



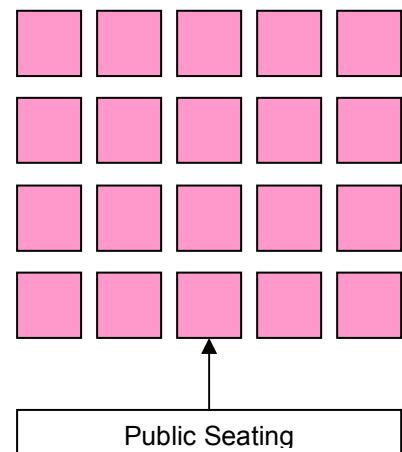
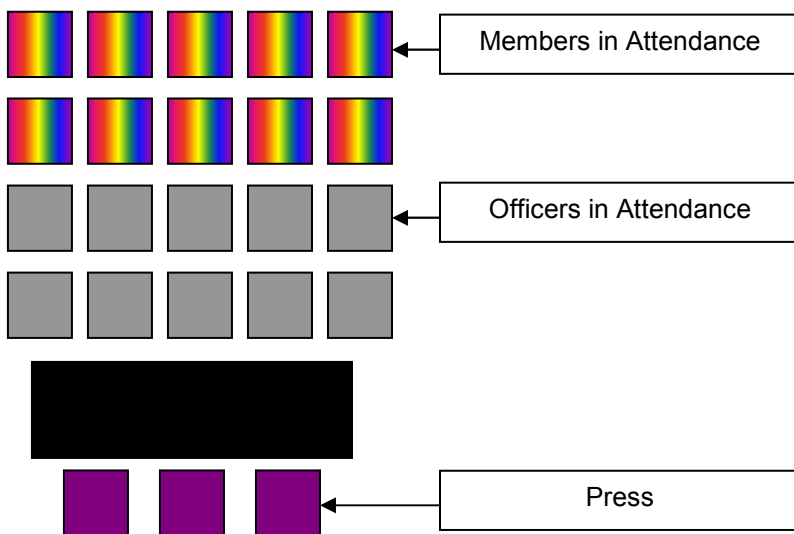
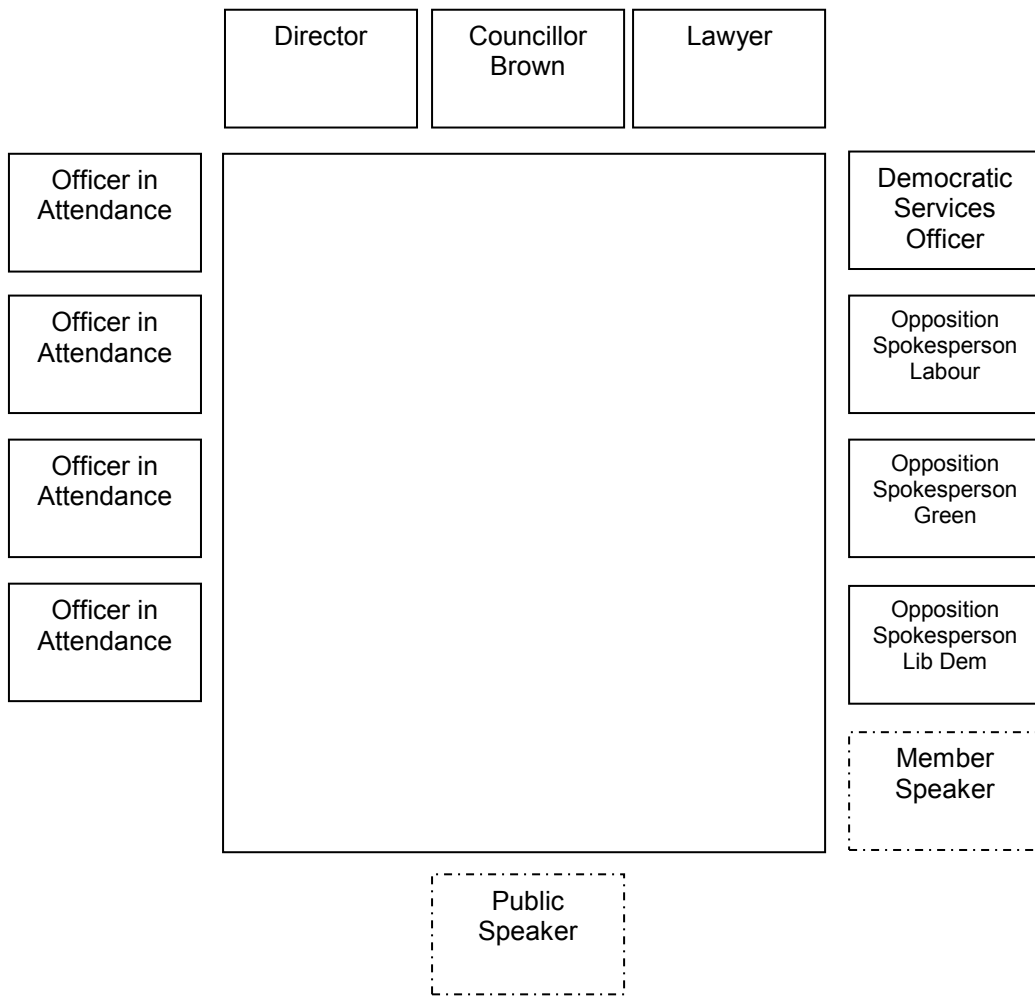
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Children &amp; Young People Cabinet Member Meeting</b>
Date:	<b>11 October 2010</b>
Time:	<b>4.00pm</b>
Venue	<b>Committee Room 1, Hove Town Hall</b>
Members:	<b>Councillor:</b> Brown (Cabinet Member)
Contact:	<b>John Peel</b> Democratic Services Officer 01273 291058 john.peel@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### 18. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

### 19. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the Meeting held on 12 July 2010 (copy attached).

### 20. CABINET MEMBER'S COMMUNICATIONS

### 21. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokesperson
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

*NOTE: Petitions, Public Questions, Deputations, Letters from Councillors, Written Questions from Councillors and Notices of Motion will be reserved automatically.*

### 22. PETITIONS

No petitions received by date of publication.

### 23. PUBLIC QUESTIONS

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

(The closing date for receipt of public questions is 12 noon on 5 October 2010)

No public questions received by date of publication.

### 24. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 5 October 2010)

No deputations received by date of publication.

### 25. LETTERS FROM COUNCILLORS

No letters have been received.

### 26. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

### 27. NOTICES OF MOTIONS

No Notices of Motion have been referred.

### 28. ANNUAL FOSTERING SERVICE REPORT

9 - 56

Report of the Acting Director of Children's Services (copy attached).

Contact Officer: Sharon Donnelly Tel: 01273 295549

### 29. ANNUAL ADOPTION SERVICE REPORT

57 - 106

Report of the Acting Director of Children's Services (copy attached).

Contact Officer: Sharon Donnelly Tel: 01273 295549

### 30. PROPOSED EXTENDING OF THE AGE RANGE OF BENFIELD JUNIOR SCHOOL. PROPOSAL TO MOVE TO STATUTORY NOTICE.

107 -  
120

Report of the Acting Director of Children's Services (copy attached).

Contact Officer: Gillian Churchill Tel: 29-3515  
Ward Affected: All Wards;

### 31. PROPOSED CREATION OF AN ALL THROUGH PRIMARY SCHOOL TO REPLACE BALFOUR INFANT AND JUNIOR SCHOOLS. FINAL DECISION.

121 -  
126

Report of the Acting Director of Children's Services (copy attached).

Contact Officer: Gillian Churchill Tel: 29-3515  
Ward Affected: All Wards;

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

**32. CONTRACT FOR PROVISION OF HEALTH SERVICES BETWEEN SOUTHDOWNNS NHS TRUST AND BRIGHTON & HOVE CITY COUNCIL** **127 - 130**

Report of the Acting Director of Children's Services (copy attached).

*Contact Officer:* Steve Barton *Tel:* 29-6105  
*Ward Affected:* All Wards;

**33. RESPONSE TO THE REPORT OF THE CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE SCHOOL EXCLUSION REPORT** **131 - 192**

Report of the Acting Director of Children's Services (copy attached).

*Contact Officer:* Linda Ellis *Tel:* 29-3686

**34. BRIGHT START NURSERY CONSULTATION** **193 - 196**

Report of the Acting Director of Children's Services (copy attached).

*Ward Affected:* All Wards;

### **PART TWO**

**35. PART TWO MINUTES** **197 - 198**

Part Two minutes of the previous meeting held on 12 July 2010 (copy attached).

**36. PART TWO ITEMS**

To consider whether or not any of the above items and the decisions thereon should remain exempt from disclosure to the press and public.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact John Peel, (01273 291058, email [john.peel@brighton-hove.gov.uk](mailto:john.peel@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Friday, 1 October 2010

**BRIGHTON & HOVE CITY COUNCIL**  
**CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING**

**4.30pm 12 JULY 2010**

**COMMITTEE ROOM 3, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Brown (Cabinet Member)

**Also in attendance:** Councillor Fryer (Opposition Spokesperson- Green) and Hawkes (Opposition Spokesperson- Labour)

**Other Members present:** Councillors Kemble, Bennett and Davis

**PART ONE**

**1. PROCEDURAL BUSINESS**

**1a Declarations of Interest**

1.1 There were none.

**1b Exclusion of Press and Public**

1.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Children & Young People considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

1.3 **RESOLVED** – That the press and public be excluded from the meeting during consideration of item 14, Non-Public Minutes of the Previous meeting and item 15, Proposed New School for Hove Interim Measure as both items were exempt under Paragraph 3 of Schedule 12A of the Act.

**2. MINUTES OF THE PREVIOUS MEETING**

2.1 **RESOLVED-** That the minutes of the previous meetings held on 22 March and 26 April 2010 be approved as an accurate record subject to the following amendments-

61.4 'by the Soil Associations' **Food for Life Bronze standards'**

61.8 'Councillor Fryer noted the opt-out system used in some countries **resulting in higher uptake** and if an adoption of this system would lower the unit cost'

### 3. ITEMS RESERVED FOR DISCUSSION

3.1 **RESOLVED-** All items were reserved for discussion by the Cabinet Member.

### 4. PETITIONS

4.1 Valerie Paynter presented a petition on behalf of the saveHove group. The petition had received 714 signatures by the date of publication with another 357 presented at the meeting bring the total to 1,071. Signatories included the Chair of the Regency Society, 16 members and the Chair of the Brighton Society and the former Chair of Montpellier and Clifton Hill Association. Ms Paynter explained that the building was much loved and its return to Infant and Primary School use would benefit the whole community.

4.2 The Cabinet Member for Children and Young People answered that the Council had explored and continued to explore opportunities for increasing primary capacity across the city. A part of this exploration had been discussion with City College over the likely future of the Connaught Centre. Negotiations continue and, whilst it is recognised that the Connaught Centre would provide an ideal site in south Hove for a primary school, the cost of purchase and potential refurbishment costs must be set against the present planned and costed works and the likelihood of severely restricted budget cuts for the foreseeable future. The paper entitled Proposed New School for Hove Interim Proposal presented at today's CMM meeting identifies the Connaught site and other possibilities for the establishment of three form entry reception class provision for September 2011.

### 5. PUBLIC QUESTIONS

5.1 Valerie Paynter presented a public question to the meeting "What changes to the strategies and policies of the previous Labour Administration concerning school provision generally - infant & junior school provision in particular - has this Conservative Administration made over the last 3 years?"

5.2 The Cabinet Member for Children and Young People answered that a great deal had been achieved by the administration in the last three years and many changes have been made. There had been a resurrection of the proposals for an academy at Falmer, the administration had sorted out the mismatch of infant and junior numbers at Balfour, and had proactively provided new primary school places in many schools across the City. We have provided 210 extra places so far with another 3 extra forms of entry planned.



The administration had also embraced the Value for Money agenda and had reduced and streamlined the organisation of Children's Services by reducing the top management team and protecting front line services.

Education policy has largely been dictated by central government and to that end both the labour and conservative members in Brighton & Hove have seen the priority to be the successful delivery of an effective educational infrastructure and broad curriculum offer.

- 5.3 Valerie Paynter asked a supplementary question on the restrictive covenant put into the deeds of Connaught when it was built and asked if this covenant was still in place.
- 5.4 The Cabinet Member responded that this matter would be investigated and a response provided to Valerie Paynter when clarified.

## **6. DEPUTATIONS**

- 6.1 No Deputations had been received.

## **7. LETTERS FROM COUNCILLORS**

- 7.1 No Letters from Councillors had been received.

## **8. WRITTEN QUESTIONS FROM COUNCILLORS**

- 8.1 No written questions from Councillors had been received.

## **9. NOTICES OF MOTIONS**

- 9.1 No Notices of Motion had been received.

## **10. DECISION OF STATUTORY PROPOSALS FOR THE EXPANSIONS OF PRIMARY SCHOOLS**

- 10.1. The Cabinet Member considered a report of the Director of Children's Services concerning the Decision of Statutory Proposals for the Expansions of Primary Schools.
- 10.2. Councillor Hawkes welcomed the report as the next step in what had been a long and thorough process.
- 10.3. **RESOLVED-** That the Cabinet Member approve the recommendations of the report as follows:
1. That the Cabinet Member confirms the statutory notice and resolves to permanently expand Goldstone Primary School by one form of entry from September 2011 subject to

the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by September 1<sup>st</sup> 2010.

2. That the Cabinet Member confirms the statutory notice and resolves to permanently expand Westdene Primary School by one form of entry from September 2011 subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by September 1<sup>st</sup> 2010.
3. That the Cabinet Member confirms the statutory notice and resolves to permanently expand Queens Park Primary School by half a form of entry from September 2011 subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by December 1<sup>st</sup> 2010.

#### **11. PROPOSED CREATION OF A NEW ALL THROUGH PRIMARY SCHOOL TO REPLACE BALFOUR INFANT AND JUNIOR SCHOOLS**

- 11.1 The Cabinet Member considered a report of the Director of Children's Services on the proposed creation of a new all through primary school to replace Balfour Infant and Junior Schools.
- 11.2 The Cabinet Member noted that these proposals now had the support of the governing bodies of the school.
- 11.3 Councillor Hawkes stated that she was pleased that the proposals now had the support of the governing bodies and hoped that this would bring a resolution to a matter discussed since the creation of the unitary authority.
- 11.4 **RESOLVED-** That the Cabinet Member agree to the recommendations of the report as follows:

1. To note and endorse the proposal to amalgamate Balfour Infant and Junior Schools.
2. To agree to the publication of the required Statutory Notices to progress this proposal.
3. That the results from the statutory consultation process are referred to Cabinet Member Meeting on 11<sup>th</sup> October 2010 for decision.

#### **12. PROPOSED NEW SCHOOL FOR HOVE INTERIM MEASURE**

- 12.1 The Cabinet Member considered a report of the Director of Children's Services on Proposed Additional Primary Places in Hove (NB- Item was originally titled 'Proposed new school for Hove Interim Measure').
- 12.2 The Cabinet Member informed the meeting that it was felt that the Connaught site was deemed the ideal location and negotiations were underway with City College.

- 12.3 Councillor Fryer asked what would happen to the provision of adult education currently undertaken on the site and what this meant for the proposals for a school at the Hove Park site.
- 12.4 The Schools Futures Project Director responded that no decision had been made on the use of the site yet and consultation on the best option for all forms of education was ongoing. He added that proposals for the Hove Park site were fully addressed in the part two item of the agenda however the negotiations at the preferred site of Connaught would ultimately impact upon plans for the other sites.
- 12.5 **RESOLVED-** That the Cabinet Member approves the recommendations as follows:
1. To establish in Hove a 3 form entry temporary school expansion taking 90 Reception age children, opening in September 2011
  2. To base this temporary expansion at the Connaught Centre site or another site subject to further negotiation.
  3. To make arrangements for the management of the additional places by a Hove primary phase school for a period of up to two years.
  4. On 11 October 2010 to present the Cabinet Member with proposals identifying the site and governance of the temporary provision.

### **13. PROPOSED EXTENDING OF THE AGE RANGE OF BENFIELD JUNIOR SCHOOL**

- 13.1 The Cabinet Member for Children and Young People considered a report of the Director of Children's Services on the proposed extension of age ranges at Benfield Junior School.
- 13.2 Councillor Hawkes welcomed the proposals which she believed would give a secure future for the children of the school.
- 13.3 Councillor Fryer referred to item 3.7 and asked what the benefit would be to more infant places and a decrease in junior places. The Head of Capital Strategy and Development Planning answered that the three form entry would continue at junior level until 2012. However, the proposals were part of a wider re-organisation which if successful would create an additional two forms of entry in the Portslade area of the city. A report on this would follow and wide ranging consultation on the matter would begin imminently.
- 13.4 **RESOLVED-** That the Cabinet Member for Children and Young People approve the recommendations as follows:
1. To note and endorse the proposal to create an all through primary school by changing the age range of Benfield Junior School from 7 – 11 as at present to 4 to 11 from September 2011.
  2. That the results from the initial consultation exercise are referred to Cabinet Member Meeting on 11<sup>th</sup> October 2010 for decision.

**14. PART TWO MINUTES- EXEMPT CATEGORY 1 & 3**

- 14.1 **RESOLVED-** That the part two minutes of the meeting held on 22 March 2010 be approved and signed as the correct record.

**15. PROPOSED NEW SCHOOL FOR HOVE INTERIM MEASURE**

- 15.1 **RESOLVED-** That the Cabinet Member for Children and Young People accept the recommendations as per item 12 of the agenda.

**16. PART TWO ITEMS**

- 16.1 **RESOLVED-** That the above items remain exempt from disclosure to members of the press and public.

The meeting concluded at 5.06pm

Signed

Chair

Dated this

day of





# **CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING**

## **Agenda Item 28**

Brighton & Hove City Council

<b>Subject:</b>	<b>Annual Fostering Service Report 2009/10</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> October 2010</b>		
<b>Report of:</b>	<b>Acting Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sharon Donnelly</b>	<b>Tel:</b> <b>29-5549</b>
	<b>E-mail:</b>	sharon.donnelly@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>No</b>	<b>Forward Plan No: N/A</b>	
<b>Wards Affected:</b>	<b>All</b>		

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Fostering regulations require that an annual fostering report be provided to be received by the Council Executive. The annual report for 2009/10 found in Appendix 1 provides full information about fostering activity within the Children & Young People's Trust and a profile of the work of the Fostering teams with the Fostering & Adoption Service.
- 1.2 Standard 1 of the National Minimum Standards for Fostering Services requires that the statement of purpose is endorsed by the Council's executive annually. The revised statement of purpose can be found in Appendix 2.

#### **2. RECOMMENDATIONS:**

- 2.1 That the Annual Fostering Service Report and the progress of the Fostering & Adoption Service in relation to fostering activity is noted.
- 2.2 That the revised Fostering Statement of Purpose (Appendix 2) is endorsed.

#### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 See Annual Fostering Service Report

#### **4. CONSULTATION**

- 4.1 The Annual Fostering Service report has been compiled in collaboration with managers from the Adoption and Fostering service and the report of the Independent Chair of Panel has been compiled in consultation with Fostering Panel members.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 The spending on in-house fostering allowances and other expenses during 2009/2010 totalled £4.284m. This was an increase of 17.9% on the spend in 2008/09. This rise was predominantly the result of increased numbers of placements with relatives, which rose from 21.40 FTE in 2008/09 to 46.35 FTE in 2009/10, with a subsequent growth in spend of £0.355m. Spending on Residence Orders Allowances fell slightly from £1.323m in 2008/09 to £1.211m in 2009/10. Spending on Special Guardianship amounted to £0.205m in 2009/10.

Spend on agency fostering rose by 40% in 2009/2010 to £5.847m. The numbers of placements started to rise considerably at the end of 2008 and have continued to grow during 2009/10. There were 153 children in an IFA placement on 31/3/10 compared with just 109 twelve months previously. There has been considerable effort to control the costs of IFAs and this was reflected in the average direct cost of an IFA falling in 2009/10 by 4% to £840.08 per week.

The average direct unit cost for agency foster care of £840 per week compares to £459 per week for children placed with in-house carers.

Finance Officer Consulted: Name David Ellis

Date: 09/07/2010

### Legal Implications:

- 5.2 The legal and regulatory context of fostering services are referred to in the body of the report. These services are essential to fulfilling the statutory obligations of the Trust to otherwise vulnerable children under both the Children Act 1989 & 2004. Children can only be placed into care with the express agreement of their parents or the approval of the Court. Fostering services should reflect the right of children to a family life, which is defined in law so as to include foster carers with whom they have formed a family like attachment, as well as to their birth family.

Lawyer Consulted: Natasha Watson

Date: July 2010

### Equalities Implications:

- 5.3 There is a legal requirement for the local authority to provide foster carers who can reflect a child's religious persuasion, racial origin and cultural and



linguistic background. BHCC actively encourages foster carer applications from citizens from a wide range of backgrounds and has an explicitly inclusive recruitment strategy.

An Equalities impact assessment has been undertaken in 2009/10.

Sustainability Implications:

5.4 None

Crime & Disorder Implications:

5.5 None

Risk and Opportunity Management Implications:

5.6 None

Corporate / Citywide Implications:

5.7 The annual report focuses on the work of a city wide service within the CYPT.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 None

**7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 Required by fostering regulations

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Annual Report

2. Statement of purpose

## **Documents In Members' Rooms**

1.

2.

## **Background Documents**

1.

2.



Brighton and Hove  
Children and Young People's  
**TRUST**



# **Annual Fostering Service report**

## **2009-2010**

**Fostering and Adoption Service  
253 Preston Road  
Brighton  
BN1 6SE**

**[www.fosteringinbrightonandhove.org.uk](http://www.fosteringinbrightonandhove.org.uk)**

## 1. Introduction

The report will detail the work undertaken by the Fostering Service within the Children & Young People's Trust [CYPT] from April 2009 – March 2010, including information on fostering recruitment activity, the work of the Fostering Panel and developments within the Service.

The report will also highlight national developments in fostering practice and provide information on the profile of the children in care population within Brighton & Hove.

A key priority of the CYPT is to ensure children can be brought up safely with their birth parents or within their wider family network if at all possible. The Fostering and Adoption service is a city wide service and contributes to improving outcomes for the most vulnerable children and young people in the city in line with the priorities outlined in the Children and Young People's Plan. Since March 2010 the Fostering & Adoption service has been managed within the integrated area working branch.

When a child does come into care foster carers play a pivotal role in the multi agency team around the child. Foster carers take children and young people into their homes often at very short notice and work to ensure the best possible outcomes for the child in care. Ideally that child will be able to return to their birth family but if that is not possible achieve permanence either through adoption or another legal order or through long term foster care.

Fostering is a highly regulated area of social work practice and is governed by the Fostering Services National Minimum Standards and the Fostering Service Regulations 2002 under the Care Standards Act 2000. The Department of Education is now taking forward the review of the minimum fostering standards and the first consultation in relation to the new draft standards has resulted in a considerable revision of the standards which will be subject to a further consultation process in the autumn of 2010 with a planned implementation date from April 2011.

The national profile of fostering remains very high. On 31<sup>st</sup> March 2009 there were 60,900 children in care in England and approximately 80% of these children were living with foster families. This reflects the local situation in Brighton and Hove with 83% of the children in care population living in foster families at end March 2010.

Within Brighton and Hove there was a significant rise in the numbers of children coming into care from December 2008 which has remained high but stabilised over the last six months. At the end of March 2010 the number of children in care excluding respite was 467. This represents a 16% increase compared to March 2009. This rise in numbers of children in the care system is a national picture although Brighton & Hove has a higher proportion of children in care than the national average. This very rapid rise of children

coming into the care system has put significant pressure on all aspects of the CYPT's services for children in care and has continued to result in larger numbers of children needing to be placed with agency providers.

The Children & Young Person's Act received royal assent in November 2008 and it contains measures intended to strengthen the legislative framework underpinning the care system and to improve the life chances for young people in care. Key elements of the Act are the focus on the need to improve placement stability and the opportunity for young people to stay in their foster placements post 18 rather than move out into independent living before they are ready. The Department for Children, Schools and Families now the Department of Education also undertook work within the year to update and streamline the regulations and guidance relating to the Children & Young People's Act 1989 as well as the roles and responsibilities of the Independent Reviewing Officers. The new regulations bring changes such as the care plan for the child not being changed unless a review is called and agreement not being given to children moving placement during critical stages of their education unless this is unavoidable. These regulations will be implemented from April 2011.

Within the CYPT a corporate parent strategy group has been meeting during the year to finalise the work that was undertaken in conjunction with young people in care on the corporate pledge for children in care. This group has also undertaken work to update the corporate parenting strategy which should be completed in the autumn of 2010. A new corporate parenting board has also now been established with representatives from young people in care and care leavers as well as from the Brighton & Hove Foster Care Association.

## **2. Fostering Service**

The Fostering Service Manager has continued to be Clare Smith for 2009/10. The Service comprises the Fostering Team and the Intensive Placement Team and the Service Manager also has responsibility for the administrative team and for line managing the Independent Visitor Co-ordinator that is now located within the Fostering & Adoption service. The Fostering service has 3.8 Practice Manager posts and there is very close liaison between the Fostering & Adoption & Permanence teams given the overlap in the work with some children moving through from fostering to adoption. Foster carers are also supervised and supported within the Family and Friends team and Adoption & Permanence team and the work of those teams is reported on within the annual adoption agency report.

The Practice Managers within the Fostering Team take lead responsibility for different aspects of the service; John Donnelly takes the lead for recruitment and also foster carer training, Sharon Lake takes the lead for the placement finding duty service and Lesley Burgess for parent and baby carers and carers for unaccompanied asylum seekers. The Intensive Fostering Team is managed by 1.2 Practice Managers, Amanda Freeman and Sarah Wilkins and they both also play a role in supervising staff in the Fostering team and providing management cover to the duty service. The Intensive Placement

Team was formed in 2006 and works to enhance placement stability and provide an increased level of support to intensive fostering placements.

The teams are made up of a number of experienced social work practitioners, social work resource officers and intensive placement team support workers. As well as the placement finding duty service the service also runs a recruitment duty service to prospective foster carers.

The Agency Advisor, Graham Whitaker, plays a key role in ensuring the effective running of the Fostering Panel, providing a quality assurance role in relation to reports being prepared for panel and for providing specialist advice to staff within the Children and Young People's Trust in relation to fostering work. A separate report on the work of the Panel written by the Independent chair of Panel is appended to this report.

