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DATE: 25 March 2010

To: All Members of the Council

The EXECUTIVE PORTFOLIO HOLDER FOR CHILDREN AND YOUNG PEOPLE, COUNCILLOR ERNEST NOAD will be holding a special meeting to consider the item referred to below at Bromley Civic Centre on **THURSDAY 8 APRIL 2010 AT 4.00 PM**

MARK BOWEN
Director of Legal, Democratic and
Customer Services.

*Copies of the documents referred to below can be obtained from
<http://sharepoint.bromley.gov.uk>*

A G E N D A

1 DECLARATIONS OF INTEREST

To record any declarations of interest from Members present.

2 MINUTES OF THE MEETING HELD ON 19 JANUARY 2010 (Pages 3 - 16)

3 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

To hear questions to the Children and Young People Portfolio Holder received in writing by the Legal, Democratic and Customer Services Department by 5pm on Wednesday 31st March 2010 and to respond.

4 APPOINTMENT TO BROMLEY FOSTERING PANEL (Pages 17 - 24)

5 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000.

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business

Schedule 12A Description

**6 EXEMPT MINUTES OF THE MEETING
HELD ON 19 JANUARY 2010 (Pages 25 -
28)**

Information relating to the financial or
business affairs of any particular person
(including the authority holding that
information)

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EXECUTIVE PORTFOLIO HOLDER FOR CHILDREN AND YOUNG PEOPLE

Minutes of the meeting held on 19th January 2010

Present

Councillor Ernest Noad (Executive Portfolio Holder)
Councillor Brian Humphrys (Executive Support Assistant)

Also present

Councillors Martin Curry,
Robert Evans, Mrs Anne Manning and Stephen Wells

18. DECLARATIONS OF INTEREST

No declarations of interest were initially received however, during consideration of Item 12, Councillor Martin Curry declared a personal interest as a Trustee of Village Hall and a Member of Orpington Liberal Democrats, both of which had an interest in PVI.

19. QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

20. [CONFIRMATION OF THE MINUTES OF THE CYP PORTFOLIO HOLDER MEETING HELD ON 17TH NOVEMBER 2009](#)

RESOLVED that the minutes from the special CYP Portfolio Holder meeting held on 17th November 2009 be agreed.

21. MEMBERSHIP OF SCHOOL GOVERNING BODIES [Report DCYP10002](#) Decision Reference CYP100001

The Portfolio Holder considered a report setting out Local Governor Appointments to five schools in the Borough. The Portfolio Holder noted that there were two LA Governor vacancies at Manor Oak Primary School, but only one nomination which would mean that one vacancy would remain on the governing body. Officers confirmed that this was the case and that they were seeking to fill the vacancy.

RESOLVED that the following appointments be approved, subject to CRB checks -

Alexandra Junior School	Mr Steve Gough (Beckenham)
	Cllr John Getgood

(Penge and Cator Ward)

Ms Sarah Clark
(Beckenham)

Charles Darwin

Mrs Susan Wade
(Biggin Hill)

Manor Oak Primary
School

Mr Paul Iredale
(Chislehurst)

Ravens Wood School

Cllr Denise Reddin
(Kelsey and Eden Park Ward)

Warren Road Primary
School

Cllr Julian Grainger
(Chelsfield and Pratts Bottom
Ward)

**22. CHILDREN AND YOUNG PEOPLE SERVICES: ANNUAL
PERFORMANCE ASSESSMENT RATING 2009**
[Report DCYP10010](#) **Decision Reference CYP100002**

On Wednesday 9 December 2009, Ofsted published the outcome of the 2009 Annual Performance Assessment of Bromley Council's Children and Young People Services. The overall assessment concluded that Bromley Council 'performs well' in the delivery of services for children and young people, and was 'an organisation that exceeds minimum requirements'. The Portfolio Holder considered a report outlining the outcome of the Annual Performance Assessment and the areas for further development.

The Director CYP introduced the report and highlighted that external inspection and review represented one measure of validating the quality of service delivery and performance of the Council's Children and Young Peoples (CYP) service, albeit a key measure which would unlock additional grants and funding for the Local Authority. The Director CYP outlined that in the three years since the establishment of CYP the Department had significantly improved against national performance measures from a rating of 'adequate' with some weak features to a rating of across the board 'Good'; a service which 'performs well' and 'exceeds minimum requirements'.

The Portfolio Holder and Executive Assistant offered their congratulations to the CYP Department. The Portfolio Holder commented that the assessment rating clearly demonstrated the commitment of the staff to delivering high quality services to children and young people within the Borough and praised their loyalty to Bromley.

