice of the child is heard during the process.

For some years we have been contributing to Child Trust Funds for our looked After Children based on agreed funding formula, viz,

Child Trust Fund

	<u>2010-2011</u>	<u>2011-2012</u>	<u>2012-2013</u>
No. Children	73	58	54
Average No. of Weeks LAC	41	44	18
Payment Per Week Per Child	£ 10.00	£ 10.00	£ 10.00
Spend	£ 29,720.00	£ 25,807.00	£ 25,741.43

Junior ISA

The Child Trust Fund ceased in 2011 for new LAC (although we are still topping up the CTFs for existing LAC), and has been replaced with the Junior ISA.

No Junior ISA as yet has had any contribution from the LA. The Share Foundation was provided with a list of 75 Looked After Children who were

eligible and not in receipt of a Child Trust Fund account in December 2012. These children have has an account set by the Share Foundation and accounts have been credited with £200 by the government.

Based on the above, if the LA was to contribute the same amount of £10 for each week a child has been LAC in a year, the approximate figure would be £32,000.

Discussions are ongoing as to how this is to be funded going forward given the existing commitment to annual top ups to the CTFs, albeit this could be a decreasing commitment.

6. CORPORATE PARENTING MONITORING

Following the death of Victoria Climbié all local authorities within the UK were asked to ensure that systems were in place to afford members and senior officers opportunity to monitor children's services activity. This matter was emphasised during the enquiries following Peter Connolly's death in Haringey some years ago. Recommendation 41 of the Victoria Climbié Report states:

“Chief Executives of local authorities with Social Services responsibilities must make arrangements for senior managers and councillors to regularly visit Intake Teams in the Children's Services Departments and to report their findings to the Chief Executive and Social Services Committee”

The inference here is clear. There must be a mechanism for ensuring that any issues arising from the frontline services are identified and dealt with. In particular, members and senior officers need to have information to ensure pressures on frontline operations are kept within reasonable limits.

Children's Services have a workload measurement system in place. Statistics on workloads, staff availability and unmet need are collated in a monthly basis and scrutinised by myself and the senior management group. Unmet need is shared with the Director and Cabinet Member at the Community Services Directorate Management Team Meeting.

The Children's Services Forum and Social and Health Scrutiny Committee are the obvious focus for this oversight but we also arrange "Climbié Visits" for the council leaders and senior officers. The last such visit took place on the 10th October 2012 and involved the Leader, Deputy Leader and Cabinet Member. The Connah's Quay and Mancot sites were visited.

From time to time we are asked to arrange training for members on Corporate Parenting. Attendance at these events is disappointing and at the last such event only 7 members attended over 2 sessions. The 3 sessions were booked for 9.00 – 12 noon, 2pm – 5pm + evening. The evening session was cancelled due to lack of take up. We are open to suggestions as to how we can plan these sessions to ensure the attendance of members.

7. PARTICIPATION & ENGAGEMENT

For the latter part of 2012/13 we have had a dedicated Participation Officer in post who has worked alongside the CLSN and SOCC and supported them during this period. The major piece of work for him has been the launch of the A2A card last June and its rollout across Flintshire to LAC care leavers and young carers. The Children's Commissioner for Wales has been a huge supporter of this initiative as it is the first such card to be developed to ensure these young people have the support they need and priority access to service. The card is currently being piloted in 4 of our high schools and agreement has been reached to extend this to all our high schools over coming months. A project plan is in place to continue the rollout to other areas – in particular health.

From April 2013 new duties are to be in place for young people on remand, recognising the vulnerability of this group. The impact of this new legislation will be reported upon in the next update report.

CONCLUSION

Looked After Children activity is highly regulated and subject to intense external scrutiny e.g.

- Court processes during care proceedings
- Independent Reviewing Officers who can refer matters to CAFCASS should they feel that the local authority are negligent in their duties.
- Inspections of all services relating to looked after children by CSSIW. (child care teams, 3 yearly adoption inspections, annual fostering inspections, inspections of any residential units run by the county council).

The last CSSIW inspection of child care teams took place in March 2012 and had a positive outcome. The adoption and fostering service inspections are consistently found to be good and we are proud of all our achievements in this regard.

Outside of the formal processes described above Children's Services have commissioned external audits of areas of activity or surrounding specific cases, e.g.

- Suspend contact arrangements
- Case-specific adoption breakdown
- Case-specific child neglect issue

I believe this demonstrates our willingness to open ourselves up to an additional layer of scrutiny and to learn from areas where our practice could be improved. It demonstrates also our aspiration to contribute to the corporate parenting pledge outlined elsewhere in this document.

Over the coming months we will see the impact of the new Court Timeframes which will attempt to reduce delay in cases during proceedings. The target timeframe is 26 weeks (currently approximately 1 year) and there is an imperative to ensure that all possible avenues of parental support have been explored prior to the commencement of proceedings. Local authorities must therefore have access to a range of preventative services in order to demonstrate their attempts to support parents and safeguard children. The guidelines make it clear that reducing delay will benefit children and young people – especially in relation to their plans for permanence. Should attempts to improve the family functioning fail the children need permanence either through long term fostering or adoption. We welcome the new arrangements and we are working hard to review our systems to ensure we can meet the challenges ahead.

To monitor our improvements in the way we care for our looked after children a new reporting framework is being developed based on outcomes and not outputs – to better measure the difference we are making to the lives of children – especially those looked after and for whom the local authority owes a particular responsibility.

Against a background of continual fiscal challenge we will endeavour to ensure that our corporate parenting pledge is realised, that our interventions with families are purposeful and that if children can no longer remain with their birth families, their future needs are met via permanent placements with kinship carers, foster carers or adopters.

Purposeful and timely interventions are the key here.

