

COUNCIL  
16 January 2020

Report of the Head of Regulatory Services

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## **LOCAL OFFER FOR CHILDREN IN CARE AND CARE LEAVERS**

### **PURPOSE OF REPORT**

To seek approval for the District Council, acting in its role as a relevant partner, to support Derbyshire County Council in its role as a corporate parent, to publish and deliver a countywide district and borough Local Offer for Children in Care and Care Leavers.

### **RECOMMENDATION**

1. That Council endorses the corporate parenting principles enshrined in the Children and Social Work Act 2017;
2. That Council approves the district offers around Wellness and Participation, Employment, Education and Training, and Accommodation set out in the report;
3. That Council notes its previous decision in relation to council tax exemptions for care leavers.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

Supporting Care Leavers should ultimately assist with the Council's priority to build a thriving District.

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## **1 SUMMARY**

- 1.1 This report sets out the ways in which Derbyshire Dales District Council can support people leaving the care system. The recommendations within the report have been developed through collaborative working with Derbyshire County Council and all the Derbyshire district and borough councils, and represents a countywide offer to care leavers.

## **2 REPORT**

- 2.1 The role that councils play in 'looking after' children is one of the most important things that they do. Local authorities have a unique responsibility to the children they look after and to their care leavers. In this context local authorities are often referred to as being the 'corporate parent' of these children and young people.

## Corporate Parenting

- 2.2 A strong ethos of corporate parenting recognises that looked-after children have the same needs – to be loved, cared for and to feel safe – as other children. It will also recognise that there are unique challenges that looked-after children and care leavers face. For example, 60% of children become looked-after due to abuse or neglect. Looked-after children also have poorer educational and health outcomes than their peers, on average according to the Department of Education. The care system is not just about keeping children safe, but should also promote recovery, resilience and well-being.
- 2.3 The Children and Social Work Act 2017 is intended to improve support for looked-after children and care leavers. Section 1 of the Act sets out 7 principles of corporate parenting which local authorities must have regard to in designing and delivering services. It builds on and refines earlier legislation set out in the Children Act 1989 and the Children Act 2004. The 7 principles are:
- To act in the best interests, and promote the physical and mental health and well-being of those children and young people;
  - To encourage those children and young people to express their views, wishes and feelings;
  - To take into account the views, wishes and feelings of those children and young people;
  - To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
  - To promote high aspirations, and seek to secure the best outcomes, for those children and young people;
  - For those children and young people to be safe, and for stability in their home lives, relationships and education or work;
  - To prepare those children and young people for adulthood and independent living.
- 2.4 Section 2 of the Children and Social Work Act 2017 required local authorities to publish information about the services they offer to care leavers, which may assist them in preparing for adulthood and independent living. It includes health and well-being, education and training, employment, accommodation, and participation in society.
- 2.5 In Derbyshire the statutory corporate parenting responsibility rests with Derbyshire County Council. Derbyshire Dales District Council is not a local authority as defined in section 105 of the Children Act 2004 and as such section 1 of the 2017 Act does not apply to us. However, the District Council does have a duty to co-operate under section 10 of the Children Act 2004 as a 'relevant partner'.
- 2.6 Derbyshire County Council has asked for the co-operation of all district and borough councils within the county, in developing and helping to deliver a countywide Local Offer for Children in Care and Care Leaver.
- 2.7 Whilst the District Council does not have a statutory responsibility for corporate parenting it is expected to adopt and embed the 7 corporate parenting principles in designing and delivering its own services. District Council housing, leisure and recreation, and local taxation services were specifically identified as functions where consideration of corporate parenting principles should generally apply.

## Context – Care Leavers

2.8 The table below shows the current know numbers of care leavers across Derbyshire.

District	18 years old	19 years old	20 years old	21 years old	Total
Amber Valley	8	11	12		31
Bolsover	3	3	5		11
Chesterfield	20	9	14		43
Derbyshire Dales	3	2	1		6
Erewash	8	16	12	1	37
High Peak	9	6	10		25
North East Derbyshire	9	5	3	1	18
South Derbyshire	5	7	6		18
Total	65	59	63	2	189

2.9 At age 21 care leavers now have the right to access additional support services from the County Council, but unfortunately accurate figures are not available. It is likely that the number of care leavers aged 18 to 25 in Derbyshire Dales will be in the region of 12. The number of children in care is rising, so it is likely that the number of care leavers will also increase over time.