The Head of Service is also involved in the monthly multi agency pre-birth referral and strategy group and information on pre birth work and parent and baby foster placements will be provided within this report.

The Fostering Service Manager attends the quarterly meetings of the South East Local Authority Regional Foster Carer group which meets to share practice and policy issues.

The Fostering service was last inspected by Ofsted in January 2009 when the service was rated as 'outstanding'. Ofsted have now moved to a 3 yearly cycle for Fostering service inspections unless there is a reason to inspect more frequently. Ofsted also now require an annual fostering dataset from all local authorities and fostering agencies which gives a comprehensive picture of fostering provision nationally.

### **3. Fostering Recruitment Activity 2009/10**

The recruitment strategy for the service is updated annually and is developed in response to the profile of children in care and the trends in the demand for placements considered alongside the profile of Brighton & Hove's foster carers. At the end of March 2010 there were 163 fostering households approved by Brighton and Hove including family and friends foster carers with 205 filled placements. Foster carers can be approved for up to 3 children if appropriate but there may be many reasons where decisions are made that carers need a short break from fostering or that it is not appropriate to have another child in placement alongside a child with particular complex needs. Of these fostering households; 260 carers were White/ British and 16 were from Black and Minority Ethnic backgrounds.

The Fostering Service during the year has maintained a profile on the recruitment of carers for older children (10 years+), Black and Minority Ethnic [BME] carers and parent and baby carers but has continued to broaden the recruitment activity in acknowledgement of the very high numbers of children coming into care and the fact that it has not always been possible to place younger children under 10 years with in-house foster carers.

During 2009/10 there were 265 enquiries received by the Fostering team from prospective carers. There were 5 information sessions held during the year that were attended by 97 prospective carer households. These enabled applicants to have the chance to find out more about fostering and meet carers before making the decision with workers from the service about whether to proceed on to the preparation group. There were 16 applicants attending preparation groups over the year and 11 of those progressed to the assessment stage. There is clearly a very high drop out rate from initial contact to the assessment stage. The numbers of enquiries did go up over the year but many more people made enquiries that were not suitable or did not have the physical space in their house or time in their lives to take on the commitment of fostering.

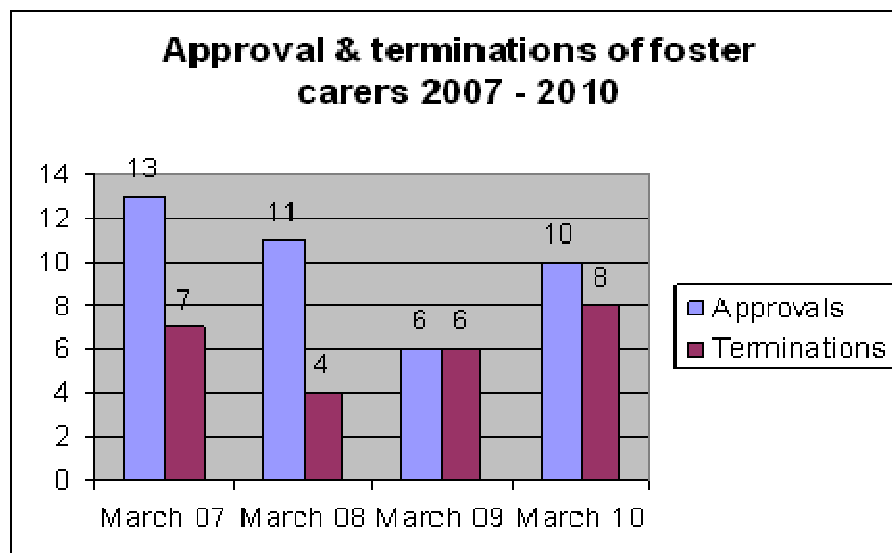
There were ten new sets of foster carers [excluding family and friends] approved in the year. These new carers included one new parent and baby foster carer and all the other foster carers had approval ranges that extended to include teenage children reflecting the needs of the service.

The total number of fostering resources [excluding family and friends foster carers] has grown over the last 5 years although for the last two years the number of new carers approved has been broadly balanced with the number of carers that were lost to the service through resignation or termination of approval. Managers within the service continually work to review the recruitment strategy and the way the service is configured to ensure recruitment and assessment activity is given a high priority alongside the other areas of work. However without an increase in staffing into the service there is limited capacity to expand further as it is essential that all foster carers and particularly those newly recruited receive a high level of support from the service with the fostering task. The service has used 2 regular freelance social workers to assist with undertaking assessment work and has recently recruited a further two workers to undertake this work. Once carers are approved they have then to develop a new relationship with their supervising social worker so use of freelance social workers to assist with recruitment and assessment work can only have a limited role.

There is a turnover of carers every year as fostering can be a very challenging and demanding task and some carers decide that it no longer fits with their family life or retire due to health issues or due to the fact that they move some distance from Brighton & Hove. In 2009/10 there were 8 resignations or terminations of approval plus 2 terminations of approval of individual carers where a couple had separated but one of the carers continued to foster. There were also 8 assessments that were discontinued during the year for a variety of reasons including unexpected health issues or changes in lifestyle such as starting new relationships that effected decision making about wanting to pursue fostering.

The service always works hard to ensure foster carers are retained and the service currently does not lose foster carers to the independent sector. In the past few years there have been some approved foster carers from the independent sector wanting to move over to Brighton and Hove. However the

national increase in numbers of children in the care system has resulted in all the local fostering agencies being much busier and being able to offer their carers a broader range of children needing placements including younger children so there has been less of an incentive for carers to consider a move over to the local authority in order to be assured of always being provided with a fostering placement.



Of the new foster carers approved one couple was dual heritage and there is another assessment underway in relation to a BME couple.

### **Recruitment strategy**

The Fostering service works closely with the council press office and there have been a number of features in the local press over the year presenting 'good news' stories which profile fostering households. There are regular advertisements in the local press and a significant campaign for National Foster Care Fortnight which is in May each year. This year the service ran a number of stalls at local supermarkets during fostering fortnight as well as attending other key community events during the year.

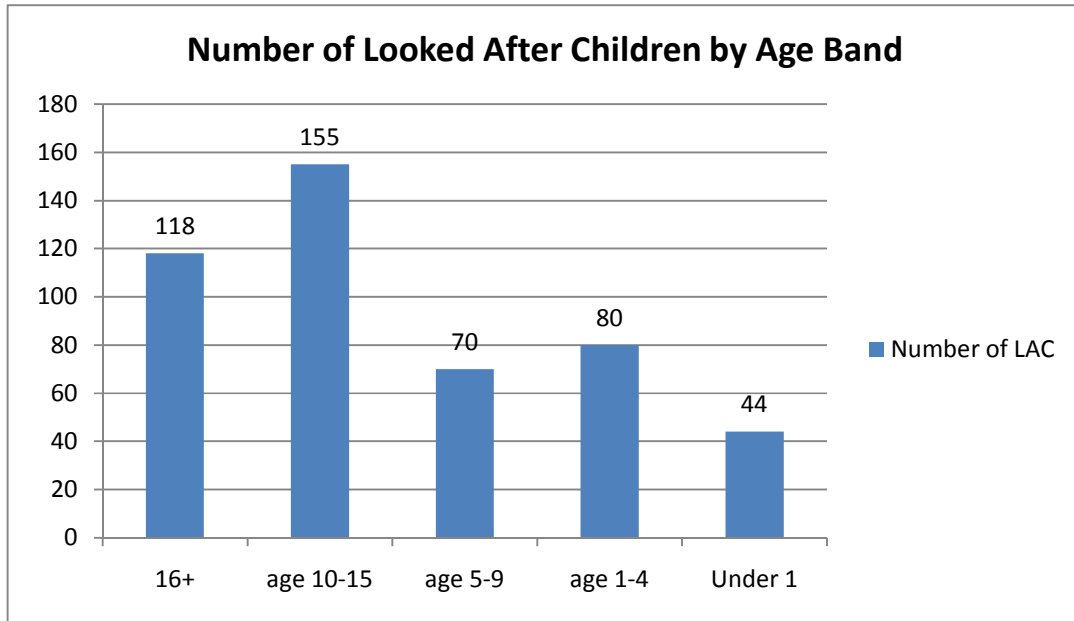
Many prospective foster carers seek out information about the service on-line before they make contact and the service has a dedicated website which is kept updated with information about recruitment events.

Foster carers and young people continue to play a key role in recruitment events by attending information sessions and talking to prospective carers about their experience of fostering and the fostering task. The lead Practice Manager maintains an oversight of the recruitment activity and provides regular reports to the whole management team. It is planned that these recruitment activity reports will start to be considered at regular intervals at the CYPT performance board.

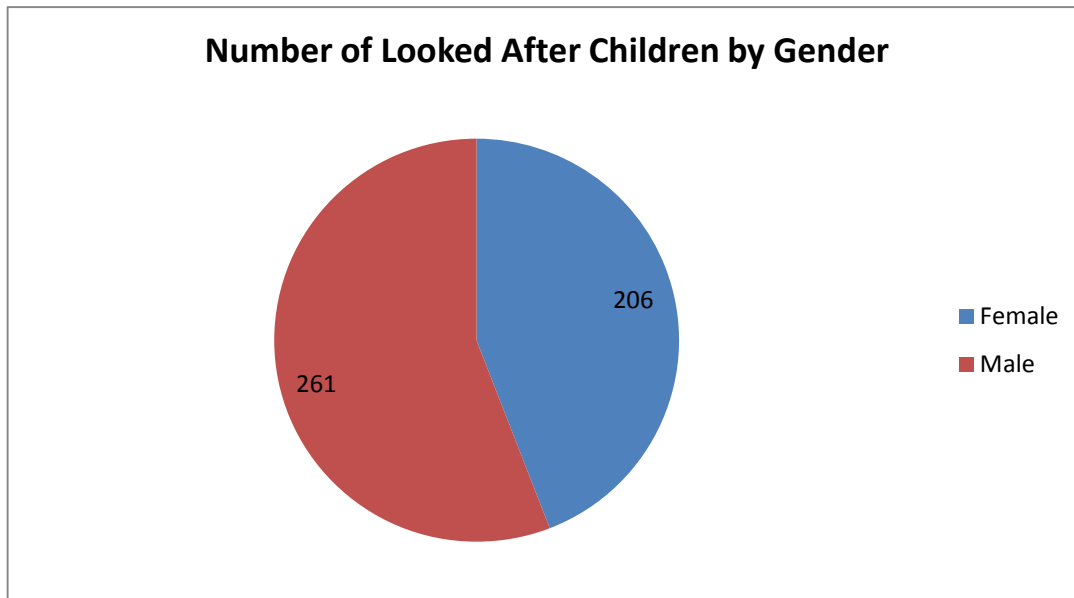
### **Profile of children in care 2009/10**

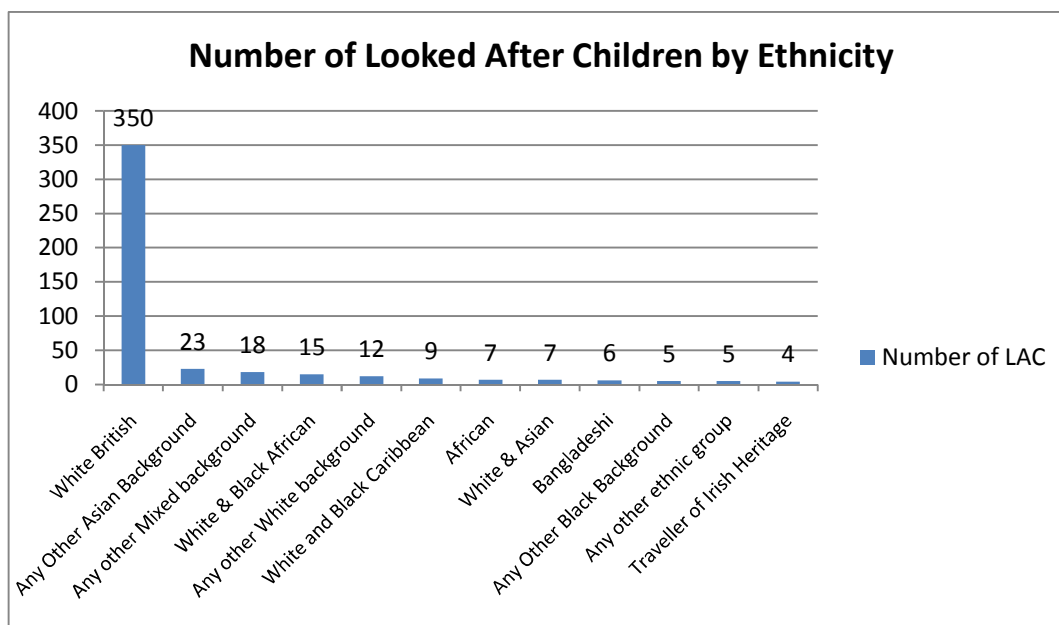


The following graphs give information on the age breakdown, gender and ethnicity as a snapshot at end April 2010



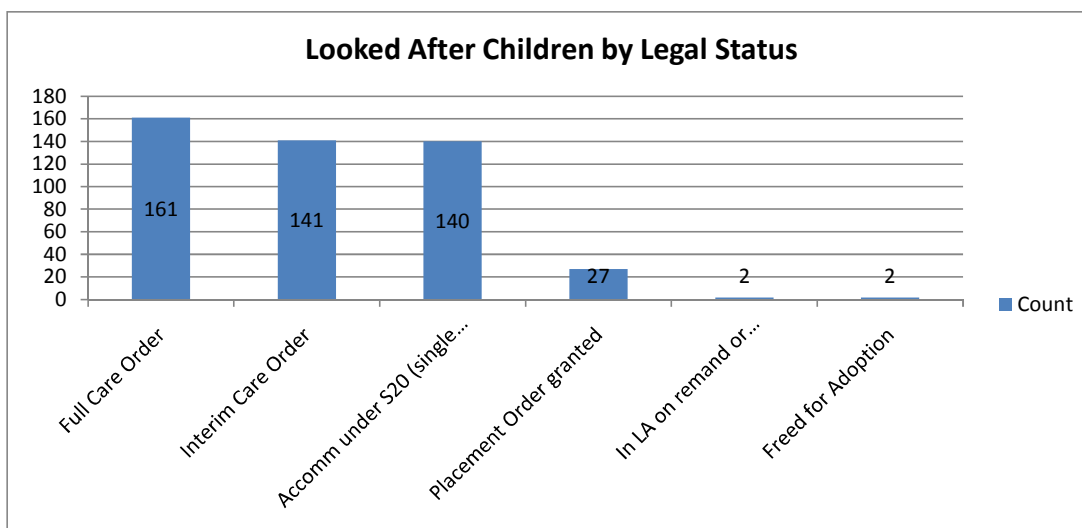
The gender split in the care population was 56% (261) male and 46% (206) female.





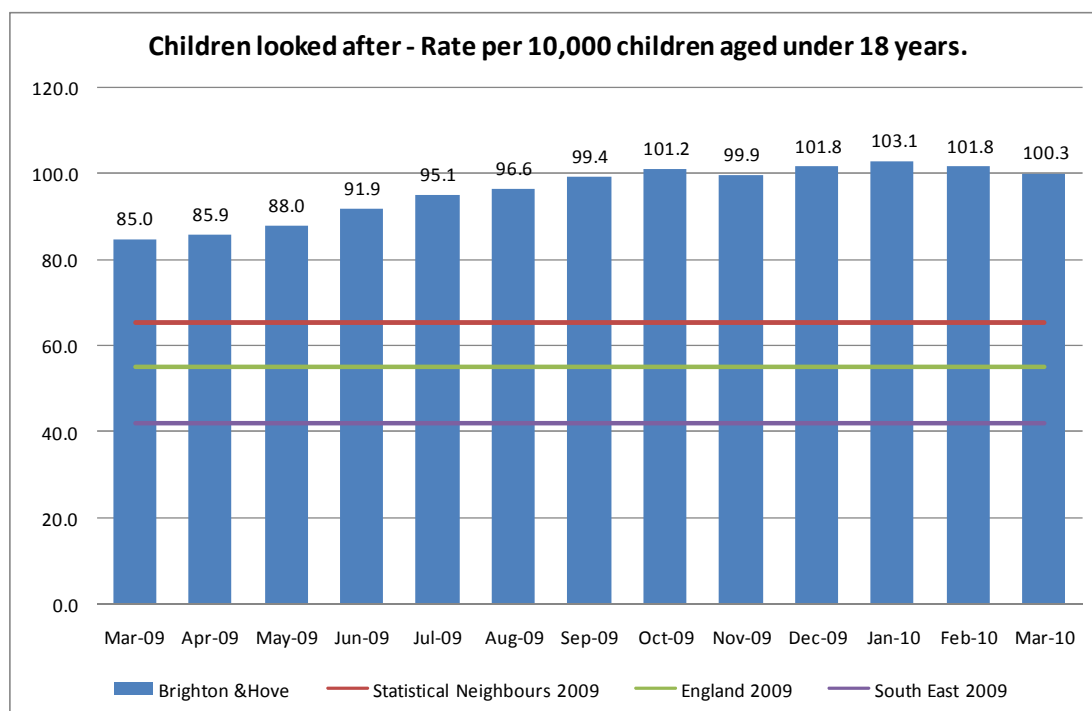
It is evident from this graph that the majority of children in care, 75%, are White British. However there have been sustained increasing numbers of black and minority ethnic children in the care system and hence the need to continue to focus the recruitment strategy on increasing the numbers of BME foster carers.

In terms of legal status the majority of children in care are subject to a legal order, either full Care Order or Interim Care Order. Analysis of the figures show that it is more likely for younger children in care to be subject to legal orders than older children who are more heavily represented in the cohort of children that are voluntarily accommodated under Section 20 of Children & Young People's Act 1989.



The following graph shows the numbers of children in care per 10,000 children and demonstrates how this rate has gone up from 86 per 10,000 in April 2009 to just over 100 per 10,000 by the end of March 2010. The

information in relation to the national rate is just a snapshot picture at end March 2009.



## 5. Placement Activity

The Fostering Service runs a duty service for social workers needing to find a foster placement for a child. This service is overseen by a Practice Manager and has two dedicated workers supported by other staff within the team.

The duty service has had a sustained high demand for placements with continued pressure on resources over the last year. The increased number of referrals has been across the board with very high requests for placements for parent and baby foster placements and placements for teenagers and sibling groups.

This high demand for placements has continued to have an impact on the capacity of the service to consider the detail of the matching requirements of the child and to find placements that fit with the matching needs. As the increase in numbers of children in care is a national issue and neighbouring authorities have also experienced rising numbers of children coming into care there is therefore pressure on available fostering or residential resources across the south east. There have at times been very limited availability of placements and although both the fostering duty team and agency placement team have worked very hard to find appropriate matches for children there has sometimes been a need to place children or young people at some distance from Brighton and Hove or to place more challenging children with carers that were newly approved. If appropriate a variation to a carer's approval range will be given or an exemption to the normal fostering limit if following a risk assessment that is considered appropriate to enable children to be placed with in-house carers.

## **Agency placements**

The Fostering Duty service works to place children with in house foster carers that meet their needs where ever possible and referrals are passed to the agency placement team when there are no appropriate in-house placements available. All referrals are received by the fostering duty team and there is close liaison with the social workers in the area teams to try and ensure that referrals are completed to give a clear picture of the matching requirements of the specific child and the outcomes required from a placement. Many of the referrals still come to the duty service with requests for placements to be found at very short notice which limits the capacity at times to focus on finding placements that fully meet the matching needs. For some children a dual search is carried out between both teams given the limited timescales available to find an available placement.

There is a close working relationship between the duty service and the agency placement team who oversee the contracts with the independent providers and the volume of placement activity require frequent liaison and discussion between the teams about practice issues. The duty team will organise planning meetings to consider care plans and matching needs where there is more time available for placement finding or where the child has particularly complex needs.

As of 31<sup>st</sup> March 2010 there were 153 children in agency placements and 11 adults that were also in agency parent and baby foster placements. This is a substantial increase from the same time last year when 109 placements were being purchased. This obviously has significant financial consequences given the higher unit costs of agency placements; however it reflects the rise in numbers of children in care and the lack of capacity to expand in-house fostering resources.

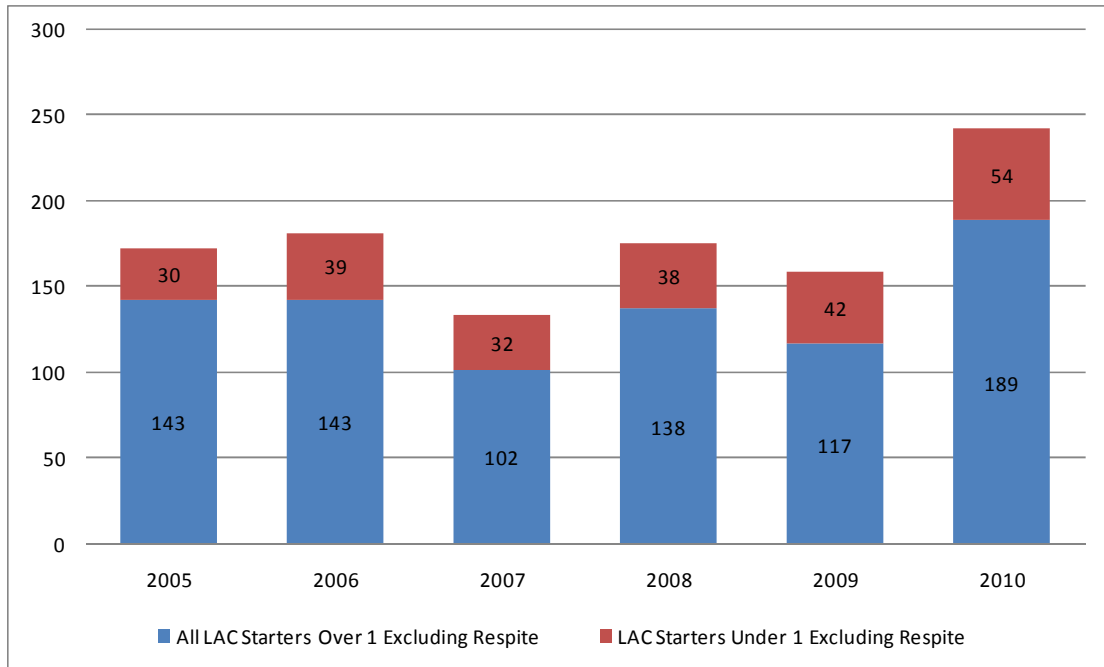
## **Parent and baby placements**

During the year there has also been a sustained high demand for parent and baby foster placements. Most of these placements are made at birth and as part of a care plan within proceedings. The social work team at the Royal Alexander Children's Hospital [RACH] no longer has responsibility for pre birth referrals and assessments and this is now undertaken by the area teams. Given the significant workloads in the area social work teams it has to be acknowledged that pre birth referrals are not always able to be afforded priority and in some situations there has been limited opportunity for robust assessment work before the baby is born. Pre birth assessment work has also been undertaken by a variety of different social workers and not all staff have had that specialist experience. Clearly any change in practice will take time to settle in and early permanence planning is one of the areas that is being considered within the value for money work programme currently being undertaken within the CYPT. However the lack of opportunity to undertake full and timely pre birth assessments has inevitably contributed to the increased

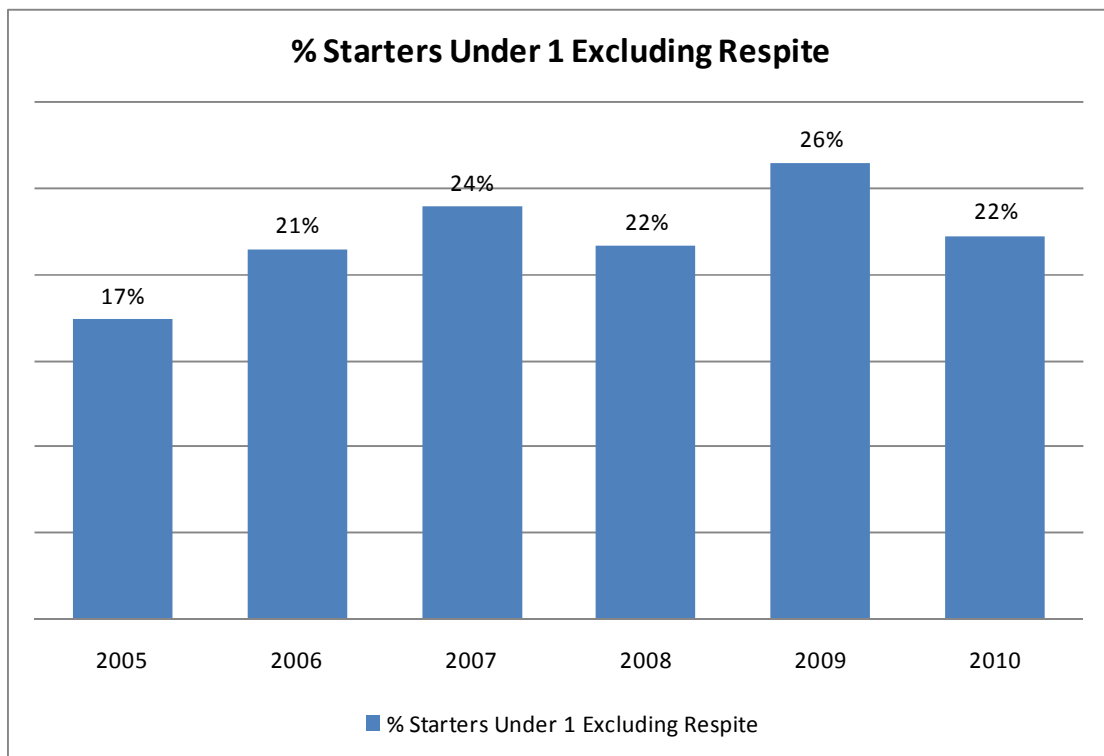
number of referrals for parent and baby placements and the length of time that some placements extend to.

The following graphs give information about the numbers of children under 1 in the care system.

**LAC Starters Excluding Respite Aged Under and Over 1 by Financial Year**



**Percentage of LAC Starters Aged Under 1 Excluding Respite**



The Pre birth referral and strategy meeting is a multi agency meeting that has continued to meet monthly to consider referrals of babies that may be at risk of a child protection plan or care proceedings at birth. Brighton & Hove have a high number of referrals in relation to vulnerable babies and many of the referrals relate to concerns about the parents substance misuse. The high numbers of under 1s in the care system demonstrate the need to give priority to ensuring that services are effectively co-ordinated pre birth and that timely assessments are undertaken to ensure that there is minimal delay in achieving early permanence for the most vulnerable babies

Between 1 April 2009 and 31 March 2010 the Pre birth referral panel considered 139 referrals, of these 66 were first time mothers with the remainder 73 having previously had either one or more children. An analysis of the referrals from the client data base indicated that 16 (11.5%) of the mothers were care leavers. However the number maybe higher as some of the referrals relate to mothers that have moved into Brighton and Hove and their previous care status may not be known or some older mothers may have been in care for a period of time a number of years ago.