“One of the most important issues to confront in promoting better outcomes for abused and neglected children is a mismatch between three timeframes; those of the developing child : those of the courts and those of the local authority”

**DECISION-MAKING WITHIN A CHILD’S TIMEFRAME
(August 2012)**

There are two strands to this – the new timeframes within care proceedings and plans for permanency once a child becomes looked after. Both need to be the focus for improvement if our roles as corporate parents are to be fully met and our aspirations realised.

**Carol Salmon
Head of Social Services for Children**

May 2013.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **JOINT LIFELONG LEARNING & SOCIAL AND HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE – FOR INFORMATION**

DATE: **11 JUNE 2013**

REPORT BY: **DIRECTOR OF COMMUNITY SERVICES**

SUBJECT: **ANTI-SOCIAL BEHAVIOUR POLICY**

1.00 PURPOSE OF REPORT

1.01 To introduce the Council's Anti-Social Behaviour Policy in particular those sections which are of relevance within Social Services.

2.00 BACKGROUND

2.01 The Antisocial Behaviour Act 2003, made it a legal requirement for social landlords in England and Wales to have an ASB Policy. This includes local authority landlords.

2.02 Flintshire County Council's ASB policy has been due to be updated to reflect best practice in this area of work, and to strengthen the council's commitment to preventing and tackling antisocial behaviour. The current policy was published in 2007.

2.03 The approach to antisocial behaviour by the Neighbourhood Management Team within Housing Services is closely linked to the work of the Council's Community Safety Team but has wider implications for colleagues working within Statutory Services such as Social Services and Homelessness as well as other support services which may be commissioned by the Authority.

2.04 Definition of 'Antisocial Behaviour for the purpose of this report and the proposed policy

2.05 'Antisocial behaviour' means different things to different people. The type of behaviour the term is used to describe can range from serious criminal activity such as violence and drug dealing to less serious types of nuisance such as litter, untidy gardens and pet related nuisance.

2.06 The proposed ASB Policy refers to the current statutory definitions contained within the Housing Act 1996 and the Crime and Disorder Act 1998 as amended. The Housing Act definition adopts a lower threshold of "nuisance and annoyance" which is mirrored by the Council's proposed

revised Tenancy Agreement.

2.07 In order to enable benchmarking of the Council's performance against that of other local authority landlords and social housing providers, the council will use Housemark's benchmarking service. This means that the Council will need to use a standard set of categories for recording anti-social behaviour – these are contained within the policy.

2.08 **The role of Community Services in preventing and tackling ASB**

2.09 Tackling ASB has increasingly become a function for local authority housing departments and their counterparts in the housing association sector. This has been reflected in the legislation over the last decade which has given providers of social housing more tools and powers to address the many types of anti-social behaviour that landlords, communities and residents are faced with.

2.10 There are a number of reasons why local authority housing providers and social landlords invest in tackling anti-social behaviour. In Flintshire, tenants tell us that feeling safe in their homes and neighbourhoods is important to them. These priorities were reflected in the choices document, and the pledges made to tenants have been incorporated into this draft policy.

2.11 There are sound financial reasons for preventing and tackling anti-social behaviour too. Antisocial behaviour which is left unchecked can affect the number of property terminations in an area, in addition to demand for properties, and undermine the sustainability of an area. Furthermore, ASB which is not addressed can lead to an increased demand for statutory services, and customers who are vulnerable may disproportionately be affected.

3.00 **CONSIDERATIONS**

3.01 The proposed policy is much more explicit about its aims and objectives and how the council's progress and achievements in meeting these aims will be measured, monitored and communicated. These are detailed in sections 1.4 – 1.5 of the policy. They focus on prevention of ASB, building confidence within our communities to report issues, taking decisive action when ASB occurs, improving value for money and reducing the impact of ASB.

3.02 The policy sets out the council's approach to measuring the performance of the service. This approach has been widened to include benchmarking through Housemark, routinely surveying customers who have reported ASB, analysing the outcome of cases, and making use of wider indicators such as tenancy termination reasons, and property demand by location.

3.03 Through consultation with customers, it has been identified that communication of performance and outcomes can be further improved.

The policy sets out a commitment to publicising performance information in section 1, but expands on this commitment in section 16 which details an approach to give routine consideration to the publication of case outcomes where legal action has been taken. This section of the policy has been developed in conjunction with the Council's Communications Manager, and the legal department to ensure that there is a robust approach to decision making when considering publicity, to prevent opportunity for legal challenges and to ensure that proper consideration is given to all cases.

- 3.04 The policy also introduces a joined up approach with North Wales Police and the Community Safety Team in respect of identifying risk to victims and witnesses of antisocial behaviour. The approach uses a standardised risk assessment tool based on risk and protective factors, to highlight cases where more urgent or immediate intervention may be required. This is a change to the traditional approach of determining response by "category" of antisocial behaviour, and focuses on the harm experienced by the victim and witness. A copy of the risk assessment matrix being adopted by North Wales Police, and which the policy proposes is annexed to this report. Where a customer presents as someone at risk of harm, a duty officer will take responsibility for liaising with the individual and any external agencies, or internal departments to minimise risk.
- 3.05 The proposed policy also introduces the use of Council/Customer Action Plans. This is an agreement drawn up between the customer and the Officer at the start of the case which sets out how the complaint will be investigated, how the customer will be contacted, and how often, and whether their details can be shared with third parties. This is to ensure that the way that the council goes about dealing with the problem that has been reported, meets the needs of the customer.
- 3.06 It is widely recognised that ASB does not just occur during office hours, and residents can be affected at any hour on any day. There are often 'peak periods' which can occur during evenings, at weekends, in the summer months and during sporting events. As such, the council recognises that victims and witnesses can be frustrated when they are unable to speak to their Housing Officer and need reassurance or specialist advice. To address this, the policy introduces an 'Out of Hours Witness Support Service' which can be made available to victims and witnesses at those times when the council is closed.
- 3.07 The policy proposes a much firmer stance on those who benefit from the proceeds of illegal drugs whether this by cultivation, storage or selling of drugs. The council recognises that social housing is a precious resource and it is opposed to its premises being used by those who seek to benefit from illegal drugs. As such where a tenant or a member of their household is convicted of using a Flintshire County Council property for the cultivation, storage or selling of illegal drugs, the authority, having regard to the individual circumstances of the case, will usually consider possession of the property as the most appropriate response.

