

FALKIRK COUNCIL

**Subject: REFERRALS FROM SCRUTINY COMMITTEE – 4 FEBRUARY 2016
ROWANS SHORT BREAK SERVICE
SOCIAL WORK CHILDREN & FAMILIES BUDGET UPDATE**
Meeting: EXECUTIVE
Date: 23 February 2016
**Authors: DIRECTOR OF CHILDREN'S SERVICES AND HEAD OF SOCIAL
WORK ADULT SERVICES**

1. INTRODUCTION

- 1.1 The purpose of this report is to refer recommendations made by the Scrutiny Committee to the Executive for consideration.

2. ROWANS SHORT BREAK SERVICE

- 2.1 The Committee considered a report by the Head of Social Work Adult Services which provided information on the consultation and engagement work which had been undertaken with families who would be affected by the service closure; occupancy levels; the views of service users and families and lessons learned from the budget decision process. A copy of the report is attached as appendix one.
- 2.2 The Scrutiny Committee agreed to refer the report to the Executive in relation to section 5 thereof and recommend that:-
- (i) where service redesign is undertaken in the future it is carried out using a model of co-production with service users and
 - (ii) there is greater clarity provided around decisions made in the budget process.

3. SOCIAL WORK CHILDREN & FAMILIES BUDGET UPDATE

- 3.1 The Committee considered a report by the Director of Children's Services which provided information on budget expenditure from 1 April 2015 to 31 December 2015, the main pressure areas, contextual information and actions being taken to manage the budget. A copy of the report is attached as appendix two.
- 3.2 The Scrutiny Committee agreed to draw the information in paragraph 2.7 of the report to the attention of the Executive and to recommend that action is taken to set a realistic budget for external fostering.

4. RECOMMENDATION

4.1 In accordance with paragraphs 2.2 and 3.2 above, the Executive is invited to consider the recommendations from the Scrutiny Committee that:-

- (i) where service redesign is undertaken in the future it is carried out using a model of co-production with service users;**
- (ii) there is greater clarity provided around decisions made in the budget process; and**
- (iii) action is taken to set a realistic budget for external fostering.**

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Director of Children's Services
Date: 9 February 2016
Contact Officer: Jack Frawley - 01324 506116

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Head of Social Work Adult Services

FALKIRK COUNCIL

Subject: ROWANS SHORT BREAK SERVICE
Meeting: SCRUTINY COMMITTEE
Date: 4 FEBRUARY 2016
Author: HEAD OF SOCIAL WORK ADULT SERVICES

1. INTRODUCTION

- 1.1 The Rowans Short Break Service is open 52 weeks of the year and provides a residential short break to adults with learning disabilities. The bungalow situated in Larbert is a registered service with the Care Inspectorate and offers respite to those between the ages of 18yrs – 65yrs. The service is fully funded by the Council.
- 1.2 An internal review was carried out in in 2014 relating to the provision of respite/short breaks for adults with learning disabilities. Although it was recognised that the service was one of excellent standard and regarded highly by service users and carers, it compared unfavourably in financial spend terms when compared with similar external provision. This led to a proposal being made as part of the 2015 budget process to close the Rowans and provide the service through external providers. This was agreed by the Council as part of the provisional budget for 2016/17 with a projected saving of £100k.
- 1.3 A comprehensive Equality and Poverty Impact Assessment was undertaken at the time which acknowledged that a change in provision would be unsettling and anxiety provoking for service users and carers.
- 1.4 On the 15th of October 2015, the Scrutiny Committee considered a report on the service. The Interim Head of Adult Services advised that the service would remain open at least until 31st March 2106 and that a review of the planned closure of the service would be undertaken. This was taken against a background of concerns expressed by the families of service users over the level of consultation and the lack of alternative provision within the council area. A review has been undertaken, which has been led by the relevant Service Manager.