The referrals are distributed across the 3 social work areas in the city as shown below.

Area Team	Number	%
Central	52	37.4
East	52	37.4
West	35	25.2

Of the cohort of referrals considered by the panel 79 children were made subject to child protection plans at birth and 46 babies became subject to care proceedings at birth [ although at the time of the analysis in June 2010 12 of these babies were still unborn ]. Of the 46 babies that were subject to care proceedings at birth 30 went into parent and baby foster placements.

There are 10 approved in house parent and baby carers with another experienced carer planning to move over to this fostering task. There is a turnover of parent and baby carers as this can be a very demanding task with the carer needing to provide an intensive level of supervision and support to the parent and most new parent and baby carers continue to be existing foster carers that decide they would like to extend or change their fostering role.

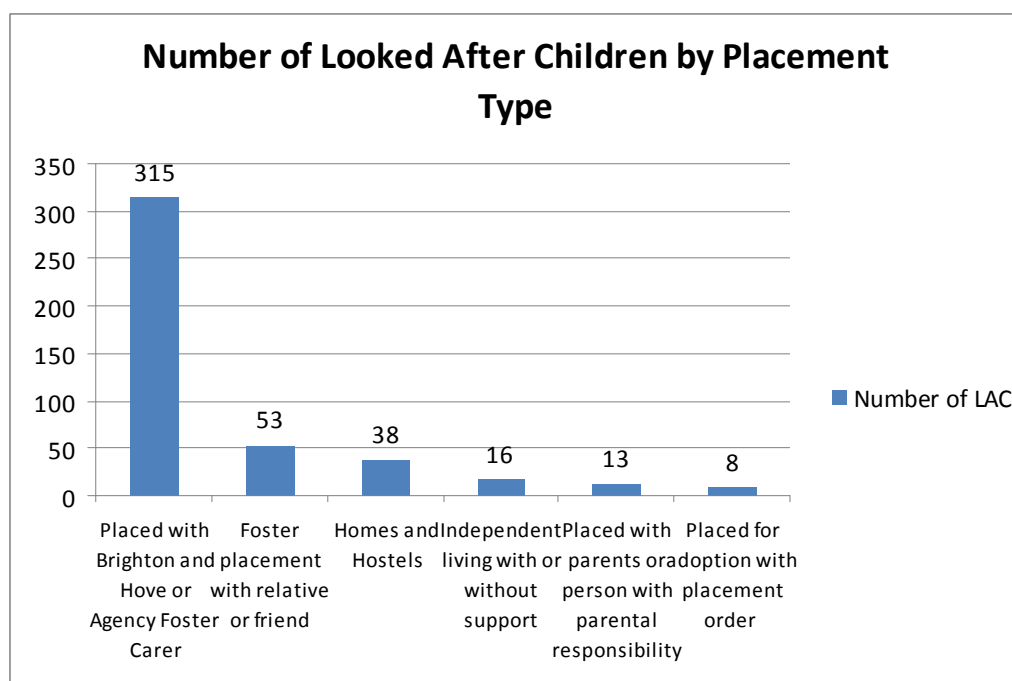
Many of the placements go on for quite a long period with some placements lasting over 12 months so there can often be limited turnover of new placements becoming available. Sometimes these placements have to be used for other children that are coming into care and need an emergency placement for example a sibling group. At any one time there can be on average 20 parent and baby foster placements with roughly an equal number of inhouse and agency placements being made.

During 2008/9 the Head of Service and the Consultant Nurse for CiC completed a piece of evaluation work to consider the outcomes of these placements over a 4 year period from April 2004 – March 2008. The

evaluation work involved an analysis of the data relating to these placements plus interviews with foster carers, birth parents and key professional groups. A number of practice recommendations flowed from this piece of evaluation work which relate to pre birth work and the management of parent and baby placements and these will continue to be considered in the value for money working group that is now chaired by the Head of Safeguarding. Presentations on this evaluation work and early permanence planning have been to a variety of different groups within the year including the local Family Justice Council conference in November 2009 which is chaired by the Designated Family Judge and attended by local lawyers and guardians.

### Placement type

The following graph gives information on placement type for children in care in Brighton & Hove as a snapshot in April 2010. Two thirds of the children are placed with either in-house or agency foster carers, 11% with a family and friends foster carer and 8% are in a residential setting.



## 6 Fostering support services

The provision of a range of support services from the individual work provided by the supervising social worker to training and support groups, an out of hours service, support with respite arrangements and an extensive school holiday activity programme for children in placement all play a key role in ensuring carers are enabled and supported to meet the needs of the children in their care. It is also a significant factor in the retention of foster carers and enables the service not only to ensure carers are well supported in line with the fostering minimum standards but also enables Brighton and Hove to compete with the better independent fostering agencies locally.

The Fostering service has continued to work hard over the year to review and develop the support package provided to carers, the central component of which is the supervisory relationship. The service has a stable staff group of experienced social workers and all carers have an allocated social worker.

A new development within the year has been the provision of an additional website for the on-line version of the Foster carers' handbook to enable carers to have access to a more user friendly resource tool that can be easily updated and added to as required.

### **Support groups**

There is a general monthly support group open to all carers which is long standing and well attended. There is also a new carers group which runs annually over a number of sessions. Recently an additional group has been set up for carers of unaccompanied asylum seeking young people. This group will meet occasionally and will also be a forum for training and for networking between the carers.

A specific group for parent and baby foster carers is now well established which has a clear training element with a programme of different speakers. There is also a group for the intensive placement foster carers and it is an expectation of being part of the scheme that they meet together regularly with the two dedicated workers who supervise the placements.

There is also a plan to set up a 'Fostering Changes' group later in 2010. This is a national programme which was developed and piloted in a few areas and is a parenting skills programme that has been developed to focus particularly on the fostering task. Three staff have been trained in running this programme and it is hoped this will be a helpful addition to the support and training programme for carers.

### **Support for carers of BME children**

The recruitment and publicity officer for BME carers also provides a specialist support role to carers of BME children. This is in recognition of the fact that a number of our BME children in care are placed trans-racially and their foster carers may need additional input in order to ensure they are supporting the child's identity needs.

The service has updated and re-issued the handbook for foster carers on the care of BME children and the dedicated worker visits carers to offer advice on specific issues like dietary needs as well as providing information on toys and activities as well as community and other support groups to join.

## **7 Foster carer training**

The service continues to offer a comprehensive training programme to foster carers that builds on the basic training they receive during the preparation group and assessment process. A working group is held with staff and foster carer representatives to review and develop the training programme.



There are 9 mandatory courses that carers are expected to take up over the course of their first two years post approval. Carers also have the opportunity to take up additional training provided within the training programme for foster carers or the wider training programme offered within the CYPT.

The service also continues to support foster carers that are interested in developing their skills through the NVQ Level 3 award for carers and there continues to be sustained interest amongst foster carers in completing this professional qualification.

### **CWDC learning and development standards**

Following the introduction of the Children's Workforce Development Council [CWDC] Learning and Development standards for foster carers in April 2008 the service has continued to run a support group for carers working to complete the workbook. It has to be acknowledged that compliance with this new requirement for carers to demonstrate their core knowledge and skills for the fostering task has been a significant undertaking for the carers themselves and for staff within the service that have taken a lead in running the support and training programme. It is a requirement that all existing carers will have achieved completion of the standards by April 2011. This will represent an additional workload during the forthcoming year providing this enhanced input to carers. There is also a plan for carers who have completed this task to provide mentoring support to other carers.

## **8 Independent Fostering Support**

The Fostering Service continues to have a contract with an independent company to provide support to foster carers subject to a serious complaint or allegation. This service also offers a 24 hour helpline to carers which has been used by a number of carers. During 09/10 Fostering Support Ltd provided more in-depth support to 2 foster carer households. This involved providing telephone support, meeting with the foster carers, assisting in the preparation of reports and on occasion attending Foster Panel with the foster carers.

Evaluations received from foster carers using the service are extremely positive and the service plays an important part in the retention of foster carers whose experience of being subject to a complaint or allegation can cause considerable distress in some cases leading them to end their fostering career. Good practice guidance from the Fostering Network the leading national charity for fostering issues strongly recommends the provision of an independent support service for foster carers.

## **9 Sons and Daughters of Foster Carers**

The sons and daughters of foster carers play a vital role in the fostering task and the service has continued to provide them with dedicated support services. Fostering is very much a family activity and research has shown that placements are more successful and less likely to break down when there is a

positive framework of support in place that includes the sons and daughters of carers.

The Intensive Placement team provide specific activity days within the school holidays for these children which are well attended [see table below]. The fostering team also organise as required a session co-facilitated by the children of experienced foster carers for the sons and daughters of newly approved carers or carers that are undertaking the assessment process.

<b>Holiday Period</b>	<b>Places offered</b>	<b>Places filled</b>	<b>No. of different young people</b>	<b>Gender</b>
Easter 09	17	15	15	9M & 6F
June half-term 09	15	13	13	4M & 9F
Summer 09	15	9	9	5M & 4F
Oct half-term 09	15	10	10	5M & 5F
Xmas 09	32	32	32	
Feb half-term 10	12	12	12	7M & 5F

## **10 Foster Care Association**

Brighton and Hove Foster Care Association has been in existence for 6 years. It provides a number of resources for foster carers and their families including a buddy scheme for new foster carers and a quarterly newsletter for all foster carers keeping them up to date with news and events. It has also organised a number of social events for foster carers and their families including regular drop in coffee mornings in different locations and has also now developed their own dedicated website. The association is working actively to complete the work to register for charitable status.

Members of the Association are also involved in various working parties and are consulted with in relation to new developments within the Service. Since the establishment of the corporate parenting board in Jan 2010 there have been 2 representatives from the association co-opted on to this board.

## **11 Children in Care Health and Education teams**

The Consultant Nurse for children in care and her colleagues continue to work very closely with the service. They provide training input to foster carers as part of their mandatory training but also run additional workshops for staff and carers as needed. Over the last year the Nurse Consultant organised a seminar on Foetal Alcohol Spectrum Disorder which was very well attended by carers as well as additional training for carers on sexual health and protective behaviours.

The Nurses for children in care also provide additional support and advice to foster carers as required about any health issues related to their children in placement. From April 2008 as part of the Care Matters agenda there has

been a national requirement to report on the emotional well being of children in care and the Strengths and Difficulties Questionnaire are sent to carers to complete on an annual basis with input from the young person as appropriate. The results of these are analysed by the health team for children in care. For children that are shown to have score highly follow up support and advice is provided to carers and social workers by the health team.

The Education team for children in care also work closely with the service and provide input to the training programme. The Educational Psychologist for CiC has developed good links with the service and has worked during the year to provide additional support and advice to carers on a range of educational issues. She has now started to hold regular drop in surgeries for carers.

## **12 CAMHS service**

There is no longer a specialist team within CAMHS for referrals in relation to children in care. Referrals for these children are dealt with by the three area teams within CAMHS and can be seen by a range of different clinicians at CAMHS with an expectation that these referrals receive an assessment appointment within 4 weeks.

An art therapy group has continued to run during the year which is co-lead by a worker from the Intensive Placement team and therapists from CAMHS with significant experience of working with children in care. In addition to this these workers also ran a successful intensive art therapy group for children in care and adopted children during summer 2009 which will run again during 2010.

## **13 Intensive Placement Team**

The Intensive Placement Team (IPT) works to support the general development and placement stability of children and young people aged between 7 and 16 years living in Brighton and Hove foster placements including Family and Friends placements.

The remit of the team also includes the supervision of a limited number of Intensive Foster Placements where enhanced levels of placement support are required to sustain ongoing placement stability. IPT Support Workers are allocated to provide direct work to children and young people individually and in groups. Among its services, IPT offers a morning unit to support young people return to school where there is a break in education and to help support placement stability. An integral part of the team's work is to provide activity programmes for children and young people during each school holiday.

IPT's steady-state work provides a valuable resource in the fostering service's efforts to maintain placement stability. New projects have been developed by the team to supplement this objective while aiming to provide further opportunities for growth and enjoyment to our children and young people in care. The OFSTED inspection report in 2009 acknowledged IPT's very positive contribution to the delivery of the Every Child Matters agenda.

## Morning Unit

The Morning Unit remains part of IPT's services to support placement stability. The unit operates four mornings per week between 9am and 1pm during school term times. It provides up to three spaces per morning for children and young people placed in Brighton and Hove foster placements.

During the year there have been slightly increased numbers of referrals in relation to slightly fewer young people referred to the unit but those that have been referred have attended for longer periods and have needed some intensive support. Feedback from carers suggests that they consider it a highly supportive resource. IPT endeavours to work directly with the young people on the unit to help them understand and to modify where possible the kind of behaviours that often led to school exclusion in the first place. Furthermore, IPT staff members play an active role with social work and educational colleagues, to secure young people's readmission into suitable educational provision as soon as possible and minimise the risk of further exclusion.

Type	April 2008/9	April 2009/10	change from 2008/9
Referrals	33	37	+4
Individual Young People	19 (12 Male, 7 Female)	15 (10 Male, 5 Female)	-4
Sessions offered	156	212	+56

Reason	April 2008/9	April 2009/10	change from 2008/9
Fixed-term exclusion	18	15	- 3
Permanent exclusion	1	0	-1
Informal exclusion	2	1	-1
Reduced timetable	2	2	0
No school place	2	3	+1
Attendance issues	3	10	+7

## Activity programme

IPT provides a range of holiday activities for children and young people looked after during school holidays. Activities provide respite for carers and opportunities for children in care to share and enjoy different experiences together.

<b>Holiday Period</b>	<b>Places offered</b>	<b>Places filled</b>	<b>No. of individual young people</b>	<b>Gender</b>
Easter 09	90	83	47	25M & 22F
June half-term 09	47	40	35	17M & 18F
Summer 09	297	284	66	29M & 37F
Oct half-term 09	56	52	41	19M & 15F
Xmas 09	141	141 (inc. carers)	87	
Feb half-term 10	63	55	43	23M & 20F
<b>Total</b>	<b>726</b>	<b>687</b>		

### **Group work**

IPT staff members have worked with the Creative Sounds Project in the last year and facilitated a 10 week workshop. IPT staff worked with 2 specialist external music tutors providing the opportunity for young people to learn and play music together. Feedback from young people and foster carers was very positive.

With the support of the IPT children and young people in care were involved in exhibiting their artwork at the Brighton and Lewes Fringe Festival and the staff team have 3 staff members that are qualified to assess for national qualification arts award for young people.

### **Listen Up Scheme**

Under this scheme the IPT have continued to organise distribution of the listen up cards which facilitate access to leisure activities in the city. The team also continue to link with Brighton & Hove Albion FC who provided 155 free tickets for children and young people and 74 free tickets for accompanying adults over the year.

### **Direct work**

IPT Support Workers also provide direct work to children and young people individually. The child or young person is allocated a worker who will work with them on a weekly basis addressing specific areas of need such as life story work; protective behaviours; anger management or assisting young people and their carers to access appropriate resources in the community. The work aims to support the healthy development of the young person's self esteem and sense of identity. The team are currently facilitating direct work with 26 young people with a waiting list of 6 young people all of whom will be allocated to begin work in September. This individual work is subject to

regular review to ensure that it is focused and purposeful and fits with the care plan for the young person.

### **Intensive Fostering Placements**

Intensive Foster Placements [IFP] aim to provide stability and continuity ideally as a permanent placement but certainly beyond the short-term. An intensity of professional support is provided and foster carers are expected to provide an intensity of care in order to sustain the placement. It is not the child's needs or the capacities of the foster carers alone but a close fitting match between the two that defines an IFP.

Supervising social workers within the team supervise a limited number of Intensive Foster Placements where enhanced levels of placement support are required to sustain ongoing placement stability. The enhanced package of support to carers includes intensive supervision, an additional element within the fostering rate and regular respite.

IFP carers will also have access to the IPT morning unit, activity programme and the allocation of an IPT Support Worker. Supervising social workers also facilitate the IFP Development Group in order to support carers with their professional development, share common challenges and strategies to resolve them and to help develop a coherent identity for the scheme.

### **Intensive Fostering Placements**

	April 2008-9	April 2009-10	Change from 2008-9
Carers offering IFP	8	11	+3
Young people in IFP	9	15	+6

## **13 Fostering Panel**

It is the responsibility of the service to ensure the effective running of the Panels and the Agency Advisors manage the panel administration team and take a lead in the recruitment of panel members. Panel contributes significantly to the positive work of the CYPT in planning for children and providing a key quality assurance role.

Panel has been particularly busy during the year and this in part reflects the significant number of family and friends foster placements.

A report on the activity of the fostering panel prepared by the Independent Chair, Sarah Borthwick, is appended to this report.

## **14 Complaints and allegations**

During 2009/10 there were 2 child protection allegations in relation to foster carers. One led to a 'standards of care' investigation which is yet to return to Fostering Panel and the other one resulted in no further action being required.

There were 3 other standards of care investigations. Out of these one has led to a recommendation that the carers are de-registered and one has led to a change in terms of the carer approval the other one required no further action.

One child has made a Stage 1 complaint in relation to the fact that her previous carers were being investigated in relation to a standards of care matter and she was supported to make a representation to Fostering Panel. There was a further complaint from prospective foster carers which progressed to Stage 2 independent investigation in line with the corporate complaints process.

## **15 Service Planning 2010/11**

The service continues to focus on ensuring recruitment work is given a high priority and regular reports on progress with recruitment will be made to the CYPT's Performance Board in the forthcoming year.

The current value for money work programme within the CYPT will continue to focus on the need to ensure that maximum use is made of in-house fostering provision and that parent and baby foster placements are used as part of an effective assessment and care planning pathway for vulnerable babies that ensures timely resolution of permanence plans.

Work is also currently underway within the service to review the permanence policy and consider the assessment process for carers wanting to offer permanence to a child in their care.

The service is also currently revising and streamlining the foster carer review process and young people in care are involved in the work to update the consultation forms for children in care and the sons and daughters of carers.

There are also plans for continued development of the links with the 16+ support team to ensure that young people leaving care are enabled to continue living with their foster carers on a supported lodgings basis as appropriate.

Sharon Donnelly  
Head of Service, Fostering & Adoption  
July 2010

## Appendix 1

### **BRIGHTON & HOVE FOSTERING PANEL ANNUAL REPORT (1 April 2009 – 31 March 2010)**

#### **1. Introduction**

This report briefly summarises the work of Brighton & Hove and Barnardo's Link Plus Fostering Panel over the last year. It has been a really busy year and the workload of the Panel has increased markedly. This is in line with the higher demand locally for placements for children both in foster care and family and friends' care and it reflects the national picture.

I have now completed my first full year as the Independent Chair of the Panel and I have been impressed by the quality of the work that has been presented. A number of Panel members have also completed their first year and I believe we have been able to work effectively as a group and with staff and carers.

#### **2. Composition of the Panel**

The Panel is constituted in line with the Fostering Services Regulations 2002, the Fostering Services National Minimum Standards 2002 and the Fostering Services (Amendment) Regulations 2009.

The Panel has had full and stable membership over the year. Members were:

- Sarah Borthwick, Independent Chair
- Coun Jayne Bennett, Brighton & Hove elected member
- Miriam Patrick, independent member, ex foster carer
- Jacqueline Stillwell, Barnardo's officer, vice chair
- Andy Gay, Barnardo's officer, child care (started in April 2009)
- Kay Woodley, independent member, ex service user
- Amanda Freeman, Brighton & Hove CYPT officer, fostering
- Gerry Brandon, Brighton & Hove CYPT officer, childcare
- Yvette Queffurus, Brighton & Hove CYPT officer, health (left in May 2009)
- Vanessa Wright, Brighton & Hove CYPT officer, health (started in May 2009)
- David Noble, Brighton & Hove CYPT officer, education
- Andy Hill, independent member, foster carer

Graham Whitaker was Fostering Agency Adviser to the Panel and Wendy Kenyon was Panel Administrator.

Unfortunately the Panel has no black and/or minority ethnic representation and this will need be a priority in the recruitment of new Panel members.



Panel members and staff demonstrated a very high level of commitment over the year.

### **3. Work of the Panel**

The Panel meets on a monthly basis. It met on **14** occasions from 1 April 2009 to 31 March 2010. Two additional Panel meetings were needed due to the volume of work being presented.

The Panel dealt with and made recommendations on **104** case presentations. Brighton & Hove presented **84** cases and Barnardo's Link Plus presented **20** cases. Most notably over the year, **4** more families were approved as foster carers than in the previous year and the work around family and friends' carers more than doubled.

The Panel recommended approval of **15** new carers:  
10 were Brighton & Hove foster carers  
5 were Link Plus carers

The Panel dealt with first annual reviews for **7** carers:  
4 were Brighton & Hove foster carers  
3 were Link Plus carers

The Panel dealt with reviews and variation of terms of approvals for **12** carers  
7 were Brighton & Hove foster carers  
5 were Link Plus carers

There were **21** terminations of approval of foster carers:  
12 were Brighton & Hove foster carers  
7 were Link Plus carers  
2 were family and friends' carers

The vast majority of these terminations of approval were resignations of carers following a number of years' service.

The Panel made **40** recommendations in relation to family and friends' care (**21** more recommendations than in the previous year). This year:

There were 20 initial (interim) approvals  
There were 14 continued initial (further interim) approvals  
There were 6 full assessments

The Panel did not recommend an interim approval in **1** family and friends' case.

In addition, the Panel endorsed an exemption to the usual fostering limit of three children in **1** case. It deferred for more information in **3** cases.

The Agency Decision Makers agreed with all of the Panel's recommendations.

### **4. Functioning of the Panel**

#### **Process**

The Panel works well. It is friendly and welcoming to those attending and it is able to praise and challenge practice appropriately. The business is conducted in a thorough way and all Panel members participate and ask questions. The Panel sees applicants and carers with social workers and it sees social workers on their own when additional questions need to be asked about assessment practice or about confidential references. Occasionally the Panel sees carers with an independent support person without their social worker. It did this twice over the last year. The Panel also met with 3 children when considering an approval and match with family and friends' carers

### **Feedback**

Feedback forms are given to all social workers, applicants, and foster carers attending the Panel. The Panel received **23** feedback forms for this year. **16** were from applicants and carers and **7** were from social workers. These were very positive about the experience of attending Panel and this was reinforced by informal feedback from other social workers and managers. People feel they are treated with courtesy and respect. Many comment that, although it is daunting to meet with such a large number of Panel members, they are quickly put at ease and enabled to participate. The practice of introducing myself and outlining the questions that will be raised prior to people coming into the room has been received very positively.

### **Information about the Panel**

Applicants and foster carers should have information available to them in respect of Panel members and the Agency Decision Makers in the waiting room. This will be updated this year. A booklet is sent to them about attending Panel and they have discussions with their assessing social worker or supervising social worker to prepare them for attending Panel.

### **Liaison with the Service**

For every case presented to the Panel, I complete feedback forms for the Agency Decision Makers. This arrangement works well. In addition, the Panel meets on occasion with the Service Manager and Practice Managers for the fostering service in Brighton & Hove to discuss developments. Panel also meets occasionally with the Head of Service for Brighton & Hove. It has met with the Agency Decision Maker for Barnardo's Link Plus to discuss the development of a Contract Care scheme for carers offering short breaks to disabled children.

### **Reviews and training**

Panel members have continued to get to know each other and develop their roles and responsibilities over the last year. The Fostering Agency Adviser and I met with all Panel members individually over the year and completed annual appraisals. This was a very useful exercise and it reinforced people's commitment and ability to contribute to the Panel process. I also had an appraisal with the Agency Decision Maker for Brighton & Hove and the Agency Adviser. Unfortunately the Panel training day which was arranged for

early January 2010 could not take place but this will be rearranged for the coming year. This will be an important opportunity for Panel members to reflect on their work and to learn about new fostering developments.

## **5. Practice**

### **Foster carer assessments and reviews of approval**

In general the work presented to the Panel has continued to be of a high standard.

Brighton & Hove social workers have started using a new format developed by BAAF for assessing prospective foster carers and Panel members have been very impressed at the thoroughness of the new assessments undertaken.

Panel was very pleased to recommend approval of one family who were of dual heritage in the last year. Panel is aware of the work undertaken by Brighton & Hove to try to find more families who are black and/or of minority ethnic groups. It is also aware of the training and support provided to carers of black and minority ethnic children who are placed transracially and transculturally. The Panel continues to be mindful of its role in the approval and review of carers who offer such placements.

There were two contested terminations of approval and Panel members considered that the work undertaken was good. Independent support was provided to the carers and comprehensive and sensitive reports were completed. Panel members appreciate how difficult these matters are both for the carers concerned and the social workers. The Fostering Services (Amendment) Regulations 2009 allow carers to apply for an independent review of a proposed decision not to approve or reapprove them as foster carers. This was not used in the past year although an application has been made in the current year.

### **Family and Friends' carers**

The Panel's work more than doubled in relation to dealing with family and friends' carers and we were impressed at the very high level of commitment offered. However some of the work was very challenging for Panel both in respect of the nature of the cases and the paperwork. There was improvement in respect of some initial reports but it is difficult to achieve good information in 6 weeks and present it to Panel as required by the Regulations. There were some reports which were not adequate and further information was urgently required before an interim approval was recommended or agreed. In one case, approval was not recommended after further information had been gathered. Further work has been undertaken in Brighton & Hove to improve the format of the reports and to develop understanding about the complexity of relationships and dynamics within the families concerned. Guidance to staff has clarified social workers' responsibilities in the field work and family and friends' teams. The new report format should allow more focus

on how the family and friends' carers specifically meet the needs of the child or children concerned.

The Panel was concerned about the impact of such an increase in the workload on the family and friends' team. Panel was also aware that, due to a number of unavoidable factors the team was seriously short staffed. Panel members therefore raised concerns about this with the service. This had already been recognised by the Head of Service and a number of measures were put in place to alleviate this.

### **Link Plus Carers and Contract Carers**

The Panel was pleased to recommend approval of **1** part time Contract Carer over the last year. Contract carers are able to provide a considerable number of short breaks to disabled children and the Panel was impressed at the high level of skill and experience evidenced in the assessment.