- 3.08 Reports of anti-social behaviour are received by the Council where the alleged perpetrator is supported by Health and Social Care Services. These can be difficult cases to deal with and the Council needs to balance the needs of the individual with the needs of the wider community who may be impacted on. The policy recognises a need to develop expertise in this area, liaise with health and social care providers and work closely with those who are being impacted upon to find the most appropriate solutions.
- 3.09 In cases where perpetrators require support to manage their behaviour, the Housing Team will liaise with colleagues within the Directorate and other services, to make appropriate referrals. However, it is recognised that some people do not meet the criteria for statutory services or do not wish to engage with support. In such circumstances, currently, the Council is unable to enforce positive obligations although proposed new legislation may change this. The Housing Team will utilise voluntary arrangements such as Acceptable Behaviour Contracts, to ensure that support needs and any referrals are recorded.
- 3.10 It is recognised that in such complex cases, where personal information such as this can not be disclosed to victims and witnesses, that regular contact, and the provision of witness support is made available.
- 3.11 It is also recognised that elected members who may receive requests for assistance from residents in their ward, should be able to nominate cases to the multi-agency joint action group, and receive appropriate communication in relation to the progress of any case in which they are involved/acting on behalf of a resident.
- 3.12 The proposed policy also attempts to go a step further in recognising the frustrations felt by many residents who witness some tenants repeatedly breaching the terms of their tenancy agreement, and causing nuisance and annoyance to others. When these tenants are witnessed having new bathrooms, or kitchens, sometimes ahead of those tenants who have an impeccable tenancy record, it is understandable to most people why frustrations occur. The council has a duty however to meet its repairing obligations and to invest in its stock which are assets of the council. However, the draft policy puts forward a proposal to increase priority for planned improvement works for those tenants with clear tenancy records, whilst reducing priority for those tenants with a history of serious or persistent anti-social behaviour.
- 3.13 A right to request a review any decision made in relation to this aspect of the policy is included to safeguard vulnerable persons who may be affected.

4.00 RECOMMENDATIONS

- 4.01 It is recommended that members note the policy.

5.00 FINANCIAL IMPLICATIONS

- 5.01 The proposed policy refers to additional resources which have been approved for 2013/14. These are the appointment of an additional two Anti-Social Behaviour Officers, and the implementation of an out of hours witness support telephone service.

6.00 ANTI-POVERTY IMPACT

- 6.01 No issues arising from this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 The proposed policy will have a positive environmental impact due to the commitment to tackle environmental anti-social behaviour affecting neighbourhoods where the council owns and manages homes.

8.00 EQUALITIES IMPACT

- 8.01 An Equalities Impact Assessment has been completed and the policy has been discussed at the Equalities Group with no requirement for any major changes. Positive feedback has been received in addition to comments on successfully implementing the policy with reference to customers from diverse backgrounds.

9.00 PERSONNEL IMPLICATIONS

- 9.01 2 additional staff to be recruited.

10.00 CONSULTATION REQUIRED

- 10.01 Further consultation work to be carried out targeting harder to reach customers.

11.00 CONSULTATION UNDERTAKEN

- 11.01 The policy has been developed in consultation with customers. Workshops have been held at two Customer Conferences and Customers have been invited to make comments on the development of the policy, including an advertisement to this effect placed in the Housing News Magazine in January 2013.

The policy was supported by the Housing Overview Committee on the 24th April 2013 and endorsed by Flintshire county Council Cabinet on 21st May 2013.

12.00 APPENDICES

- 12.01 Anti-Social Behaviour Policy

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS AND APPENDICES

None

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**ANTI-SOCIAL BEHAVIOUR
POLICY**

Directorate of Community Services

County Offices

Chapel Street

FLINT

Flintshire

CH6 5BD

DIRECTORATE OF COMMUNITY SERVICES**ANTI-SOCIAL BEHAVIOUR**
FULL POLICY STATEMENT**1 INTRODUCTION**

- 1.1 *“We want Flintshire to be a County where people of all ages and from all backgrounds and abilities feel safe, confident, supported and protected from harm, including abuse and neglect.*

We want to reduce the impact that crime and anti-social behaviour can have on the lives of people.”

(Community Strategy 2009-2019)

- 1.2 It is now widely recognised that no single agency or organisation, can in isolation, resolve all issues of anti-social behaviour and the role of Social Landlords in tackling ASB has been increasingly acknowledged through the development of legislation in this area. This policy therefore, sets out the approach of Flintshire County Council’s Housing Department in preventing, reducing and tackling anti-social behaviour and its impact in our neighbourhoods. Throughout this policy the term “council” will be used to refer to Flintshire County Council.
- 1.3 The council recognises that the effects of anti-social behaviour can be far reaching, reducing the quality of life of victims and witnesses and their families and communities, impacting on the local environment, adversely affecting the local economy and putting extra pressure on public and third sector services. As such, a failure to tackle anti-social behaviour would pose a risk to the sustainability of our neighbourhoods.

1.4 The outcomes we aim to achieve are to:

- 1.4.1 Prevent anti-social behaviour from happening in the first place.
- 1.4.2 Increase confidence within the community to report anti-social behaviour
- 1.4.3 Reduce the impact of anti-social behaviour on victims, witnesses and those around them.
- 1.4.5. Take decisive action to tackle those who behave in an anti-social manner to stop it from happening again.
- 1.4.6 Provide a service that is value for money and which provides sustainable outcomes.

