

**CORPORATE RESOURCES AND OVERVIEW SCRUTINY COMMITTEE**

<b>Date of Meeting</b>	Thursday 19 <sup>th</sup> September 2019
<b>Report Subject</b>	Budget Monitoring Report 2019/20 - Significant Variances - (Social Services and Out of County Placements)
<b>Cabinet Member</b>	Cabinet Member - Social Services
<b>Report Author</b>	Corporate Finance Manager and Chief Officer for Social Services
<b>Type of Report</b>	Operational

**EXECUTIVE SUMMARY**






The Interim Budget Monitoring Report was considered at Corporate Resources Overview & Scrutiny Committee on 11<sup>th</sup> July. The report was accepted and the Committee also resolved that at the next meeting it would like to concentrate on the projected overspends within Social Care, Out of County Placements and Streetscene.

The following report provides further background on these service pressures within Children's Social Services and Out of County Placements.

**RECOMMENDATIONS**

1	That the Committee reviews and comments on the portfolio financial pressures within Children's Social Care and Out of County Placements
2	That Committee consider, and support, a case being made to Welsh Government for assistance in meeting the high costs of residential care for children with complex needs. This support is needed whilst we develop more cost effective, local placement options to respond to growing demand.

## REPORT DETAILS

<b>1.00</b>	<b>INTRODUCTION</b>							
1.01	Over the past years demand for children's social care services has risen dramatically. Increased demand is creating significant cost pressures for local authorities across the UK. The unsustainable nature of funding for children's social care is a national issue with press coverage reflecting the challenge faced:							
1.02	BBC Wales: " <b>Children's social services in Wales 'near crisis'</b> " <sup>i</sup>							
1.03	Local Government Association:  <b>"Children's care crisis: councils forced to overspend almost £800m on children's social care"</b> <sup>ii</sup>							
1.04	This report provides a high level summary of: <ul style="list-style-type: none"> <li>• the challenges facing Children's Social Care nationally and locally</li> <li>• the associated financial pressures</li> <li>• current and planned work to manage expenditure</li> <li>• the need for additional financial investment from Welsh Government</li> </ul>							
1.05	The report explores 5 central themes:							
								
<b>Increasing Demand</b>		<b>Insufficient Placements</b>		<b>Workforce Pressures</b>	<b>Finances</b>		<b>Solutions</b>	
<ul style="list-style-type: none"> <li>• Societal issues</li> <li>• Crime &amp; exploitation</li> <li>• Poverty</li> <li>• Legal changes</li> <li>• Complexity of need</li> </ul>		<ul style="list-style-type: none"> <li>• Foster care</li> <li>• Residential Care</li> <li>• High cost placements</li> </ul>		<ul style="list-style-type: none"> <li>• Experience</li> <li>• Stability</li> <li>• Agency</li> </ul>	<ul style="list-style-type: none"> <li>• Growing costs</li> <li>• Placements</li> <li>• Legal costs</li> </ul>		<ul style="list-style-type: none"> <li>• Early &amp; targeted support</li> <li>• Investing in foster care</li> <li>• Commissioning</li> <li>• Resilience</li> <li>• National ask</li> </ul>	
<b>2.00</b>	<b>Increasing Demand</b>							
2.01	Demand for children's social care has grown significantly. Over the last 2 years referrals have increased by 30%. We are seeing an increase in complexity; whereas in 2016/17 37% of referrals went on to have 'care and support' or 'child protection' services, this has risen to 43%. We also know that the data for children receiving care and support from social services							