Link Plus assessments and annual reviews have continued to be of a very high quality.

## **6. Conclusion**

The organisation and functioning of the Panel worked well over the year. It remains an effective Fostering Panel and I am looking forward to our continuing development and work over the next year.

Sarah Borthwick  
Independent Chair, Brighton & Hove and Barnardo's Link Plus Fostering  
Panel (June 2010)





# Fostering Service



## Statement of Purpose

01273 295444  
[www.fosteringinbrightonandhove.org.uk](http://www.fosteringinbrightonandhove.org.uk)

Fostering & Adoption Service  
253 Preston Road  
Brighton

## 1 Introduction

- 1.1 Brighton and Hove City Council is committed to providing a high quality fostering service. The Statement of Purpose will detail the aims and objectives of the service, quality assurance mechanisms, and the range of services provided to children, prospective carers and foster carers including family and friends carers.
- 1.2 The Statement of Purpose includes details of the staffing and organisational structure of the service, management arrangements, complaint procedures and the details of the Office for Standards in Education, Children's Services and Skills (Ofsted). It should be read in conjunction with the Adoption Service Statement of Purpose.
- 1.3 The Fostering Service is an integral part of the Fostering & Adoption service and staff within the service have as their primary role the recruitment, assessment, training, support and supervision of carers. They also provide a placement and family finding service for social work staff on behalf of children in care or children needing to come into the care system

## 2 Key aims and principles

- 2.1 A child's welfare is the paramount consideration. Children are entitled to grow up as part of a loving and caring family, which can meet their needs during childhood and beyond. The needs and wishes, welfare and safety of the child or young person are at the centre of Brighton and Hove's Fostering Service. Children come from a wide range of cultural, racial, linguistic and religious backgrounds, therefore the Fostering Service will endeavour to recruit carers who reflect this.
- 2.2 Brighton and Hove City Council, Children and Young People's Trust, with other agencies and community groups, will work to ensure that a comprehensive range of services are provided to support birth families to provide safe and appropriate care for their children.
- 2.3 Where children or young people are not able to live safely with their birth parents then active consideration will be given to that child being cared for within the wider family or friendship network. The Children and Young People's Trust will continue to develop services provided to family and friends carers.
- 2.4 Where children or young people are not able to remain with their birth family or be placed within the wider family or friendship network a family placement with foster carers will be sought. Good



childcare planning is essential to prevent children drifting in the care system.

- 2.5 All children in care will have a care plan that will be reviewed regularly. The wishes of the child will be taken into account as appropriate in drawing up the care plan. The birth family should be fully involved in the care planning process and their views represented. Consideration should always be given to holding a Family Group Conference to enable the wider birth family to participate in planning for the child.
- 2.6 The care plan will be reviewed at every child-in-care (LAC) review and at the 4 month review the need for a plan for permanence will be addressed. This plan will be based on the needs of the individual looked after child and will include consideration of permanence being achieved by return to birth parents, placement within the wider family and friends network or through permanent foster care or adoption if that is not possible. Clear timescales will be drawn up to expedite the permanence planning.
- 2.7 Consideration will be given in the care planning and reviewing process to the need to access appropriate specialist services for looked after children and their carers. These services should be provided in a non-stigmatising and enabling manner.
- 2.8 The views and wishes of the child should be sought by a range of age appropriate means. The Children's Rights Service and Advocacy Service will continue to play a key role in promoting the wishes and views of looked after children and enabling their voice to be heard. The Independent Reviewing Officers will also ensure that a child's wishes have been sought and are included in the care planning process as appropriate. All children that are placed in foster care will be given a children's guide to fostering.
- 2.9 The Fostering Service will aim to provide a diverse and wide range of safe, caring, stable and nurturing family placements to meet the needs of Brighton and Hove's looked after children. This will include respite carers, short term and task focused carers and permanent carers. The Fostering and Adoption & Permanence team will work in collaboration with colleagues in the 16+support team, youth offending team and the Barnardos Link plus team to ensure that an appropriate range of carers are recruited to meet the range of different placements needed.
- 2.10 Foster carers will be carefully recruited and trained and given access to a range of support services to enable them to provide high quality care to the children placed with them. In line with the national agenda for work with children the Fostering Service will endeavour to work to ensure children and young people in foster care have the support they need to achieve the key aims of being

healthy, staying safe, enjoying and achieving, making a positive contribution and achieving economic well being.

- 2.11 Foster carers will be trained and supported to enable them to work sensitively with the child to accept the child for who they are and promote their cultural, racial and religious identity.
- 2.12 Foster carers will be supported to enable them to focus on the individual child's needs and work within the child's care plan to develop the child's full potential. Children in foster care should have access to a wide range of educational resources and facilities to provide the maximum opportunity for them to achieve and develop their skills and fulfil their aspirations.
- 2.13 Foster carers will be trained and supported to enable the child to make full use of educational, health, leisure, creative and sporting activities to develop their skills and self-esteem and work towards overcoming the possible traumas of past experiences. Foster carers will be expected to work closely with teaching and other staff to ensure close collaboration and communication between the foster home and school.
- 2.14 The care plan for children in care will always address the plans for contact with family, friends or important individuals from the child's past. Good care planning to promote and sustain appropriate contact arrangements is clearly associated with stability for the child and good outcomes. Foster carers will be trained and supported to enable them to work with the child's birth family as appropriate and deal with this issue sensitively with the child or young person.
- 2.15 Foster carers will work to provide safe, caring and appropriate boundaries for the child. This will help to promote their child's physical and emotional health and educational achievement and to encourage the child or young person to develop independence skills.
- 2.16 The Fostering service will work with others to minimise disruption for children in care and maximise their opportunity to achieve a permanent and stable family life style. Factors that are significant in achieving this will be the need for good assessment of the child's needs and careful matching with foster carers. Enhanced, specialist and multi-agency services will be provided for carers and children in care as appropriate in line with the care planning process.
- 2.17 The Fostering service will aim to ensure that full information is provided by the child's social worker about the child's background and family and placement needs, including previous and current

health history, to inform the matching process and enable the carers to work to meet the individual needs of the child in placement.

- 2.18 The Fostering Service will aim to work in partnership with foster carers in an open and reliable manner. Foster carers will be involved in planning and developing the service and kept informed about practice and policy developments. They will also be kept informed about the wider developments and encouraged to feel an integral part of the Children and Young People's Trust.

### **3 Recruitment**

- 3.1 The Fostering Service will co-ordinate an active and inclusive recruitment campaign to meet the diverse needs of Brighton and Hove's looked after children. Enquiries from prospective carers will be welcomed from a wide range of the population including couples with or without children, single parents, single men or women, lesbians and gay men, unemployed people, people from all ethnic backgrounds, people with disabilities, or older people including those with grown up children.
- 3.2 The Fostering Service will provide a range of multi-media recruitment information for prospective carers. This includes the website that provides comprehensive information for prospective carers, [www.fosteringinbrightonandhove.org.uk](http://www.fosteringinbrightonandhove.org.uk). The recruitment information describes the whole range of fostering and adoptive placements that are needed. Staff within the service will respond to enquiries promptly and hold regular information sessions for prospective carers. These information and recruitment events will always include input from experienced carers and young people in care or care leavers as appropriate.
- 3.3 The Fostering Service will continue to place a high priority on the recruitment of carers and will regularly review the recruitment strategy and initiatives. A wider pool of carers enables the service to provide locally-based family placements for children which take a greater account of their specific matching needs. A dedicated Practice Manager oversees the recruitment and assessment work.
- 3.4 The Fostering Service also employs a dedicated Recruitment and Publicity Officer for Black and Minority Ethnic carers. This worker along with other members of the service will develop links with key black and minority ethnic groups locally and work to raise the profile of the needs of black and minority ethnic children within the care system. This worker will also offer specialist support to carers with children who are trans-racially placed.

## **4 Assessment and preparation of carers**

- 4.1 All potential prospective carers will have an initial home assessment visit to discuss their interest in fostering in more detail. The service will run regular preparation training groups for prospective carers. These training groups will always include input from a range of experienced carers, and prospective carers will also be given the opportunity to link up with individual experienced carers as appropriate. The Service will also include input into the training from older young people in the care system and provide some preparation for the task of fostering for children within the prospective carers family.
- 4.2 The Fostering Service has comprehensive procedures in place for the assessment of prospective carers and all staff receive training and regular supervision on this aspect of the work. The assessment procedures are evidence and competency based and includes specific verification checks that comply with the requirements of Schedule 3 of the Fostering Services Regulations 2002. A detailed assessment report is presented to either the Fostering or Adoption & Permanence Panel.
- 4.3 The Fostering, and Adoption & Permanence, Panels are both constituted to comply with the Fostering Services Regulations 2002 (as amended 2009) and are both chaired by a suitably qualified and experienced independent chairperson. Both Panels have the services of agency advisors who do not have operational management responsibility within the service and play a vital quality assurance role.
- 4.4 The Fostering Panel is a jointly constituted Panel with Barnardos Link Plus and meets at least monthly, and the Adoption & Permanence Panel meets fortnightly. The Adoption & Permanence Panel considers amongst other things the approval of concurrency carers and the matches of children under the age of 9 with permanent carers. Both Panels now consider the assessment of prospective family and friends foster carers.
- 4.5 Both the Fostering, and Adoption & Permanence, Panels have written Constitutions and Terms of Reference and information booklets for prospective applicants. Both Panels encourage the prospective carers to attend Panel at the time of approval, and ensure that recommendations and decisions are communicated to the prospective carers both verbally and in writing in line with the legal requirements.
- 4.6 Both the Fostering and Adoption Services prepare annual reports to present to elected members. These reports incorporate reports on the activities of both Panels prepared by the Independent Chair of each Panel.

## **5 Matching and Placement of Children**

- 5.1 The Fostering Service provides a daily duty service to social work staff needing an emergency or task focused placement for a child. This service is overseen by a dedicated Practice Manager. Full information is taken about the placement needs of the child and consideration is given to all appropriate in-house placements. As far as possible children will be placed locally to enable them to sustain appropriate contact with family and friends and minimise any disruption to their school and leisure pursuits. The policy in relation to the needs of black and minority ethnic children in care highlights the need to find a placement that reflects the child's ethnic, cultural and religious background if at all possible.
- 5.2 When an appropriate in-house provision is not available the Fostering service will seek a placement with a local independent fostering provider through the agency placements team. The Children & Young People's Trust has undertaken a tendering process to establish framework agreements with preferred and accredited providers. This process helps to ensure quality standards in foster care provided by Independent Fostering Agencies [IFAs] for children in care with Brighton and Hove. It also serves to streamline and improve partnership working with other agencies and more cost-effective use of IFAs when in-house placements are unavailable. All placements, and all the contractual arrangements, with the independent fostering and residential sectors are overseen by an Agency Placements Manager.
- 5.3 The Trust has a contract with Barnardo's to provide a respite link scheme and some long term fostering provision for children with disabilities. The teams collaborate as appropriate to ensure that foster carers providing placements for children with disabilities are well supported and have access to appropriate specialist services.
- 5.4 The Fostering team runs a weekly Children Awaiting Placement meeting to consider all the children that are waiting for foster placements. The Adoption & Permanence team takes referrals on children under the age of 9 needing a permanent foster or adoptive placement. Permanency Planning meetings are convened to consider the detailed matching needs and the family finding strategy. Staff in the Adoption & Permanence team take the lead role in family finding for children on referral to the team.
- 5.5 Fostering, and Adoption & Permanence team staff will work collaboratively to ensure that fostering resources are fully used to best meet the needs of looked after children. Foster carers who are caring for children who require a permanent placement will always be considered as potential permanent carers for that child if that is

their wish, and if it meets the needs of the child. Specific procedures for the re-assessment of short-term carers offering permanency have been drawn up and agreed with Adoption & Permanence Panel.

## **6 Training for carers**

- 6.1 It is essential that all carers are given the opportunity to take up a range of training courses and access training materials to enhance their skills and abilities as carers and give them the opportunity for further development. All foster carers will be supported to undertake the work to complete the children's workforce development council's training standards for foster carers.
- 6.2 Key training courses will be mandatory following approval and foster carers will have access to a range of other core courses provided to Children & Young People's Trust (CYPT) staff plus specialist courses and events provided by the Fostering Service. A dedicated member of the training section will work with a Practice Manager within the service to take lead responsibility for foster care training and ensure full information is sent to carers about forthcoming training events. Training will need to be delivered in a variety of ways and formats to allow for maximum participation. Carers can also access training information via the new website.
- 6.3 There is a very clear expectation that foster carers take up post approval training, and work has been undertaken to support and encourage carers to access the appropriate NVQ award.
- 6.4 Supervising social workers will regularly discuss carers' training needs on their visits to carers and this will be addressed specifically post approval and at the annual review.
- 6.6 Foster carers will also be trained and supported to deliver training themselves to other carers and appropriate professionals.

## **7 Support services to carers**

- 7.1 Foster care allowances are reviewed annually and full guidance on foster care payments and allowances will be provided to all carers and is on the website.
- 7.2 All foster carers are provided with open access to a comprehensive on-line Brighton and Hove foster carer's handbook. This handbook is updated and added to on a regular basis to ensure that it remains a key resource and guidance manual for carers and staff.
- 7.3 All foster carers will have an allocated supervising social worker (ssw) who will visit or make contact with the carer at monthly intervals or more frequently as required. They will ensure that they

are accessible and available to carers and that carers have the name of their ssw's supervisor to contact if the ssw is unavailable for any reason. The supervising social worker will liaise closely with the social worker or workers for the children in placement.

- 7.4 The supervising social worker will have responsibility for the organisation of the foster carers' annual review and ensure that all the components of the review are completed as appropriate including the reports from the carers, the carers own children and children in placement. The foster care reviews will be taken back to the Fostering Panel as necessary. The first review after approval will always go back to Panel, in addition, Panel will also consider the reviews of foster carers where there have been specific and significant complaints, allegations or standards of care issues or other major changes in circumstances.
- 7.5 The Intensive Placement Team has a key role in providing a range of enhanced support services to children in care, carers and their own children. They will work with individual children and groups of children and young people to support them in their placement, undertake life story work and provide them with an opportunity to access a range of sporting, creative and leisure activities to promote their physical and emotional well being. They will work closely with carers to ensure that children in placement are given the maximum opportunity to reach their potential and build sustainable stable relationships with their carers.
- 7.6 The Intensive Placement Team will take on responsibility for the distribution of 'listen up' cards to looked after children which are aimed at enabling looked after children to take up use of local leisure facilities.
- 7.7 Services provided by the Intensive Placement Team and the Fostering service will be kept under review to ensure that the views of children, carers and social workers and other key professionals are taken into account. The Intensive Placement Team will aim to work with carers and children to enable children in care to be supported to access local community mainstream provision where at all possible.
- 7.8 The Intensive Placement team will continue to provide a comprehensive holiday activities programme for children in care and will continue to develop the service provided to carers own children
- 7.9 Staff in the fostering service will work with carers, parents and the social worker for the child to ensure that the child or young person is fully supported within the school and pre-school environment. The fostering service will continue to work closely with other

colleagues from within the CYPT to promote the needs of children in care within the educational service.

- 7.10 The Fostering service will also work closely with the Nurse Consultant for children in care and her team to ensure carers are kept informed about health issues and are working actively to promote the health of the child or children in placement.
- 7.11 The Fostering Service will also sustain close collaboration with CAMHS to enable foster carers and children in care with particular emotional and mental health difficulties to access a fast track specialist service. The service will also work with this specialist CAMHS team to ensure that good communication about developments within both services are maintained and joint work is undertaken as appropriate to best meet the needs of children in care and their carers.
- 7.12 The Fostering Service will continue to provide an out of hours 'on call' service for carers. This supplements the service provided by the Emergency Duty Service which provides out of hours social services cover across East Sussex and Brighton and Hove. The Fostering Service's out of hours service would be the first port of call for carers needing advice or support.
- 7.13 The Fostering Service will provide and facilitate a range of support groups for carers. These services will be reviewed regularly with carers and will include the development of specific support groups as appropriate such as groups for new carers or family and friends foster carers.
- 7.14 The Fostering Service will provide dedicated training and support services to parent and baby foster carers, recognising the specific and demanding task these carers perform. A Practice Manager within the Fostering Service will take a lead role in the support and development of services for these carers.
- 7.15 The Fostering Service will continue to meet the annual cost of subscribing to the foster carers' organisation, Fostering Network, for all Brighton and Hove approved carers. This enables carers to use the advice and support services provided by Fostering Network and receive their literature.
- 7.16 The Fostering Service will support and work in collaboration with the Brighton & Hove Foster Care Association. All new foster carers automatically become members of this association once they are approved. The Fostering Service will ensure local carers are fully consulted on developments in the service.
- 7.17 The Fostering Service will work with the Children's Rights, and advocacy services, and continue to develop further ways to ensure



that young people's views on the service are taken into account and inform future developments within the service.

- 7.18 The Fostering Service will work to ensure that carers are kept fully informed about developments in the service. A regular newsletter will continue to be produced for carers and carers will also receive the Children and Young People's Trust magazine.
- 7.19 The service will continue to look at ways of improving communication. The website has a secure password accessed side which provides detailed information on a range of support services.
- 7.20 The Fostering Service also employs a part time fostering consultant and child psychotherapist on a freelance basis to provide specialist and speedy support and consultation for carers as part of the service, to enhance placement stability for children.
- 7.21 The Fostering Service recognises the significant role played by the carers' own children in the fostering task, and the pressures this can bring to the family. The team will endeavour to take account of the needs of carers' own children when planning services and will continue to provide specific services for 'children who foster'.

## **8 Other services within Fostering & Adoption**

- 8.1 The service will also provide specialist services to meet the needs of particular groups of children in care.
- 8.2 Intensive Fostering Placements provide for an enhanced package of support to some carers offering permanency to harder-to-place children. This package includes an intensive support service provided by social workers based within the Intensive Placement Team, regular respite care, and sessional work support as appropriate.
- 8.3 Some carers are approved as concurrency carers for children aged 0 – 2 years. Concurrency carers are approved as both foster carers and adopters and initially care for children on a fostering basis. They are prepared and able to adopt the child if rehabilitation with birth family is not possible.
- 8.4 The Family and Friends Team undertakes assessments of prospective carers and supervises and supports these foster carers, and provides a range of support services to those carers who then go on to offer permanence to a child through applying for a Residence Order or Special Guardianship Order. Family and friends carers receive access to mainstream foster care support services as well as additional services that reflect the specific tasks that they are undertaking Support provided includes finance, an information pack, support groups, training, access to therapeutic

consultants and assistance with contact arrangements with birth parents.

## **9 Fostering & Adoption service staff**

9.1 The teams within the service will work collaboratively to provide an integrated and co-ordinated service to carers, looked after children and fieldwork staff.

9.2 Staff from the various teams will be involved in the review, planning and development of the service. A range of training courses will be provided across the teams to facilitate staff development and aid the ability of staff to keep updated on the changing legal framework, practice guidance and the increasing body of relevant research. Staff are appropriately qualified and supervised to enable them to carry out their tasks within the service. All social work qualified staff are registered with the General Social Care Council.

9.3 The management team, including Service Managers, Practice Managers and Fostering & Adoption Advisers within the service meet regularly with the Head of Service to discuss operational and policy matters and ensure the continued integrated development of the service.

9.4 Managers within the service are sufficiently experienced social worker practitioners and have access to managerial training courses. The Head of Service is an experienced manager and social work practitioner with appropriate management and social work qualifications. There are clear job descriptions and person specifications for all posts within the service.

9.5 The Head of Service is Sharon Donnelly and the Fostering Service Manager is Clare Smith and can they be contacted at the Fostering and Adoption Service, Brighton and Hove City Council, 253 Preston Road, Brighton BN1 6SE. Telephone number 01273 295444, email [sharon.donnelly@brighton-hove.gov.uk](mailto:sharon.donnelly@brighton-hove.gov.uk) or [clare.smith@brighton-hove.gov.uk](mailto:clare.smith@brighton-hove.gov.uk)

A structure chart for the Fostering and Adoption service is appended to this statement of purpose.

## **10 Monitoring & Evaluation**

10.1 The Fostering Service produces an annual recruitment strategy, and progress in relation to recruitment activity is reported on a monthly basis to the Fostering & Adoption Management Team. The Service Manager meets regularly with the Practice Managers to discuss allocation issues and review workloads. There is a caseload weighting system in place within the Service.

- 10.2 The Agency Adviser has a key quality assurance role and reads all the reports that are going before Panel. The Adviser has a broader role in policy development and ensuring practice issues are disseminated within the Fostering & Adoption service and fieldwork teams. The Chair of Panel is an independent and experienced manager and therefore also plays a quality assurance role. Panel regularly raises issues with the Agency Decision Maker about aspects of practice and the Chair of Panel provides a report to accompany the Annual Fostering Agency Report to Committee.
- 10.3 The Fostering & Adoption Service Management Team undertakes a regular file audit programme and ensure that all files of carers and adopters are audited regularly.
- 10.4 Regular meetings are held with lead elected members of the Children and Young People's Trust and senior Trust managers to ensure that members are kept up to date on key service developments. Issues related to the work of the Fostering & Adoption service are reported on at these meetings.
- 10.5 The Fostering & Adoption Service Management Team meets monthly and part of the remit of this meeting is to ensure that services are effective, responsive and of a high quality. All staff have access to regular supervision and there is a performance and development process in place across the authority. A Service Day for all the teams within the service is held annually to review and discuss practice developments.
- 10.6 The Service is required to produce annual service improvement objectives within the context of the Brighton and Hove Children and Young People's Plan.
- 10.7 The Annual Fostering Service report will provide detailed statistics relating to the number of foster carers and recruitment activity within the year.

## **11 Complaints procedure**

- 11.1 Users of the Fostering Services, including children, birth families, prospective and approved carers, are provided with copies of the complaints procedure, advised how to access the procedure and encouraged to invoke it if unhappy with services provided. Foster carers are also advised about the circumstances in which they may have recourse to the Independent Review Mechanism (IRM) if they are in disagreement with a decision being proposed by the Agency Decision Maker (ADM). Service users are advised that independent sources of support are available to help them make a complaint and advocate on their behalf if they feel unconfident making a complaint by themselves. Service users are advised that the

Customer Services Manager who oversees the complaints procedure can be contacted at:

Brighton & Hove City Council  
Kings House, Grand Ave, Hove

Or by writing to Standards & Complaints, Freepost SEA2560,  
Brighton BN1 1ZW

The Freephone number is 0500 291229

Information about the complaints process can be found by going to the City Council website: [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk) or the Fostering & Adoption Service website: [www.fosteringinbrightonandhove.org.uk](http://www.fosteringinbrightonandhove.org.uk)

Complaints can also be emailed to [complaints@brighton-hove.gov.uk](mailto:complaints@brighton-hove.gov.uk)

- 11.2 Most complaints are resolved informally and speedily by the local manager and records are kept of all complaints, compliments and representations made to the Service. There are clear procedures in place for responding to complaints. Formal Stage 1 complaints are acknowledged within 2 working days and should be responded to within 10 working days. If someone is still unhappy after the complaint has been dealt with at Stage 1 they can ask for Stage 2 investigation. The Standards and Complaints team will aim to conclude all Stage 2 investigations within 20 working days. Members of the public can complain to the local Ombudsman at any time. However the Ombudsman will usually want the Council to have chance to investigate the complaint first.
- 11.3 The Complaints procedure for Children's Services is currently being revised nationally and the Trust will produce new complaints leaflets as soon as these have been finalised. The Trust produces separate complaints leaflets for children and young people and information about how to complain is also included in the Children's Guides to Fostering.
- 11.4 The Service reports annually on complaints within the Fostering Agency Report that goes to Children & Young People's Trust Board. Corporately records of complaints, compliments and representation are reported on regularly.
- 11.5 The Management teams within the Fostering and Adoption Service regularly discuss any issues arising from complaints, standards of care, or allegations against carers to ensure any lessons learnt can be disseminated and changes in practice made.