1.5 How will we know if we are achieving our aims?

- 1.5.1 We will survey all the users of our service to determine how satisfied customers were with the process and the outcome and whether they would be prepared to report ASB again.
- 1.5.2 We will measure our performance in relation to service standards that we will agree in consultation with our customers and publish this information.
- 1.5.3 We will benchmark the levels and type of reported ASB through Housemark, a national benchmarking organisation.
- 1.5.6 We will measure the percentage of cases that we deal with that are resolved, and we will review the sustainability of positive outcomes.
- 1.5.7 We will monitor property termination reasons and property offer refusals to ascertain the effects of ASB on the reputation of an area.

1.5.8 We will measure the number and success rates of our legal cases.

1.5.9 We will use the results of the STAR Survey (or similar) to measure how residents feel we are performing.

1.5.10 We will overlap our data with other Community Safety Partners to obtain a more holistic view of ASB in our neighbourhoods.

1.6 The responsive service that we provide will be available to residents where one of the following conditions is met:

1.6.1 The victim of the anti-social behaviour is a Flintshire County Council tenant, or is a member of their household, or was a visitor to their home at the time that the incident occurred and/or

1.6.2 The perpetrator of the anti-social behaviour is a Flintshire County Council tenant, or is a member of their household or was a visitor to their home at the time that the incident occurred and/or

1.6.3 The behaviour complained of is directly or indirectly affecting our housing management function.

1.7 The Policy also supports the aims of the Welsh Housing Management Standard for Tackling ASB.

1.8 The Housing Act 1996 (as amended by the Anti-Social Behaviour Act 2003) requires all social landlords to publish a statement of their policies and procedures for tackling ASB.

1.9 This full Statement of Flintshire County Council's Community Services Directorate Policy for tackling Anti-Social Behaviour is available for inspection at the County Offices, Chapel Street, Flint, Flintshire CH6 5BD and is available on the Flintshire County Council website. A hard copy will be supplied if requested for a reasonable charge.

1.10 A summary of this policy will be made available on request free of charge.

DIRECTORATE OF COMMUNITY SERVICES

2 STATEMENT OF POLICY

2.1 This Statement sets out the Policy of Flintshire County Council Community Directorate's approach to tackling anti-social behaviour.

2.2 The Legal and Strategic Framework

2.3 The Community Services Directorate approach must be seen within the context and framework created by legislation. Our Policies and Procedures have been written in accordance with existing legislation and are to be updated in accordance with new legislation.

2.4 The Policy also has regard to Guidance issued by the Welsh Ministers and good practice literature from a range of sources, including the Chartered Institute of Housing, Social Landlords Crime and Nuisance Group and the National Housing Federation.

2.5 The Policy also reflects the wider strategic aims and policy initiatives of both Flintshire County Council and its Community Services Directorate, and in particular those highlighted in the Community Strategy and associated documents.

2.6 The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, sets out statutory requirements for "responsible authorities" to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder related issues in their areas.

2.7 The statutory partnerships are known as Crime and Disorder Reduction Partnerships or Community Safety Partnerships.

2.8 The "responsible authorities" usually include (but are not restricted to):

- 2.8.1 The Police
- 2.8.2 Local Authorities
- 2.8.3 Fire Authorities
- 2.8.4 Police Authorities
- 2.8.5 Primary Care Trusts

2.9 Section 17 of the Crime and Disorder Act 1998 requires all authorities to have due regard to the likely effect upon crime and disorder of anything they do in the exercise of any of their functions. Each Authority must also do all that it reasonably can to prevent and reduce crime and disorder in its area.

3 Definition of Antisocial Behaviour (ASB)

3.1 The Housing Act 1996 defines anti-social behaviour as:

“conduct which is capable of causing nuisance or annoyance to any person”

3.2 The Crime and Disorder Act 1998 defines anti-social behaviour as behaving:

“...in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself”

3.3 The Authority will clearly establish and publicise through its [proposed] tenancy agreement the acceptable level of behaviour expected of its tenants, members of their household and visitors to their properties.

3.4 Anti-social behaviour can include the following examples and can be categorised under these headings to enable like for like benchmarking with other areas and housing providers:

- 3.4.1 Noise
- 3.4.2 Verbal abuse/harassment/intimidation/threatening behaviour
- 3.4.3 Hate-related incidents
- 3.4.5 Vandalism and damage to property
- 3.4.6 Pets and animal nuisance

- 3.4.7 Nuisance from vehicles
- 3.4.8 Drugs/substance misuse/drug dealing
- 3.4.9 Alcohol-related
- 3.4.10 Domestic abuse
- 3.4.11 Physical violence
- 3.4.12 Litter/rubbish/fly-tipping
- 3.4.13 Garden nuisance
- 3.4.14 Misuse of communal areas/public space or loitering
- 3.4.15 Prostitution/sexual acts/kerb crawling
- 3.4.16 Criminal behaviour/crime

The above is not a full list of what anti-social behaviour is but serves as a guide.

- 3.5 Additionally, the directorate intends to comply with the National Standards of Incident Reporting (NSIR) through the development of our case management system.

4 Approach to Tackling Antisocial Behaviour (ASB)

4.1 Prevention

- 4.2 The Council recognises that wherever possible preventing nuisance and anti-social behaviour from happening in the first place, is preferable to dealing with it after it has happened.

4.3 The Council's approach begins at the application process where potential new tenants are asked to disclose any relevant criminal convictions, or previous enforcement action as a result of anti-social behaviour. The Authority takes a firm but fair approach to assessing applications by individuals and families who have a history of anti-social behaviour. In some cases the Council may decide that an applicant is to be treated as ineligible for allocation to a tenancy with the Council as a result of his or her past unacceptable behaviour, or the behaviour of a member of his or her household.

4.4 Each application and the surrounding circumstances will be considered individually before reaching a decision to treat an applicant as ineligible because of past unacceptable behaviour.

4.5 Chapter 1 of Part 5 of the Housing Act 1996 allows local housing authorities and Housing Action Trusts to adopt an introductory tenancy scheme for all new tenants. Flintshire County Council offers all new tenants an introductory tenancy. These last for 12 months and are like a 'trial' period.