	indicates that children in Flintshire in 2018 had a higher percentage of mental health problems (21%) compared to the Welsh average (14%) for children aged 10 or over.
<b>2.02</b>	Notably this demand is reflected in our looked after children population which has grown significantly. The last 8 years have seen a 57% increase in the number of looked after children rising from 160 children in 2011 to our current level of 251 looked after children (a net gain of 91 children). The last 18 months have seen a particular pressure point with an additional 32 children entering the formal care system (rising from 219 children in 2018 to a total of 251 children). It is of note that even with this large increase Flintshire's rate of looked after children is below the Welsh average.
<b>2.03</b>	The National Audit Office confirm that "quantifying demand for children's social care is complex. There is no single objective measure of the volume of children who need or who might benefit from support or intervention." <sup>iii</sup> Locally we know that there are reoccurring themes/pressures that impact on the demand for our services, and children becoming looked after. There are 3 significant influences:
<b>2.04</b>	<p><b>Societal Issues / Parental Capacity</b></p> <p>Children are more likely to be looked after where there is a presence of domestic abuse, parental substance misuse and/or mental health (known as the 'trigger trio'). Recent research has identified that these factors within a local authority population can account for a variance of 24% in the looked after population<sup>iv</sup>. The 'trigger trio' are the most prominent feature of referrals to Children's services in Flintshire. Data from Public Health Wales confirms that the cohort of children receiving care and support from social services in Flintshire have high percentages of exposure to:</p> <ul style="list-style-type: none"> <li>• parental substance or alcohol misuse: Flintshire 37%/ Wales 28%</li> <li>• parental mental ill health: Flintshire 45%/ Wales 32%</li> <li>• domestic abuse: Flintshire 39%/ Wales 26%</li> </ul> <p>Diminished parental capacity to appropriately support their child's development, and keep them from harm, is creating significant demand on early help services as well as necessitating proceedings to bring children into the care system.</p>
<b>2.05</b>	<p><b>Crime &amp; Exploitation</b></p> <p>The exploitation of young people is a significant, growing and ever changing landscape. Flintshire's geographic location makes it susceptible to both organised crime originating from cities in North West England as well as local criminal activity. Organised crime takes the form of child criminal exploitation (County Lines), knife crime, child sexual exploitation (CSE), as well the adverse impact of drug and gang related crime. Recent press coverage identifies the push from drug gangs to find new markets within easy commuting distance of their home cities. Locally, young people are often coerced, groomed and threatened with violence to take part in Class A drug dealing.</p>
<b>2.06</b>	<p><b>Poverty/ Deprivation</b></p> <p>There are strong (but not necessarily causal) relationships between deprivation and the local rates of children looked after. The most deprived</p>

	<p>areas typically having higher rates of children looked after.<sup>v</sup> The Welsh Index of Multiple Deprivation Map shows that there are some key areas of Flintshire that are indicated as ‘most’ deprived and ‘next most’ deprived; these mostly appear along the coastline and into areas of Connah’s Quay and Queensferry. This includes specific areas such as Talacre, Mostyn, Holywell, Greenfield, Bagillt, Flint, Connah’s Quay and Shotton. The prevailing professional opinion is that impact of austerity, poverty, deprivation and welfare reform are contributing to the demand for social care support from some of society’s most vulnerable families.</p>
<b>2.07</b>	<p>Another relevant factor is the clear expectations and parameters set by the Judiciary for local authorities in relation timelines and interfaces with the family court. Within this framework applications for care orders are occurring at a higher rate in Wales, than England, and the conversion rate into resulting care orders is also higher. Once looked after we are seeing growing levels of court directed arrangements for us to facilitate contact between looked after children and their parents, with a resultant financial pressure.</p>
<b>2.08</b>	<p><b>Insufficient Placements</b></p> <p>There is a need to make sure that children are living in the right setting, with the right support, so that they are able to stay there and feel happy. The ‘Keeping Safe: An analysis of the outcomes of work with sexually exploited young people in Wales” report published in 2019 identifies that “Residential care and foster care can be equally positive. The best home-from-home depends on the young person, their wishes, their support needs, and the reasons behind the need to take a child or young person into local authority care.”<sup>vi</sup> Ensuring a sufficient supply of placements options is integral to meeting the needs of children. However, the pace in the growth of looked after children has directly impacted on placement availability and choice locally, regionally and nationally.</p>
<b>2.09</b>	<p>Across North Wales in house foster placements are at capacity. Initiatives to recruit more foster carers have struggled to keep pace with demand and to attract foster carers in the areas where is greatest demand i.e. for older children, sibling groups and children with complex needs. The increasing looked after population has meant that there is very limited independent fostering agency capacity meaning that there is an increased reliance on residential provision. Commissioning options are therefore limited and we are working an on authority, regional and all Wales footprint to secure medium term market realignment. Flintshire has played an integral role in developing a North Wales regional market position statement and have signed up to the national Children’s Commissioning Consortia Cymru to help reshape and strength commissioning. However, this is within the context of ‘under supply’ and high demand for placements making this a market led provision, including price setting.</p>
<b>2.10</b>	<p><b>Workforce Pressures</b></p> <p>Working in Children’s services is a rewarding, challenging, ever-changing and constant affirming role. However, attracting and retaining children’s social workers is a challenge. The average social work career lasts less than eight years, compared with 16 for nurses and 25 for doctors<sup>vii</sup>. In Flintshire we are fortunate to have solid retention rates, but staff report on the challenge of the pace and complexity of work. We do have challenges</p>

