

ANGUS COUNCIL

EDUCATION COMMITTEE.....19 FEBRUARY 2004
 SOCIAL WORK AND HEALTH COMMITTEE..... 26 FEBRUARY 2004
 HOUSING COMMITTEE.....26 FEBRUARY 2004

DEVELOPMENT OF THROUGH CARE AND AFTERCARE SERVICE

(DRAFT) JOINT REPORT BY THE DIRECTOR OF SOCIAL WORK AND HEALTH LIAISON, THE
 DIRECTOR OF HOUSING AND THE DIRECTOR OF EDUCATION

ABSTRACT

This report informs the committees of the development of new services for young people who have been in care and seeks approval for the establishment of new posts associated with this development.

1 RECOMMENDATIONS

It is recommended that the Social Work and Health Committee, the Housing Committee and the Education Committee approve the proposals outlined in this report.

It is recommended that the Social Work and Health Committee approves:-

- i) the establishment of the following posts:-
 - 1 Senior Community Assessment & Review Officer(AP8)
 - 1 Community Assessment & Review Officer (Throughcare and Aftercare) (0.5 FTE) (AP5/6)
 - 4 Support Workers (Throughcare and Aftercare) (AP1)
 - 2 Clerical Assistants (0.5 FTE each) (SCP 3-12)
- ii) the deletion of one Community Assessment & Review Officer post (AP5/6).

2 INTRODUCTION/BACKGROUND

In September 1999 the Scottish Executive consulted on proposals to enhance the service provided to young people leaving care. Research commissioned by the Executive highlighted the vulnerability of these young people and the exceptional difficulties they face when they leave care. As a result, changes in legislation, regulation and guidance have now been introduced which place a range of additional responsibilities on local authorities with effect from 1st April 2004.

Local Authorities' existing duties towards care leavers under the Children (Scotland) Act 1995 (section 29) have been strengthened by measures included in the Regulation of Care (Scotland) Act 2001. In addition the Children (Leaving Care) Act 2000 makes provision for changes in the benefit entitlement of some of these young people. The Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003 were laid before parliament in Edinburgh on 19 December 2003 and will come into force on 1 April 2004. Accompanying guidance will be published before April 2004 but is currently available only in draft form.

The changes focus on key areas that are likely to increase the chances that a young person's move to independence will be successful. These include thorough preparation prior to leaving care as well as comprehensive and well co-ordinated support after the move. Attention is given to the accommodation and housing support needs of young people and to the help they will need to make the best use of opportunities for education, employment and training. Emphasis is placed on the importance of different agencies and departments working closely together.

On 12 November 2003 the Scottish Executive provided information about the funds that will be allocated to Local Authorities in order to introduce the enhanced services.

The introduction of the enhanced service for care-leavers has been complicated by a lack of clear direction from the Scottish Executive. In particular:-

- it wasn't until the end of December 2003, less than four months from the implementation date, that the regulations governing the changes were published;
- the Scottish Executive has stated that it does not intend to produce national guidance about the levels of payment young people should receive under the new scheme;
- the Executive has ignored the suggestion from Angus and other Councils that funding should be based on the projected costs of the new scheme. Instead, it has been decided that the additional funds available should be distributed as part of the GAE settlement. The funds the Scottish Executive has said it will make available fall well short of the anticipated costs of implementing the new duties.

3 NEW THROUGH-CARE AND AFTERCARE DUTIES

This section sets out the changes that will take effect on 1st April 2004 and the implications for Angus Council.

i) **Financial Support to Young People**

Entitlement to benefits will be removed from young people leaving care after their school leaving date or 16th birthday (if they have been accommodated for a total of thirteen weeks or more since the age of fourteen). The responsibility to provide financial support to this group of young people up to the age of eighteen transfers to the local authority. The new payments replace job seekers allowance, housing benefit and support from the Social Fund. Save in exceptional circumstances, the local authority will only have responsibility to financially support young people who have been looked after away from home. The other duties, listed below, will also apply to young people who were looked after at home.

Implications for Angus Council: A payments system will be required to carry out the functions which have been undertaken until now by the Benefits Agency. The system will require considerable flexibility and must allow young people across Angus to access the money to which they are entitled. It will incorporate arrangements for cash and emergency payments as well as regular payments into a young person's bank or building society account. Criteria and payment rates will be established to ensure that young people are at least as well off as they would have been if the benefits payments had continued.