### Derbyshire Local Authorities' Care Offer Working Group

2.10 Through the Derbyshire Chief Executives' Group and the newly formed Derbyshire Corporate Parenting Board, the County Council and the district/borough councils agreed to collaborate to create a single Local Children in Care and Care Leaver Offer for each of the district and borough councils to consider for adoption and publication.

2.11 Officer working group meetings have been held to discuss proposals based on and building upon the district care leaver offer developed across Nottinghamshire and now adopted by all their district and borough councils. That offer and the on-going work in Derbyshire has been supported by a former care leaver and now campaigner for looked-after children and care leavers.

2.12 The offer has been developed around 3 themes:

- Wellness and participation;
- Employment, education and training;
- Accommodation and housing.

2.13 The rest of this report sets out those elements of the Care Leaver Offer that are of relevance to district and borough councils. It is anticipated that further work will be undertaken to broaden and enrich the offer as the principles of corporate parenting are embedded across the organisations.

### Wellness and Participation – Active Fostering Schemes

2.14 A countywide free access to leisure centres scheme for looked-after children, carers and their own children and care leavers has been operating since 2007.

2.15 The general view of this scheme is that it has been well received and well used by carers, but has had little real impact of looked-after children or care leavers.

- 2.16 Looked-after children and care leavers have disproportionate underlying health issues, are more likely to suffer social isolation and financial instability, often making accessing local services difficult. The benefits of physical activity in addressing some of these underlying physical and social issues is well documented. The free access scheme has been reviewed and rebranded as the Active Fostering Scheme and the range of activities offered has been widened to include free swimming lessons, considered to be a key life skill.
- 2.17 The scheme will be funded through Derbyshire County Council Public Health allocations to each district and local initiatives will be proactively encouraged utilising physical activity programmes to work with young people suffering from mental health, drug and alcohol dependence to help build social connectedness and self-esteem.
- 2.18 Greater emphasis will be placed on marketing and promoting the offer to care leavers. Leisure centre staff will receive awareness training regarding some of the issues that care leavers face as they transition from the care system to living independently.

### **Employment, Education and Training – Apprenticeships and Work Experience**

- 2.19 Working is good for well-being. It contributes to happiness, helps build confidence and self-esteem, and allows supportive relationships and friendships with colleagues. Employment can improve health by increasing social capital, enhancing psychological well-being, providing income and reducing the negative health impacts of economic hardship.
- 2.20 Despite recent reforms to improve the educational attainment of children in care, it is still the case that only 14% of children in care achieved 5 good GCSEs, compared to 53% of non-looked after children (Department of Education 2015). Looked-after children are 5 times more likely to have a special educational need at age 11. This can limit the options open to care leavers when they leave school.
- 2.21 The wider Care Leaver Offer will need to think creatively about how to provide the opportunities for care leavers to catch up on education that they have missed out on, and how to develop the essential knowledge and skills that will enable them to progress.
- 2.22 Districts and boroughs have the facility to actively signpost care leavers to apprenticeships, work placements, work experience and mentoring opportunities within their own organisations and with their partners. Within the District Council it is recommended that any care leaver who meets the essential criteria and who applies for an apprenticeship, should be guaranteed an interview for that post.
- 2.23 Led by Active Derbyshire work is also progressing on bringing the Coach Core programme created by the Royal Foundation to Derbyshire. This programme aims to create inspirational sports coaches through a more exciting and community-based sports and activity coaching apprenticeship that develops the talents of young people and provides them with a range of vital skills for employment and life. Care leavers will be actively encouraged to sign up to this programme.

### **Accommodation and Housing – Prevention and Relief of Homelessness**

- 2.24 The District Council has specific duties towards care leavers who are homeless or threatened with homelessness, as part of its statutory duties under the Homelessness

Reduction Act 2017 and as set out in detail in Chapter 22 of the Homelessness Code of Guidance (June 2018).