	<p>in attracting staff who meet our thresholds for capability and competency. This is a national issue. Nationally, there has been a 61% increase in vacancies for children's social workers and a 64% increase in the number of agency children's social care workers<sup>viii</sup>. However, agency staff haven't been able to plug the gaps. Excluding positions covered by agency social workers, full-time equivalent vacancies have increased by 12%.</p>
<b>2.11</b>	<p>To enable us to respond to child protection referrals and to meet statutory requirements we do employ agency staff, keeping numbers and length a contract as low as possible. The costs associated with agency staff results in a cost pressure.</p>
<b>2.12</b>	<p><b>Finance</b> -It is not surprising that the service demands and pressures are leading to direct financial overspends. Children's Services is projected to be £0.963m overspent:</p>
<b>2.13</b>	<p><b>Family Placement</b> is projected to be £0.309m overspent. There is a direct correlation between our increasing looked after population and the cost of additional fostering placements. The main pressure areas are payments for foster care and agencies and special guardianship payments.</p>
<b>2.14</b>	<p><b>Professional Support</b> is projected to be £0.227m overspent. To support adequate levels of child protection the established staffing structure needs to be maintained at the required level as much as is possible. Vacancies therefore need to be minimised and challenges to recruitment leads to the usage of agency staff, this leads to an increase in costs as agency rates are higher than non-agency staff. The use of agency staff is kept to a minimum as much as possible but it is not possible to avoid altogether.</p>
<b>2.15</b>	<p><b>Family Support</b> is projected to be £0.113m overspent due to the number of court directed contact sessions, which require attendance by support workers. Historically sessional workers were used to attend contact sessions when the need arose, however the need to call upon sessional workers has increased to a point whereby under employment regulations the sessional workers are required to be issued fixed term contracts. Work is ongoing to review the hours of the fixed term contracts and to reduce these where possible.</p>
<b>2.16</b>	<p><b>Legal and Third Party</b> is projected to be £0.307m overspent due to legal costs and direct payments. Legal costs are £0.180m overspent due to the number of cases going through the courts (and the associated court fees) and the need to commission external legal representation at court.</p>
<b>2.17</b>	<p><b>Commissioning arrangements</b> are informed by the complexity of the case/issues and capacity within our own Legal Services. Capacity is challenged within the context of increasing numbers of looked after children, an increase in the number of proceedings (some of which are driven by the judiciary expectation of when we issue cases), the complexity of cases and a high percentage of cases that have been listed as urgent applications (although high our data is in line with the rest of Wales).</p>
<b>2.18</b>	<p><b>Direct payments</b> are projected to be £0.140m overspent. The Council are legally obliged to offer direct payments and this service has recently seen an increase in demand aligned to the volume of families needing support to</p>