## **12 Ofsted**

- 12.1 The Fostering Service will be inspected by Ofsted in accordance with the Fostering Service Regulations and the National Minimum Standards. Inspection reports are public documents and a copy of the current report will be available via the website, [www.fosteringinbrighton-hove.gov.uk](http://www.fosteringinbrighton-hove.gov.uk).
- 12.2 The local Ofsted office responsible for inspecting fostering services provided by Brighton and Hove City Council can be contacted at:

### **Ofsted South Region**

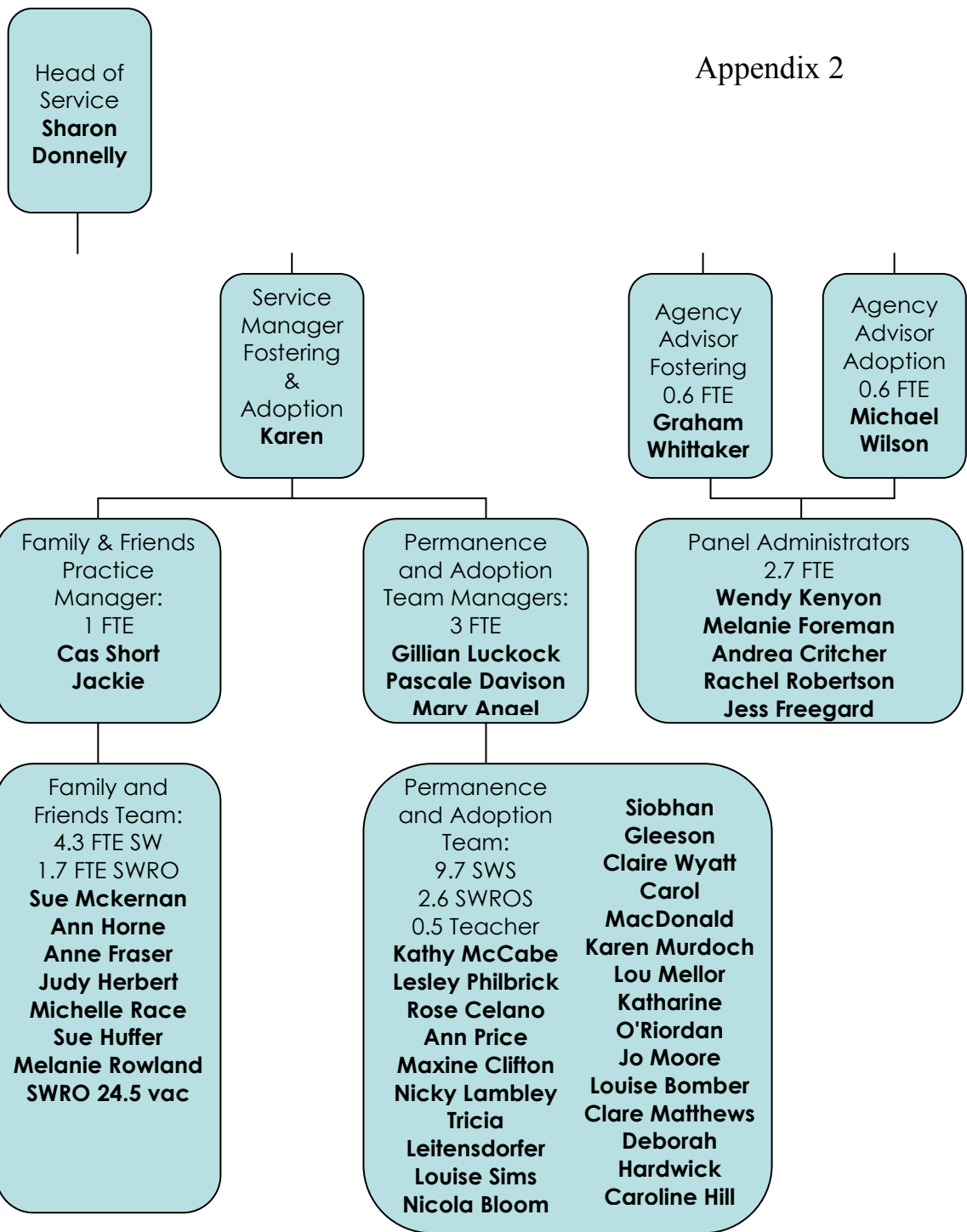
Freshford House  
Radcliffe Way  
Bristol  
BS1 6NL

Telephone – 08456 404040

Email – [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

# Fostering and Adoption Service Structure Chart July 2010

2010  
253 Preston Road



FO

**Fostering Team: 7.45 SWS**  
2.5 SWROS  
0.5 RO  
Virginia Collison  
Jacquie Douglas  
Margaret Kelly  
Petra Sumner  
Mary Weir  
Gill Chambers  
Lucy Mayhew  
Sarah Williams  
Clare Seth  
Sarah Flagg  
Kim Shuttleworth  
Sally Pulham  
Clare Spencer  
Pennv Kronda

**IPT Team: 2 SWS**  
5.24 IPT Support Worker  
0.65 Admin  
Sally O'Brien  
Patricia David  
Alan Grinyer  
Nick Martin  
Kim Shuttleworth  
Colin Currie  
Dave Sutherland  
Debbie Pannell

**Admin Team: 5.5 FTE**  
Stacey Burt  
Joe Parrish  
Merise Virgo  
Caroline Mullins  
Vac x2

**Family and Friends Team: 4.3 FTE SW**  
1.7 FTE SWRO  
Sue Mckernan  
Ann Horne  
Anne Fraser  
Judy Herbert  
Michelle Race  
Sue Huffer  
Melanie Rowland  
SWRO 24.5 vac

**Permanence and Adoption Team: 9.7 SWS**  
2.6 SWROS  
0.5 Teacher  
Kathy McCabe  
Lesley Philbrick  
Rose Celano  
Ann Price  
Maxine Clifton  
Nicky Lambley  
Tricia  
Leitensdorfer  
Louise Sims  
Nicola Bloom

**Siobhan Gleeson**  
Claire Wyatt  
Carol MacDonald  
Karen Murdoch  
Lou Mellor  
Katharine O'Riordan  
Jo Moore  
Louise Bomber  
Clare Matthews  
Deborah Hardwick  
Caroline Hill

# **CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING**

## **Agenda Item 29**

Brighton & Hove City Council

**Subject:** Annual Adoption Agency Report 2009/10  
**Date of Meeting:** 11<sup>th</sup> October 2010  
**Report of:** Acting Director of Children's Services  
**Contact Officer:** Name: Sharon Donnelly Tel: 29-5549  
E-mail: sharon.donnelly@brighton-hove.gov.uk  
**Key Decision:** No  
**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Standard 17.3 of the National Minimum Standards for Local Adoption Services (England) 2003 requires the Adoption Agency to produce an Annual Report to be received by the Council Executive. The annual report for 2009/10 found in Appendix 1 provides full information about adoption activity and compliance with the national adoption standards within the Children & Young People's Trust and a profile of the work of the Adoption and Permanence teams with the Fostering & Adoption Service.
- 1.2 Standard 1.2 of the National Minimum Standards for Local Adoption Services (England) 2003 requires that the statement of purpose is endorsed by the Council's executive annually. The revised statement of purpose can be found in Appendix 2.

#### **2. RECOMMENDATIONS:**

- 2.1 That the Annual Adoption Agency Report and the progress of the Agency in relation to adoption and permanence activity is noted.
- 2.2 That the six month Adoption and Permanence panel activity report for April 2010 – September 2010 is noted [Appendix 2].
- 2.3 That the revised Adoption Agency Statement of Purpose [Appendix 3] is endorsed.

#### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 See Annual Adoption Agency Report

#### **4. CONSULTATION**

- 4.1 The Annual Adoption Agency report has been compiled in collaboration with managers from the Adoption and Fostering service and the report of the Independent Chair of Panel has been compiled in consultation with Panel members

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The spending on Adoption Allowances in 2009-10 totalled £570009. This represented a reduction of 7.73% when compared to the 2008-09 outturn figure. In addition, expenditure in the sum of £37420 was incurred in respect of a number of 'one-off' costs such as Post Adoption Centre services, setting up Allowances, Contact, Prospective Adopters allowances and Therapy.

Finance Officer Consulted:                      Name Brian McGonigle                      Date: 07/07/2010

### Legal Implications:

- 5.2 The work of the Adoption Agency (Brighton & Hove City Council) is governed by the Adoption and Children Act 2002, and accompanying statutory regulations and guidance. The Adoption and Permanence Panel is required as a matter of law to make recommendations to the Adoption Agency regarding the approval or otherwise of prospective adopters and children for adoption, and also to approve matches with particular adopters. The membership of the Panel is governed by the Adoption Agencies Regulations 2005.

Children can only be adopted or made the subject of Special Guardianship orders with the approval of the Court, after rigorous analysis, which now includes consideration of whether or not there should be continuing contact facilitated with any member of the birth family post adoption.

The authority is required to plan and provide support services to children and families involved in adoption or Special Guardianship, and under the Children Act 2004, this should be with the active assistance of all the partners under the Trust.

The developments in legislation are all compatible with Article 8 of the European Convention on Human Rights, which upholds the right to respect for family and private life, except where an interference is in accordance with the law and is necessary for the protection of the rights and freedoms of others.

Layer Consulted: Name Natasha Watson    Date: July 2010

### Equalities Implications:



- 5.3 The Adoption and Children Act 2002 aligns adoption law with the relevant provisions of the Children Act 1989 to ensure that a child's welfare is the paramount consideration in decisions relating to adoption. The 'welfare' of the child includes having regard to a child's age, sex, religious persuasion, racial origin, and cultural and linguistic background

The adoption agency has an explicitly inclusive recruitment strategy and also employs a recruitment officer for BME carers and adopters.

An Equalities impact assessment in relation to the Fostering & Adoption service was completed in 2009/10

Sustainability Implications:

- 5.4 None

Crime & Disorder Implications:

- 5.5 None

Risk and Opportunity Management Implications:

- 5.6 None

Corporate / Citywide Implications:

- 5.7 The annual report focuses on the work of a city wide service within the CYPT.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Required by adoption regulations

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Annual Report
2. Statement of purpose
3. Adoption and Permanence Panel activity 6 monthly report

**Documents In Members' Rooms**

- 1.
- 2.

**Background Documents**

- 1.
- 2.



# **Annual Adoption and Permanence Report**

## **2009-2010**

**Fostering and Adoption Service  
253 Preston Road  
Brighton  
BN1 6SE**

**[www.adoptioninbrightonandhove.org.uk](http://www.adoptioninbrightonandhove.org.uk)**

## **1. Introduction**

The report will provide detail of the adoption and permanence work undertaken within the Children and Young People's Trust [CYPT] from April 2009-March 2010, including information on adoption activity and compliance with the national adoption standards.

A child's welfare is of paramount consideration and the adoption and permanence activity of the CYPT is part of the critical pathway of work with vulnerable families. A key priority of the CYPT is to ensure children can be brought up safely with their birth parents or within their wider family network if at all possible. If that is not possible then children are entitled to grow up within a family that can provide a legally secure and stable family placement ideally through adoption or if that is not appropriate via another legal order that secures permanence or through a permanent foster placement.

The Fostering and Adoption service is a city wide service within the CYPT and contributes to improving outcomes for the most vulnerable children and young people in the city in line with the priorities outlined in the Children and Young People's Plan.

The work of Brighton and Hove City Council as an adoption agency is governed by the Adoption and Children Act 2002 [ACA 2002] which was fully implemented in December 2005.

A report from the Independent chair of Brighton and Hove's Adoption and Permanence panel is appended to this report.

## **2. Adoption and Permanence Service**

The Adoption and Permanence Service Manager has continued to be Karen Devine for 2009/10. This service comprises the adoption and permanence team and the family and friends team.

The practice managers within the adoption and permanence service take lead responsibility for different aspects of the work, namely adoption support services, family finding, and the recruitment and preparation of prospective adopters. Two part time practice managers have responsibility for the work of the family and friends team. The team is made up of a number of experienced social work practitioners, social work resource officers and an adoption support teacher. The team provides a duty service for prospective adopters and for adoptive families and birth parents that are not currently receiving a service from the team. Team members take a lead role in providing other services such as birth records counselling, adoption support work and step-parent adoption. The practice manager who acts for the CYPT as the Adoption Support Services Advisor manages staff that have a dedicated role in providing post adoption support including letterbox and direct contact arrangements.

The Adoption Agency Advisor, Michael Wilson, plays a key role in ensuring the effective running of the Adoption and Permanence Panel, providing a quality assurance role in relation to reports being prepared for panel and for providing specialist advice to staff within the CYPT in relation to adoption and permanence work.

It is essential that there are close working links between the Fostering and Adoption service and the other area and city wide teams involved in working with children in care and their families. Since March 2010 the Fostering & Adoption service has been managed within the Integrated Area Working branch.

Staff within the service provide consultation on all aspects of practice relating to permanence planning or family and friends care to area social work teams. Occasional training events are also provided for area social workers and managers and staff also deliver training in relation to adoption and permanence planning issues within the CYPT core skills training programme.

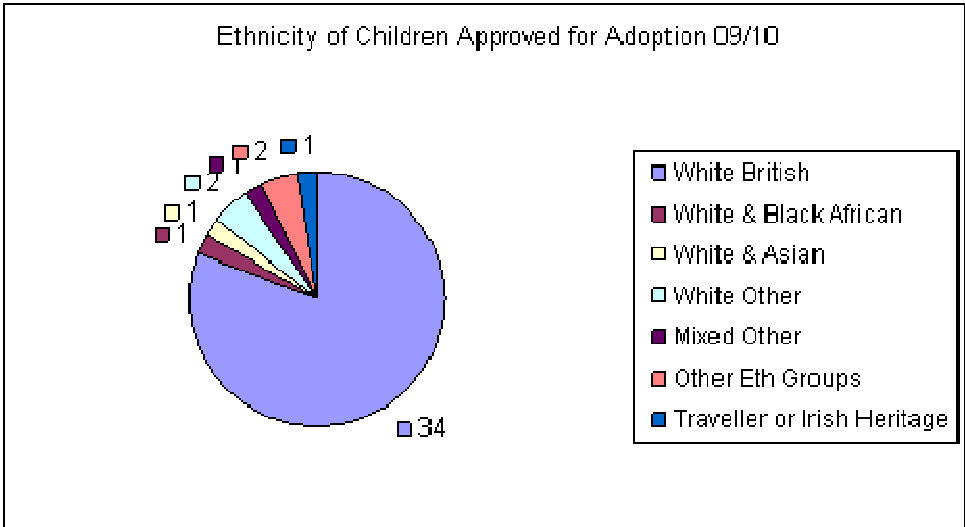
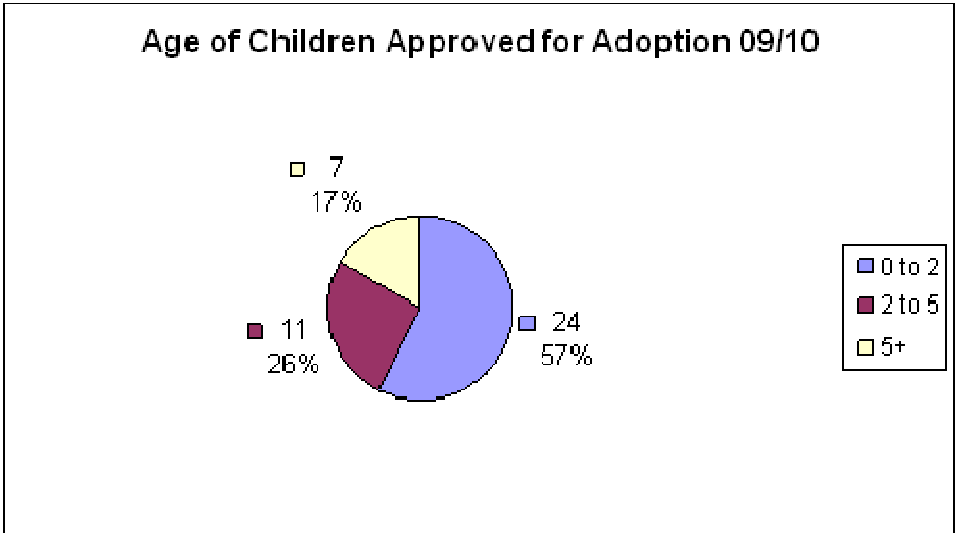
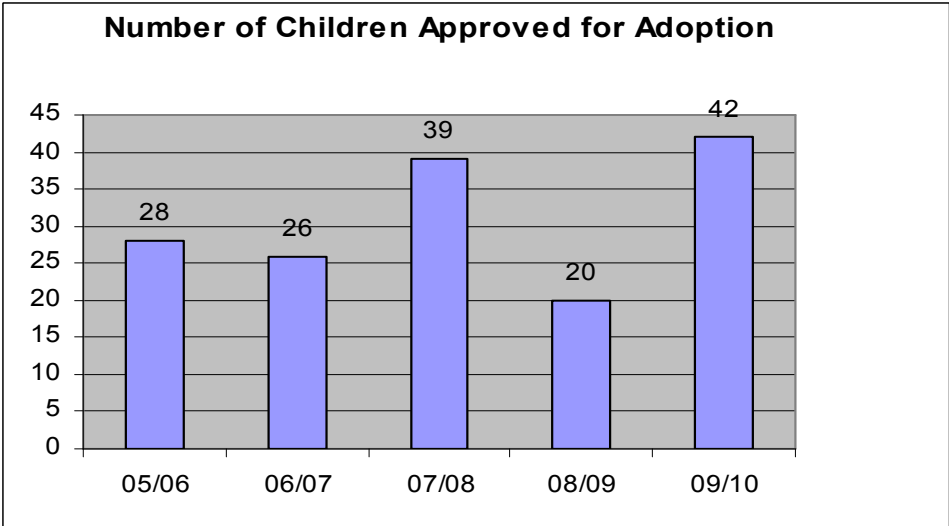
Brighton and Hove continues to be a member of the South East Adoption Consortium and the Service Manager attends the quarterly meetings of the Consortium Managers as well as representing Brighton and Hove at the British Agencies of Adoption and Fostering (BAAF) quarterly meetings of the South East adoption agencies.

The Adoption service was last inspected by Ofsted in January 2009 and this was fully reported on in the annual report for 08/09. The outcome of the inspection was very positive with the service being judged overall as 'good' with 'outstanding' for promotion of equality and diversity. It is not anticipated that the service will be inspected again until 2012 as it is a requirement that adoption services are inspected on a 3 yearly cycle.

### **3. Adoption Agency Activity 2009/10**

#### **Children approved for adoption**

There were 42 children identified as needing to be placed for adoption in 2009/10. This is a significant increase from the figures for 2008/9 and includes 3 babies that were voluntarily relinquished by their mothers. There have been fluctuations in numbers of children with plans for adoption in recent years, for example the 08/09 numbers reflected a significant number of sibling groups. However this increase relates to the sustained rise in the numbers of children coming into care and subject to court proceedings over the last 18 months as the number of children in care has increased by 16% from April 2009 (399) to March 2010 (467). Panel also considers plans for permanence through fostering for children under 9 years and there were 10 children within the year that were approved at panel with a plan for permanent fostering.



This cohort of children with plans for adoption in 2009/10 comprise 30 single children that need an adoptive placement, 4 sibling groups of 2 and one sibling group of 3. The graphs above also give a breakdown in terms of age and ethnicity.

As of end March 2010 there were 26 children with a plan for adoption approved at panel that were still waiting to be placed with an adoptive family. Of these 26 children, 11 were still subject to outstanding court proceedings as the plan had been agreed at panel within the last 3 months and a Placement Order had not yet been made as of 31<sup>st</sup> March 2010. It is not possible to advertise for these children or expedite placement plans until a Placement Order has been made and this can sometimes be 2 months or more following the panel decision.

Of these 26 children 7 were single children under 2 on 31<sup>st</sup> March and 4 of these children were matched with adopters by end June 2010 and 2 of the other 3 have potential matches that will be taken to panel within next few months. There were also 7 single children aged 2 – 5 years. Of these 7 children one has now been matched with adopters and 2 other children are currently placed with foster carers that are being assessed as adoptive parents for them. There is now a plan for one of the other children to be matched with Brighton and Hove adopters and family finding is underway for the other 3 children that all have specific special needs. There is also one single child over five years with a dual plan for adoption or permanent fostering and this reflects the difficulty of finding adoptive parents for a child of this age with particular complex needs as a result of his experience of neglect and abuse.

There were also 5 sibling groups that were waiting to be matched as of 31<sup>st</sup> March. Two of these sibling groups of 2 have now been matched with Brighton & Hove adopters. There is one sibling group of 3 with a potential match that will be going to panel within next few months and 2 other 2 sibling groups with active family finding still ongoing.

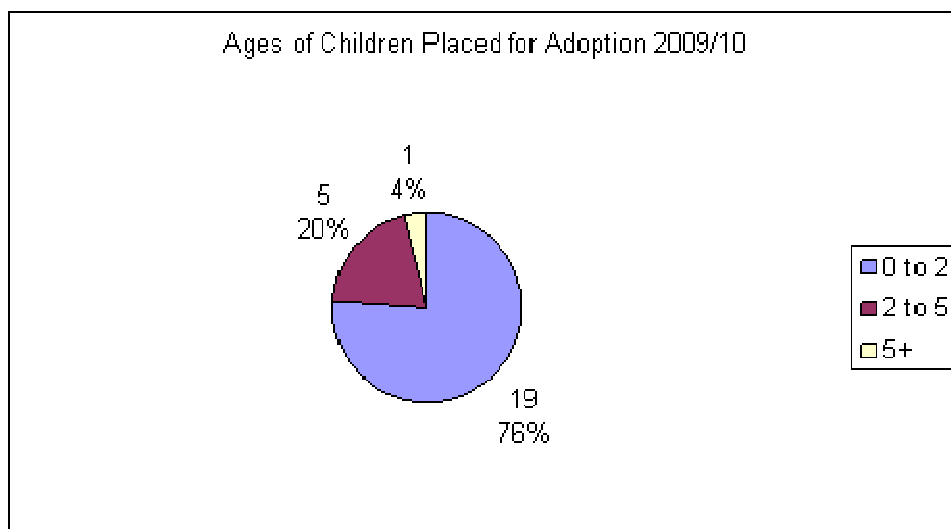
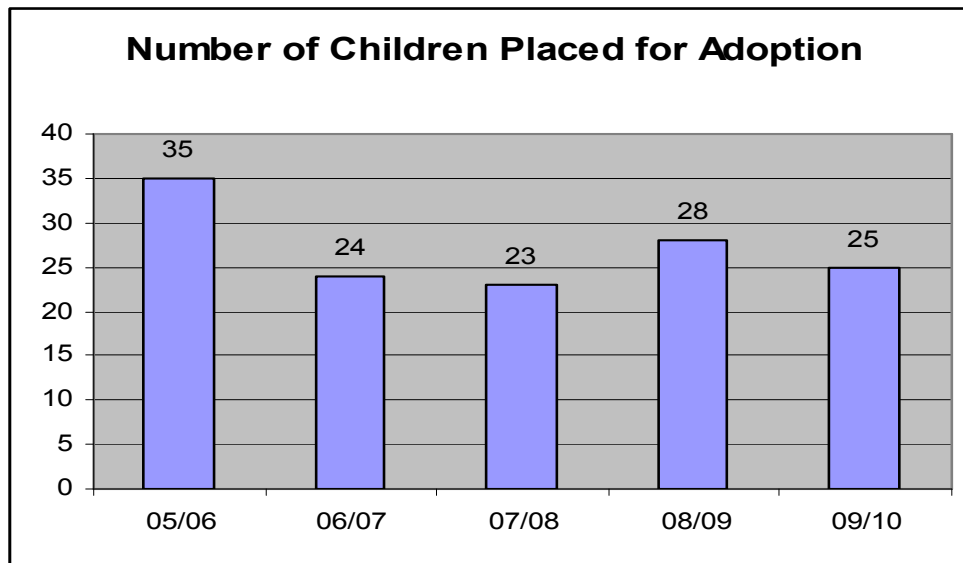
### **Profile of Children placed for adoption**

There were 25 children matched with adopters during 2009/10 and two children that were matched with concurrent carers [foster carers that are able to go on to provide an adoptive placement if that becomes the plan for the child].

Pascale Davison is the lead Practice Manager for family finding for children that need an adoptive family. She takes the lead in convening permanence planning meetings to consider in detail the needs of the child, the preparation work that needs to be undertaken to support that child for a move and the family finding strategy. She has an oversight of all the children that need placements and the potential for them to be placed with adopters from Brighton & Hove that are either approved or are nearing the end of their

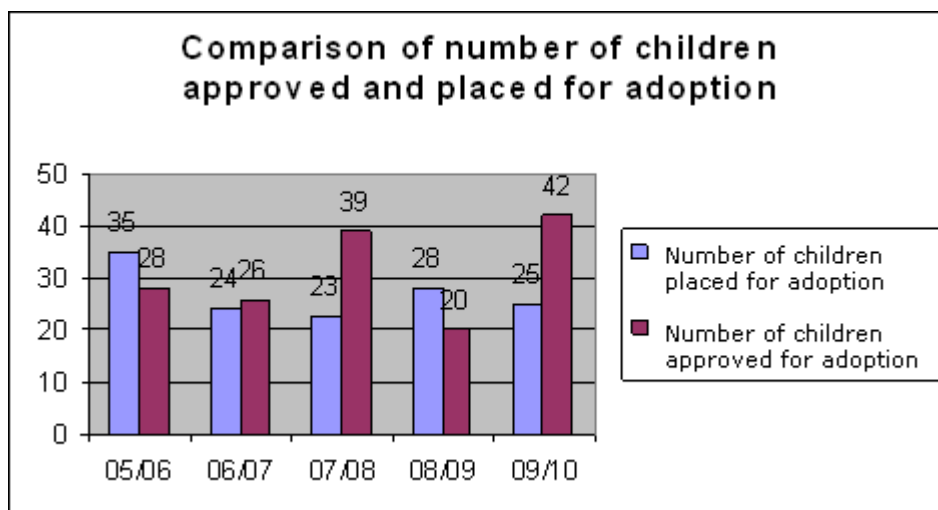
assessment process. Social workers from within the team are allocated to take the lead role in expediting the family finding process.

Of these 25 children there were 14 boys and 11 girls, 21 single placements and 2 sibling groups of 2. The age profile of these children is reflected in the graph below which shows that there remain a high number of children under 2 with a plan for adoption. Twenty one of these children are White/British and of the remaining four children two of them were placed transracially and two with adopters that reflected their ethnicity. There were 4 children of this cohort with a specific disability.



It is a significant achievement that 20 of these children were matched within 6 months of the plan for adoption being approved at panel. Of the remaining 5 the delay in identifying appropriate adopters related to the ethnicity of the children and need to endeavour to find adoptive families that in some way reflect their heritage or because of their complex special needs.





The Adoption & Permanence team has been very successful at identifying adoptive families for children under 2 including black or minority ethnic children or children with complex needs. Many of these young children have been profoundly affected by their exposure to alcohol or drugs in utero. There is now a great deal more known about Foetal Alcohol Spectrum Disorder (FASD) and this has been a feature in a high number of children coming to panel with a plan for adoption.

The Nurse Consultant for Children in care has done some analysis of the profile of children in care under 5 that were referred to the Medical Advisor for adoption or permanence medicals in 2009/10. There were 49 children under 5 years seen by the Medical Advisor during this time and 33 of those children had been exposed to harmful substances prior to birth. Of the 33 children 14 had been exposed to problematic alcohol use by their mother in pregnancy and 10 of the 14 had also been exposed to other harmful drugs. There were 5 babies exposed to harmful drugs without evidence of also problematic alcohol use in pregnancy. There were also 14 babies exposed to significant levels of tobacco use in pregnancy where there was no evidence of problematic alcohol or drug use.

Of the 25 children matched with adopters in the year 20 of those children were placed with Brighton & Hove adopters. Of the five other children two were placed with adopters from within the South East Consortium, one was placed with adopters from another authority and the remaining two with adopters from a voluntary adoption agency. The service would always look to place a child with in-house adopters if possible but family finding has to be extended further if for example there are no in-house adopters able to meet a child's needs in terms of ethnicity or it has been agreed when considering the matching needs of the child that they need to live at some distance from Brighton and Hove for safety reasons if it is felt that the birth family may pose a risk to the stability of the placement.

A high number of the children placed last year have ongoing contact with their birth family. There are plans in place for twenty three of the children to have on-going letterbox contact with a number of different relatives and 12 of the

children have proposed direct contact arrangements with one or more relatives. Contact plans are still developing for a further three children which highlight this growing area of practice and key support that the service provides to adoptive families and birth family members.

There were 29 children adopted during the year and an additional 12 children that had been in care for more than 6 months that were made subject to a Special Guardianship Order.

There were no disruptions of adoptive placements pre adoption order during 2009/10.

### **Profile of adopters**

There were 21 adopters approved during the year plus two further carers that were approved as concurrent foster carers. This is again a positive achievement for the service as it is an increase on the number of adopters approved in 08/09 [17].