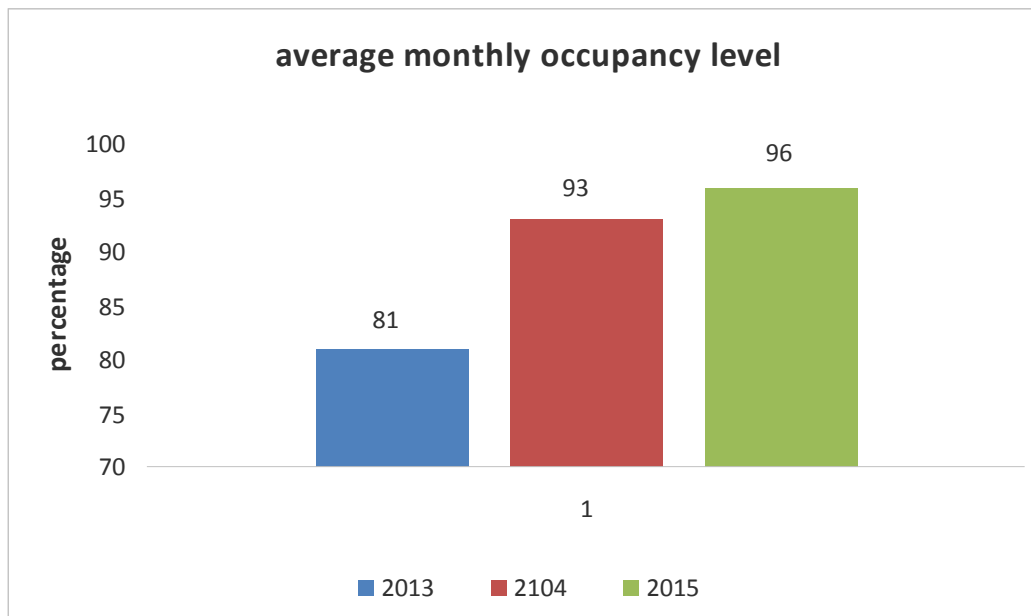
2. CONSULTATION AND ENGAGEMENT WORK

- 2.1 The Service Manager held an initial meeting with families that would be affected by the closure of the service. The meeting was held at the Sensory Centre on 28 October 2015. Colin Moodie, Depute Chief Governance Officer was in attendance. Over 30 families attended these meetings and during lengthy discussions, parents conveyed the following points of concern and worry. These are as follows:
 - Occupancy Levels – There was concern that under occupancy had been taken into account in reaching the view that the running cost of the establishment was too high when the service was now fully occupied.

- Alternative Short Break Provision - Contact with Community Care Workers had been limited, therefore the option to explore alternative respite provision with families for their family member had not been satisfactory. Parents and Carers had a need to have information to support them to make informed choices in relation to alternative provision.
 - Occupancy levels at the Meadows and cost of the 2 contracted beds.
 - Eligibility Criteria and respite entitlement – There were queries raised by some families as it had been indicated that there were occasions in the past where they had been informed that they could not access the Rowans Service. Families requested clarification on what is the breakdown of those service users accessing the Rowans under the eligibility criteria.
 - The flat rate contribution - A question arose about and why there is a difference between the Meadows and Rowans Short Break Service in relation to charging?
 - Hidden costs associated with transport – Families and carers noted that this was an additional burden when accessing alternative short break provision outwith the Falkirk Council area.
 - Integration Joint Board and the Draft Falkirk Integrated Strategic Plan 2016-2019 – Families and Carers raised concerns about how this will impact on Falkirk Council Short Break Respite provision. The concern was also raised that the closure did not reflect well on the stated aims in the Integration Scheme and the draft Strategic Plan about supporting carers.
 - More broadly, there was concern that the closure would impact on a group of carers who needed the respite provision to support the care they provided which in turn prevented the Council from having to bear the cost of providing care. In the view of those attending the meeting the alternatives did not make like for like provision as the need was for provision close to home to minimise travel and ensure that families were close to hand should the need arise.
- 2.2 It was agreed that a second follow up meeting would be held with the parents and carers 4-6 weeks after, to allow research and findings into the areas of concerns documented to be undertaken and feedback to be provided to families and carers.
- 2.3 A further meeting took place on the 7th of December 2015 at Dundas Resource Centre. Deirdre Cilliers, Interim Head of Service was present and Suzanne Thomson, Programme Manager Health & Social Care Integration (Falkirk) was invited along to speak with the parents/carers surrounding the role of Integration Joint Board. Around 30-35 families attended the meeting.

2.4 A presentation was given in response to the points which had been previously raised at the October meeting. These were as follows:

- Occupancy Levels - in 2013 to 2015 there has been a significant increase in the number of beds occupied due to a management restructure and environment upgrade. This had risen from 81% to 96%.



- Current eligibility criteria is described as:

Eligibility	
Critical	42 nights
Substantial	28 nights
Moderate	14 nights

The majority of service users that access the Rowans are assessed as being critical (37%) or substantial (35%).

