

# CHESHIRE EAST COUNCIL

## Cabinet

**Date of meeting:** 21 April 2009  
**Report of:** Interim Head of Children and Family Services  
**Title:** Corporate Parenting Governance Arrangements

---

### **1.0 Purpose of Report**

- 1.1 To determine governance and management arrangements for the exercising of corporate parenting responsibilities by Members and Officers of the Council.

### **2.0 Recommendations**

- 2.1 To accept the Council's corporate parenting responsibility and allocate the ownership of corporate parenting within the corporate body of the Council
- 2.2 To commission the Director of Children's Services to lead the implementation of the Council's Corporate Parenting Strategy
- 2.3 To establish a Corporate Parenting Board, with membership and terms of reference as set out in Appendix 2 of this report.
- 2.4 To agree that visits to the Council's children's homes in accordance with Regulation 33 of the Children's Homes Regulations 2001 should be undertaken by Members and Officers of the Council appointed for this purpose, and that an officer of the authority should undertake any such visits if a Member is unable to do so.
- 2.5 To provide training for all Members of the Council and for members of the Corporate Parenting Board to ensure that they are aware of their corporate parenting responsibilities.

### **3.0 Financial Implications for Transition Costs**

- 3.1 Transitional costs are those of ensuring that all Members and relevant officers of the Council are provided with training to ensure that they understand their role and responsibilities as corporate parents to looked after children and care leavers.

#### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 The ongoing costs of the proposals are those of Members and officers serving on the Corporate Parenting Board, and making visits to children's homes.

#### **5.0 Legal Implications**

- 5.1 Statutory Guidance on the Roles and Responsibilities of the Director of Children's Services and Lead Member for Children's Services (Department for Education and Skills July 2005) makes it clear that whilst all Members of the local authority have a shared responsibility for corporate parenting, the Lead Member is responsible for taking the lead in this area, ensuring that those children looked after by the Local Authority have their interests protected, their opportunities maximised, their educational achievement enhanced and their care shaped to meet their needs. The Statutory Guidance also states that it is critical that the Director of Children's Services pay specific attention to improving outcomes for looked after children.
- 5.2 Section 22 of the Children Act 1989, as amended by the Children Act 2004, places a duty on the local authority to promote the educational achievement of looked after children.
- 5.3 Regulation 33 of the Children's Homes Regulations 2001 requires that all local authority children's homes are visited monthly by either the "responsible individual", an elected Member of the authority, or an employee of the authority who is not directly concerned with the conduct of the home. The "responsible individual" under the Regulations is the relevant manager approved by Ofsted as responsible for supervising the management of the home.
- 5.4 The person carrying out the visit under Regulation 33 is required to:
  - (a) interview, with their consent and in private, such of the children accommodated there, their parents, relatives and persons working at the home as appears necessary in order to form an opinion of the standard of care provided in the home;
  - (b) inspect the premises of the children's home, its daily log of events and records of any complaints; and
  - (c) prepare a written report on the conduct of the home.

#### **6.0 Risk Assessment**

- 6.1 Failure to ensure clear arrangements for the governance of corporate parenting, including monitoring by the Lead Member and Director of Children's Services, with support from other Members and officers,

could jeopardise the achievement of positive outcomes for looked after children and care leavers.

- 6.2 From April 2009 Ofsted will be conducting a programme of inspection of services for children in care alongside the Comprehensive Area Assessment, in addition to their existing regular inspection of children's homes and fostering and adoption services. The Children and Young People's Trust will need to demonstrate that it is effective in meeting the needs of looked after children.