RESOLVED that the outcome of the Annual Performance Assessment and the areas for further development.

23. CHILDREN AND YOUNG PEOPLE DEPARTMENT - STAFFING NUMBERS
[Report DCYP10007](#) Decision Reference CYP100003

On 8 September 2009, the Director, Children and Young People (CYP) Services, submitted a report to the Portfolio Holder outlining the progress made in service provision, staffing numbers and funding arrangements. The report was referred on to the Council's Executive for consideration on 30 September 2009. One of the resolutions made by the Portfolio Holder was a request for the Director CYP to provide further information on the staffing data and trends for the period 2005/06 to 2009/10. The Portfolio Holder considered a report providing the comparative data based on Full-Time Equivalent staffing figures in accordance with the approved budget.

The Director CYP introduced the report and highlighted that it contained the more detailed data requested by the Portfolio Holder at an earlier meeting. The report accurately reflected staffing levels within the CYP Department, based on FTE data, and provided a strong benchmark for Improvement, Efficiency and Effectiveness Plans as well as future budget information.

The Portfolio Holder noted that 44% of FTE posts within the Department were funded solely through fixed-term government grants and highlighted the uncertainty created by grant funding in terms of service planning and sustainability.

The Chairman of the CYP PDS Committee queried the number of staff listed as part of the Behaviour Service. The Director CYP highlighted that respite was included as part of this service, and was designed to reduce the number of young people being excluded from schools. Once the Respite Service had delivered this reduction, the investment in this area could be reduced. The Chairman of the PDS Committee also queried the accounting changes reported in respect of Learning and Achievement re-setting of employee budgets. The Head of CYP Finance outlined the accounting changes that would be implemented and the amendments that had been made.

RESOLVED that the information regarding the comparative staffing data for the Children and Young People Department 2005/06 – 2009/10 be noted.

27. KEY CYP BUDGET PRESSURES 2010/11
[Report DCYP10003](#) Decision Reference CYP100004

The Portfolio Holder reviewed a report from the Director CYP and Head of CYP Finance outlining the budget forecast for CYP for 2010/11 and beyond, highlighting proposed savings in specific service areas as well as providing information on Children and Young People Service pressures identified across four key areas:

- 1) the recruitment and retention of social work staff and the volume increase in demand for this service;

- 2) the Youth Offending Team;
- 3) support to 17 and 18 year old children; and,
- 4) children's placements.

The Head of CYP Finance introduced the report and highlighted the request to vire a total of £394,000 to fund service pressures relating to volume increases in Children's Social Care, the implementation of CareFirst and to provide support for inspections.

In responding to a question from the Chairman of the Children and Young People PDS Committee surrounding the proposed recruitment of 6 additional social workers, the Director CYP suggested that the issue could be better explored during consideration of the following agenda item which specifically focused on the recruitment and retention of social workers.

The Chairman of the CYP PDS Committee also queried which specific services would be affected by the £130,000 taken from the Behaviour Service budget. The Head of CYP Finance explained that changes were being introduced as a result of the reclassification of the Pupil Referral Grant from Dedicated Schools Grant to Revenue Support Grant. The Head of CYP Finance explained that these services would not be affected by these changes as funding would be allocated from other areas of the budget.

The Portfolio Holder noted that all the figures outlined in the report had been included in the provisional budgets that had been approved by the Executive.

RESOLVED that

- 1) the key budget pressures for the Children and Young People Portfolio in 2010/11 be noted.
- 2) the Executive be requested to vire funding (as detailed in paragraph 5.2) to address the identified service pressure areas.

27. RECRUITMENT AND RETENTION OF CHILDREN'S SOCIAL WORK STAFF

[Report DCYP10012](#)

Decision Reference CYP100005

The Portfolio Holder considered a report setting out the difficulties the Council was facing around recruitment and retention of children's social care workers, particularly senior practitioners and deputy group managers. The report identified potential options, recommended by the Director of Children and Young People Services, to address the recruitment and retention of children's social care workers together with measures to strengthen capacity within the service to manage the increase in the volume of caseloads. The report also highlighted the related service implications for Legal and Democratic Services in undertaking the statutory legal functions to support these caseloads. The proposals had been the subject of detailed consideration and endorsement by the Executive Working Party of Members, established in March 2009 to focus on child protection and safeguarding arrangements within the borough.