	help prevent their problems from escalating and to develop their resilience and capacity to appropriately support their children, these families are often described as being on the 'edge of care'.								
<b>2.19</b>	<b>Out of County Budget:</b> The most significant financial pressures are within the Out of County budget. Placements allocated to the Out of County budget are all those commissioned by the local authority through a registered Social Care/Education provider. This includes independent fostering and residential care located within Flintshire and outside of the local authority boundary. It is of note that 84% of looked after children are placed in Flintshire or in a neighbouring authority.								
<b>2.20</b>	The cost of external provision significantly outweighs the cost of in house foster care: <table border="1" data-bbox="304 667 1332 891"> <thead> <tr> <th>Placement Type</th> <th>Cost banding per week</th> </tr> </thead> <tbody> <tr> <td>In House fostering</td> <td>£461 (£24k per year)</td> </tr> <tr> <td>Independent Fostering Agency (IFA)</td> <td>£846 (£44k per year)</td> </tr> <tr> <td>Residential Care</td> <td>£3,500 - £10,000 (£182k - £520k per year)</td> </tr> </tbody> </table>	Placement Type	Cost banding per week	In House fostering	£461 (£24k per year)	Independent Fostering Agency (IFA)	£846 (£44k per year)	Residential Care	£3,500 - £10,000 (£182k - £520k per year)
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<b>2.21</b>	The Out of County and Social Services budgets are influenced by: <ul style="list-style-type: none"> <li>• the numbers of children becoming looked after</li> <li>• the type of placement available to support the needs of looked after children including the availability of appropriate family members to care for them</li> <li>• the respite needs of parents of disabled children</li> <li>• the education needs of children who require day placements</li> <li>• the education needs of children who requires teaching assistant support</li> </ul>								
<b>2.23</b>	There are 181 children currently supported through the Out of County budget. There are 104 children whose needs are wholly Education related, 42 which are wholly Social Services and 35 which are partly Social Services and partly Education.								
<b>2.24</b>	The following table provides an overview of costs and numbers aligned to the Out of County budget at month 4:								

2.25

**Out of County Placements 2019/20 Month 4 position - analysis of costs and numbers**

	Children's Services		Education		Total :	
	£(m)	no.	£(m)	no.	£(m)	no.
<b>Residential Placements</b>						
* within Flintshire	2.522	16	0.458	12	2.980	16
* Out of County	2.935	22	0.837	18	3.772	22
<b>Independent Fostering Agencies</b>	1.319	34	0.030	2	1.349	34
<b>Respite Placements</b>	0.079	5	0.088	3	0.167	5
<b>Education day placements and Teaching Assistant support</b>						
* within Flintshire	0	0	0.496	13	0.496	13
* Out of County	0	0	2.465	91	2.465	91
Other cost influences	0.004		-0.206		-0.202	
Total for "Out of County" service	6.859	77	4.168	139	11.027	181
Current budget allocation :	5.288		3.745		9.033	
Projected Overspend :	1.571		0.423		1.994	

**Notes:**

The total numbers of placements don't add across due to some placements being costed partly to Social Services and partly to Education.  
 'Other cost influences' predominantly relate to recoupment income from other LA's out of county placements at FCC schools

2.26

The costs aligned to the Out of County budget have grown significantly in 2019/20. This is within the context of an overall reduction in the number of children supported in residential care. Key influences/issues:

- residential placements have reduced but Provider costs increased
- Provider costs are aligned to increases in the cost of care provision, an increase in the complexity and support needs of children and young people and reflect placement demand/market conditions
- 2 residential placements in 2018/19 were short term with new placements in 2019/20 being full year
- a rebalance from residential care to independent fostering agencies

Placement Type	Number 18/19	Number 19/20
Residential Placements		
* within Flintshire	14	14
* Out of County	23	20
Independent Fostering Agencies	28	32

Residential – Within Flintshire:

- Comparable numbers but significantly higher costs in 2019/20 with an increase of +£0.341m for Children's Services
- The group includes 12 children who feature in both years with actual costs of £1.683m in 2018/19 and projected costs of £1.802m in 2019/20 (an increase of £0.119m)
- There were 2 placements in 2018/19 costing a total of £0.121m who don't feature in 2019/20
- There are 2 new placements in 2019/20 with projected costs of £0.343m therefore an increase of £0.222m