## **7.0 Background and Options**

### Care Matters agenda

- 7.1 Councils have a legal and moral duty to provide support to children in their care and young people leaving care in the same way that any good parent would support their own children, to ensure that they have a good start in life. This is commonly referred to as corporate parenting. The need for a clear focus in this area was reinforced by the government's 2007 White Paper *Care Matters: Time for Change*, and further developed by the implementation plan *Care Matters: Time to Deliver for Children in Care* (March 2008). This implementation plan aims to support local Children's Trusts, led by Lead Members and Directors of Children's Services, to transform outcomes for children and young people in care, encouraging systematic planning and improvement led by local agencies and professionals.
- 7.2 Care Matters makes it clear that the Lead Member and Director of Children's Services have overall responsibility and accountability for leading corporate parenting arrangements, both across the authority and with partners in the Children's Trust. It states that authorities may also appoint a group of senior officials with responsibility for the corporate parenting of children in care, and that the accountability and governance arrangements must be clear. Authorities are expected to establish a Children in Care Council through which children and young people are able to put their views directly to the Lead Member and Director of Children's Services.
- 7.3 As part of the implementation plan for Care Matters, the government commissioned a toolkit from the National Children's Bureau (NCB), *Putting Corporate Parenting into Practice*. This set of materials places good leadership and governance at the centre of a model which sets out how elected members can respond to their role as corporate parents. (See Appendix 1).
- 7.4 Looked After Children are amongst the most disadvantaged and vulnerable of Cheshire East children. In addition to all of the difficulties which such children and young people experience, these children have the added challenge of relying upon an institution rather than their parents to ensure that their needs, wants and aspirations are

understood and addressed. The council needs to view its looked after children in the same way and with the same commitment as individual Members and Officers view their own children.

#### Current arrangements in Cheshire

- 7.5 Cheshire East Council currently has 316 looked after children as at 31st January 2009, with more than 450 children being looked after in any one year. Of the 316 children, 8 care leavers aged 16 – 18 are living independently and there are a further 82 care leavers aged 18 - 21.
- 7.6 Cheshire County Council currently has a Corporate Parenting Select Panel of members, which focuses specifically on the Council's duties and responsibilities in relation to looked after children and care leavers. The panel was established after elected Members undertook training by National Children's Bureau which focused on how they could be effective in their role, and exists to advise the Lead Member in relation to his corporate parenting responsibilities, support other members in this, and undertake a scrutiny role. The Children in Care Council sends representatives to Panel meetings.
- 7.7 The Panel is supported in its work by a Corporate Parenting Board chaired by the Director of Children's Services, with representation from members of the Children and Young People's Trust. It reports to the Trust Board.
- 7.8 As is customary in most local authorities, monthly Regulation 33 visits to children's homes in Cheshire are undertaken by elected Members. Two elected Members have usually been assigned to each children's home so that there is some cover and flexibility. A standard reporting structure has been developed and induction is provided for new elected Members both in relation to the role and to the home they are linked with. Matters arising from Regulation 33 visits are reported to the Corporate Parenting Select Panel.

#### Proposals for the new Council

- 7.9 Guidance determines that the Director of Children's Services and Lead Member have overall responsibility and accountability for leading corporate parenting arrangements. Evidence suggests that this is better achieved when they are supported by the council as a whole, particularly as looked after children are some of Cheshire East's most vulnerable children.
- 7.10 To strengthen the corporate responsibility for corporate parenting all parts of the council should contribute to these children's welfare. Such contributions could include:

- Priority for housing for care leavers
- Work experience within the council
- Employment opportunities
- Apprenticeships and traineeships
- ICT support for care homes and foster carers
- Free leisure passes
- Visiting Children's Homes under Section 33
- Staff acting as mentors and support for young people

The Children's Trust can also contribute to improving outcomes for looked after children by agreeing to consider ways in which member organisations can support the range of actions listed in paragraph 7.10.