- In relation to the Meadows, the occupancy level was 72%. At present the cost to access the Meadows is means tested and costs £100 per week compared with that of £64.40 per week for the Rowans. The difference in approach has been highlighted in the review. The difference is not considered to be justifiable and were the service to remain open, a recommendation would be made to Council that the charging approach be aligned. This would have the impact of making a modest increase in the income from charging to offset the cost of the service.
- All the proposed alternative services (with the exception of the Meadows) are outwith Falkirk Council area and there would be additional costs if the Council had to assist with transport. The cost does vary substantially depending on whether it is a voluntary driver or a taxi.

3. VIEWS OF SERVICE USERS AND FAMILIES

- 3.1 Families have expressed the view that they have been put under stress and worry surrounding the basic care needs which they feel their family members are entitled to access within their own local community. Parents feel that the Council should enable them to exercise as much choice as possible over the providers that they wish to use for those whom they care for at home.
- 3.2 Carers stated that Rowans is a valued service which is person centred in its approach and they can trust to look after their family member whilst they have a break to recuperate and have time to engage with other day to day activities outwith their caring responsibilities.
- 3.3 Parents and carers have concerns over the amount of emotional distress caused to those they care for due to the transition of unnecessary change and the possibility of an individual's health deteriorating whilst on a short break especially if this is an hour or more away by car. This causes further burden and worry to carers.
- 3.4 Parents and carers have felt that their views have not been taken into account throughout the initial process of the proposed closure of the Rowans and that the consultation was inadequate.

4. CONCLUSION

- 4.1 It is acknowledged that there are no other similar short break services (other than the Meadows) within the Falkirk Council area which parents and carers can access. On the 1st of December an event was hosted in the Sensory Centre by the Short Breaks Bureau, inviting along external providers from other local authority areas to meet with parents and carers. This was to give families the opportunity to learn more about the alternative provisions which are available to those service users with learning disability. However, at the meeting held on the 7th of December, parents and carers advised that they continued to feel that services should be closer to home and not outwith their own community.
- 4.2 Recently a moratorium was temporarily placed on the Meadows from the 1st December 2015 to the 18th December 2015 subject to an investigation. This unfortunate situation emphasised the Meadows as the only other local provider for respite for those with a learning disability. More recently, PSS the service provider of the Meadows has advised that they are taking a close look at the financial sustainability of their services in Scotland and undertaking statutory consultation with staff on the future of the services.
- 4.3 Although at close to full occupancy, the unit cost of providing respite in the Rowans remains significantly higher than alternative providers. The fundamental premise on which the proposal was based remains sound. It is likely that there would be some transport costs which would diminish the savings anticipated from closure but not to the extent of making a significant difference. Consideration has been given to reducing costs in the Rowans and there is scope for running the service with one fewer member of staff through non replacement of a post. Combined with additional charging, this would reduce the overall cost by c.£25k.

- 4.4 The more fundamental point posed by the families, however, is whether it is right to proceed to close the service where this would leave only the Meadows as local provision. This concern would gain added weight if PSS were to close the Meadows. It is recognised that respite services are central to achieving care in the community and containing the cost of long term care. Current policy initiatives are focused on improving support for carers these continue to emphasise to importance of respite care and appropriate short breaks.
- 4.5 If the service were to remain open, further work will be required to determine if costs can be reduced to a more sustainable level.

5. LESSONS LEARNED

- 5.1 It is suggested that the lessons from the process surrounding the decision to close the Rowans are twofold. First, where a proposal is likely to have a very significant impact on a defined group of services users, early engagement with service users (which in this situation would include families) is important. Second, there is need for clarity around decision making processes in the budget.
- 5.2 On the first point, early engagement would have identified the strength of feeling in support of the provision of a local service and the anticipated practical difficulties for families in providing respite outside the council area. That is not to say that it would of necessity have made the recommendation to the Council a different one but this view would have been available prior to the decision being made at the budget meeting.
- 5.3 On the second point, the decision taken in February 2015 was part of the provisional budget for 2016/17. But of necessity, to deliver savings in that financial year action was required during 2015/16. This was reflected in the Council's decision to instruct Chief Officers to give effect to the service delivery proposals contained within the budget report (including those for 16/17). In addition, the decision was one which was subject to consideration in light of completing the EPIA process, including consultation. It is clear that there were competing understandings of the status of the decision taken in February 2015.

6. RECOMMENDATION

The Committee is asked to note the report.