Proposals for the Angus Council scheme will be the subject of a further committee report, following discussions with other local authorities.

ii) **Pathway Assessment and Pathway Plans**

A pathway assessment must be carried out for all young people leaving care. This multi-agency assessment will form the basis for the 'pathway plan' that each young person will have. The pathway plan will identify the advice, assistance and support the young person should receive and the individuals and agencies responsible for carrying out the required actions. It is emphasised that the pathway assessment and plan should be based on contributions from a range of agencies, in particular, Education, Social Work, Housing, Careers Scotland and Health. Links with Further Education and training providers may also be appropriate.

Implications for Angus Council: Clear arrangements are required for gathering and sharing information between the agencies involved. The new assessment framework must link to the existing arrangements for looked after children and to the assessment systems used in the other agencies involved.

iii) **Reviewing Plans**

A new duty is introduced to review the pathway plan of young people discharged from care up to their 19th birthday. The reviews must be held every 6 months although the young person, or their identified 'life coach', may request them more frequently if they wish.

Implications for Angus Council: The existing system of reviews will need to be extended to incorporate this additional responsibility. A new format and structure of reviews will be

required to reflect the fact that the young person will not be looked after and may want more control over the way his or her plans and needs are discussed.

iv) Young Person's Supporter

Any young person to whom the regulations apply can ask the local authority to appoint a person to be their supporter. The local authority will have a duty to ensure the person is suitable and capable of performing the functions required.

Implications for Angus Council: Arrangements for the identification of appropriate supporters will be required prior to young people leaving care.

v) Accommodation and Housing Support

The young person's accommodation needs must be addressed in the needs assessment and recorded in the pathway plan. Where the local authority assists the young person by providing them with accommodation, or supporting them in accommodation, the authority must ensure the accommodation is suitable. Young people will be entitled to housing support from the time they leave care up to their 19th birthday unless the authority is satisfied that his or her welfare does not require it. The local authority is empowered to provide additional support up to the young person's 21st birthday where this is considered necessary.

Implications for Angus Council: Existing arrangements between Housing and Social Work for the identification of appropriate accommodation and the support needs of care leavers will need to be further developed to reflect the additional requirements of the new regulations. The level of support services will need to be increased in order to provide the amount of support proposed.

vi) Appeals process

New procedures are introduced giving young people a right of appeal against decisions relating to the services they are entitled to under these provisions. The appeals process must be completed within a total of 15 working days. If it is not possible to resolve the matter through this process the young person can then pursue a complaint through the existing complaints procedures. As part of the process the local authority is required to identify an independent person (neither a member of the ruling group nor an officer of any local authority) to assist in considering appeals.

Implications for Angus Council: It will be necessary to identify an independent person to assist in considering appeals. It is envisaged that the process will need to handle appeals that relate to services provided by different council departments. In reality this is most likely to concern Social Work and Housing - the two departments most closely involved in the provision of the new services.

The regulations only apply to young people who leave care after 1 April 2004. The number of young people entitled to financial and other support will gradually increase over the first two years of operation (until 1/4/06).

4 PROPOSALS FOR THE DEVELOPMENT OF SERVICES IN ANGUS

Estimates of the number of young in Angus who will fall within the new provisions are based on looked after children records for the last three years. On this basis it is estimated that:-

- approximately 20 young people per year will leave care and become entitled to the full range of aftercare supports including financial support. The number of young people receiving support will increase to approximately 40 at the end of the second year (by 31/3/06);
- in addition approximately 6 young people per year will leave care and be entitled to the aftercare supports but not to financial support. A total of 26 young people per year will therefore require the aftercare service (as described above) up to their 19th birthday.

The key components of the proposed service in Angus are as follows:-

- i) **The establishment of a Throughcare and Aftercare Team.** This team has been created by a reorganisation of the existing social work community resource team and by the addition of 3.5 new posts – a Team Manager, 1.5 Resource Workers and 1 Clerical Assistant. These new posts are funded through the Changing Children's Services Fund and were established by the Social Work & Health Committee in August 2003 (report 641/03). The team will have primary responsibility for co-ordinating the needs assessment and pathway planning process working within the joint arrangements with Housing, Education,

Social Work and Careers Scotland. The team will also maintain links with, and ensure the appropriate involvement of, other partner agencies such as health services and training providers.