The tenant(s) automatically become a secure tenant after 12 months, unless the council has either:

- started action to evict the tenant
- extended the introductory tenancy for a further 6 months

There are restrictions of the rights of an introductory tenant, for example, they are not permitted to:

- make major improvements to the property
- swap your property with another council tenant
- apply for the Right to Buy scheme

4.6 Where the council has evidence that an introductory tenant is responsible for serious or persistent anti-social behaviour, the council will use its discretion to determine the most appropriate response. Where the behaviour complained of is so severe and/or is criminal in nature, the decision to serve notice to commence proceedings to end the tenancy may be deemed to be the most appropriate response.

4.7 The obligations of the tenancy and the responsibilities of being a tenant with the Authority are explained to prospective tenants before they sign the tenancy agreement so that they are fully aware of the standards of behaviour that are expected.

4.8 The Authority is also able to take steps to prevent ASB through environmental improvements and through target hardening areas and properties which may be

at risk. The Authority also reserves the right to develop local lettings policies and to make 'sensitive lets' in dwellings that have been, or may be connected to anti-social behaviour.

5 Support for Complainants, Victims and Witnesses of ASB

- 5.1 The Authority recognises that being a victim of, or witnessing anti-social behaviour can be a stressful and upsetting experience. It is also acknowledged that the decision to report ASB is sometimes a difficult and complex process. Complainants can be fearful of reprisals, be unsure who to report incidents to, and be worried about whether they will be believed. **The council will aim to ensure that training is provided to all ASB and Housing Officers in how to interview victims and witnesses of ASB.**
- 4.2 When an initial complaint of anti-social behaviour is made, the officer in receipt of the complaint will use the national risk assessment matrix to help them determine whether the complainant is at high risk. This is so that immediate steps can be taken to reduce the risk to the victim if deemed necessary.
- 4.3 Where officers determine that the complainant is high risk, they will attempt to work with the victim or witness and any other necessary partner agencies to try to manage and reduce the risk. This may mean taking immediate action if someone has been threatened with violence and there is a significant risk of harm, or it may mean providing extra security to someone's home. In extreme cases, it may even mean finding someone temporary accommodation whilst the problem is resolved.
- 4.4 The council will seek to assign a named officer to each case, so that the victim or witness will have a 'named contact' within the council who they know they can contact. This person will be the investigating, and may be a Housing Officer or Antisocial Behaviour Officer depending upon the severity or complexity of the issue.

In most cases, the Investigating Officer will usually agree an 'Action Plan' with customers who report anti-social behaviour so that they can discuss and agree

when, how often and in what manner the customer will be contacted to provide them with progress updates on their case and what steps each party will take to resolve the problem. The most successful outcomes occur when residents and officers work co-operatively together. This 'Action Plan' will ensure that case planning is consensual and meets the needs of the victim. In the event of a victim or witness requesting actions that cannot be accommodated, reasons will be provided.

- 4.5 The Authority recognises that ASB often occurs outside of normal office hours and that victims and witnesses often feel that this is the time when they most need to speak to someone to report what is happening. In order to make provision for an out of hours service, the Authority will employ a specialist service who are able to provide witness support at night, and during weekends and bank holidays.
- 4.6 Customer confidentiality will be respected at all times. Details of the complainant's identity or that of any other witnesses will never be disclosed to the alleged perpetrator (or anyone acting on behalf of the perpetrator) by the council without consent. The only exceptions to this are where disclosures become necessary for safeguarding reasons and/or a disclosure of the information is ordered by the Court.
- 4.7 Sometimes, the most effective resolution is to apply to the Court for an order to make the anti-social behaviour stop. The council recognises that this can be quite a daunting prospect for victims and witnesses who may never have been into a court before. The best witness evidence is that which is given personally, in the court by the witness. In some circumstances, the council can apply to the court for 'special measures' where for example, witnesses can give evidence from behind a screen or via a video link. Special measures are subject to the agreement of the court.

There are also measures that can be taken to enable anonymous statements, or use of hearsay evidence and these will be fully explained to victims and witnesses so that they can make informed choices.

4.8 Sometimes complaints are made anonymously either over the telephone or in writing. The Authority will, where appropriate, look into the complaint made but we will be unable to feedback to the complainant and may not be able to take as effective action as we would be able to if we had contact details. Where complaints are made anonymously over the telephone, we may explain our approach to confidentiality in case management in order to encourage the complainant to provide us with their details.

5 Investigating the Complaint

5.1 In most circumstances it will be necessary to thoroughly investigate the complaint that has been made before any legal action is taken. In some circumstances however, for example, where there is an immediate risk of harm, the council may have to review the evidence that it has available to make a decision on whether an emergency application for injunctive relief is required.

5.2 Investigations may include (but are not limited to) interviews with the victim(s), witness(es) and perpetrator(s), site visits, CCTV installation, noise monitoring, use of professional witnesses and liaison with other agencies.

5.3 The investigation will be carried out thoroughly and without bias by an appropriately trained officer of the council. Records of the investigation and any subsequent findings will be recorded on the Authority's case management system.

5.4 The primary aim at all times will be to end the anti-social behaviour, and reduce the likelihood of it recurring.

5.5 Where the Investigating Officer has found evidence of anti-social behaviour they will consider the most appropriate intervention(s), remedy and sanction(s)

6 Exchange of Information

6.1 Section 115 of the Crime and Disorder Act 1998 provides a power to exchange information where disclosure is necessary to support the local Crime and Disorder (Community Safety) Strategy or objectives outlined within it. This must be

primarily aimed at reducing crime and disorder in accordance with the Act's provisions.