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HEAD OF SOCIAL WORK ADULT SERVICES

Date: 27 January 2016

Contact Name: Nikki Harvey

BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

SUBJECT: SOCIAL WORK CHILDREN & FAMILIES BUDGET UPDATE
MEETING: SCRUTINY COMMITTEE
DATE: 4 FEBRUARY 2016
AUTHOR: DIRECTOR OF CHILDREN'S SERVICES

1. INTRODUCTION

- 1.1 A report was presented to the Scrutiny Committee in October 2015, providing information on the budget overspend in Social Work Children & Families service for the financial year 2014/15.
- 1.2 The October report also outlined the actions being taken to monitor expenditure in the current financial year. This report seeks to provide an update on progress.
- 1.3 The October 2015 report highlighted a projected overspend of £1.77 million at the end of July 2014. Despite diligent management and monitoring, this rose to £2.784 million by 31 March 2015, a variance of 13.6% against the allocated budget.

2. BUDGET EXPENDITURE 1 APRIL 2015 TO 31 DECEMBER 2015

- 2.1 The main pressures on the budget were reported to the Executive by the Director of Social Work on 30 September 2014. In addition, a comprehensive report on budget pressures in Social Work was included as an appendix to the Revenue Budget Framework 2015/16 – 2017/18.
- 2.2 The Children & Families Social Work budget for 2015/16 is now £20.939 million. Members will note that the October 2015 report to Committee indicated that the 2015/16 budget figure was £21.475 million. This was correct at that point in time. The reduction is due to the removal of departmental admin and Capital charge budget. The projected outturn as at 31 December 2015 is an overspend of £1.445 million, a variance of 6.9% against the allocated budget.

The budget overspend directly relates to additional expenditure being incurred due to increases in the number of children who require to be looked after away from home and the complexity of the needs they present.

The main areas of overspend continue to be related to the purchasing of external placements (mainly residential care and fostering).

2.3 **Main Pressure Areas 2015/16**

Type of Placement	Budget £'000	Projection £'000	Variance £'000	% Variance £'000
Residential Schools – joint funded	2,254	2,212	-42	-2
External Residential Care	3,474	3,870	396	11
Fostering (Falkirk Council)	1,594	1,779	185	12
External Fostering	942	1,762	820	87
TOTAL	8,264	9,623	1,359	

2.4 **Residential School Placements**

In total, 38 young people have been placed in residential schools between 1 April 2015 and 31 December 2015. As at 31 December, there were 19 young people in residential schools and 2 in secure. NHS FV contributes funding to 3 of the above placements due to the complex and health care needs of the children placed. Weekly costs for residential school placements vary considerably, with the cheapest being £1,886 per child per week and the most expensive being £5,250 per child per week.

2.5 **External Residential Care Placements**

38 young people in total have been in external residential care placements from April 2015. As at 31 December 2015, there were 24 young people in external placements.

The costs vary from £2,520 per child per week to £3,745. The average placement cost is £3,055.

2.6 **Foster Care Provision**

Foster carers are paid a fee of either £60, £100 or £150 per child per week in relation to providing a fostering service and the weekly amount of this is dependent on their skill level. They also receive an age related allowance per child per week related to caring for individual children. The age related allowances are:-

0 – 4 £137.18 per week
5 – 10 £156.26 per week
11 – 15 £194.53 per week
16+ £226.87 per week

The Council currently has 60 registered foster carers and 12 short break carers for children with disability. The Children and Young People (Scotland) Act 2014 set an upper limit of 3 unrelated placements per fostering family.

As at 31 December 2015 there were 101 young people placed with Falkirk foster carers, 2 young people with supported carers and one in a board and lodgings placement.

- 2.7 There have been 46 placements in total with external foster carers since 1 April 2015.

As at 31 December 2015, there were a total of 39 young people in these placements. Of these, the Council holds Permanence Orders for 33 of them (4 with authority to adopt). This would indicate that they are in **long-term** stable placements and certainly means that they will not be going home, will remain in care and the Council, as their corporate parent, has the responsibility to care for them. As a consequence, it is therefore not feasible to reduce the overspend against this budget line. It would be more financially realistic to set a mainstream budget for this as many of these children are likely to remain in placement until age 19.

2.8 **Kinship Care Payments**

Members will recall in 2014 the Equality and Human Rights Commission (EHRC) challenge to Councils in relation to inequity of allowances to kinship carers of looked after children, with the Council having to revise its policy to avoid judicial review.