- ii) **To establish a flexible payments system:** in collaboration with officers from the Finance department and the social work finance team, a payment system is being established to undertake the new financial responsibilities towards young people. The preferred option is for a dual system that allows direct payments into the young person's bank or building society account backed up by more flexible arrangements to make interim, cash and emergency payments as required. The throughcare and aftercare team and the finance sections will ensure that the necessary systems are in place for 1st April 2004. As there will be no retrospective entitlement to payments, the introduction of the system will be a gradual process reaching full capacity after two years. The Scottish Executive has chosen not to set standard national rates for payments. To minimise difficulties caused by differential rates between neighbouring authorities, a meeting with nearby authorities is planned to explore the possibility of establishing agreed criteria and payment rates. These will include the criteria for the payment of discretionary allowances such as the incentives payable to young people to encourage them to take up employment or training. An information leaflet will be provided for young people giving them information about their entitlements. The estimated cost to the Council of providing the financial support required, is set out in appendix 1. From these figures it is evident that the greatest financial pressure will emerge from 2005 onwards.

The Scottish Executive has acknowledged that the number of careleavers requiring direct financial support can only be based on estimates and that the costs are therefore difficult to predict. The Executive has urged local authorities to monitor the position closely and has indicated that funding arrangements can be revisited as part of a future spending review.

- iii) **Developing the use of the existing 'housing consortium':** this joint forum, will be used to ensure that Social Work and Housing work closely together to meet the increased responsibilities imposed on the Council by the new regulations. The consortium allows the Council to meet its specific responsibilities to consider the housing needs of care leavers. In some cases this closely matches responsibilities under the Homelessness etc (Scotland) Act, although the throughcare and aftercare provisions require careleavers' accommodation and housing support needs to be addressed before they are classified as homeless. The development of the housing consortium has been the subject of a consultation exercise undertaken by Housing. The final report of the independent consultants is awaited.
- iv) **To increase the capacity of the Community Assessment and Review Team:** the number of young people entitled to a service will increase over the first two years of operation. Thereafter approximately 75 young people will have pathway plans subject to 6 monthly review. To enable the existing review team to take on this additional work it is proposed to establish a new review officer post (part time) and to restructure the reviewing service. In addition to the new throughcare and aftercare duties the review team has recently taken on other responsibilities. In August 2003 the Social Work Committee approved the creation of a reviewing officer (child protection) post funded from the Changing Children's Services Fund (report no. 641/03). It has become apparent that the level of management required by the enlarged review team cannot be provided through the present arrangements. It is therefore proposed to create a Senior Community Assessment & Review Officer (partially funded by deleting one of the existing posts within the team). It is also proposed to establish a part-time (0.5FTE) post of Community Assessment & Review Officer (AP5/6) to address the increased activity highlighted above. In addition, it is proposed to establish an additional part-time (0.5FTE) post of Clerical Assistant to provide adequate levels of support for the increased workload.

The proposed structure for the team is shown in Appendix 3.

- v) **To establish a partnership agreement between Angus Council and Careers Scotland:** a draft document has been agreed between Social Work, Housing, Education and Careers Scotland. This establishes protocols for sharing information between the different agencies and sets out the responsibilities of each of the partners in relation to assessment, planning and support. This agreement will be finalised prior to 1st April 2004.

- vi) **Development of an appeals procedure:** to meet the requirements of the new regulations an addendum will be written to the existing Social Work complaints procedure. This will set out the procedures to be followed in the event of an appeal relating to the provision of throughcare and aftercare services. In common with other authorities some difficulties are anticipated in relation to the new requirement that an independent person is appointed to assist with consideration of the appeal who is neither a member of the Council's ruling group nor an officer of any local authority.

The departments of Law and Administration and Social Work will work jointly to finalise the new procedures prior to 1 April 2004. A leaflet will be produced to provide young people with information about the appeal process.

- vii) **Housing Support**
Once the new duties are fully operational approximately 75 young people aged between 16 and 19 will be entitled to housing support – unless the local authority is satisfied that the young person's welfare does not require it. In addition there will be discretion to provide support to young people up to their 21st birthday. The level of support required will be determined by the pathway assessment and reviews of the pathway plan.