Mary Angel is the Practice Manager within the service that takes the lead role in terms of recruitment and assessment of prospective adopters. She has oversight of all the recruitment and preparation processes for prospective adopters and works to ensure that there is a continual pool of approved adoptive parents that can provide homes to Brighton & Hove children in care with plans for adoption.

A decision was made last year to close the specialist concurrency team and the base budget for staffing for the service was reduced accordingly. However the service will still endeavour to provide concurrent placements for the very small number of children where that may be an appropriate care plan however responsibility for assessment work with the birth family remains with the area team.

Of the 21 approved adoptive households 4 were Black or of mixed heritage. The service has continued to profile the need for more Black and mixed heritage adopters and foster carers to meet the needs of the children in our care.

There were 4 other assessments that were started and discontinued for a number of reasons relating to the prospective adopters personal circumstances.

Three of the 21 adoptive families approved during the year involved assessments of the child's current foster carers. These were not concurrency placements but situations where a special relationship had developed between the foster carers and the child in their care and although they had not previously considered adoption they decided that they wanted to put themselves forward to provide a permanent and secure home for the child in their care via adoption. The local authority would also consider such a care plan carefully if foster carers do indicate their wish to be considered as

adoptive parents as this obviates the need for the child to move again. However the foster carers are expected to attend the preparation group for prospective adopters and their assessment is focused on their motivation and understanding of the lifelong commitment of adoption and implications of this for all in their family.

As of 31<sup>st</sup> March 2010 there were 15 Brighton & Hove approved adopters that had not yet been matched with a child or children. Of these six were in early discussion about a potential placement.

There were 3 Brighton & Hove adopters that had children placed from other authorities during the year, two had single placements and one set of adopters had a sibling group of two.

### **Step parent adoptions**

There have been 7 step parent adoptions completed in 2009/10 with a further 6 in the process of assessment as of 31<sup>st</sup> March 2010. This represents a decrease from last years figures [14 step parent adoptions completed], although there were 5 other assessments that were started and discontinued for a variety of reasons and 3 others waiting to be allocated.

## **4. National Adoption Standards Timescales**

The adoption agency is required to monitor its performance against a range of timescales. The timescales relate to the decision to place a child for adoption, assessing and approving prospective adopters and the proposal to place a child with particular adopters.

Of the 25 children placed with prospective adopters 20 were placed within the required timescales of the decision being made that they should be placed for adoption. The reasons for delays in over 6 months from agreement of the plan for adoption to approval of a placement has already been highlighted and reflects in part the lag between approval of the plan at Panel and the making of the Placement Order and the specific needs of the children needing placement.

All agency decisions and notifications were made within the required timescale.

All of the 41 children identified as needing to be placed for adoption had a permanence plan agreed at the 4 month LAC review [some of which included adoption as part of a concurrent or twin track care plan]. Of these 41 children, 27 were presented to panel within 2 months of the plan being agreed at panel and 8 children within 4 months. The delay in coming to panel for other children often reflects the fact that adoption is part of a parallel planning process and could not be presented to panel until all the experts had reported within care proceedings and alternatives to adoption had been clearly ruled out.

The agency met the timescales of all applicants in relation to the sending out of written information and inviting prospective adopters to an information session. Of the 21 adopter assessments, 7 were completed within the required 8 month period. Of the remaining; 3 took between 9 months and 12 months and the rest took between 12 and 18 months. The delay in progressing these assessments resulted either from specific life events within the prospective adopter household or decisions being made to halt the assessment for a period or the assessments taking longer to ensure that the applicants were fully prepared for the adoption task. In a few situations there were delays in allocating the assessment which reflected the need to prioritise other tasks or due to staff sickness. There has also been a very high volume of children's cases needing to come to panel during the year and this has resulted in very busy panels and the need to constantly prioritise items for panel. As a consequence decisions have had to be made at times to delay bringing an assessment of a new adopter to panel to enable a plan for a child or a match with prospective adopters to take priority.

## **5. The Adoption Consortium**

The Adoption South East Consortium comprises Brighton & Hove, East Sussex, Kent, Bromley, Bexley and Medway. The 6 Local Authorities work closely to maximise placement choice for children and to minimise delay in family finding by sharing prospective adopters. There is nil cost to the Local Authority if the number of placements made equals the number received. The cost thereafter is the standard Local Authority Inter Agency Fee of £14,452. per placement.

The quarterly management meetings attended by the Service Manager are used to clarify and develop policy and practice issues across the consortium. This year particular focus has been given to post adoption contact, contact point, adoption support, adopter recruitment and assessment. An Independent Review was undertaken of the Consortium during the previous year which recommended the development of a consortium administrator post and consortium website to improve the sharing of details of approved prospective adopters and children waiting for adoption. These proposals have been considered for some time within the consortium but agreement to funding to date not been secured across all agencies so no progress has been made in either developing a consortium website or administrator. A business case is being made for the investment by each agency of the £5k required to recruit a co-ordinator as the consortium will need to become more effective if it is to provide sufficient adopters for the increase in children this year with an adoption plan.

There have been 4 Consortium Practitioners meetings during the year with a variety of topics being covered including attachment style interview in adoption assessment, assessment and preparation of adopters with birth children, therapy techniques in adoption support, and assessing same sex adopters.

## **6. Recruitment & Preparation**

The Adoption and Permanence Service received 189 enquiries to the duty service throughout the year. Two information sessions attended by 83 people were held throughout the year including another very successful information day that was held as part of National Adoption week in November 09. These events receive considerable support from Brighton & Hove's experienced adopters who attend to ensure that all prospective adopters have the opportunity for individual discussion not only with a member of staff but also with experienced adopters. Two preparation groups including the additional 'motivation and loss' days were held during the year for prospective adopters.

The recruitment strategy for the service continues to be reviewed annually and is based on the profile of the children in care in Brighton & Hove that need to be placed for adoption and also takes account of the number of approved adopters waiting for a placement. Most enquiries are from adopters that are interested in adopting a child under 2 years. The recruitment strategy details the fact that priority is given to BME applicants, prospective adopters from outside of the Brighton and Hove area, or applicants that are interested in sibling groups and children over 3 years. The decision to prioritise the need for adopters from outside of the city continues to reflect the fact that there are already a number of locally based approved adopters and it sometimes a requirement as part of the child's matching needs to find a placement away from the local family network.

The Recruitment and Publicity Officer for BME foster carers and adopters has continued to profile the work of the service. She has placed advertisements in a number of different publications and made contact with key local BME and faith groups and ensures the service has stalls at events like Black History Month.

In 2009 the Fostering & Adoption service launched their updated and refreshed website [[www.adoptioninbrightonandhove.org.uk](http://www.adoptioninbrightonandhove.org.uk)]. Priority will continue to be given to keeping the website up to date with comprehensive information for prospective and approved adopters reflecting the fact that most applicants now prefer to research information on line before making direct contact with an agency.

### **Inter country adoption**

Since 2005 Brighton & Hove has had a contract with Parents and Children Together [PACT], a voluntary adoption agency, to undertake the preparation, assessment and approval of inter country adopters. PACT has considerable specialist experience in this area of work and provides a dedicated service to people from Brighton & Hove that wish to adopt from abroad. Brighton & Hove just pay for PACT to provide the initial information and follow up to prospective applicants. Once applicants decide to proceed they are required to meet the costs of the assessment themselves.

During 2009/10 PACT sent out 17 information packs to prospective adopters and carried out 1 initial interview. They received 1 application and 1 adopter household was approved as inter country adopters. There are 4 Brighton & Hove inter country adopters that are approved and waiting for children to be placed from the countries that they are approved for.

## **7. Adoption Support Services**

Since the implementation of the Adoption Support Services Regulations 2005 there has been a legal duty on the local authority to provide adoption support services to both adoptive families, adopted children and birth families. This continues to remain an area of considerable growth and pressure within the Service. The Adoption Support Service Advisor in Brighton & Hove is Gillian Luckock and she maintains oversight of the range of adoption support services provided to all parties in the adoption process.

All staff within the Adoption and Permanence team are involved in some way with adoption support work. Social workers within the team continue to work with between 40 – 50 adoptive families at any one time and provide a duty service to respond to calls requesting information about adoption support services and requests for adoption support assessments. The nature of support requested varies considerably but frequently includes requests for advice on strategies for managing behaviour; help and advice for children in school where their attachment difficulties may be making it hard for them to settle and learn and assistance with talking to children about adoption and making sense of their sometimes very troubled backgrounds.

The service also has responsibility for providing an assessment of support needs to families living in Brighton and Hove whose children were placed by a different Agency and it is more than 3 years post Adoption Order.

Many adopted children struggle at some point with achieving their educational potential and there is increasing acknowledgement of how their attachment difficulties and early trauma affect their ability to make the most of school. Brighton and Hove continue to employ a part time teacher to offer advice and support from an attachment perspective to professionals in schools where there is an adopted child.

### **Post Adoption Centre**

Brighton and Hove City Council has continued to have a service level agreement with the Post Adoption Centre [PAC] to provide a helpline, monthly surgeries and time limited direct work with adopters, prospective adopters, adopted adults and birth families. In view of the value for money work within the CYPT and the need to make financial savings the Service will not be renewing this contract after September 2010 and the work will need to be absorbed in house.

### **Support groups**

There are currently two evening adoption support groups facilitated by adoption social workers. Additionally there is a weekly parent and toddler group. The group for Brighton and Hove lesbian and gay adopters and foster carers continues to thrive. It is run by its members with a link through to the service provided by the Adoption Support Services Advisor. They combine evening support groups for the adults with additional activities to include the children.

During the year a time limited group for adopted children was also run by the service which was very successful. The aim will be to repeat this group again at some time in the future.

The service facilitates an annual picnic and activity fun day which are opportunities for adoptive parents and children to get together and renew old acquaintances and develop new supportive networks. Both were well attended with 60 adults and children coming to join in the fun day.

In the last year the team ran two workshops on 'supporting your adopted child in school' and plan further workshops next year.

A bi-annual newsletter is also produced and circulated to approved adopters to advise them of any events and share adoption related information including signposting other training events.

### **Post Adoption Contact**

Almost all children now being placed for adoption retain some form of contact with their birth families and the Adoption & Children Act 2002 emphasises the importance of supporting such arrangements.

The team manage 220 'letterbox' contacts where there is an exchange of letters or photos between the adoptive family and the birth family. Additionally there are 50-60 adoptive families where there is some form of face to face contact between the adopted child and their birth relatives. The nature of this contact will vary from an annual meeting to very complex arrangements involving a number of birth family members (siblings, grandparents and parents).

This service is supported by dedicated workers who offer support and advice to all parties and keep all arrangements under review to ensure that they continue to meet the adopted child's needs over time. Careful preparation to all parties, feedback afterwards and mediation when there is a need to change arrangements are all essential to maintain beneficial contact. It is very encouraging that birth family members in particular, who may previously have been in conflict with the Local Authority over plans for their children, have been able to work productively with staff in the team in relation to the maintenance of contact.

Staff within the service are also involved in providing a high level of consultation and support to area social work staff in considering the adoption support plans for children. This can involve the preparation of statements and giving evidence at final hearings in relation to contact plans.

### **Work with birth families of adopted adults**

The ACA 2002 brought with it an opportunity for the birth relatives of adopted adults to request an intermediary service, which would trace the adoptee and seek their views on contact. Only agencies that are specifically registered to carry out this work may do so and the Adoption and Permanence team continue not to have sufficient resources to offer this service. Any birth relative who requests an intermediary service is provided with support and advice and given the details of providers of intermediary services.

Birth family members have a legal right to receive counselling regarding the proposal to place their child for adoption and to receive this service from a social work practitioner who is not involved in their child's care or the adoption services. Leaflets are produced about this service, which are provided to birth parents when adoption is agreed as a potential plan at the children in care review and also again when it is agreed at Panel. The worker running this 'Birth Parent Support and Information Service' endeavours to be proactive in following up families that have been referred to the service. The Agency Advisor has oversight of this service and meets at regular intervals with the worker to provide consultation and advice as required.

The take up of this service remains low as this to a large extent reflects the fact that birth families are often still in dispute with the local authority about the plans for adoption at the time they are referred. Birth families are provided with details of agencies other than the local authority who can offer support but experience suggests that some birth family members only feel able to take up this type of support sometimes years after the adoption has concluded.

### **Birth Records Counselling**

The local authority has a legal responsibility to provide a birth records counselling service. The team has continued to receive regular requests for birth records counselling and have managed to reduce the waiting list for this service to less than 3 months. There has been an increase in the number of enquiries from younger adoptees whose histories can be more complex, coming as many do from a background of abuse and neglect.

A social worker within the team takes a lead role in providing a duty service in relation to enquiries from adopted adults. As an adoption agency the service is also required to provide information from adoption files for other local authorities offering birth records counselling or intermediary work with birth relatives.



## **Adoption Allowances**

Expenditure on Adoption Allowances during 2009/10 was £570,009 in relation to 62 children. This represents a reduction of £47,803 on the previous year. There were also a number of one off payments made for example towards the costs of introductions and settling in expenses. There are a number of very complex adoptive placements which require considerable ongoing support including at times funding of therapeutic services. The adoption team gives robust consideration to a request for an adoption allowance ensuring that all other options such as state benefits, including disability living allowance is considered, and a financial assessment of the adopter's means is undertaken before agreement is given to an ongoing allowance. In line with the Adoption Support Regulations one off lump sum payments are often considered where appropriate to provide support to an adoptive family rather than an ongoing allowance. Allowances are only agreed in cases where the child/ren would be unlikely to be adopted without it. It is likely that there will continue to be pressures on this budget with the higher numbers of children coming through with a plan for adoption and the significant special needs of some of the children that the service is currently family finding for.

## **9. Family and Friends Team**

The work of the Family and Friends team has continued to expand in line with the sustained high numbers of children in care or on the cusp of the care system. There is a clear regulatory requirement to ensure that at all relevant stages of the care planning process the potential for children that are not able to live with their birth parents to be placed within their wider family or friendship network is thoroughly explored.

The introduction of Special Guardianship at the end of 2005 to provide permanence for children where adoption was not appropriate, has also continued to be used in a number of family and friends foster placements where the carers are able to provide permanence to that child. Special Guardianship brings with it responsibilities to provide support services to those families in line with those provided to adoptive families.

The Practice Managers in the Family and Friends team, Cas Short and Jackie Thompson-Ake take responsibility for the oversight of referrals into the team from the area social work team. Care planning in relation to family and friends care can be complex with the need for careful risk assessment work and the Practice Managers along with the Agency Advisors and Service Manager play a key role in terms of providing consultation to the area teams on family and friends practice and quality assurance of viability and assessment work. They also contribute to the policy and practice development in this specialist area of work within the CYPT.

During 2009/10 the team experienced some staffing difficulties relating to staff leave and sickness and this combined with a significant increase in the volume of work resulted in a high number of assessments being undertaken

by independent social workers instructed within court proceedings. Not only is the use of such independent social workers significantly more costly but the quality of the assessments can be variable and there is not the level of accountability and supervision that is provided when the assessments are undertaken in-house.

By the end of the year the team was in a healthier staffing situation and a decision had been made as part of the value for money work being undertaken within the CYPT to recruit a number of additional freelance social workers that would undertake any assessment work that could not be managed in-house but who would be paid a fixed rate for the assessments and would be supervised by the Family and Friends team Practice Managers. This has proved a successful measure and should improve the quality of the assessments and the costs incurred in undertaking this work.

During 2009/10 there was also a considerable amount of development work undertaken by managers in the service. A new assessment tool has been developed by the Service which focuses specifically on evidencing the capacity and ability of the prospective carers to meet the needs of the children. A training workshop was put on for managers within the area teams to focus on family and friends practice and to launch this new assessment tool.

Within the year there were 31 approvals of new Family and Friends carers. In most cases the initial viability assessments are undertaken by the area team with the full assessments being completed by either staff in the Family and Friends team or independent social workers instructed within court proceedings. Not all the assessments progress to full approval as either family and friends foster carers or carers able to offer permanence through special guardianship.

The team also has responsibility for supervising family and friends approved foster carers and as of 31<sup>st</sup> March 2010 the team were supervising 24 such placements. There were also 4 placements allocated to freelance social workers to supervise due to the distance of these placements from Brighton & Hove.

Support needs post placement can often be high as these carers do not have the opportunity for the same in depth preparation training and assessment provided to stranger carers. Family and friends carers are also more likely to be older and on a lower income and may need considerable support with for example managing contact issues and divided loyalties within the family in order to provide a placement for a child. In a significant number of situations additional financial support has had to be provided to support accommodation or other needs.

Once approved as foster carers family and friends carers have access to the same range of support services and training programmes as other carers. In addition the team provides specific training workshops plus a regular support group, advice service and newsletter. Once carers have gone on to Special

Guardianship or Residence Order the team can remain involved providing some specific support as required or responding to particular requests for advice relating to for example housing, finance or the emotional and behavioural issues of the child in placement.

There remains a wide age span of children and young people being placed with family and friends carers including babies as well as older teenagers in care that have found placements for themselves within the wider family or friendship network.

## **10. Adoption & Permanence Panel**

It is the responsibility of the service to ensure the effective running of the Panels and the Agency Advisor, Michael Wilson, manages the panel administration team and takes a lead in the recruitment of panel members. The Agency Advisor also undertakes a significant role in providing consultation and advice to social workers preparing reports for panel on either plans for children or reports on adoptive parents and plays a quality assurance role in terms of the oversight of the papers being presented to panel. Panel makes a recommendation about the cases that are presented at panel and the final decision is made by the Agency Decision Maker which in Brighton & Hove is Steve Barton.

There has been a sustained significant increase in the workload of panel over the last year. This in part reflects a change in practice for all adoption panels following a judicial review which determined that panel members should read all the expert reports in care proceedings or a summary of such reports if available. This has increased substantially the workload of panel members in reading and thoroughly preparing for panel meetings. During the year there has been a necessity at times to convene additional panels. The very high demand for panel time relates to the high number of family and friends assessments and the increasing numbers of children in the care system and numbers of children subject to court proceedings.

There new independent chair of panel Sarah Borthwick was appointed and took up this role in January 2009. A report on the activity of the adoption and permanence panel is appended to this report.

## **12. Complaints**

There were 3 complaints made regarding the Adoption Service during the year. One complaint related to adopter recruitment and the practice of affording priority to out of area baby adopters in the recruitment process. It was explained that this prioritising of applications was necessary in order to meet the needs of the children we have waiting for adoption. Another complaint was made by prospective adopters who felt the matching process for 2 children they had been considering, had not been handled appropriately by the area team. The third complaint was from a single adopter who had had a child placed 2007 that disrupted within a few months and the adopter later

complained that the child should not have been placed with her. This is currently subject to Stage 2 of the corporate complaints process.

### **13. Strategic issues and forward plans**

The Adoption and Permanence service like all parts of the CYPT that provide services to children in care has been affected by the significant rise in the children in care population since December 2008. The impact has been shown in the increase particularly in the numbers of children with plans for adoption and the increasing volume of family and friends assessments. At times it has been difficult to manage the many competing priorities and to allocate family finding work within the team and ensure that this work is given priority alongside the need to ensure recruitment activity is maintained. Clearly it is vital for children that there is minimal delay in expediting plans for permanence but family finding and matching is a complex area of work. There will be continued discussions with area team managers to review this work whilst maintaining clear scrutiny of the decision making process. The rise in the numbers of children with plans for adoption also place a considerable demand on the team to maximise recruitment activity as there are also considerable financial consequences of not being able to place children with either in-house adopters or adopters from within the Consortium.

There has been an increase in referrals for relinquished babies and as this is a very specialist area of social work practice the team has played a lead role in the care planning work. Currently practice guidance in relation to this role is being developed by the Service Manager.

The Agency Advisor is also taking a lead role in developing a strategy for the CYPT on lifestory work for children in care and adopted children. This is involving consultation with area social work staff as well as Independent Reviewing officers. This is an area of work that was highlighted as a good practice requirement from the last inspection of adoption services and has been seen as an opportunity to consider in depth how best to meet the needs of children in permanent and adoptive placements to have full and clear information about their birth families and the decisions that were made about them but how to also equip their adoptive parents to assist them with this information as appropriate as they grow up in their new family.

The service will continue to take a lead on policy and practice guidance in relation to Family and Friends work. The new assessment tool will be kept under review and further guidance and training developed as appropriate. Currently the Department of Education has issued draft guidance and national minimum standards in relation to Family and Friends work which is currently subject to consultation. These new regulations will require a further review of practice and a requirement for example to publish a policy in relation to this work and to have a lead senior officer for this work identified by the authority. It is likely that these new regulations and standards will come into force in April 2011.

The value for money work streams and the need to consider savings measures has implications across the range of Fostering and Adoption activity. The high numbers of babies in the care system and the need to achieve early permanence planning has been reported on within the Fostering annual report but clearly has implications for the whole service.

Sharon Donnelly  
Head of Service, Fostering & Adoption  
July 2010

## **Appendix 1**

### **BRIGHTON & HOVE ADOPTION & PERMANENCE PANEL ANNUAL REPORT (1 April 2009 – 31 March 2010)**

#### **1. Introduction**

This report briefly summarises the work of Brighton & Hove Adoption and Permanence Panel over the last year. It has been a really busy year and the number of children needing adoption placements has increased substantially. This is in line with higher numbers of children being looked after and it reflects the experience of many other local authorities across the country.

I have now completed my first full year as the Independent Chair of the Panel and I have been impressed by the quality of the work that has been presented. The Panel itself has continued to function effectively and we have made some adjustments to our processes having taken account of feedback over the course of the year.

#### **2. Composition of the Panel**

The Panel is constituted in line with the Adoption Agencies Regulations 2005, the Fostering Services Regulations 2002, the Fostering Services (Amendment) Regulations 2009 and National Minimum Standards.

The Panel has had mostly full and stable membership over the year. Members were:

- Sarah Borthwick, Independent Chair
- Dr. Sian Bennett, Medical Adviser and Vice Chair
- Councillor Juliet McCaffery, Brighton & Hove elected member
- Chris Thornton, independent member, foster carer

- Denise Charlton, independent member, adopted person (left February 2010)
- Juni Parkhurst, independent member, adopted person, ex foster carer
- Sharon Donnelly, Brighton & Hove council officer, fostering and adoption
- Carl Campbell, Brighton & Hove council officer, childcare, fieldwork
- Jacqueline Coe, Brighton & Hove council officer, education
- Sophie Heiser, independent member, adopter

Michael Wilson was Agency Adviser to the Panel from April 09. Natasha Watson, Hilary Priestley, Sandra O'Brien, Farida Amin, Lucy Ditchburn and Andrew Pack shared the role of Legal Adviser to the Panel.

Andrea Critcher, Rachel Robertson, and Jess Freegard were the Panel Administrators.

Panel members and officers demonstrated a very high level of commitment over the year.

### **3. Work of the Panel**

The Panel meets on a two weekly basis. From 1 April 2009 to 31 March 2010, it met on **27** occasions. This included **2** additional Panel meetings. All meetings were full days.

The Panel recommended that **42** children should be placed for adoption. This was just over double the numbers of children in the previous year's figures. Out of the **42**, **3** of the children were voluntarily relinquished and Placement Orders were advised for **39** children. For **2** children, dual plans of both adoption and permanent fostering were recommended. **25** children were placed with adoptive families and **2** were placed with concurrent carers. This was a lower figure for concurrent placements than in the previous year and it reflected the changes to concurrency work and the views of the court about using concurrent carers in fewer cases.

The Panel recommended that **10** children should be placed in permanent foster care and it recommended **2** matches of children with permanent foster carers. This was consistent with the previous year.

The Panel recommended **21** new families as suitable to adopt. Again this was a substantial increase on the previous year. **15** were couples and **6** were single carers. Three families were of dual heritage (white and black and/or minority ethnicity) and two were from black and minority ethnic groups. In addition, the Panel recommended **2** sets of concurrent carers.

There was a considerable increase in the number of family and friends' carers recommended over the year. The Panel made recommendations in **17** cases. It did not recommend approval in **2** family and friends' cases.

The Panel considered **8** progress reports on children and it deferred items on eight occasions for further information to be provided.

The Agency Decision Maker endorsed all of the Panel's recommendations during this period.

It has therefore been a very busy year for adoption and permanence work and much of the practice remains of a very high standard.

## **4. Functioning of the Panel**

### **Preparation and reading**

Panel members read lengthy and complex reports about children and their birth parents before making crucially important recommendations about their lives. This is time-consuming work and requires great commitment and analytical skills in making sense of the material presented. Over the last year, the increase in the number and size of reports have placed considerable demands on Panel members' time, on Panel administration and on legal and social work input. Panel members have responded to this effectively and have come to meetings very well prepared. However, it can be an onerous task. It is hoped that agreed summaries of some reports may be provided in the future and this is being explored by the Legal Department.

### **Process**

The Panel works effectively. The business is conducted thoroughly and all Panel members participate and ask questions. It sees applicants, prospective adopters and carers with social workers and it sees social workers on their own when additional questions need to be asked about assessment practice or about confidential references. It sees social workers together with practice managers for many of the children's cases. All children and young people, where it is thought appropriate due to their age and the circumstances, are able to attend Panel if they wish. Social workers and managers usually remain in the meeting to observe the recommendation being made. On one occasion, the social workers and practice manager were asked to leave prior to the recommendation to allow the Panel some discussion time on its own.

It is an impressive and thoughtful Panel to work with and the work is undertaken with appropriate rigour. It is however quite a formal Panel and it has made some changes to the process of how it makes its recommendations having taken account of social worker feedback over the year.

### **Feedback**

Feedback forms are given to all social workers, applicants, prospective adopters, foster carers and young people attending the Panel. Over the year, the Panel received **8** forms from prospective adopters and **4** forms from social workers and managers. The Agency Adviser also requested specific feedback at the point of undertaking reviews of Panel members and the Chair and we received some honest and constructive comments. This feedback was shared with Panel members both individually and at the Panel meeting.

The written feedback from applicants and prospective adopters was in the main very positive about the experience of attending Panel. People feel they are treated with courtesy and respect. Many comment too that, although it is daunting to meet with such a large number of Panel members, they are quickly put at ease and enabled to participate. The practice of introducing myself and outlining the questions that will be raised prior to people coming into the room has been received very positively.

However, from some of the feedback provided by social workers and their managers, it is clear that attending Panel can be a very difficult experience on occasion. This is particularly the case where areas of concern have been raised by Panel members. The Panel now tries to ensure that any concerns about the cases presented are clearly highlighted early in discussions to allow for responses from social workers and managers. It highlights strengths and vulnerabilities about applicants just prior to making recommendations and has a discussion of Panel members' views prior to forming final recommendations. Panel members are therefore able to challenge and question each other's views, should they wish to, prior to making their final recommendations.