From 1 April 2015, we incrementally moved to undertaking financial assessments of current kinship carers and all new kinship carers of looked after children to move them on to the same rate of age related allowances paid to foster carers (outlined at 2.6). At the moment, we have 34 eligible kinship carers with an estimated increased cost (based on mid-range allowance minus child benefit) of £72,000 part year costs to the 2015/16 budget. Scottish Government part year funding of £52,000 has been provided for 2015/16.

- 2.9 In reaching agreement in relation to parity of allowance to kinship carers of looked after children, the Scottish Government announced in Autumn 2015 that the equivalent of fostering rates should also apply to certain carers with a Section 11 Residence Order. Clarity on the criteria for this is anticipated by end January/early February 2016. This will have significant implications financially for the Council.

The criteria will require payment of fostering equivalent allowances at minimum to carers with Section 11 Orders where the child was looked after immediately prior to the granting of the Section 11 Order, but may extend well beyond this to carers with whom the service has had limited or no previous involvement. Payments are required to be back-dated to 1 October 2015. No payments have yet been made as we await the announcement from the Scottish Government.

73 carers with Section 11 Orders are currently supported financially by the Council at a rate of £50 per week per child. For October 2015 – March 2016, additional funding from the Scottish Government means that, if carers qualify for child benefit and child tax credit, the additional funding of £107,030 should cover the increased costs of parity of allowance. If only eligible for child benefit, there will be a maximum shortfall of approximately £102,820. Any extension of eligibility will increase these costs.

Following the clarification of eligibility, a further report will be provided to Members on this matter.

3. CONTEXTUAL INFORMATION

- 3.1 Table 1 below provides comparator figures for children looked after away from home for the last 4 years. It shows the sharp increase in numbers throughout 2014, continuing throughout 2015.

Table 1

Falkirk Council Number of Children Looked After Away from Home

	Total on LAAFH Register as at			
	2012	2013	2014	2015
January	211	209	227	249
February	207	213	229	252
March	204	219	228	252
April	208	227	228	251
May	214	225	227	248
June	210	228	236	236
July	214	222	247	240
August	218	216	248	241
September	215	223	246	247
October	212	226	248	244
November	210	223	257	246
December	211	224	256	246

3.2 Table 2 below provides comparator figures for looked after children rate per 1000 of population under 18.

These figures were published on 31 March 2015 by the Scottish Government and relate to Children's Social Work statistics for Scotland for 2013/14. They are based on an annual CLAS (Children Looked After statistics) return made by all Local Authorities as at 31 July each year.

It is worth noting that the percentage rate is lower than the national average and compares favourably with our comparator Local Authorities. We compare less favourably in having more children looked after away from home in residential care/schools than in foster care.

Table 2
Looked After Children - Falkirk v Scotland & Comparator Local Authorities

	Scotland @ 31/07/14	FALKIRK @ 31/07/14	HMIE Comparator LAs @ 31/07/14					Other Neighbouring LAs @ 31/07/14			FALKIRK @ 31/07/15
			South Lanarkshire	Fife	Clacks	Moray	Angus	Stirling	North Lanarkshire	West Lothian	
Number of Children Looked After	15,580	370	595	952	184	213	272	233	706	415	364
<i>Rate per 1,000 <18 population</i>	<i>15.1</i>	<i>11.6</i>	<i>9.6</i>	<i>13.1</i>	<i>17.9</i>	<i>11.2</i>	<i>12.1</i>	<i>12.9</i>	<i>31.2</i>	<i>18.4</i>	<i>11.4</i>
Number of Children Looked After At Home (with parents)	4,144	114	212	123	52	46	92	67	282	125	118
<i>Rate per 1000 <18 population</i>	<i>4.0</i>	<i>3.6</i>	<i>3.4</i>	<i>1.7</i>	<i>5.0</i>	<i>2.4</i>	<i>4.1</i>	<i>3.7</i>	<i>12.5</i>	<i>5.5</i>	<i>3.7</i>
Number of Children Looked After Away From Home	11,436	256	383	829	132	167	180	166	424	290	246
<i>Rate per 1000 < 18 population</i>	<i>11.1</i>	<i>8.0</i>	<i>6.2</i>	<i>11.4</i>	<i>12.8</i>	<i>8.8</i>	<i>8.0</i>	<i>9.2</i>	<i>18.8</i>	<i>12.8</i>	<i>7.7</i>

3.3 Table 3 below provides comparator budget figures for children looked after in residential and community settings for 2013/14.

These figures are collected nationally by the Improvement Service as part of the Local Government Benchmarking Framework. Again it is worth noting that Falkirk's spend on both residential and community settings is below the national average and compares favourably with our comparator authorities.