It is proposed that four Support Worker posts (AP1) are established to work as part of the throughcare and aftercare team and to have principal responsibility for the provision of housing support services to careleavers. It is accepted that this is based on a conservative estimate of the level of support that may be required. Particular care will therefore be taken to monitor the actual levels of demand once the new provisions are in force. It is also proposed to establish a part-time Clerical Assistant post (0.5 FTE) to support this team.

Monitoring the new services: The progress of the developments will be monitored closely and reported on as part of the Children's Services Plan. Given the uncertainties around both the funding arrangements and the level of demand for the new services, it is suggested that an update report is presented to members once the system has been operational for 12 months.

5. FINANCIAL IMPLICATIONS

The annual cost of the additional posts proposed in this report is £121,000 (see Appendix 2 for details). Provision has been made in the allocation for Supporting People to fully cover these costs.

6. HUMAN RIGHTS IMPLICATIONS

There are no human rights implications arising from the recommendations contained in this report.

7. CONSULTATION

The Chief Executive, the Director of Law and Administration and the Director of Finance have been consulted in the preparation of this report.

The Personnel Services Manager has been consulted and is in agreement with the staffing proposals contained in this report.

8. CONCLUSION

The proposed developments of the throughcare and aftercare service will enable to the Council to meet its responsibilities under the new legislation, regulation and guidance. The developments will make a major contribution to improving outcomes for young people leaving care by supporting them to make a successful transition to independent living.

R Peat
Director of Social Work and Health Liaison

R Ashtson
Director of Housing

J A Anderson
Director of Education

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

TRANSFER OF RESPONSIBILITIES FOR THE FINANCIAL SUPPORT OF CARELEAVERS

Estimated costs of payment system to be introduced from 1/4/04

Previous benefit	2003/04 Average no of eligible YP = 0	2004/05 Average no of eligible YP = 10	2005/06 Average no of eligible YP = 30	2006 + Average no of eligible YP = 40
Job Seekers allowance £43.25 p.w.	-	£22,490	£67,470	£89,960
Housing Benefit £152 per month	-	£18,420	£54,720	£72,960
Total	£0.00	£40,730	£122,190	£162,920

Notes

1. Payments to replace existing Social Fund support have not been included in the above figures. One off payments equivalent to the current Community Care grants of £1650 will also be payable to young people setting up in their own tenancy. The number of such grants is hard to predict but may be as high 20 per year once the system is fully implemented.
2. Provision will also be required for emergency payments.
3. Average no of eligible young people: The figures given are likely maximums. The numbers will be reduced if any of the young people move into employment or training. In such cases the Council will usually have a continuing responsibility to make payments but at a lower rate.
4. The numbers in receipt of housing benefit will be lower if any young people live in accommodation for which they are not paying rent, for example with relatives or friends.

Additional funds that will be distributed by the Scottish Executive as part of the GAE settlement