- 7.11 Recognising the responsibility of both the Lead Member for Children's Services and the Director of Children's Services for leading corporate parenting, it is proposed that the current Member and officer panel arrangements be brought together in the new Council into a single Corporate Parenting Board. This will help to emphasise the crucial importance of the Member-officer partnership, and avoid duplication of work.
- 7.12 The Board will promote, support, and scrutinise corporate parenting activity on behalf of the Children and Young People's Trust, and report regularly to the Trust Board and as and when required to the Local Safeguarding Children's Board in relation to any matters of serious concern. In addition it will present an Annual Corporate Parenting Report to the Council. Membership will be drawn from Council Members and senior officers of member agencies of the Trust. Representatives of the Board will meet regularly with representatives of the Children in Care Council and with foster carers, to hear their views.
- 7.13 Proposed terms of reference for the Corporate Parenting Board are set out in appendix 2.
- 7.14 The practice of elected Members undertaking Regulation 33 visits to children's homes emphasises their corporate parenting responsibilities, provides constructive challenge to staff within the residential service, and gives recognition and support to good practice. It allows elected Members to develop an understanding of looked after children's issues and to act on behalf of those living within children's homes.
- 7.15 It is proposed that this responsibility should remain with elected Members, and that they should be provided with appropriate training for the task. All members undertaking these visits must be subject to an enhanced clearance by the Criminal Records Bureau, and there will be a delay whilst these checks are undertaken on new visitors. Some existing Regulation 33 visitors are also Members of the new Council, and so will be able to continue making visits. The nominated "responsible individual" should ensure that visits are made, either

personally or by another officer, in any months when there is no Member available to do so.

- 7.16 In order to ensure that all Members are fully aware of their responsibilities as corporate parents, familiarisation training will need to be provided. In addition more detailed training will be required for members of the Corporate Parenting Board.

## **8.0 Overview of Day One, Year One and Term One Issues**

- 8.1 A Corporate Parenting Board needs to be operational from the formation of the Council, and arrangements must be in place for monthly visits to children's homes in accordance with the Regulations.

## **9.0 Reasons for Recommendation**

- 9.1 To ensure compliance with statutory guidance relating to corporate parenting.

### ***For further information:***

*Portfolio Holder: Councillor Paul Findlow*

*Officer: Paul Mossman*

*Tel No: 01244 973152*

*Email: [paul.mossman@cheshire.gov.uk](mailto:paul.mossman@cheshire.gov.uk)*

### ***Background Documents:***

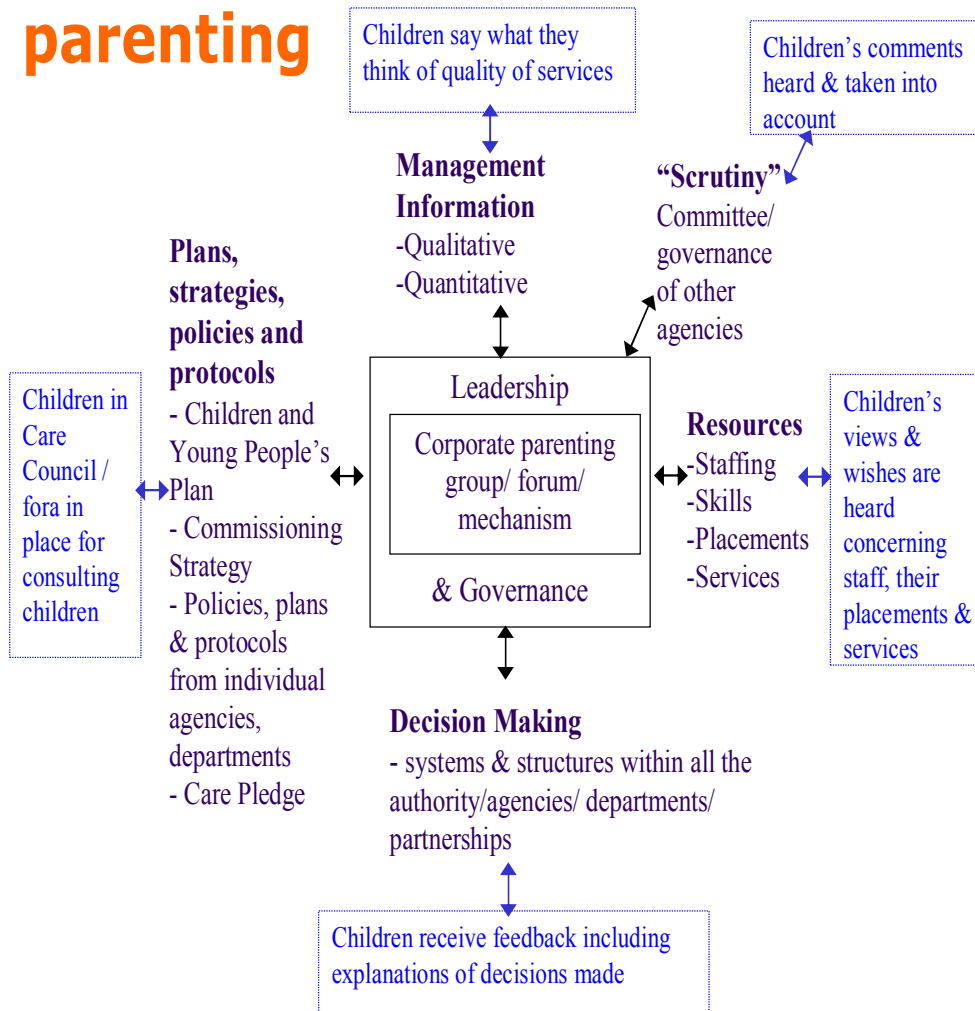
*Care Matters: Time for Change, Department for Education and Skills 2007*