	<ul style="list-style-type: none"> <li>Placement length is obviously a significant variable. The 2 new placements in 2019/20 are projected for 51 and 52 weeks each, whereas the 2 which ended in 2018/19 were both for 21 weeks only</li> </ul> <p><b>Residential – Out of County</b></p> <ul style="list-style-type: none"> <li>Decrease of 3 placements but increase in costs of £0.685m</li> </ul> <p><b>Independent Fostering Agencies</b></p> <ul style="list-style-type: none"> <li>An increase of 4 placements and costs up by £0.533m</li> <li>The increase of 4 is within the context of a reduction in residential placements and an additional 10 children becoming looked after in 19/20.</li> </ul> <p>The analysis highlights the growing cost of placements and the associated impact on budget which is outweighing measures which seek to manage demand and reduce reliance on out of county residential provision.</p>
<b>2.27</b>	<p>Placement and support decisions are made through an Out of County Panel comprising of senior staff from Social Services, Education and Health. Given the complex needs of some of the young people supported some cases are also joint funded by Health. A recent internal audit of the Panel arrangements concluded that processes and associated governance controls were robust.</p>
<b>3.00</b>	<b>Solutions</b>
<b>3.01</b>	<p>There is no single strategy to manage the financial pressures facing children’s social care. Many of the influences are outside the control of the local authority. However, there are clear measures that can assist and to this end we have developed approaches to:</p>
<b>3.02</b>	<p><u>Support resilient families:</u> through the establishment of a multiagency Early Help Hub to target early support to families with greater levels of need and the work of a statutory Targeted Support Team to support families on the edge of care.</p>
<b>3.03</b>	<p><u>Combat exploitation:</u> through the establishment of a strategic and operational MET group. MET is Missing, Exploitation and Trafficking forums where agencies share appropriate intelligence, agree risk management and action to prevent exploitation and protect vulnerable children and young people. We have also developed a Missing Co-ordinator role. This person meets young people to understand why they went missing, where they have been going and who with.</p>
<b>3.04</b>	<p><u>Attract Foster Carers:</u> through the implementation of new policies (Foster Friendly Council, Council Tax discount scheme) and developing new models of foster care (Mockingbird) to expand the cohort of foster carers and the type of placements they offer.</p>



3.05	<u>Reshape the Residential Market</u> ; through close working with local Providers with a view securing local placements for the local population. We have developed positive relationships with the market which is positively enabling us to have a greater opportunity to make local placements where they are needed.
3.06	<u>Maximising local housing options</u> : working closely with Housing we are exploring options for meeting the needs of specific cohorts of young people through local support and accommodation provision.
3.07	<p>We have recently developed a Support and Placement Strategy 2019 – 2022 which was endorsed by a joint Social Services Education and Scrutiny on 25 July 2019. The Strategy centres on 3 core work streams:</p> <ul style="list-style-type: none"> <li>• To safely reduce the number of children who need to be looked after</li> <li>• To support looked after children in local high quality placements</li> <li>• To improve outcomes for looked after children</li> </ul> <p>This Strategy will support the reduced reliance on future residential placement needs and therefore be key to securing cost avoidance.</p>
3.08	The continued costs associated with the current cohort of children and young people living in expensive residential placements is a significant financial challenge. Any move from a placement will need to be carefully managed, be focussed on the child/young person and secure better medium/long term outcomes for them. There is scope to step some children to alternative arrangements but this is limited leaving continued financial pressures.

<b>4.00</b>	<b>RESOURCE IMPLICATIONS</b>
4.01	The Service is responding to, and managing significant pressures that are testing resilience with a shortfall in national funding. Pressures include a growing volume and complexity of demand, with increasing numbers of older children entering the care system, often requiring high cost residential care placements that are in short supply. A Care Crisis Review <sup>ix</sup> across England and Wales reported in 2018. The Review was commissioned in response to the growing number of children entering the care system. The review supported a call for central Government to make up an identified £2 billion shortfall in children’s social care.
4.02	It is suggested that specific support is needed from Welsh Government to help alleviate significant financial pressures associated with the cost of residential care for children with complex needs, whilst we implement our approaches to reducing our looked after population and secure most cost effective, local placement options.
4.03	The Children’s Services variances totalling £0.963m need to be considered across the wider financial position for Social Services for any potential budget virement opportunities, prior to being considered as additional pressures in the MTFS for 2020/21.

4.04	<p>There are no practical mitigations for addressing this within the service through direct action by way of commissioning practice which is already achieving the optimum position in terms of costs within a market where the providers have supply and demand conditions very much in their favour. There is also no scope for mitigation within the same service area or portfolio.</p> <p>The anticipated final pressure in 2019/20 is currently expected to be £1.994m as per the Month 4 budget monitoring forecast although the service is very much exposed to volatility arising from the wide range of demand influences.</p> <p>A pressure of £1.156m is currently within the MTFs forecast for 2020/21, therefore there is a shortfall of £0.838m based on the current Month 4 projected overspend.</p>
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<b>5.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
5.01	None

<b>6.00</b>	<b>RISK MANAGEMENT</b>
6.01	All budget pressures and solutions are risk assessed stage by stage. The increasing cost of residential care for a relatively small cohort of young people is having a disproportionate impact on service budgets and risks the opportunity to invest in more preventative services.