- 6.2 Section 115 puts beyond doubt the power of any organisation to disclose information to Chief Officers of Police, Police Authorities, Local Authorities, Probation, Health Authorities, or to persons acting on their behalf. These bodies also have the power to use this information. Section 115 provides a power to share information but does not override other legal obligations such as the common law duty of confidence, the requirements of the Human Rights Act, compliance with the 1998 Data Protection Act or other relevant legislation governing disclosures.
- 6.3 Information as to any relevant criminal charges, cautions and convictions against an individual may be disclosed, as may details of any relevant calls made to the Police in relation to a particular address or visits made by the Police to an address. Relevant information may be shared about an individual's involvement with a particular agency (e.g. Probation Services). Other information relevant to the investigation of a case and in an effort to address the behaviour of the individual concerned may also be disclosed.
- 6.4 Flintshire County Council is a signatory to Flintshire Community Safety Partnership Information Exchange Protocol, which allows information to be exchanged under the Crime and Disorder Act 1998. The Police, who are also a signatory to this protocol, have an important and general power at common law to disclose information for policing purposes, which includes the prevention of ASB.

7 Multi-Agency Approach

- 7.1 The council recognises that frequently a multi-agency or multi-departmental approach will be required to resolve anti-social behaviour.
- 7.2 Housing Services will on all occasions seek to be represented on the ASB Joint Action Group to enable joined up problem solving around victims, perpetrators and locations.

8 Non-Legal Remedies

- 8.1 It is usually more effective to intervene quickly and assertively to resolve issues.
- 8.2 Housemark estimate that there are approximately 300,000 cases of anti-social behaviour reported to Local Authority Housing Departments and other social landlords each year (Housemark 2011/12 Benchmarking Report) and of these only 1.6% was resolved through the use of legal action with earlier interventions, warning letters and formal interviews with perpetrators being the most common methods of resolving complaints.
- 8.3 Prior to legal action being commenced, it is usually the expectation of the Court that the Council will have made efforts to resolve the ASB using non-legal remedies unless the behaviour is of a particularly serious nature. It is also the aim of the Authority to try to resolve complaints of ASB without taking legal action where possible. The use of Acceptable Behaviour Agreements and Parenting Agreements will therefore be considered in appropriate cases.
- 8.4 The Council will also promote the use of Restorative Practice in appropriate cases in order to make perpetrators accountable for their behaviour, and take steps to put right any harm that has been done.
- 8.5 Sometimes, when a complaint has been investigated, the Council may decide the behaviour complained is not nuisance which the council can take enforcement action to resolve. Sometimes this will be due to a clash of lifestyles, for example someone using their washing machine in the day when their neighbour works nights and sleeps in the day, other times it may be due to differences of opinion or behaviours which may be described as “inconsiderate” rather than “anti-social”. In such cases, the Council will still try to offer suggestions and solutions to resolve the dispute, but ultimately where disagreement continues, and the Council has no powers to act, the case will need to be closed.

9 Recognition for tenants who do not commit anti-social behaviour

- 9.1 The Council recognises that it is extremely dis-heartening to local residents who see tenants of the authority behaving anti-socially only to seemingly be rewarded with a range of improvement works, such as new kitchens and bathrooms whilst

other tenants with impeccable tenancy conduct, may have to wait for their improvements, as priority for works is currently based upon geographical location. The council recognises that whilst it does need to invest in the stock that it owns, it is possible to give preference to those tenants who do not behave in an anti-social manner ahead of those who are responsible for causing serious or persistent nuisance and anti-social behaviour.

- 9.2 It is the policy of the authority therefore, that when a tenant or member of their household is served with any kind of Notice for ASB, is subject to a Court Order for ASB or the authority is pursuing an order against the tenant (or member of their household) due to ASB that their priority for improvement works should be decreased so that preference is given to those tenants who do not commit ASB.
- 9.3 This will not affect the repairing obligations which the council is required to meet.

10 Legal Remedies

- 10.1 The Authority aims to tackle anti-social behaviour as quickly and efficiently as possible. In most cases this will result in early intervention by Investigating Officers to nip problems in the bud, but in more serious, complex or persistent cases, it may be necessary for the Authority to take legal action against the perpetrator.
- 10.2 The Authority employs a team of specialist Anti-Social Behaviour Officers. These Officers are trained to secure effective legal remedies when these are the most appropriate response.
- 10.3 Local authority landlords are able to apply for a range of court orders to address nuisance and anti-social behaviour. The Authority is committed to making best use of these legal powers to resolve cases without the need to evict alleged perpetrators. The Home Office have expressly stated that evicting someone from their home should be “a last resort to be used exceptionally and where other interventions to tackle anti-social behaviour have been tried and failed”

Eviction of Secure tenants will only be considered as a last resort when other remedies have been tried and failed, or when the authority deems a particular

case of ASB to be so serious that possession is the most appropriate response in the circumstances.

- 10.4 The Authority has a responsibility to all of its tenants and therefore before considering any possession proceedings will need to consider the behaviour of the alleged perpetrator and its impact upon the local community.
- 10.5 Where the tenant is still an introductory tenant in their probationary period, and there are any breaches of tenancy, the Council will take steps to let the tenant know, so that they can put them right. Breaches of tenancy conditions will be investigated and if not resolved, the Council may take action to extend or end the tenancy.
- 10.6 An Introductory tenant legally has the right to ask for a review of the decision to end or extend their introductory tenancy.
- 10.7 If the tenant asks for a Review, they will also have the right to attend, take someone with them, send someone to represent them to the Review and speak or ask questions. They could also make a written representation. The tenant is only entitled to a review if they request a review of the decision. The tenant must do this before the end of the period of 14 days beginning with the day on which the Notice has been served. It is helpful if the tenant does this by returning the Review Request Form provided with the Notice. The Council will then arrange a Review and inform the tenant of the time and place, within 5 working days.

However, if the tenant does not request a Review within 14 days they will lose their right to a Review.

11 Rehabilitation and support for perpetrators

- 11.1 The Authority recognises that some people need help to change their behaviour. As such, where Officers identify support needs they will make appropriate referrals or signpost perpetrators to agencies or organisations that can provide support.