*Care Matters: Time to deliver for children in care, Department for Education and Skills 2008*

*Documents are available for inspection at:*

<http://www.everychildmatters.gov.uk/socialcare/childrenincare/>

# Model of effective corporate parenting



## PROPOSED MEMBERSHIP AND TERMS OF REFERENCE FOR CORPORATE PARENTING BOARD

### Membership

Lead Member for Children's Services  
Director of People's Services  
Cross party Member representation  
Head of Children and Family Services  
Principal Manager Looked After Children  
Children's Rights and Participation Officer  
Head of Virtual School  
Head of Achievement  
Head of Youth Offending  
Primary Care Trust representative  
CA Mental Health Service representative  
Drug Action Team representative  
Head of Service Leisure and Recreation  
Head of Service Strategic Housing  
Chief Executive, Connexions

Titles of postholders listed above will be confirmed in the structure, but should be taken to refer to the functions identified.

### Terms of reference

- Oversee arrangements for the effective delivery of corporate parenting to children and young people in the Council's care, and to its care leavers, advising on appropriate strategies and policies.
- Set high aspirations for children and young people in care to ensure that they are adequately prepared to enter adulthood.
- Review on an annual basis the Care Pledge made to looked after children by the Children and Young People's Trust and to recommend any changes required to improve outcomes.
- Ensure that all parts of the Council, and other agencies within the Children and Young People's Trust, take positive action to support good outcomes for looked after children and care leavers.
- Advise the Lead Member for Children's Services on matters relating to corporate parenting.
- Support all elected Members in carrying out their duties as corporate parents in all aspects of their work.
- Submit an Annual Report on matters relating to Corporate Parenting to the Council and to the Children and Young People's Trust.
- Support the Lead Member and Director of Children's Services in regularly meeting with members of the Children in Care Council, other groups of looked after children and young people, care leavers, foster carers, and foster carers' own children, to hear and take account of their views.



- Receive regular quantitative and qualitative performance reports in relation to looked after children, and advise on action required as a result.
- Receive reports concerning the inspection of services for looked after children and care leavers, and of visits made under Regulation 33 of the Children's Homes Regulations 2001, and advise on action required as a result.

Board meetings to be held bi-monthly for the first twelve months and quarterly thereafter.