### **Information**

Applicants, prospective adopters and foster carers should have information available to them in respect of Panel members and the Agency Decision Maker in the waiting room. This is being updated. A booklet is sent to them about attending Panel and they have discussions with their assessing social worker or supervising social worker to prepare them for attending the Panel.

### **Liaison with the Service**

For every case presented to the Panel, I complete feedback forms for the Agency Decision Maker. This arrangement works well. I also met with the Agency Decision Maker to discuss a case that had raised concern about practice. The Head of Adoption and Fostering provided Panel members with regular updates about developments in the service. It is planned for the Agency Decision Maker to meet with the Panel over the next year.

### **Reviews and training**

The Agency Adviser and I met with Panel members individually over the year and completed annual appraisals. This was a very useful exercise and it reinforced people's commitment and ability to contribute to the Panel process. I also had an appraisal with the Agency Decision Maker for Brighton & Hove and the Agency Adviser. A training input was provided to Panel members on assessing and planning placements for sibling groups. More training is being planned over the next year.

## **5. Practice**



A number of practice issues have been raised by Panel members over the year. Some of these relate very specifically to individual cases where Panel members were concerned about practice and feedback has been provided directly and confidentially. Other practice issues are general and are outlined in this report.

## **Reports**

In general the work presented to Panel has remained of a good standard over the year. For example, the Panel has seen some excellent reports provided when matching children to families. The assessment reports about prospective adopters generally have been comprehensive and well evidenced. Child Permanence Reports have also been of good quality in many cases. The Panel has been impressed when photographs of birth parents have been obtained and included and has advised this must be done in all cases wherever possible. The Agency Adviser has worked very hard to monitor and to advise staff on the requirements for reports. Given the continued increase in the work, it will be important for the agency to ensure that the high standards continue to be met and staff are well supported.

## **Sibling assessments**

The Panel made a number of recommendations over the year regarding sibling groups including whether they should be placed together or apart in permanent placements. The Panel raised concern about the need for fuller assessments when making such recommendations and decisions. This was addressed with the Teams and the Panel has seen some excellent assessment work undertaken in line with the Good Practice Guide, Together or Apart, published by BAAF.

## **Name changes for adopted children**

It became clear to the agency and to Panel members over the year that Brighton & Hove does not have a policy on the circumstances when adopted children's given names might be changed. Given the significance of names for children and adults, it has been suggested that a written policy is developed.

## **Family and friends' carers**

Panel members were impressed at the very high level of commitment offered by family and friends' carers. However some of the work was very challenging both in respect of the nature of the cases and the paperwork. It is very difficult to achieve good information in 6 weeks and present it to Panel as required by the Regulations. There were some reports which were not adequate and further information was urgently required before an interim approval was recommended or agreed. In one case, given a number of serious concerns, interim approval was not recommended and in another case, full approval was not recommended. This was very difficult for everyone involved.

Panel members appreciate the complexity of this work but have been concerned that in a small number of cases, assessments have appeared too optimistic. There has been concern too that children have been placed for some considerable time before the carer's approval is presented to Panel.

Further work has been undertaken in Brighton & Hove to improve the format of the reports and to develop understanding about the complexity of relationships and dynamics within the families concerned. Guidance to staff has clarified social workers' responsibilities in the field work and family and friends' teams. The new report format should allow more focus on how the family and friends' carers specifically meet the needs of the child or children concerned.

## **6. Conclusion**

The quality of adoption and permanence work and care planning for children in general has remained very good in Brighton & Hove and there has been evidence of excellent practice in a number of cases. The Panel continues to work effectively and we will continue to develop and review our practice over the next year.

Sarah Borthwick

Independent Chair, Brighton & Hove Adoption and Permanence Panel, June 2010

# Adoption Service



## Statement of Purpose

01273 295444  
[www.fosteringinbrightonandhove.org.uk](http://www.fosteringinbrightonandhove.org.uk)

Fostering & Adoption Service  
253 Preston Road  
Brighton



## **1 Introduction**

- 1.1** Brighton and Hove City Council is committed to providing a high quality adoption service. The statement of purpose will detail the aims and objectives of the service, quality assurance mechanisms, and the range of services provided to children, prospective adopters, adoptive parents, adopted adults and birth families.
- 1.2** The Statement of Purpose includes details of the staffing and organisational structure of the service, management arrangements, complaint procedures and the details of the Office for Standards in Education, Children's Services and Skills (Ofsted). It should be read in conjunction with the Fostering Service Statement of Purpose.
- 1.3** The principles within the statement of purpose apply to placements made with other adoption agencies and also non agency placements such as step parent, kinship and inter-country adoptions. These placements will receive the same high quality professional and management attention.

## **2 Key aims and principles**

- 2.1** A child's welfare is the paramount consideration. Children are entitled to grow up as part of a loving and caring family, which can meet their needs during childhood and beyond. The needs and wishes, welfare and safety of the child or young person are at the centre of Brighton and Hove's Adoption Service. Children come from a wide range of cultural, racial, linguistic and religious backgrounds, therefore the Adoption Service will endeavour to recruit carers who reflect this.
- 2.2** Brighton and Hove Children and Young People's Trust (CYPT), with other agencies and community groups, will work to ensure that a comprehensive range of services are provided to support birth families to provide safe and appropriate care for their children.
- 2.3** Where children or young people are not able to live safely with their birth parents then active consideration will always be given to that child being cared for within the wider family or friendship network. Family Group Conferences will be held whenever possible to enable the family to consider the best placement plan for a child. The CYPT will continue to develop services for family and friends carers.
- 2.4** Where children or young people are not able to remain with their birth family or be placed within the wider family network a family placement with foster carers or adoptive parents will be sought. Good childcare planning is essential to prevent children drifting in the care system. Delays in progressing permanence plans can have a severe impact on the health and development of children.

- 2.5** Birth parents and birth families will be provided with a service that recognises the lifelong implications of adoption. They will be treated in an open, fair and respectful manner throughout the adoption process
- 2.6** The views and wishes of the child should be sought by a range of age appropriate means. The Children's Rights Service and Advocacy Service will continue to play a key role in promoting the wishes and views of children in care and enabling their voice to be heard. The Independent Reviewing Officers will also ensure that a child's wishes have been sought and are included in the care planning process as appropriate. If adoption is agreed as the plan children will have his or her wishes and feelings recorded and taken into account. A range of age appropriate children's guides to adoption with key local information are available to all children where adoption is the plan.
- 2.7** The Adoption Service will aim to provide a diverse and wide range of adoptive placements to meet the needs of children who are being placed for adoption. The service will maintain a clear, inclusive and pro-active recruitment strategy to encourage prospective adopters from all backgrounds and walks of life.
- 2.8** Prospective adoptive parents will be treated fairly, openly and with respect throughout the adoption process. Enquiries will be responded to promptly and prospective adopters given full information about the recruitment, assessment training and approval procedures.
- 2.9** Adoptive carers will be carefully recruited and trained and given access to a range of adoption support services. It is recognised that adoption has lifelong implications for all involved and requires lifelong commitment from a range of agencies and organisations that have to work together to meet the needs of those affected by adoption.
- 2.10** The preservation of adoptive families and the reduction of the risk of placements disrupting is a key aim of the service. The needs and background circumstances of children and their birth families will need to be fully assessed so that important matching considerations can be identified and children placed with adopters that are best able to meet their needs.
- 2.11** A range of adoption support services will be made available for children and adoptive families. If placements do disrupt in spite of intensive placement support, disruption meetings will be convened that are chaired by an Independent Reviewing Officer that has not been involved in the care planning process to date. All parties involved in the placement will be invited to attend and express their views and the views of the child will be sought. The disruption meeting will address the future needs of the child and the chair will ensure that a full record of the meeting takes place. Any lessons for future practice will be fully disseminated to all relevant parties.

- 2.12** Adoption support services are provided as required by the Adoption Support Services Regulations 2005 to all parties in the adoption process including adoptive adults, birth families as well as adoptive families.
- 2.13** The Adoption Service has a full information policy and will ensure that adoptive parents are given access to full information about the child prior to placement.
- 2.14** The Adoption Service values the role that experienced adopters, adopted adults and birth parents play in the training and preparation and support of new adoptive families and will continue to work to facilitate such contact.
- 2.15** Staff within the Adoption Service will receive supervision and access to a range of training opportunities to ensure they are well equipped to recruit, train, assess, and support adoptive families, family find and place children appropriately and provide support to adopted adults, birth families and others in the adoption process.

### **3 The Children**

- 3.1** Adoption will be considered as a positive option for children in care that are unable to return to live with their birth parents or be placed with family or friends carers.
- 3.2** Children with disabilities and special needs are entitled to the same opportunities to achieve a permanent family through adoption and careful consideration will be given to recruiting carers that can meet the range of needs of all our children in care needing adoptive families.
- 3.3** All decisions for children will be based on a rigorous assessment and care planning process. Achieving permanence for children within the child's timescales is a key objective. A careful balance has to be achieved between allowing the birth family sufficient time with access to all appropriate support services to make the changes necessary to resume the care of their children safely and the need for children to have the opportunity to live in a stable and permanent family.
- 3.4** All children in care will have a care plan. The wishes of the child will be taken into account as appropriate in drawing up the care plan. The birth family should be involved in the care planning process and their views represented.
- 3.5** The care plan will be reviewed at every child in care review and at the 4 month review the plan for permanence will be addressed. This plan will be based on the needs of the individual child and will include consideration of permanence being achieved ideally by return to birth



family or if that is not possible through permanent foster care or adoption. Clear timescales will be drawn up to expedite the permanence planning, which will be appropriately monitored and considered at every subsequent review.

- 3.6** Where adoption has been identified as the plan for the child at a LAC review, plans will be made to present the plan for adoption to the Adoption & Permanence Panel within 2 months.
- 3.7** Every child will have their wishes and feelings regarding the plans for their future listened to in an age appropriate manner, recorded and taken into account. Where they are not acted upon reasons for this will be explained to the child and recorded on the file. The Children's Guide to Adoption is available to children and their carers when adoption is being considered as the plan. Children of a sufficient age and understanding will also be given details of other appropriate adoption support services such as the national telephone helpline Talk Adoption.
- 3.8** The National Adoption Standards in respect of planning for child will be followed and any delay in achieving those timescales will be monitored by fieldwork managers, Adoption and Permanence Panel and the Agency Decision Maker and reported on in the Annual Adoption Agency Report.
- 3.9** All children will have a named social worker responsible for them throughout the adoption process. The social worker will be responsible for ensuring that the child is well prepared before joining a new family. Age appropriate information will be given and foster carers will be trained and supported to enable them to help children prepare to move to a new adoptive family.
- 3.10** All children moving on to adoptive or permanent families should have a life story book, later life letter and be supported to retain key items and mementos from their past. Children should have access to specialist skilled help as appropriate to enable them to express their feelings about their past and plans for the future and be better placed to develop new attachments to permanent/adoptive families.
- 3.11** Where adoption is identified as a potential plan a referral should be made by the child's social worker to the appropriate Practice Manager in the Adoption and Permanence Team. This Practice Manager will oversee the referral and family finding process.
- 3.12** The Practice Manager will offer consultation and organise a Permanence Planning meeting as appropriate with the child's social worker and foster carers to consider the plans for the child, look at the matching considerations and devise a family finding strategy.
- 3.13** A social worker from the Adoption and Permanence Team will take responsibility for family finding and will work closely with the social

worker for the child and other key parties to the process. Clear and detailed matching criteria will be drawn up and children will be placed with families that are best able to meet their needs.

- 3.14** Children will not be left waiting for a 'perfect family'. Children should be placed with adoptive parents of an appropriate ethnic, religious, cultural and linguistic background. However if no such match can be found within reasonable timescales, alternative adopters who can help a child understand and positively embrace their background and culture should be identified to avoid delay in the child moving to a permanent placement. These adopters should be provided with access to specific support services as necessary.
- 3.15** The family finding social worker will consider adoptive resources within the local pool of Brighton and Hove adopters, approved adopters within the South East Adoption Consortium, that Brighton and Hove belong to, as well as any resources identified by the National Adoption Register. If no local placements are available specific family finding activities will be undertaken by advertising for adopters within appropriate journals and contacting a wide range of adoption agencies.
- 3.16** The option of the child remaining on a permanent basis and achieving a permanent family ideally through adoption with their foster carers will always be considered and explored if appropriate. However other matching considerations such as the age and ethnicity of the child, the need to place siblings together if possible and the particular needs of the child and circumstances and family structure of the foster carers' family will also be taken into account.
- 3.17** The family finding social worker will take the lead in identifying appropriate families, liaising with the adopter's social worker and accompanying the child's social worker on meetings with the prospective adoptive family. The family finding social worker will remain involved until the match has been recommended at Panel and agreed by the Agency Decision Maker.
- 3.18** The Adoption Service will make it clear to potential adopters that it is a requirement that the child's name should be retained unless there is a very good reason not to. Any such reason needs to be discussed and agreed with the Adoption Service as it is a very clear expectation that the child retain and be known by the name given to him or her by their birth family.
- 3.19** Siblings should be placed together where at all possible and the needs of the different children taken into account. Taking decisions to separate siblings is a difficult task and training and guidance will be provided for staff on this issue. The impact of any decision on the ability to family find must also be taken into account. A decision to separate siblings should be fully recorded on the file and explained to the child as appropriate. A clear contact plan for maintaining the link



between siblings must be presented as part of the plan for adoption to the Adoption and Permanence Panel.

- 3.20** Appropriate contact for children with their birth family will always have to be considered in the final care plan and welfare checklist for the child within the court proceedings. These plans will also be considered by the Adoption and Permanence Panel when the plan for the child is presented to Panel. When direct contact arrangements are planned to continue post adoption the aim should be to promote a positive sense of identity for the child, not rehabilitation to the birth family.
- 3.21** Indirect contact arrangements for the child with his or her birth family will be arranged via the Adoption Service's 'letterbox scheme'. The expectation is that letterbox arrangements will be put in place for all children where direct contact is not being maintained. It is recognised that the child's needs for contact and information about their birth family develop and change throughout their childhood and the adoption support social worker will facilitate this or organise access to specialist services to review contact and promote the setting up of appropriate direct or indirect contact arrangements.
- 3.22** Children with attachment difficulties and histories of a traumatic and disrupted past may need continued access to multi-disciplinary services beyond placement and adoption. Adoption support needs for the child will be identified following an adoption support assessment and a plan will be drawn up in conjunction with the prospective adopters and key agencies. The Adoption Support Plan will be presented to Panel alongside the Adoption Placement Report. It is a requirement that the Adoption Placement Plan and the Adoption Support Plan are agreed with the prospective adopters before the commencement of introductions to the child. This adoption support plan will be kept under review.
- 3.23** Adoption files will be carefully stored and archived and information from the agency's records will be made available when they are of sufficient age and understanding. Adoption files will be retained for 100 years.

## **4 Birth Parents and Birth Families**

- 4.1** Birth parents will be provided with the opportunity to access support and information about the adoption process including the legal implications and their rights. A booklet for parents has been developed by the Adoption Service in consultation with legal services and with birth parents that have had a child placed for adoption. This booklet: 'A parent's guide to the various options for children who cannot live with their birth parents' will be given to all birth parents when a permanence plan is being considered for their child.

- 4.2** The views of birth families about the adoption and contact plans will be clearly recorded on the case file and within the Child's Permanence Report. Birth parents will be given sight of the relevant sections of this report to enable them to comment on its content prior to it being presented to the Adoption and Permanence Panel.
- 4.3** The wishes and views of the birth parents will be taken into account in the planning of placements particularly in regard to religion.
- 4.4** Social workers for the child will make efforts to obtain clear and appropriate information from the birth family about themselves and their history and encourage them to contribute to the child's life story material.
- 4.5** Staff within the Adoption Service will explain to adoptive parents the importance of keeping safe any information provided by birth families and to provide this to the adopted child as appropriate.
- 4.6** Birth parents and other relatives will be given access to a support worker independent from the child's social worker from the time adoption is identified as the plan for the child. Birth parents will be provided with written information about the Brighton & Hove 'Birth Family Support and Information Service'. They will also be given information on the services they could access from the Post Adoption Centre as well as other organisations such as the Natural Parents Network and the National Organisation for Counselling Adoptees and their Parents.
- 4.7** Birth parents and appropriate relatives will be given the opportunity to meet the adoptive parents, usually prior to placement, unless there are exceptional circumstances that would make such a plan unsafe and against the best interest of the child.
- 4.8** The importance of the child maintaining some form of contact with extended birth family members is recognised and will be supported as appropriate via letterbox or direct contact arrangements.
- 4.9** The Adoption Service will give information to birth families about the Adoption Contact Register and advice about agencies that can provide an intermediary service.
- 4.10** Birth parents and families will be advised of the complaints procedures and their right to make representation and complaints.

## **5 Prospective Adopters**

- 5.1** Applications from prospective adopters will be welcomed regardless of marital status, race, religion, gender or sexual orientation. It is recognised that a wide range of adopters are needed to meet the

needs of our looked after children and that these needs will determine the priority given to progressing applications from prospective adopters.

- 5.2** Prospective adoptive families will be given information about the type of children waiting for adoption and the specific need to recruit adopters offering placements for children from Black and Minority Ethnic groups, sibling groups, children over 2 years of age, and children with developmental uncertainty and special needs.
- 5.3** Prospective adopters will be given information about the fact that there are relatively few babies available for adoption and that in Brighton and Hove priority is given to placing babies with concurrent carers. These are foster carers, who are also approved as adoptive carers that are able to provide a permanent home to the child by adoption if rehabilitation work with the birth family is not successful. The duty social worker will be able to explain the particular challenges and expectations of both the concurrent and traditional route to adoption.
- 5.4** The Adoption and Permanence team will provide a duty service to respond to enquiries from prospective adopters. Initial details will be taken and information given about eligibility criteria. Full information packs will be sent out to potential adopters within 5 working days. These information packs will contain information about the assessment and training process, the types of children needing adoptive placements and adoption support services. All of this information for prospective adopters is also made available on the Fostering & Adoption website, [www.adoptioninbrightonandhove.org.uk](http://www.adoptioninbrightonandhove.org.uk)
- 5.5** Applicants must be over 21 years and legally domiciled in the UK and within a reasonable travelling distance of Brighton and Hove. Couples will normally have to have been in a stable and enduring relationship. Applicants that have infertility issues will normally be expected to have concluded any medical intervention and made a positive choice about adoption as a route to parenting.
- 5.6** The information material provided to prospective applicants gives details of issues relating to past criminal convictions, health and age considerations. The age of applicants is considered in relation to their energy and activity levels and the age of the child they wish to be considered for. Children under the age of 5 years and children with specific relevant health issues will not be placed in smoking household because of the well-recognised risks of passive smoking.
- 5.7** The Adoption Service has developed a conflict of interest policy that details the fact that certain staff groups in children services and certain elected members of the authority are not eligible for assessment by the authority because of the potential conflict of interest. They will be assisted to access services from neighbouring adoption agencies, or from member agencies of the Adoption South East Consortium.

- 5.8** Prospective adopters will be informed about the fact that Brighton and Hove is part of the Adoption South East Consortium with East Sussex, Kent, Medway and the London Boroughs of Bromley and Bexley. Once approved if they are not linked with a Brighton and Hove child within 3 weeks of approval their details will be circulated to Consortium members for consideration for their children. Information will also be given about the National Adoption Register.
- 5.9** If a prospective adoptive family is offering a particular resource that may result in them not being linked with a local child, e.g. because of their ethnic origin, they will be informed that their details will be circulated to other agencies with minimum delay to maximise the opportunity for them to be linked with an appropriate child.
- 5.10** Prospective adopters that decide to proceed following the provision of the information pack will be invited to an information session and then sent an adopter questionnaire. The Adoption and Permanence team provide a dedicated duty service for prospective adoptive applicants which is overseen by a Practice Manager with lead responsibility for recruitment. The team endeavours to respond speedily to all enquiries and offer a full opportunity for prospective applicants to discuss issues and ask questions about the adoption process at this early stage. If the applicants wish to proceed they will be offered an initial home assessment visit and then an invitation to a 'motivation and loss' group. Following this they will be invited to submit their formal application to be assessed as prospective adopters. If the Adoption Service feels it cannot prioritise or progress an application a full explanation will be given and recorded on the file. Applicants will be given details about the complaints procedures. Under certain circumstances it may be appropriate for the social worker to consult with the Agency Advisor (Adoption and Permanence) or the Adoption and Permanence Panel about an issue concerning an application.
- 5.11** The Adoption and Permanence Team have established a contract with Parents and Children Together (PACT), a voluntary adoption agency, to undertake the preparation, assessment and approval of inter-country adopters on behalf of BHCC. PACT has considerable experience in this specialist area of work and will provide a timely and dedicated response to enquiries from people wishing to adopt from abroad.
- 5.12** The Adoption and Permanence team will also provide a duty service to give information, respond to enquiries and undertake the work required to progress step parent adoptions.
- 5.13** In situations where foster carers are being assessed as prospective adopters for the children in their care they will be entitled to access the same training and support services. Assessments will be conducted within timescales compliant with the National Adoption Standards.

- 5.14** Regular preparation training groups will be run for prospective adopters. The training groups will always include input from experienced adopters and birth parents and adopted adults where possible. Details of the scope and focus of these groups will be provided to applicants in advance. The preparation groups provide an opportunity for prospective adopters to consider in detail issues relating to adoption and meet other prospective adopters.
- 5.15** Views of prospective adopters about the content and running of the preparation group are canvassed at the end of the group. Prospective adopter views regarding the assessment process as a whole are sought during the second opinion visit undertaken by a manager within the adoption and permanence service at the end of the assessment process.
- 5.16** The assessment and approval process is comprehensive, thorough, fair and fully explained to applicants. The Adoption service will endeavour to work in partnership with applicants, however it is necessary for both parties to be clear that a risk assessment is being carried out when a home study assessment is being completed. Assessment will distinguish clearly between self-reported and independently evidenced information with verification of key aspects of the applicant's accounts.
- 5.17** The manager of the supervising social worker will meet the prospective applicants with the social worker at the outset of the assessment and again during the assessment as required. The manager will meet the applicants again towards the end of the assessment and prepare a second opinion report which will be appended to the prospective adopters report and made available to the applicants.
- 5.18** Applicants will receive a copy of the Prospective Adopter Report and have the opportunity to comment on it. Applicants are given full information about the Adoption and Permanence Panel and provided with a booklet about the Panel process. Applicants are encouraged and supported to attend. Panel will comment on the strengths and areas of potential difficulty in relation to the application and applicants are informed of Panel's recommendation immediately whenever possible. The decision of the Agency Decision Maker will be passed on to the applicants verbally within 24 hours of when it is made and followed up in writing within five working days.
- 5.19** Prospective adopters will be fully advised about the adoption support services provided by the local authority, the Post Adoption Centre and Adoption UK and other appropriate services.

## **6 Adoptive Parents**

- 6.1** Approved adopters will be given full information about the matching, introduction and placement process including information on the

Consortium and National Adoption Register. Key documents are made available to all newly approved adopters in the Brighton & Hove Adopters Post Approval Pack issued immediately following approval.

- 6.2** BHCC has detailed procedures for staff about the matching, placement and introduction procedures. Guidance is also available for other authorities and agencies when a match is being considered for a child with inter agency adopters.
- 6.3** An identified match of an approved adopter with a specific child will be presented to the Adoption and Permanence Panel for consideration and then to the Agency Decision Maker for a decision. A full Adoption Placement Report will be completed which details the positive factors about the match, any potential areas of risk/difficulty, information on any other possible matches that have been considered and the adoption support services that will need to be made available to the family. The prospective adopters will have an adoption placement plan, which will include the adoption support plan, provided for them prior to the introduction process commencing.
- 6.4** As well as having full information about the child's history prior to the match the prospective adopters will also have the opportunity to meet the child's foster carers, seek information from the Medical Advisor and meet any other key professionals.
- 6.5** The Adoption Service will provide access to ongoing training and specialist services to adoptive families as part of the adoption support service and the role of the Adoption Support Service Advisor will be explained to all adoptive families.
- 6.6** The Adoption Service will work with other agencies and key stake holder groups, including Adoption UK, to continue to review and develop adoption support services.
- 6.7** The Adoption Service currently provides a range of adoption support groups, a newsletter and occasional social opportunities for adopters and their families to meet together.
- 6.8** There is a service level agreement with the Post Adoption Centre to provide local surgeries that can be used by adoptive families, adopted adults, birth families and adoption professionals. The PAC also provides a helpline and a range of training courses for professionals and all parties in the adoption circle. Newly approved adopters will be encouraged to become members of Adoption UK and benefit from the various support services it provides. The Adoption Service will pay their membership fee to this organisation for their first year post approval.
- 6.9** The Adoption Support Services Advisor will oversee the provision of adoption support services. The service will also be responsible for undertaking adoption support assessments, advising and supporting

adopters and their children, contributing to training and workshops for adoptive families and professionals, offering advice and consultation on adoption related matters, undertaking specialist pieces of work for court and managing direct and indirect post adoption contact.

- 6.10** The Adoption Support service will also provide a specific service to adoptive families to support and advise on schooling and education issues. An Adoption Support teacher will take the lead in developing this dedicated provision.
- 6.11** Adoptive parents will be supported to enable the child to maintain any appropriate contact arrangements, either direct or indirect, with birth family members or significant others such as previous foster carers. It is recognised that contact arrangements need to be carefully and sensitively managed and kept under review and will need to adapt over time to meet the child's needs.

## **7 Adopted Adults**

- 7.1** The Adoption service will provide a service to adopted adults that are seeking to find out information about their past history from case records held by Brighton and Hove City Council. The Service does not currently offer an intermediary service as defined within the Adoption & Children Act 2002 but will provide details of other agencies that are approved to provide such a service.
- 7.2** Adopted adults will also be given information about the services they can receive through specialist organisations including services available from key voluntary user groups such as NORCAP.
- 7.3** The Adoption Service will also continue to involve adopted adults in the preparation training groups run for prospective adopters, recognising the significance of adopters understanding the lifelong impact of adoption for any child that is adopted.

## **8 Adoption and Permanence Panel**

- 8.1** Brighton and Hove have key quality assurance mechanisms in place in relation to adoption work. A Development Manager is employed who does not have operational responsibility for the Adoption and Permanence Team to act as Agency Advisor to Panel and Agency.
- 8.2** The Agency Advisor will read all the paperwork for Panel and take up quality assurance issues with staff and managers and withdraw assessments from Panel if further work is needed. The Agency Advisor oversees the timetabling of the Panel agenda to ensure that sufficient time is given to consider each item on the agenda.