The Head of HR Organisational Development and the Assistant Director for Safeguarding and Social Care introduced the report and highlighted that the recruitment and retention of social workers was a country-wide issue. A national task force had been established in 2009 in response to a number of issues that had arisen within Children's Social Care and the task group published its final report in December 2009. The Head of HR Organisational Development highlighted that this report fell short of providing short-term measures to address the challenges faced by local authorities surrounding the recruitment and retention of social workers, and that as a result of this it was important that Bromley developed its own robust strategy to introduce measures to recruit and retain high quality social workers across the Borough. As a result of this, a number of measures had been recommended which would allow Bromley to compete with neighbouring Boroughs to recruit and retain high quality social workers.

The Assistant Director for Safeguarding and Social Care highlighted that there had been a significant increase in workloads and caseloads of social workers in the borough since 2007/08; an increase in referrals from 3,425 in 2007/08 to a projected 7,430 in 2009/10. The Authority currently had around 250 young people who were subject to a care plan and this figure was likely to increase in 2010/11. The Local Authority had a statutory duty to visit young people who were the subject of a care plan every six weeks; however Bromley's own targets required these visits to be undertaken every two weeks. In terms of undertaking statutory visits, the significant pressure on social care staff and current challenges with recruitment and retention were highlighted. The Assistant Director reported that staff morale and willingness to stay at Bromley had been significantly affected by this additional pressure of increased referral volumes.

Whilst acknowledging the issues outlined in the report, the Portfolio Holder questioned whether the current trends being seen were long term trends or a 'bulge' in the number of cases being handled as a result of media exposure to high profile children's safeguarding incidents. The Assistant Director for Safeguarding and Social Care agreed that whilst the number of caseloads had been heightened as a result of recent media coverage, the Local Authority had also been experiencing an increase in the number of cases prior to the national focus on safeguarding. The Local Authority had also been handling a higher number of cases with more complex issues, which itself presented more challenges.

The Director CYP reported that the Department had opted to take a measured approach to thoroughly evaluate the effect of actions being taken to address the issues facing Children's Social Care. Officers would be able to monitor the benefits realised from increased funding for a year as well as realise the positive outcomes resulting from an improved retention strategy.

The Chairman of the CP PDS Committee expressed concern that a net gain of 10 staff over a year appeared to be a significant increase and whilst he understood the pressures facing the Department it was essential to ensure that a robust business case was in place to support the need for additional staff

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Another Member underlined that an increase in the caseloads of children social care staff was in evidence prior to increased media interest. The Member questioned whether the whole employment package for social care staff had been reviewed and whether changes to other parts of the employment package, such as holiday entitlement, had been considered. The Head of HR Organisational Development reported that the whole package had been reviewed and that a range of options with nil cost had also been included within the strategy, but was not outlined within the report presented to the Portfolio Holder. One of these options was to allow up to three days for Time To Learn which would support staff to work more flexibly and support ongoing professional development.

The Executive Assistant highlighted that in 2002/03 the Council had introduced a 'Grow Your Own' scheme and that this had been very successful. In the light of this, the Executive Assistant recommended Option 2 as he felt that to be of any value, at least 6 staff would have to benefit from the scheme. He also expressed the view that 'Grow Your Own' should become an ongoing policy and that funding should be identified to secure a future for this scheme.

The Chairman of the PDS Committee questioned whether there was any way to assess the impact on the service of the 4 additional social workers that had been approved in 2009. In response, the Director CYP reported that one of the conditions imposed by the Executive was that a full evaluation report be presented to the Portfolio Holder within a year. Due to delays in the recruitment process, the additional social workers had not commenced employment until May 2009 and as a result of this, a report was scheduled for consideration by the Portfolio Holder on March 2010.

The Chairman of the PDS Committee also queried whether the additional costs of legal proceedings and capacity within Legal and Democratic Services should be contained within a separate budget. The Director CYP explained to Members that a 'One Council' approach had been taken to this issue as there was a clear correlation between the caseloads of social workers, referrals through the courts and the caseloads of legal staff. As there was a considerable differential between the CYP budget and the budget for Legal Services, it had been agreed that the CYP would contribute to the additional costs placed on the Legal Team. The Assistant Director for Legal and Support Services reported that along with the increase in caseloads for social care staff there had been an increase in work volumes for Legal Staff as a higher number of court cases had been taken forward.

The Head of CYP Finance reported that following conversations with the Resources Department, it had been agreed that £817,000 from the LAA Rewards Grant could be advanced from the Council's Reserve Fund to allow work to begin on these proposals immediately. Once the LAA Rewards Grant was received the funds allocated from the Reserve Fund would be replaced.

The Portfolio Holder reported that this would be the last meeting that the Assistant Director for Safeguarding and Social Care would attend before her move to take up a new post in LB Hillingdon. The Portfolio Holder wished the Assistant Director well and thanked her for the support she had shown him and the Borough over the past few years.