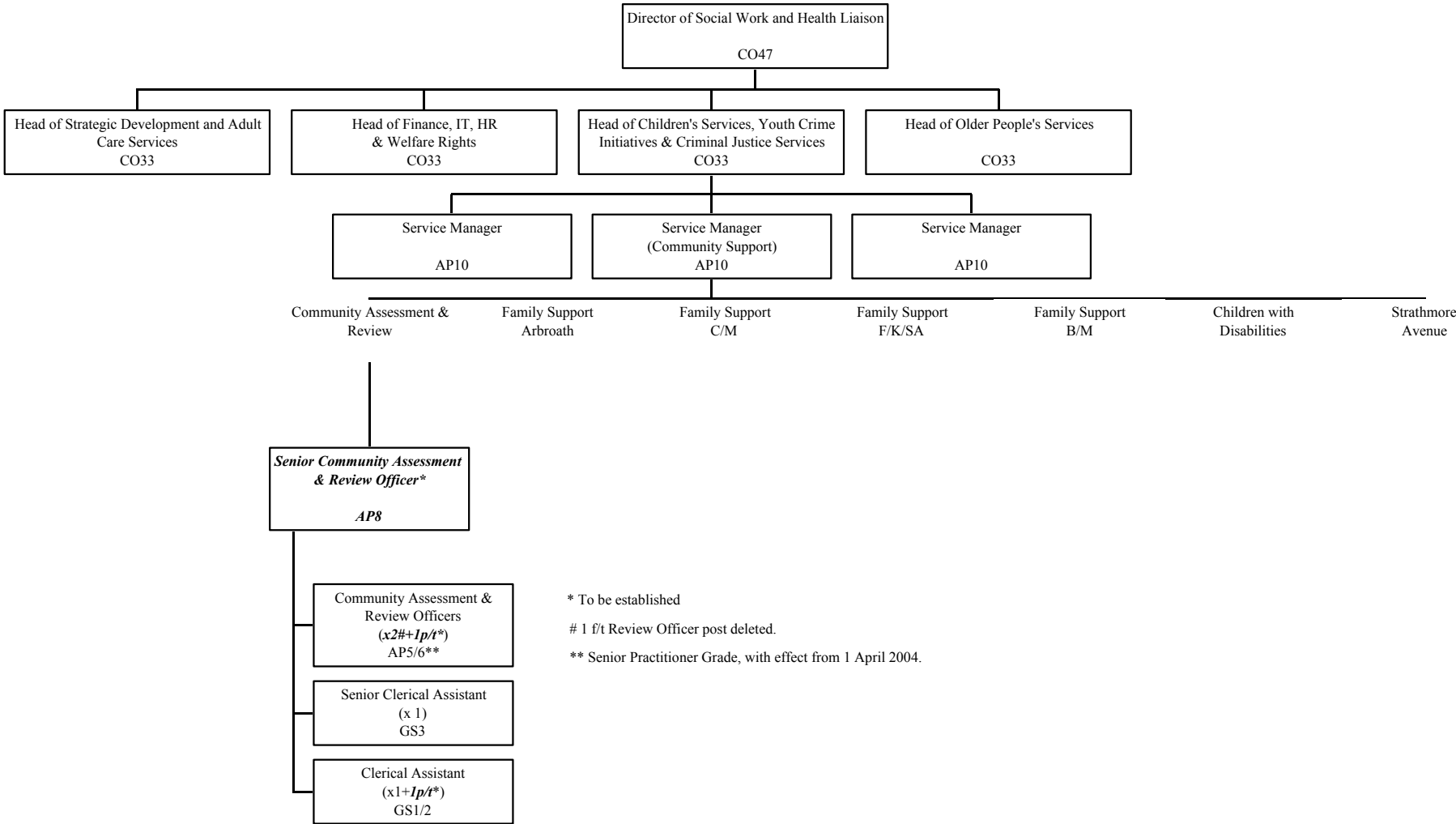
	2003/04	2004/05	2005/06	2006 +
Total funds Scottish Executive have said will be available	£15,362	£61,449	£76,811	Not specified

FINANCIAL IMPLICATIONS

CHILDCARE	2004/05	
	£	£
Child Community		
<u>Community Assessment & Review Team</u>		
Staff Costs:		
- 1 Senior CARO (AP8)	38,104	
- 0.5 CARO (Throughcare & Aftercare) (AP5/6)	15,436	
- 0.5 Clerical Assistant (SCP 3 -12)	6,930	
Property Costs	0	
Travel and Subsistence	3,000	
Supplies and Services	1,800	
Third Party Payments	0	
Income	<u>0</u>	
Sub-Total	65,270	
Deletion of CARO (SCP35)	<u>30,704</u>	
Additional cost		34,566
<u>Throughcare & Aftercare Team</u>		
Staff Costs:		
- 4 Support Workers (AP1)	69,352	
- 0.5 Clerical Assistant (SCP 3-12)	6,930	
Property Costs	0	
Travel and Subsistence	8,000	
Supplies and Services	2,000	
Third Party Payments	0	
Income	<u>0</u>	
Additional Cost		86,282
TOTAL ADDITIONAL COST		<u><u>120,848</u></u>

SOCIAL WORK DEPARTMENT Children's Services

Proposed Structure



* To be established
 # 1 f/t Review Officer post deleted.
 ** Senior Practitioner Grade, with effect from 1 April 2004.

SOCIAL WORK DEPARTMENT

Children's Services