<b>7.00</b>	<b>APPENDICES</b>
7.01	None.

<b>8.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
8.01	<p>i <a href="https://www.bbc.co.uk/news/uk-wales-43951732">https://www.bbc.co.uk/news/uk-wales-43951732</a></p> <p>ii <a href="https://www.local.gov.uk/about/news/childrens-care-crisis-councils-forced-overspend-almost-ps800m-childrens-social-care">https://www.local.gov.uk/about/news/childrens-care-crisis-councils-forced-overspend-almost-ps800m-childrens-social-care</a></p> <p>iii <a href="https://www.nao.org.uk/report/pressures-on-childrens-social-care">https://www.nao.org.uk/report/pressures-on-childrens-social-care</a></p> <p>iv, v Analysis of the Factors Contributing to the High Rates of Care in Wales, Wales Centre for Public Policy: <a href="https://www.wcpp.org.uk/wp-content/uploads/2019/05/190715-Analysis-of-Factors-Contributing-to-High-Rates-of-Care-REVISED.pdf">https://www.wcpp.org.uk/wp-content/uploads/2019/05/190715-Analysis-of-Factors-Contributing-to-High-Rates-of-Care-REVISED.pdf</a></p> <p>vi <a href="https://www.cardiff.ac.uk/research/explore/find-a-project/view/1513282-keeping-safe">https://www.cardiff.ac.uk/research/explore/find-a-project/view/1513282-keeping-safe</a></p> <p>vii <a href="https://www.instituteforgovernment.org.uk/explainers/childrens-social-care-10-key-facts">https://www.instituteforgovernment.org.uk/explainers/childrens-social-care-10-key-facts</a></p> <p>viii <a href="https://www.instituteforgovernment.org.uk/explainers/childrens-social-care-10-key-facts">https://www.instituteforgovernment.org.uk/explainers/childrens-social-care-10-key-facts</a></p> <p>ix <a href="https://www.frg.org.uk/images/Care_Crisis/CCR-FINAL.pdf">https://www.frg.org.uk/images/Care_Crisis/CCR-FINAL.pdf</a></p> <p><b>Contact Officers:</b> Craig Macleod Gary Ferguson  <b>Telephone:</b> 01352 701313 01352 702271</p>

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<b>9.00</b>	<b>GLOSSARY OF TERMS</b>
<b>9.01</b>	<p><b>Looked After Child</b>  Looked after children are children and young people who are in public care and looked after by the state. This includes those who are subject to a care order or temporarily classed as looked after on a planned basis for short breaks or respite care. The term is also used to describe 'accommodated' children and young people who are looked after on a voluntary basis at the request of, or by agreement with, their parents.</p>
<b>9.02</b>	<p><b>Special Guardianship</b>  A Special Guardianship Order (often known as an SGO) is a legal order where the court appoints a carer – usually a relative – as the 'Special Guardian' of a child until they turn 18. The Special Guardian will have parental responsibility for the child. The intention is that the special guardian will have clear responsibility for all the day to day decisions about caring for the child or young person and their upbringing. Unlike adoption, the order retains the basic legal link with the parents. They remain legally the child's parents, though their ability to exercise their parental responsibility is limited. Local authorities must have services to support Special Guardians in their area. Financial support from the local authority is in the form of a means-tested Special Guardianship Allowance</p>
<b>9.03</b>	<p><b>Contact</b>  Arrangements approved by the court for looked after children to have contact with key people involved in their lives e.g. family, friends to enable a continued relationship to exist between them.</p>
<b>9.04</b>	<p><b>Direct Payment</b>  People who are assessed as needing support have a right to ask for a direct payment instead of having the support arranged by the local authority. Direct payments can give families greater choice and control over the support they receive and how it's provided, within a framework that is agreed by the local authority.</p>
<b>9.05</b>	<p><b>Independent Fostering Agency (IFA)</b>  The main functions of an independent fostering agency are to recruit, assess, approve, train, support, supervise and review foster carers who will then be put forward to look after children local authorities are responsible for. IFA's charge local authorities a weekly fee for placements made under these arrangements.</p>