RESOLVED that

1. the issues set out in the report regarding the difficulties with recruitment and retention of children's social care workers and the impact of caseload management arising from an increase in referrals be noted;
2. the Executive be recommended to approve a range of measures to improve the recruitment and retention of staff in Children's Social Care and Safeguarding Services as recommended (Option 2) within the report;
3. the Executive be recommended to agree to an increase in capacity of Children's Social Care Referral and Assessment and Safeguarding and Care Planning (CYPS) by six additional fixed term posts to address significant volume increases through an expansion of the post establishment as set out in the report;
4. the Executive be recommended to support steps required to strengthen capacity within Legal and Democratic Services to ensure appropriate capacity to undertake the statutory processes relating to children's social care referrals;
5. the Executive be recommended to set aside £817,200 from the LAA reward grant. If Members agree an increase in the number of social workers, this figure could increase (see paragraph 4.1.5 of the report);
6. the Executive be recommended to make a net provision in Council's contingency of £195,000 to continue to fund four additional social work posts. Continuation of the current additional fixed term posts is subject to a full evaluation to be presented to Members detailing the outcomes delivered to support the Council's safeguarding arrangements.

26. YOUTH OFFENDING TEAM SERVICE LEVELS AND FUNDING
[Report DCYP10008](#) Decision Reference CYP100006

The Youth Offending Team (YOT) transferred to the Children and Young People's Department in May 2006. The service was unable to fulfil the Council's statutory obligations under the Crime and Disorder Act 1998 due to a range of very significant pressures which included staffing levels, excessive caseloads and limited service delivery. Following an internal review of the service the Director CYP committed an additional £170,000 above the approved YOT budget to ensure that some immediate improvements to the service could be secured. This additional funding was at the expense of other CYP services so that the CYP budget did not overspend in the 2006/07 financial year. An initial inspection of the YOT was undertaken by Her Majesty's Inspectorate Probation (HMIP) in November 2006. The inspection report identified and confirmed a range of failings across the service and highlighted a lack of YOT partnership funding and the relatively high number of locum staff employed across the service. As a result, an additional £200,000 was approved by the Council's Executive as part of the budget setting process for the financial years 2008/09

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and 2009/10 to support the service's recovery action plan. In January 2008 the YOT was re-inspected and this focused on the recommendations contained in the original November 2006 report and findings were published in May 2008. The report was presented to a joint meeting of the Children and Young People (CYP) PDS Committee and the Public Protection and Safety (PPS) PDS Committee in June 2008 and formally considered by the Children and Young People Portfolio Holder. A further progress report was presented to the joint CYP (PDS) Committee and the PPS PDS Committee on 2 December 2009 (DCYP09175) and reinforced the need to sustain the current funding levels to ensure a safe and effective service. A motion from the joint CYP PDS Committee and the PPS PDS Committee, which was endorsed by the Children and Young People Portfolio Holder, urged the Council's Executive to look favourably on a request to sustain the enhanced funding level for the YOT.

The Head of Bromley Youth Offending Service introduced the report and highlighted that legislative changes that had been introduced over the past two years were outlined in paragraph 3.7 of the report. The impact that these changes would have on the workload of staff and contact levels with young people was also provided.

The Chairman of the Children and Young People PDS Committee highlighted that at a joint meeting on 2 December 2009, he had proposed a motion, seconded by the Chairman of the Public Protection and Safety PDS Committee, regarding funding levels required to support the Youth Offending Service.

The Chairman of the PDS Committee also expressed concern about the small cohort of young people that the service had had to accept from other London Boroughs, and requested information about the size of this cohort. The Head of Bromley Youth Offending Service reported that this information had been included in the report to give Members an idea of the complexity of the cases managed by the Service. The issue had been identified early and the cohort consisted of 3 or 4 young people, however if the service saw an increase in this type of case, better dialogue would need to be established with other local authorities and the financial implications of accepting young people from other boroughs would have to be explored. The Chairman of the CP PDS Committee suggested that these numbers should be monitored and, if necessary, Members should be provided with a further update.

RESOLVED that

- 1) the need for the additional £200,000 funding to continue from 2010/11 onwards be agreed;**
- 2) the Director CYP's proposal to utilise £70,000 of the Connexions grant as a contribution towards the £200,000 additional funding for the YOT be endorsed;**
- 3) the Executive be requested to support a request for an additional £130,000 for the YOT service in the 2010/11 budget.**

27. PRIMARY CAPITAL PROGRAMME – PROPOSED PRIORITISATION
[Report DCYP10011](#) Decision Reference CYP100007

The Portfolio Holder considered a report reassessing the schemes identified for priority funding from the Primary Capital Programme, given the need to re-prioritise schemes to accommodate the required increase in capacity of primary school places.