11.2 There are a wide range of agencies in Flintshire providing help and support services and Officers will be able to signpost people to the appropriate one, depending upon the support needs of the individual.

12 Vulnerable Persons

12.1 The Authority acknowledges that some vulnerable residents, including those with learning or physical disabilities; mental health illness or other support needs, may have their behaviour perceived as anti-social. Where the council becomes aware of such instances we will endeavour to work with individuals, support providers and the community where possible to find an effective solution.

12.2 Anti-social behaviour Officers must try to balance the need to protect individuals and communities from anti-social behaviour with the needs of a vulnerable perpetrator. If a perpetrator is thought not to have 'mental capacity' they may not be able to understand what is wrong with their behaviour. If an application for an order is made in court, they may not be able to understand the proceedings, the requirements of the order or what constitutes a breach.

12.3 ASB Officers will make efforts to consult with health and social care practitioners where they suspect that the perpetrator of the ASB does not have mental capacity.

13 Cultivation, Distribution, Selling or Supply of Illegal Drugs

13.1 The Authority recognises the misery that can be caused by the use illegal drugs in our communities. We can identify the links to crime and disorder and the subsequent impact on our local economy and the increased pressure that illegal drugs can place on public services. The Authority acknowledges the crucial role that it can play in taking a firm stance against those who unlawfully benefit through the illegal cultivation, distribution, sale and supply of illegal drugs.

13.2 It is the policy of the Authority that while all cases will be considered on a individual basis having regards to the particular circumstances of the case, in

most cases where a tenant has been convicted of cultivating, selling, distributing or supplying illegal drugs legal action for possession of the property will be commenced.

13.3 The Authority is aware however, that in some circumstances, the homes of vulnerable tenants are 'taken over' by criminals who intimidate the individual into activities around illegal drug production or distribution. In such circumstances, it is the policy of the council to work with the police to bring the offenders to justice. However, there will be a clear expectation that the tenant will co-operate with the council and the police to enable this to happen. Failure to co-operate, and/or where the Investigating Officer finds no evidence that the tenant has been coerced into illegal activity may result in legal action against the tenant.

13.4 Where tenants are drug users with no associated nuisance activity rather than criminals who seek to benefit from the proceeds of illegal drug supply, a more supportive approach will be taken. Officers of the council are able to make referrals for specialist support or signpost tenants to appropriate agencies.

14 Hate Crime and Hate Incidents

14.1 Hate crimes and incidents are any crimes or incidents that are targeted at a person because of hostility or prejudice towards that person's:

- disability
- race or ethnicity
- religion or belief
- sexual orientation
- transgender identity

They can be perpetrated against the person or the property, and the victim does not have to be a member of the group at which the hostility is targeted.

14.2 The view of the Authority is that none of its residents should be harassed or targeted due to any of the above characteristics. It is the aim of the Council to continuously develop its approach to tackling hate crime and incidents and will do so in partnership with North Wales Police.

- 14.3 The Authority is aware that recent research suggests that hate related crimes and incidents are under-reported, particularly those where disabled people are targeted. The Council will work closely with partners to increase awareness of what constitutes a hate crime or incident, and to provide ways in which hate crimes and incidents can be identified and reported. This includes establishing the Neighbourhood Housing Team as a Community Reporting Facility in conjunction with North Wales Police, and training Housing Officers and ASB Officers to be able to recognise and report incidents, and to take steps to facilitate effective support for victims and witnesses.
- 14.4 The Authority will take prompt and decisive action to deal with any tenant where there is evidence of them perpetrating hate crime. This may include applying for an injunction to protect the victim.

15 Domestic Abuse

- 15.1 The Council's [proposed] Tenancy Agreement makes it clear that domestic abuse is unacceptable behaviour. By 'Domestic Abuse' we refer to the widened definition which will be implemented across government from March 2013. The widened definition is as follows:
- 15.2 Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:
- psychological
 - physical
 - sexual
 - financial
 - emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed

for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

- 15.3 It is the policy of the Authority to treat all disclosures of domestic abuse confidentially. The exceptions to this are where a child or vulnerable adult would be put at risk. In such cases, it will be made clear to the reporting person that the information would need to be shared with other agencies to facilitate effective safeguarding.
- 15.4 This policy therefore should be read alongside our policy for safeguarding vulnerable adults and children.
- 15.5 Reports of domestic abuse will be referred to the ASB Team who will attempt to make contact with the victim within one working day in order to carry out an initial risk assessment with them. This is subject to the victim having made available their contact details, being agreeable to such contact and being available for such contact. In some circumstances it will not necessarily be safe for an Officer to make contact and each case will need to be assessed individually.
- 15.6 The Council will offer victims of domestic abuse a named officer who will deal with their case, and will aim to offer a choice of a male or female officer.
- 15.7 **A DASH risk assessment** will be used to assess risk. This is a national Domestic Abuse, Stalking and Honour Based Violence (DASH 2009) Risk Identification, Assessment and Management Model. Its introduction means that all police services and a large number of partner agencies across the UK will be using a common checklist for identifying and assessing risk, which will save lives. ACPO [Association of Chief Police Officers] Council accredited the DASH (2009) Model to be implemented across all police services in the UK from March 2009. Where it is identified that there is a high risk, a referral will be made to the Multi-Agency Risk Assessment Conference (MARAC).