- 2.25 The Guidance sets out the corporate parenting duty placed on the District Council as a Housing Authority, to embrace and embed the 7 corporate parenting principles described in the Children and Social Work Act 2017, and to develop joint protocols and procedures with Children's Services authorities and other relevant departments to cover arrangements for achieving planned, supportive transitions to independent living, identifying homelessness risk early and acting to prevent that risk, and providing a quick, safe, joined-up response for care leavers who do become homeless.
- 2.26 Where care leavers over 18 are homeless they are given automatic priority need within the homelessness legislation until age 22, in recognition of their vulnerability. Care leavers above the age of 21 who are vulnerable as a result of being looked-after also have a priority need. Care leavers are also considered to be a priority group within the statutory guidance on allocation of social housing.
- 2.27 Following the request from Derbyshire County Council to develop a countywide district/borough care leaver offer, work has been undertaken to agree a housing based element to the offer. This has now been codified as follows:
- Housing Authorities will not make any decision regarding a care leaver being intentionally homeless without consulting their leaving care worker. In the event where a housing authority has found a care leaver to be intentionally homeless they will have a duty to secure accommodation which is available to the care leaver to provide a reasonable opportunity for them to find their own accommodation.
  - Derbyshire Care Leavers will be given a local connection to access housing in any district in Derbyshire irrespective of where they have been living.
  - Derbyshire Care Leavers exiting supported accommodation as a positive move on will be given priority for social housing in Derbyshire

### **Accommodation and Housing – Exemption from Council Tax**

- 2.28 Managing budgets can be challenging for many people on low income, particularly so for vulnerable young people adjusting to living independently without the support of a family network. A 2015 report by The Children's Society 'The Wolf at the Door – How council tax debt is harming children', suggests that care leavers are a particularly vulnerable group to council tax debt.
- 2.29 Discussions have taken place at the Derbyshire Chief Executives' Group regarding a care leaver council tax exemption, applying across Derbyshire. Derbyshire Dales District Council has already taken the decision at its Council meeting on 24 January 2019 to apply a local council tax discount to all care leavers under the age of 25 from 1 April 2019 onwards. This principle has been written into the Council's Policy for Council Tax Discretionary Reliefs and is now being applied. Therefore the District Council has already complied with this element of the Care Leavers' Offer.

### **Care Leaver Covenant**

- 2.30 In July 2016 the Government published a major policy document 'Keep on caring' to support young people from care to independence. A key commitment in the paper is a strategic pledge to introduce a Care Leaver Covenant.

- 2.31 The Covenant is a promise made by the private, public and voluntary sectors to provide support for care leavers aged 16-25, to help them to live independently.
- 2.32 The aim of the Care Leaver Covenant is to provide additional support for those leaving care, making available a different kind of support and expertise from that statutorily provided by local authorities.
- 2.33 Each organisation that commits to the Care Leaver Covenant will be able to offer a support package to care leavers that is tailored to its specific expertise. The organisation would underpin its commitment to the Covenant with a specific offer, setting out what it can provide
- 2.34 The Care Leaver Covenant outcomes will ensure that care leavers:
- Are better prepared and supported to live independently;
  - Have improved access to employment, education and training;
  - Experience stability in their lives and feel safe and secure;
  - Have improved access to health and emotional support;
  - Achieve financial stability.
- 2.35 All central government departments have signed the Care Leaver Covenant to demonstrate their commitment and have listed specific offers they will deliver. By supporting Derbyshire County Council in its corporate parenting role the District Council is effectively setting out its own offer to care leavers and as such is committing to the Covenant.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The report accords with the legal provisions outlined in the report. The legal risk is therefore low.

#### **3.2 Financial**

The district offers around Wellness and Participation, Employment, Education and Training, and Accommodation set out in the report are not expected to result in a significant increase in costs for the Council. The financial risk is therefore low.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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### **6 BACKGROUND PAPERS**

None

**7 ATTACHMENTS**

None