A Member highlighted that it had been suggested that the schemes listed as numbers 23-27 in Appendix 1 should be given equal status and therefore all listed as 23. Officers acknowledged that this had been the case and explained that an out-dated list had been reproduced in the report.

The Chairman of the PDS Committee queried the investment in Bickley Primary School and expressed concern that there could be a serious impact if the proposed scheme went over budget. The Head of Access outlined the adaptations that would be made to the school and the costs associated with this work. The Director CYP stressed that there were procedures in place to monitor schemes, reviewing the detail of proposals on a scheme-by-scheme basis to ensure that prudent decisions were taken in terms of levels of investment.

Another Member highlighted that Members had not been made aware that the costs of adaptations to Bickley Primary School would reach £1.3million. The Director CYP responded that Members had been previously advised that when Bickley Primary School was established in 1998, it was designed and built with the infrastructure for 2 forms of entry so that it could be expanded as and when the LA needed greater capacity for primary aged children. In real terms, the original scheme allowed for classroom accommodation for 1 form together with a general infrastructure of hall, administrative areas and general support areas of a 2 FE. The proposed expansion would create an additional 7 classrooms to allow for 2 forms of entry and associated developments in the curriculum had meant that additional facilities would need to be created to support a wider curriculum.

The Portfolio Holder requested that arrangements be made for Members to visit Bickley Primary School as well as the new extension at Riverside.

RESOLVED that

- 1. the outcomes from the reassessment of schemes for inclusion within the Primary Capital Programme given the need to address the proposal to increase capacity at four schools given the current and projected increase in pupil numbers within the borough be noted;**
- 2. the schemes within the Primary Capital Programme as set out in paragraph 3.11 of this report be approved;**
- 3. the Director of Children and Young People Services be authorised to adjust the programme as circumstances dictate taking account of these priorities;**

4. **the Director of Children and Young People Services be authorised to seek planning permission for schemes at the appropriate time when required.**

28. CHILDREN AND YOUNG PEOPLE BUDGET MONITORING REPORT 2009/10

[Report DCYP10003](#)

Decision Reference CYP100008

The Portfolio Holder considered a report reviewing budget monitoring based on activity levels to 30 November 2009. The controllable part of the non-schools' budget was projected to overspend by £55,000 after allowing for an offset of £100,000 savings within the schools' budget from Area Based Grant. The report reflected the joint views of the Director of Children and Young People Services and the Head of Finance.

The Head of CYP Finance introduced the report and highlighted that there had been a small overspend in the schools' budget as well as in the non-schools budget and these were outlined in paragraphs 3.5 and 3.9 of the report.

RESOLVED that

1. **the projected variations be noted and the latest budget position be endorsed;**
2. **the Executive be recommended to approve the inclusion of the following Area Based Grants to departmental budgets:**
 - (a) **Care Matters Grant (an additional £6,410),**
 - (b) **Education Health Partnerships (an additional £33,640),**
 - (c) **Social Care Checks Funding (a new grant for £1,105).**

29. EARLY YEARS FUNDING FORMULA – REQUEST TO BE CONSIDERED AS A 2010/11 PATHFINDER

[Report DCYP10009](#)

Decision Reference CYP100009

Following a recent announcement by the DCSF to postpone the nationwide proposals for authorities to implement a single funding formula for funding Early Years provision, the DCSF were introducing a Pathfinder initiative for 2010/11 which enabled Local Authorities to bid for consideration. The Portfolio Holder considered a report outlining the procedures and criteria specified by DCSF for application as a 2010/11 Pathfinder for the introduction of the Early Years Funding Formula. The report recommended that Bromley apply to be considered as a 2010/11 Pathfinder.

The Executive Assistant expressed the view that that the application should be fully supported as a significant amount of work had been invested in developing the proposals and the PVI sector would benefit from the support provided.

RESOLVED that the Local Authority's application to be considered as a Pathfinder be endorsed.

30. CYP GRANTS IN CONTINGENCY 2010/11
[Report DCYP10001](#) Decision Reference CYP100010

The Portfolio Holder considered a report requesting that grants held in the 2010/11 central contingency relating to Children and Young People Services totalling £3.976m be released into the Children and Young People budget for 2010/11. The grants in contingency (which include Area Based Grants) totalled £1.698m in 2009/10. At meetings of the Executive on the 22 July and 30 September 2009, the grants relating to the 2009/10 budget were released into the Children and Young People budget. This report requested the release of the equivalent grants for 2010/11 into the Children and Young People budget. At the meeting of the Executive on 17 June 2009, Members agreed to set aside £0.5m as an earmarked reserve for any potential redundancy costs resulting from a reduction in Government grants that supported existing grant-funded posts. It was intended at a later stage to recommend an increase to this reserve from the current year's Children and Young People budget. Should the Government grants detailed in this report reduce or cease, any staff redundancy costs could then be charged to this reserve.