Table 3
LGBF Indicators - Falkirk v Comparator Local Authorities 2013/14

			HMIE Comparator LAs					Other Neighbouring LAs		
	Scotland	FALKIRK	South Lanarkshire	Fife	Clacks	Moray	Angus	Stirling	North Lanarkshire	West Lothian
The Gross Cost of "Children Looked After" in Residential Based Services per Child per Week	£3,098.31	£2,507.14	£2,623.63	£2,962.82	£2,426.92	£4,698.72	£4,612.82	£2,501.28	£3,445.51	£2,576.54
Rank		10	13	16	6	30	29	8	21	12
The Gross Cost of "Children Looked After" in a Community Setting per Child per Week	£264.83	£225.06	£179.66	£329.41	£289.71	£237.94	£305.73	£211.54	£117.42	£218.65
Rank		14	6	26	21	16	23	9	2	12

- 3.4 Assessment of need in relation to children and young people is based on robust risk assessment and risk management. The number of young people who require to be accommodated at any one time is highly variable as well as unpredictable. This is also influenced by the legislative decisions taken both by the Children's Hearing and the Sheriff Court, which the local authority is then required to implement or be faced with the possibility of an Enforcement Notice, thereby creating potentially unacceptable risks to individual children and/or reputational risk to the Council.

Consequently, this leads to financial volatility.

- 3.5 Work is ongoing to interrogate the performance management data to identify themes/patterns of characteristics in relation to the young people who are looked after away from home.

- 3.6 To date, we know that the following characteristics are prevalent:-

- parental drug and alcohol misuse
- parental mental health issues
- child protection issues (physical, emotional abuse and neglect)
- domestic violence
- self-harming behaviour of young people themselves
- drug and alcohol use by young people themselves
- risks to self and others

4. ACTIONS BEING TAKEN TO MANAGE THE BUDGET

- 4.1 There continues to be a real challenge to constrain expenditure, meeting demanding service efficiency targets whilst protecting both individual children and any potential reputational risks to the Council.
- 4.2 The contract with Care Visions for Westside has now been increased from 4 to 5 beds, effective from **9 July 2015** at a contract rate per bed per week of £2,750 compared to an average weekly cost of £3,055 for external provision.
- 4.3 We previously spot-purchased 2 placements from FTS at a cost of £2,975 per week. We now have a contract in place with them to purchase 6 out of their 8 beds at a weekly cost of £2,870. This has therefore provided savings on the 2 spot purchased beds from **2 November 2015**. It also enabled us to bring 3 young people back from more expensive external residential placements and accommodate a foster placement breakdown locally.
- 4.4 We are negotiating with Care Visions to potentially contract with them to provide a further 3 - 4 bedded unit.
- 4.5 We are due to run a foster carer recruitment campaign in March. Consequently, we will ask Payroll to include a message in all Council employee payslips in February, hopefully to create interest.

An article from an existing foster carer is also being put forward for inclusion in the Falkirk Council News, again to generate awareness and interest.

4.6 The Council contract with external foster carers is being reviewed. We have asked providers to give us a reduced rate for sibling and long-term placements. All but one of the 8 providers have agreed to do this. Work to progress the new contract is underway.

4.7 The integration of Social Work Children & Families service with Education into an integrated Children's Service brings opportunities to reduce duplication and transformation of current services in our approach to service delivery. The future focus has to be on improving outcomes for children and young people.

Plans are being progressed to develop a co-ordinated Family Support Service to include both early intervention and targeted services, thus providing a greater focus on prevention in relation to young people becoming looked after.

A manager from Social Work is to be seconded to the Mariner Service as a test of change to assist with bringing more young people back to Falkirk from external provision and allowing them to access local education. The pending relocation of the Mariner Service from Weedingshall to the former Focus School property in Laurieston also supports the Service in trying to increase the level and availability of provision within Falkirk.

5. CONCLUSION

5.1 Social Work Children & Families service continues to face a difficult and challenging time, particularly in light of the financial implications of the Children and Young People (Scotland) Act 2014 as well as the volatility of the demand for placements. Within the newly formed Children's Service, we will be reviewing working practices and seeking transformational change to address these issues. However, the change process will take time and dedicated resources to take this forward.

5.2 In the meantime, the Senior Leadership Team within Children's Services will continue to robustly monitor expenditure on a regular basis.

6. RECOMMENDATION

6.1 The Committee is invited to note the progress made to date.

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Director of Children's Services
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BACKGROUND PAPERS