- 15.8 Where urgent action is required as a result of the risk assessment, it will be the responsibility of the named officer to facilitate this. This may include urgent target hardening (usually referred to as Sanctuary), emergency/temporary re-housing, and request for a critical marker and/or legal action.
- 15.9 The Authority will make referrals for appropriate support where possible, which may include the IDVA [Independent Domestic Violence Advocate] service.
- 15.10 **IDVAs** are trained specialists who provide a service to victims who are at high risk of harm from intimate partners, ex-partners or family members, with the aim of securing their safety and the safety of their children. Serving as a victim's primary point of contact, IDVAs normally work with their clients from the point of crisis, to assess the level of risk, discuss the range of suitable options and develop safety plans. They are pro-active in implementing the plans, which address immediate safety, including practical steps to enable victims to protect themselves and their children, as well as longer-term solutions. IDVAs will represent their clients at the Multi Agency Risk Assessment Conference (MARAC) and help implement safety plans which will include actions from the MARAC as well as sanctions and remedies available through the criminal and civil courts, housing options and services available through other organisations. IDVAs support and work over the short- to medium-term to put victims on the path to long-term safety. (Source – The Home Office, 2012)
- 15.11 Where a victim has fled their home which is a Council Property due to violence or abuse and the perpetrator remains in situ, the Council may initiate legal proceedings to re-possess the property. Where the tenancy is a joint tenancy and the vacating tenant serves a notice to end the tenancy this would have the effect of terminating the tenancy for both tenants. In such circumstances the tenant will be advised of this, and a recommendation will be made that the tenant should obtain their own independent legal advice before giving notice to end the tenancy.

15.12 Sometimes victims of domestic abuse find themselves the subject of complaints by neighbours due to the behaviour of the perpetrator. In cases where domestic abuse comes to light during the course of an anti-social behaviour investigation, the Neighbourhood Housing Manager should be advised who will advise of the best course of action. This may involve liaising with the Domestic Abuse Co-ordinator, Community Safety Team and/or other agencies. It is not the intention of the council to penalise victims of domestic abuse for the behaviour of their abusive partner (or ex-partner or other family member) over whose behaviour they have no control. There is however, an expectation that a victim of domestic abuse should work with the Council to address the problems as the council has a responsibility to the wider community as well who may also be affected by the behaviour. Each case will therefore be addressed on an individual basis, considering the various factors of the situation.

16 Effective Communication & Publicising Information

16.1 The Community Services Directorate, through its Tenancy Conditions, Customer Involvement Officer, Housing Newsletter, information and advice booklets and the local media, will ensure that tenants and residents of Flintshire are aware and reminded of their responsibilities to their neighbours and communities in relation to their conduct and behaviour. The consequences and sanctions of engaging in ASB will be similarly publicised.

16.2 The Authority recognises the importance of communicating successful action, not just to the victims and witnesses who are directly involved in cases, but also to the wider community.

16.3 This communication is vital to reassure residents, and to encourage reporting of incidents so that anti-social behaviour can be tackled.

16.4 Often court orders will contain prohibitions imposed by the court and it is necessary for the local community to be aware of the detail so that they can report any breaches of the order.

16.5 The Authority recognises that those subjected to a court order who have their details published, may view this as a punitive measure, however, it is not intended to be so.

16.6 Following guidance from the Home Office set out in 2005, the Authority has devised a pro forma to record its decisions to publicise ASB cases and outcomes and a copy of these will be retained by the Council.

16.6.1 The decision to publicise information will involve a ‘necessity test’ to satisfy that one or more of the following aims for publicising information is relevant.

- To notify the public that a court order has been obtained in order to reassure the public that action has been taken.
- To notify the public of specific court orders so that they can assist in their enforcement.
- To act as a deterrent to anti-social behaviour.

16.7 The pro forma which will be completed by the Anti-Social Behaviour Team and initially approved by the Neighbourhood Housing Manager will be sent to the Head of Housing and Executive Member for Housing for their approval and comment. This will include consideration of the following; the main objectives of the publicity, the decision to publish, the decision making process, what publicity should look like, human rights, data protection, type of publicity, and extent of information to provide.

16.8 Each case will be considered on its own individual merits, and careful consideration will be given to publicising actions where any of the parties are considered to be vulnerable.

16.9 This will then be referred to the Corporate Communications Team who will prepare any press releases, or other forms of information to be communicated.

17 Commitment to Service Improvement

17.1 Flintshire County Council's Community Services Directorate will strive to provide excellent services which meet the needs of customers.

17.2 We aim to continually evolve the service to make best use of the tools and powers available and to ensure that the services we buy in and the service we provide are good value for money.

17.2.1 By consulting with customers we aim to shape what we do in partnership with our customers. This also means being proactive about involving hard to reach customers and considering the diverse needs of our residents.

17.3 We will aim to provide transparent performance information so that our customers can see how we are performing in relation to the targets we will set ourselves.

17.4 We will aim to benchmark our performance against that of other social landlords and councils so that we can make meaningful comparisons and identify areas for improvement.

17.5 We will monitor customer satisfaction with our service, and we will use the feedback that we get from customers to raise the bar on our performance.

17.6 We will offer regular, up to date training for our staff to enable them to effectively carry out this difficult and challenging work.

18 Equality & Diversity

18.1 The Authority aims to ensure that its ASB Policy respects and upholds the organisation's commitment to equality and diversity and in a manner that is fair to all regardless of their; age, religion & belief, disability, gender, race, sexual orientation, transgender status, marriage & civil partnership, pregnancy & maternity or any other issue that may cause potential discrimination in service delivery.

18.2 The Authority will ensure that where necessary it assists anyone needing to access this service. This may include providing assistance to access translation services, type-talk and providing literature in a range of formats such as larger text, picture and Braille formats or in different colours.

18.3 In compliance with the Council's Welsh Language Scheme, all services and documents can be made available in Welsh where this is required by customers.

19. Health & Safety

19.1 All activities carried out by the Authority will be in accordance with the Health & Safety Management system including risk assessments and accompanying safe systems of work.

20 Consultation, Monitoring and Review

21.1 The Authority will consult with customers, partner agencies and organisations and the voluntary sector to continually develop good practice in this area.

22.3 The Authority will monitor the effectiveness and implementation of this policy to ensure that it achieves its aims of protecting its tenants and residents of its communities.

23.4 The Authority will benchmark its ASB service using Housemark to review the effectiveness of its activities and performance.

24.5 We will periodically review our policy and procedures for tackling ASB and will always have due regard to legislative requirements and best practice.

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