The Chairman of the CYP PDS Committee questioned when the intention to undertake a pilot for Youth Inspector Training was agreed. The Head of CYP Finance confirmed that this would have been included as part of a previous budget monitoring report.

The Portfolio Holder expressed concerns surrounding the grant for Youth Inspector Funding and the Director CYP agreed that Officers would review and modify the heading and description of the grant prior to a further report being presented.

RESOLVED that the Executive be requested to release the grants relating to Children and Young People Service from the 2010/11 central contingency into the Children and Young People budget for 2010/11 only.

31. LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the item of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the press and public were present there would be disclosure to them of exempt information.

32. VOLUNTARY SECTOR COMMISSIONING 2010/11 – CONTRACT LETTING
Report DCYP10006 Decision Reference CYP100011

The Portfolio Holder considered a report outlining the outcome of the reviews of the contracts for Family Support, Counselling and Young Carers

Support Services in the Children & Young People (CYP) Department and making recommendations for the award of contracts for April 2010.

RESOLVED that

- 1. the contract for support, guidance and counselling for young people be awarded to Bromley Y for three years.**
- 2. the contract for the support, guidance and integration services for the Gypsy/Traveller Community be awarded to the Bromley Gypsy Traveller Project (BGTP) for three and a half (3.5) years, with two one year options to extend; such options being exercisable by the Director of Children and Young People Services after consultation with the CYP Portfolio Holder.**
- 3. the contract for support and respite activities to Carers Bromley be deferred pending further information.**

**33. BROMLEY SCHOOLS IDENTIFIED AS CAUSE FOR CONCERN
Report DCYP10014 Decision Reference CYP100012**

The Portfolio Holder considered a report highlighting the outcomes of the recent inspection by OfSTED of two schools in the Borough, both of which were subsequently placed in a category of cause for concern. The report also highlighted that another school had been identified by the Director of Children and Young People Services as a school cause for concern. Approval was sought for proposed action by the Local Authority.

RESOLVED that

- 1) three Bromley schools categorised as cause for concern following the outcomes from recent Ofsted inspection be noted;**
- 2) the establishment of an Interim Executive Board to enhance the Governing Body of two schools until the schools are removed from cause for concern category by Ofsted be approved;**
- 3) the suspension of the Governing Body of one school and the establishment of an Interim Executive Board to undertake the governance of the school until the school is removed from cause for concern category by Ofsted be approved;**
- 4) the draft Local Authority Post Ofsted Action Plans for the three schools be approved.**

Prior to the close of the meeting, the Chairman of the CYP PDS Committee expressed concern that the decisions taken by the Portfolio Holder at this meeting had not been thoroughly scrutinised by his Committee. He requested that all Members of the PDS Committee had sight of the decisions that were taken at the meeting and be provided with a copy of the minutes from the meeting.

The Portfolio Holder agreed that it was unfortunate that the decisions could not have been considered by the PDS Committee but explained that a number of the decisions could not have waited until the Committee's meeting in March. The PDS meeting on 25 January 2010 was focusing on scrutiny of the Improvement,

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Efficiency and Effectiveness Plans and would therefore not have been able to thoroughly scrutinise the decisions taken at this meeting. The Portfolio Holder stressed that any Member of the CYP PDS Committee was welcome to attend this meeting, sit at the table and contribute to the discussions and debate.

The meeting ended at 8.17pm

**CLLR ERNEST NOAD
Portfolio Holder for
Children and Young People**

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Agenda Item 4

Report No.
LDCS10068

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Children and Young People Portfolio Holder

Date: 8th April 2010

Decision Type: Urgent Executive Non-Key

Title: **APPOINTMENT TO BROMLEY FOSTERING PANEL**

Contact Officer: Philippa Stone, Scrutiny Co-ordinator
Tel: 020 8313 4871 E-mail: philippa.stone@bromley.gov.uk

Chief Officer: Mark Bowen, Director Legal Democratic and Customer Services

Ward: Borough-wide

1. Reason for report

Councillor Mrs Anne Manning's term of Office on the Bromley Fostering Panel expired at the end of March 2010. She wishes to be re-appointed to the panel for a further term.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to confirm Councillor Mrs Manning's re-appointment to Bromley Fostering Panel.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Children and Young People.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Children's Placement Budget
 4. Total current budget for this head: £9,566,730
 5. Source of funding: Base Grant
-

Staff

1. Number of staff (current and additional): 21 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement. Fostering Services Regulations 2002 as amended by the Fostering Services Amendment Regulations 2009
 2. Call-in: Call-in is applicable yes
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.2 The Bromley Fostering Panel has a number of functions regulated by Fostering Services Regulations 2002 as amended by the Fostering Services Amendment Regulations 2009

. These include:

- To consider each application for approval and to recommend whether or not a person is suitable to act as a foster parent.
- To approve all foster carers who have applied to become carers with the Department.
- To recommend whether or not a person remains suitable to act as a foster parent and whether or not the terms of the approval remain appropriate following the first review of the carer, or on the occasion of any other review requested by the Fostering Service Provider.

3.2 In Bromley the Fostering Panel deals with the following areas:

- Consideration of whether long term fostering is in the best interests of individual children.
- Consideration of whether a child is appropriately matched with their long term or short-term carers.
- Consideration of applications for approval and to recommend whether or not a person will act as Supported Lodgings Carer for Young People.
- Consideration of all applications to recommend relative and friend foster placements (Kinship Fostering).
- Provision of an Annual Report.
- Identification of unmet needs and contributing to planning and service development.

3.3 Membership of the Panel is defined within the Fostering Service Regulations and requires that 'the fostering panel shall consist of no more than 10 members and in the case of a local authority fostering service, at least one elected member'. Regulation 24 provides that a fostering panel member—

(a) shall hold office for a term not exceeding three years, and

(b) may not hold office as a member of the fostering panel of the same fostering service provider for more than three terms without an intervening period.”.

Councillor Manning has held two terms of office as an elected member representative on the Fostering Panel her current term of office has now expired.

3.3 Current Membership is as follows:

- * Chair
- * Vice-Chair
- * Councillor Manning
- * Councillor Ellis
- * Social Workers
- * Independent Members

- 3.4 As noted in this report, in accordance with the Fostering Services Regulations 2002 as amended (FSR), at least one elected member should be a member of the panel. The terms of reference provide for two elected members.
- 3.5 It is important that membership is maintained, to ensure that each meeting has the due quorum of at least five members. and that the Local Authority's representation is maintained at the relevant level.

4. POLICY IMPLICATIONS

- 4.1 The continued development and improvement of the Fostering Service is a key component in achieving internal targets to reduce expenditure on children's placements as well as meeting a number of Delivery Improvement Standards.

5. LEGAL IMPLICATIONS

- 6.1 The appointment of an elected Member to the Fostering Panel is required by FS Regulations. Membership of the Panel is for a term of 3 years, and any member of the Panel can only serve for three terms without a break.

6. PERSONNEL IMPLICATIONS

None

Non-Applicable Sections:	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	Fostering Services - National Minimum Standards/Fostering Services Regulations Care Standards Act 2000 and Fostering Services Regulations 2002 (as amended by the Fostering Services (Amendment) Regulations 2009) - Access via Contact Officer.

SECTION 5 – THE FOSTERING PANEL

SECTION 5.1 ROLE AND TERMS OF REFERENCE AND COMPOSITION OF THE FOSTERING PANEL

Role and responsibilities of the Fostering Panel (Regulation 26)

1.
 - (a) To consider each application for approval and to recommend whether or not a person is suitable to act as a foster parent.
 - (b) To recommend for approval [if appropriate] all foster carers who have applied to become carers with the Department.
 - © To recommend whether or not a person remains suitable to act as a foster parent and whether or not the terms of the approval remain appropriate:-
 - (i) On the first review carried out in accordance with Regulation 29 (Reviews and Terminations of Approval) and
 - (ii) On the occasion of any other review when requested to do so by the Fostering Service Provider in accordance with Regulation 29(5) and
 - (c) To consider any case referred to it under Regulation 28(8) or Regulation 29(9).
2. The Fostering Panel shall also:-
 - (a) Advise on the procedures under which reviews in accordance with Regulation 29 are carried out by the Fostering Service Provider and periodically monitor their effectiveness.
 - (b) Oversee the conduct of assessments carried out by the Fostering Service Provider.
 - © Give advice and make recommendations on such matters or cases as the Fostering Service Provider may refer to.
3. In Bromley, the Fostering Panel will:-
 - (a) Consider whether to recommend if long-term fostering is in the best interests of individual children.
 - (b) Consider whether to recommend if a child(ren) is appropriately matched with its long or short-term foster carers.

- (c) Consider applications for approval and to recommend whether or not a person will act as Supported Lodgings Placement for Young People.
- (d) To consider all applications to recommend all relative and friend foster placements (Kinship Fostering).
- (e) To provide an Annual Report.
- (f) To identify unmet needs and to contribute to planning and to contribute to service development.

Composition of the Panel

The membership of the panel is defined within Regulation 24 of the Fostering Services Regulation 2002 and includes a: -

- Chair Person – a senior member of staff who does not have day to day responsibility of the Fostering Service.
- Two Social Workers – one of whom has childcare expertise and the other of whom has expertise in the province of a fostering service.
- Two elected member(s).
- At least four independent members, one of whom has been a foster carer for another agency.

On Bromley's panel other independent members include

- A Medical Advisor
- A young person who has been in care to this authority
- A officer from the Education department

The panel shall consist of no more than ten members.

No business can be conducted by the Fostering Panel unless at least five of its members, including that person appointed as Chair to the Panel, or the Vice Chair or at least one of the Social Workers employed by the fostering service and at least two of the Independent Members are present.

Specialists may be invited to provide expertise in a particular field.

Group Manager – Fostering Family Placement provides advice to the Panel and the Panel Secretary will be the Clerical Officer, Fostering Service. Five panel members, including the Chair or Vice Chair must be present for a quorum.

SECTION 5.2 ARRANGEMENTS FOR BOOKING THE FOSTERING PANEL AND SUBMITTING REPORTS

The presenting worker and their Group Manager – Fostering should agree a date for a report to be presented at Panel.

The presenting worker should book the time and date (by 'phone, memo or email) with the Clerical Officer, Fostering Service.

Reports must be with the Clerical Officer two weeks prior to the Panel Meeting. All reports need to be read and signed by the individuals involved (where appropriate) and the relevant Social Worker and Supervisor.

The Clerical Officer, Fostering Service will liaise with the Group Manager, Fostering regarding the agenda and compile the agenda for the Panel Meeting ten days before the meeting.

Copies of reports will be made and circulated to Panel Members a week before the Panel Meeting.

Notification confirming the date, time and venue of each item will be sent to the appropriate worker.

The presenting worker should inform (prospective) carer(s) of the date, time and venue of the Panel and the Panel Procedure.

The time allowed for consideration of the approval of carers is 20-30 minutes and 10-15 minutes for reviews where there is no consideration changes to the terms of approval.

After the Panel Meeting, the Clerical Officer will produce minutes within six working days and submit these to the Chair or Vice Chair for checking. Relevant recommendations then go the Assistant Director [Children and Families] for a decision.

At the Panel Meeting, the members should confirm the accuracy of the record and the decision made.

The Clerical Officer should write on behalf of the Group Manager, Fostering to the individuals involved (Foster Carers, Birth Parents) confirming the outcome of the Panel, using a standard format or drafting a letter, as necessary. This is following confirmation of approvals by the Local Authority Decision Maker – the Assistant Director of Children & Families.

The Clerical Officer will send to newly approved Carers:-

- Foster Carer Agreement
- Foster Carer Handbook
- Identify Card

A copy of the Panel Minutes and letter of approval or re-approval or termination of approval should be placed on the Carer's file by the Clerical Officer.

The Clerical Officer should maintain a Panel file containing a copy of all Minutes and Panel Reports.

The Chair should sign a Minute and Decision Sheet – a copy to be placed on the Carer's file.

SECTION 5.3 DECISIONS, REPRESENTATION AND APPEALS

Recommendations are made by the Chair of the Panel following the discussion of views of all the Panel Members. The recommendations of approvals will be passed to the Decision Maker, Rory Patterson [Assistant Director – Children and Families]

(Prospective) Carers who are dissatisfied with the decision or the conduct of the Panel may make representation, in writing, to the Chair within 28 days of receiving written confirmation of the decision.

FORMS

BAAF Form F
BAAF Adult AH
Panel Minutes and Decision Sheet

Cross-Reference other Departmental Procedures

Training of Foster Carers
Annual Reviews with Carers
Representations and Complaints Procedure

Statutory References & Guidance

Children Act 1989 – Schedule 2.12(d)
Children Act 1989 – Guidance & Regulations Volume 3 – paragraphs 3.12-3.53
Children (Protection from Offenders) (Miscellaneous Amendments) Regulations – Statutory Instrument 1997/2308
Foster Placement (Children) Regulations 1991 3(4)b, 3(6)c

National Foster Care Standards

23 The Foster Care Panel
25 Representation and Complaints.

Agenda Item 6

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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