- 8.3** The Agency Advisor will ensure policy and practice issues are picked up and disseminated to staff in fieldwork and family placement teams. The Agency Advisor will also act as a consultant to all staff and managers in the department on issues relating to adoption and permanence policy and practice.
- 8.4** The Agency Advisor will recruit members of the Panel in line with Adoption regulations and will provide training and induction as necessary and organise for all Panel members to have the opportunity for regular training input on key areas of adoption practice to ensure that they are kept updated on changes in legislation and regulations. One of the training sessions during the year for Panel members will be held jointly with the Adoption and Permanence team.
- 8.5** Brighton and Hove employs a suitably qualified and experienced person to act as independent chair of the Adoption and Permanence Panel. The chair also has a clear quality assurance role and will take up issues directly with the Agency Advisor or Agency Decision Maker as necessary. The chair will also provide a separate report on the activities of Panel as part of the Annual Adoption Agency report.
- 8.6** Brighton and Hove's Adoption and Permanence Panel meets on a fortnightly basis to ensure that there is no delay in considering children for adoption, approval of adopters and matching.
- 8.7** Brighton and Hove has clear written policies and procedures relating to the constitution of Panel and decision making. Staff and prospective or approved adopters attending Panel are asked to complete evaluation forms and their views are taken into account when reviewing the functioning of Panel and the role of the chair.
- 8.8** The Panel will receive progress reports on a six monthly basis on children who have been, or are to be, placed for adoption up until the adoption order is granted. Panel will also monitor compliance with the targets set for progressing permanence plans for looked after children. Individual issues will be addressed with appropriate staff and managers and the overall performance will be reported on in the Annual Adoption Agency report.
- 8.9** Panel will also monitor compliance with the standards in relation to the assessment of adopters. An annual review will be organised if adopters do not have a child placed within their first year of approval.
- 8.10** Panel members will receive all the documentation for Panel in good time to allow time to read and fully consider the issues.
- 8.11** Panel will make a recommendation and convey that to the staff member or adoptive applicant at Panel. They will be informed when the meeting will take place with the Agency Decision Maker which will be within 5 working days of the Panel. The decision will be reported back



to applicants, where appropriate birth parents and staff verbally within 24 hours and followed up in writing within 5 days.

- 8.12** The Agency Advisor will meet with the Agency Decision Maker and ensure that the decision maker has the details of the Panel discussion and recommendation to inform the decision making. A copy of the panel minutes will be provided to the Agency Decision Maker.

## **9 Staff within the Adoption and Permanence Service**

- 9.1** Brighton and Hove employ sufficient staff to work within the Fostering and Adoption Service and the staffing structure is kept under review.
- 9.2** All staff undertaking assessments of adoptive applicants are social work qualified and General Social Care Council registered with access to appropriate training, supervision and support.
- 9.3** Staff within the team undertake recruitment, training and assessment of carers, supervision and support of placements (pre and post adoption and with permanent foster carers) supervision of Inter Country Adoption Placements pre adoption order, adoption support assessments and specific adoption support interventions, step parent adoption assessments, family finding and birth records counselling work.
- 9.4** Staff within the service work closely with colleagues within the Fostering Service and with fieldwork teams. Staff have access to training courses and are kept updated on developments in practice and legislative changes.
- 9.5** The Service Manager for the Adoption and Permanence Team has responsibility for the Adoption and Permanence Team and the Family and Friends Team.
- 9.6** Managers within the service are all qualified and experienced social work practitioners and have access to a range of managerial training courses. The Head of Service is an experienced manager with a management and social work qualification. There are clear job descriptions and person specifications for all posts within the service.
- 9.7** The Adoption Support Services Advisor within the service will meet with the Assistant Director for Children's' Social Care within the Children and Young People's Trust on a quarterly basis to update on key practice and operational issues and to ensure that any issues of a strategic nature are taken forward.
- 9.8** The Head of Service is Sharon Donnelly and the Adoption & Permanence Service Manager is Karen Devine. They can be contacted at the Fostering and Adoption Service, Brighton and Hove City Council,

253 Preston Road, Brighton BN1 6SE. Telephone number 01273 295444, email sharon.donnelly@brighton-hove.gov.uk or karen.devine@brighton-hove.gov.uk

- 9.9** A structure chart for the Fostering and Adoption service is appended to this statement of purpose.

## **10 Monitoring & Evaluation**

- 10.1** The Adoption Service produces an annual recruitment strategy and progress in relation to recruitment activity is reported on at the monthly Fostering & Adoption Management Team Meeting. The Service Manager meets fortnightly with the Practice Managers to discuss allocation issues and review workloads. There is a caseload weighting system in place within the Service.
- 10.2** The Agency Advisor has a key quality assurance role and reads all the reports that are going before Panel. The advisor also has a broader role in policy development and ensuring practice issues are disseminated within the Fostering & Adoption service and Area Teams. The Chair of Panel is an independent and experienced manager and therefore also plays a quality assurance role. Panel regularly raise issues with the Agency Decision Maker about aspects of practice and the Chair of Panel provides a report to accompany the Adoption Agency Report to the lead cabinet member.
- 10.3** The Fostering & Adoption Service Management team undertake a regular file audit programme and ensure that all files of carers and adopters are audited at least two yearly.
- 10.4** Regular meetings are held with lead elected members of the Children and Young People's Trust and senior managers within the Department to ensure that members are kept up to date on key service developments. Issues related to the work of the Fostering & Adoption service are reported on at these meetings as appropriate.
- 10.5** The management team, including Service Managers, Practice Managers and Agency Advisors meet regularly with the Head of Service to discuss operational and policy matters and ensure the continued integrated development of the service. All staff have access to regular supervision and there is a performance and development process in place across the authority.
- 10.6** The Service is required to produce annual service improvement objectives which form part of the business plan for the Children & Young People's Trust.

## **11 Complaints procedures**

- 11.1** Users of the Adoption Service, including children, birth families, prospective and approved adopters and adopted adults, are provided with copies of the complaints procedure, advised how to access the procedure and encouraged to invoke it if unhappy with services provided. Service users are advised that independent sources of support are available to help them make a complaint and advocate on their behalf if they feel unconfident making a complaint by themselves, including access to the Post Adoption Centre and the Children's Rights Service. Service users are advised that the Customer Services Manager who oversees the complaints procedure can be contacted at:

Brighton & Hove City Council  
Kings House  
Grand Ave  
Hove

Or by writing to Standards & Complaints, Freepost SEA2560, Brighton  
BN1 1ZW

The Freephone number is 0500 291229

Information about the complaints process can be found by going to the  
City Council website: [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)

or the Fostering & Adoption Service website:  
[www.adoptioninbrightonandhove.org.uk](http://www.adoptioninbrightonandhove.org.uk)

Complaints can also be emailed to [complaints@brighton-hove.gov.uk](mailto:complaints@brighton-hove.gov.uk)

- 11.2** Most complaints are resolved informally and speedily by the local manager and records are kept of all complaints, compliments and representations made to the Service. There are clear procedures in place for responding to complaints. Formal Stage 1 complaints are acknowledged within 2 working days and should be responded to within 10 working days. If someone is still unhappy after the complaint has been dealt with at Stage 1 they can ask for Stage 2 investigation. The Standards and Complaints team will aim to conclude all Stage 2 investigations within 20 working days. Members of the public can complain to the local Ombudsman at any time. However the Ombudsman will usually want the Council to have chance to investigate the complaint first.
- 11.3** The Complaints procedure for Children's Services is currently being revised nationally and the Department will produce new complaints leaflets as soon as these have been finalised. The Department produces separate complaints leaflets for children and young people and information about how to complain is also included in the Children's Guides to adoption.
- 11.4** The Service reports annually on complaints within the Adoption Agency Report that goes to the lead cabinet member for the Children & Young

People's Trust . Corporately records of complaints, compliments and representation are reported on regularly.

- 11.5 The Management team within the Fostering and Adoption Service regularly discuss any issues arising from complaints, standards of care, or allegations against carers to ensure any lessons learnt can be disseminated and changes in practice made.

## **12 Ofsted**

- 12.1 The Adoption Service will be inspected by Ofsted in accordance with the Regulations and the National Adoption Minimum Standards. These inspections will take place on a 3 yearly basis. Inspections reports are public documents.

- 12.2 Ofsted can be contacted at:

### **Ofsted South Region**

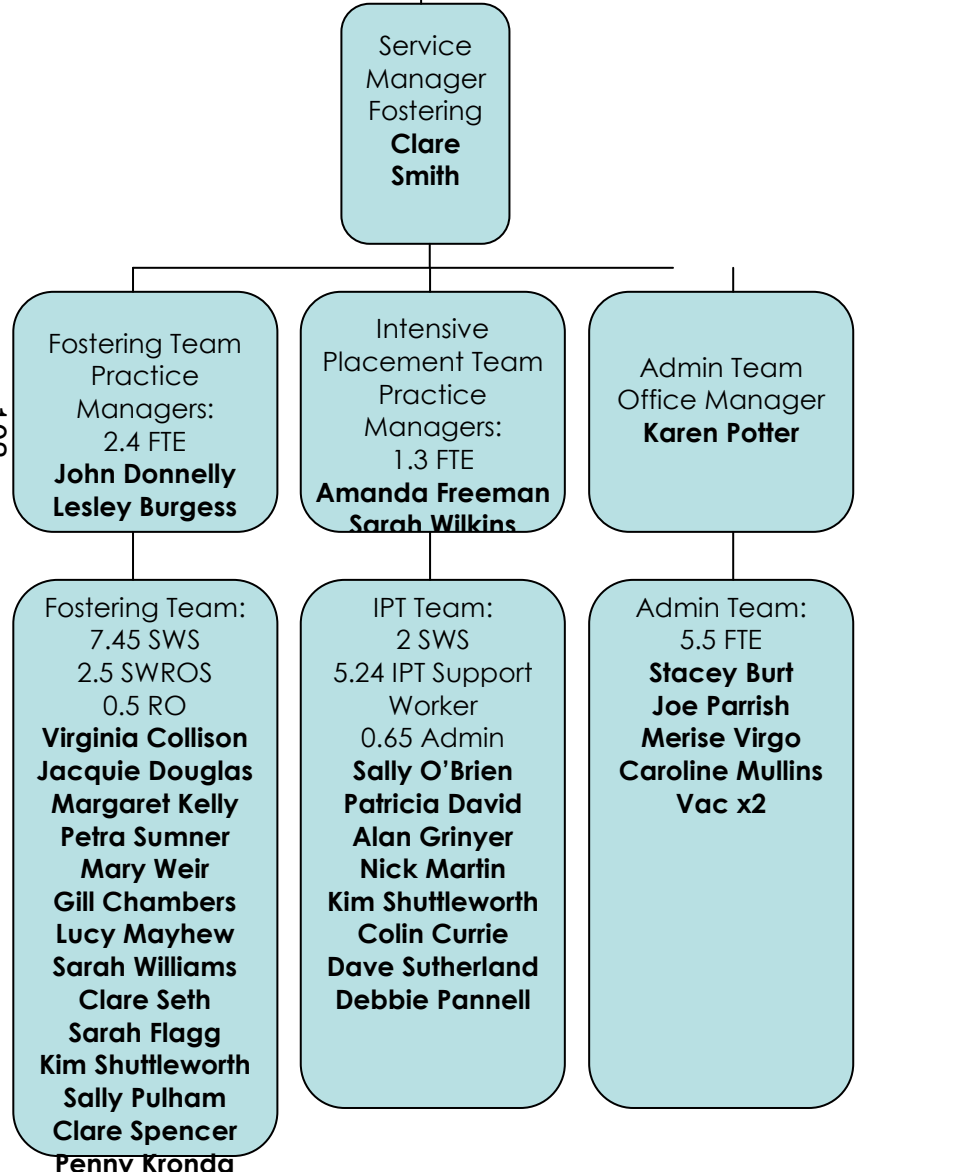
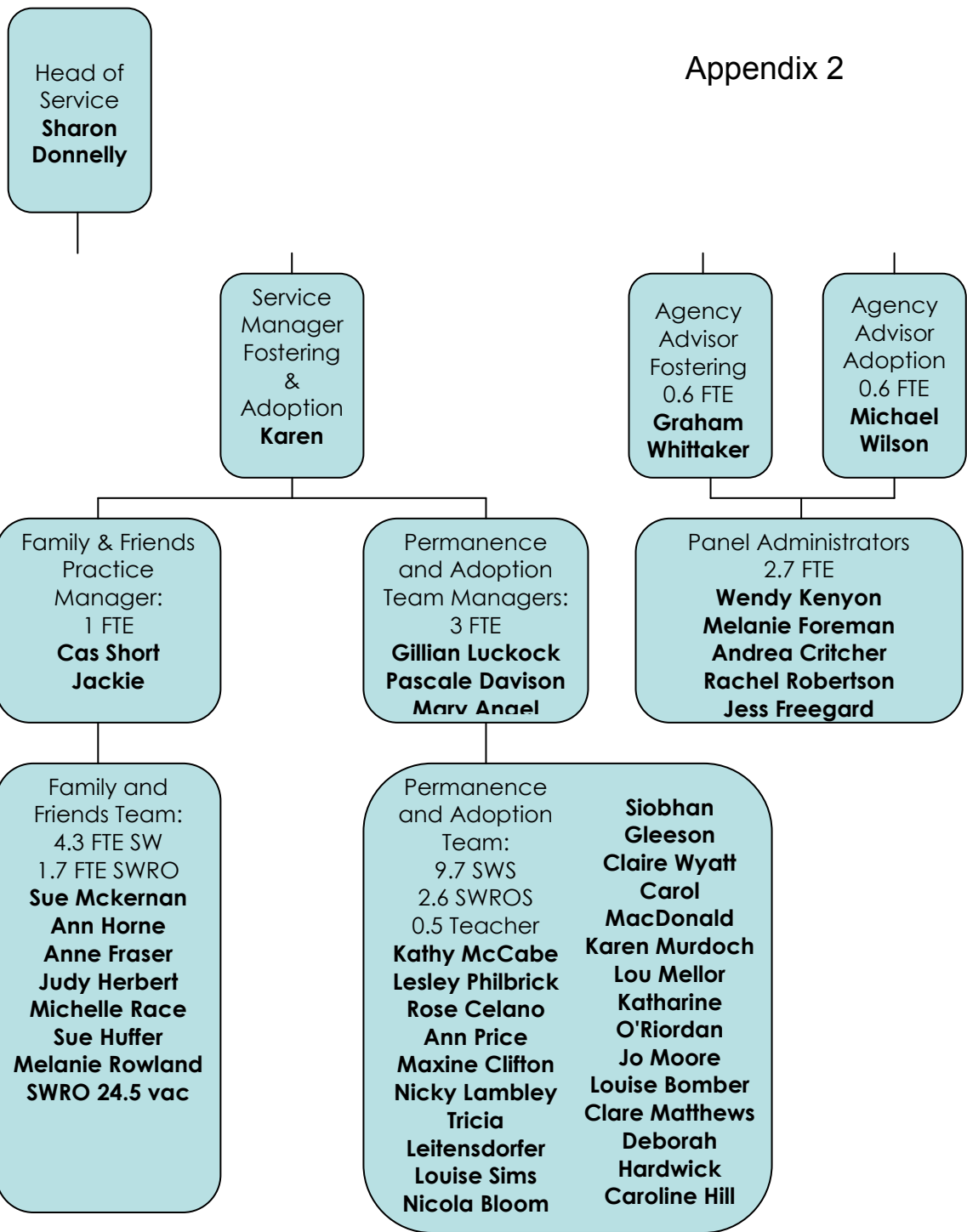
Freshford House  
Radcliffe Way  
Bristol  
BF1 6NL

Telephone – 08456 404040  
Email – enquiries@ofsted.gov.uk

# Fostering and Adoption Service Structure Chart July 2010

2010  
253 Preston Road

## Appendix 2





## Appendix 3

### Adoption and Permanence Panel activity

Six monthly update report: 1<sup>st</sup> April – 30<sup>th</sup> September 2010

<b>Numbers of children with plans approved for adoption</b>	<b>25</b>
<b>Numbers of adoptive matches approved for children</b>	<b>16</b>
<b>Numbers of children with plans approved for permanent fostering</b>	<b>5</b>
<b>Numbers of adopter approvals</b>	<b>6</b>
<b>Numbers of concurrent carer approval [ adopters also approved as foster carers]</b>	<b>1</b>
<b>Termination of adopter approval</b>	<b>1</b>





# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 30

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed Creation of a new all through Primary School to replace Benfield Junior School – results of initial consultation</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> October 2010</b>		
<b>Report of:</b>	<b>Acting Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gillian Churchill</b>	<b>Tel: 29-3515</b>
	<b>E-mail:</b>	<a href="mailto:gillian.churchill@brighton-hove.gov.uk">gillian.churchill@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: 17812</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city. This need is most acute in south Hove and on the Brighton / Hove border
- 1.2 As part of the Council's future development of Schools within the city it is proposed to create an all through primary school by extending the age range of Benfield Junior School from 7 to 11 as it is at present to 4 to 11 from September 2011.
- 1.2 The purpose of this report is to report the outcome of the initial consultation undertaken between July and October 2010 and to seek Cabinet Member endorsement to proceeding with the publication of the necessary statutory notice.

#### 2. RECOMMENDATIONS:

- 2.1 To note and endorse the proposal to create an all through primary school by changing the age range of Benfield Junior School from 7 – 11 as at present to 4 to 11 from September 2011.
- 2.2 To agree to the publication of the required Statutory Notices to progress this proposal.
- 2.2 That the results from the publication of the statutory notice are referred to Cabinet Member Meeting on 10<sup>th</sup> December 2010 for decision.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally and already causing a pressure on school places that cannot be met locally.
- 3.2 It had been planned with the support of the school to turn Benfield into an all-through primary school starting in September 2012.
- 3.3 Following the 2010 admissions round it was necessary to create additional reception places to accommodate pupils in the west Hove area owing to an increase in significant demand for reception year places. This was achieved by temporarily admitting reception age children to Benfield Junior School. Benfield was chosen for this because it was in the correct location and because it had spare capacity to accommodate the children.
- 3.4 The decision to create two reception classes at Benfield was a difficult one that had to be taken quickly but was made after full consideration of the situation. It was a response to significant pressure on reception places in the west of the city
- 3.5 In light of the increasing birth rates in the city consideration was already being given to the pattern of school places in Portslade and how this might be improved in the future. We believe that this process now needs to commence earlier than we had planned.
- 3.6 It is now proposed that Benfield Junior School is made in to a two form entry all through primary school from September 2011. The new school will have an intake of 60 pupils at 4+. Flexibility would remain for Key Stage 2 to take additional children to a maximum of 32 children per class.
- 3.7 Benfield junior school is currently a three form entry school admitting 96 pupils per year. Consequently this proposal on its own will reduce the number of junior places available in the city. It is intended that the school will continue to admit up to three forms of entry in to Year 3 in September 2010, 2011 and 2012 in line with its current published admission number.
- 3.8 However this proposal is the start of a wider re-organisation of school places within Portslade which, if successful will result in an additional 2 forms of entry overall for primary phase education for this part of the city. This will be the subject of a separate report and a wide ranging public consultation exercise.
- 3.9 The proposal to permanently change the age range of Benfield School has been discussed with the governing body of the school prior to this report being prepared. The Governing Body welcomed the opportunities that this proposal offers and fully supports the proposal.
- 3.10 The views of the governing bodies will be finalised in light of the consultation.
- 3.11 In proposing changing the age range of the school the following programme will be followed.

Publication of Consultation Document

21<sup>st</sup> July 2010

Public Consultation Meeting

15<sup>th</sup> September 2010

Last date for responses	1 <sup>st</sup> October 2010
Report back to Children and Young People Cabinet Member Meeting	11 <sup>th</sup> October 2010
Issue Public Notice	15 <sup>th</sup> October 2010
End of public notice period	26 <sup>th</sup> November 2010
Decision by the Children and Young People Cabinet Member	10 <sup>th</sup> December 2010
Provisional Opening	1 <sup>st</sup> September 2011

- 3.12 The timetable will allow full analysis of responses to both parts of the consultation to be prepared and presented to the Cabinet Member Meeting 10<sup>th</sup> December 2010.

#### **4. CONSULTATION**

- 4.1 Following the delegated decision taken by the Director of Children's Services and the CYPT Cabinet Member on 12<sup>th</sup> July 2010 to commence public consultation a document outlining the process was issued to governors, staff, pupils and parents and carers of the school and copies were made available to any other interested parties. This consultation document is attached as Appendix 1 to this report.
- 4.2 The consultation document was also made available on the councils web site and could be responded to via the web site.
- 4.2 As part of the public consultation process a public meeting was held on 15<sup>th</sup> September 2010. This meeting gave parents and carers, governors and others the opportunity to put forward their views.
- 4.3 This initial stage of the consultation came to a close on 1<sup>st</sup> October 2010. The responses to this consultation exercise have been collated and analysed and are shown at Appendix 2 to this report.
- 4.4 In summary by 27<sup>th</sup> September 2010 11 responses were received of which 4 were in favour of the proposal and 4 were against the proposal and 3 respondents were unsure.
- 4.5 The responses from those who supported the proposals said they understood the need for additional pupil places in this part of the city.
- 4.6 The responses from those who did not support the proposal said that they were concerned about the impact on other schools in the area and that they felt the proposal was premature. In addition they were concerned that Benfield was not a high performing school.

- 4.7 In the consultation document the Council states the educational advantages they believe will be achieved by the creation of an all through primary school. These are repeated in section 7.2 of this document.
- 4.8 If there are further responses by the closing date of 1<sup>st</sup> October 2010 these will be reported verbally at the meeting.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

- 5.1 Any revenue costs of the proposal would have to be met from the existing Individual School Budget (ISB) as there are no additional resources available to fund any associated costs that may arise as a result of the merger. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Primary capital Programme and NDS modernisation. However given that the recent budget announcement indicates that government departments will have to find reductions of 25% over the next 4 years, we are not sure if this will impact on funding for Primary Capital. If this reduced in 2011/12 then the funding for any adaptations will have to be the first call on any reduced budget.

Finance Officer Consulted: Andy Moore

Date: 06 09 10

### Legal Implications:

- 5.2 In order to achieve the proposed change in age range it has been necessary to carry out a formal consultation exercise with all interested parties. If the decision is now made to proceed with the proposals following this consultation, statutory notices will need to be published in accordance with the Education and Inspections Act 2006 and associated regulations. There will then follow a period of 6 weeks within which any person may make comment or object to the proposal.

At the end of this representation period a decision on the proposals will need to be taken within 3 months.

The absolute national deadline for expressing preferences for an infant/primary school place is 15 January 2011. To avoid a breach of the admissions code it is important that the final decision can be published in compliance with the admissions code. The admissions booklet published in September 2010 alerted parents to the prospect of a decision being made in December 2010 identifying arrangements for a change in age range of the school. It is recommended that in the event the decision is taken in December to approve the proposals to change the age range of the school, all parents are contacted and notified of the new arrangement, so that they are given the option of including this when expressing a preference.

Lawyer Consulted: Serena Kynaston

Date: 25/08/2010

### Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice.

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council.

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal.

Corporate / Citywide Implications:

- 5.7 All planning and provision to for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning arrangements should lead to sufficient school places in all areas of the city and the removal of excess provision.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative option is to leave the school as a junior school.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city.

- 7.2 The Council believes the advantages of the creation of all through primary schools are as follows:

- Greater continuity in teaching, pupil care and development under a single head teacher and teaching staff. It is very important to ensure continuity in planning the curriculum across the stages of education so that pupils make the best possible progress in learning.
- The school could offer a greater range of teaching skills, including the opportunity to appoint curriculum co-ordinators with the time to oversee the effective teaching of individual subjects across the whole 4–11 age range.
- Greater flexibility that a 4–11 school has in organising classes, deploying teachers and support staff and using resources, including buildings, more effectively.
- Closer contact with parents over a longer period of time and covering the full span of the children's primary education.

- Practical advantages to parents' e.g. same staff development days, the same school policies relating to home links, uniform, codes of conduct etc.
- Transfer to a different school environment after three years or less of schooling might be seen as an unnecessary disruption to pupil's sense of security and well being. A positive feature of 4–11 schools is the social interaction between younger and older pupils.

7.3 We are committed to working with schools to make them centres for community learning, and supporting them in meeting the wider needs of the community by engaging social services, health, the police, and the voluntary sector. For this to be successful it is important that children can access a primary school that is local to their home.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Consultation document
2. Summary of responses to consultation

### **Documents In Members' Rooms**

1. None

### **Background Documents**

1. None



**Brighton & Hove**

**CONSULTATION DOCUMENT**

**Proposed Creation of an all through Primary School  
by changing the age range of Benfield Junior  
School**

**- Inviting you to have your say -**

**Why are we consulting you?**

This document is published by Brighton & Hove City Council and is intended to support the consultation with governors, staff, pupils, parents and other interested groups about a proposal to create a new all through primary school to replace the existing Benfield Junior School on the present site.

This document sets out the reasons for the proposal, identifies the issues for consideration and explains the arrangements for consultation. It also provides further information about what happens after consultation.

**Some background facts**

The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city. This need is most acute in south Hove and on the Brighton / Hove border

As part of the Council's future development of Schools within the city it is proposed to create an all through primary school by extending the age range of Benfield Junior School from 7 to 11 as it is at present to 4 to 11 from September 2011.

**The current position**

Benfield Junior School is currently a three form entry school admitting 96 pupils per year. Consequently this proposal on its own will reduce the

number of junior places available in the city. It is therefore intended that the school will continue to admit pupils in to Year 3 in September 2010, 2011 and 2012.

Pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally and already causing a pressure on school places that cannot be met locally. It had been planned with the support of the school to consult on a proposal to turn Benfield into an all-through primary school starting in September 2012.

Following the 2010 admissions round it was necessary to create additional reception places to accommodate pupils in the West Hove area owing to a significant increase in demand for reception year places. This has been achieved by temporarily admitting reception age children to Benfield Junior School. Benfield was chosen for this because it was in the correct location and because it had spare capacity to accommodate the children.

The decision to create two reception classes at Benfield was a difficult one that had to be taken quickly but was made after full consideration of the situation. It was a response to significant pressure on reception places in the west of the city

In light of the increasing birth rates in the city consideration was already being given to the pattern of school places in Portslade and how this might be improved in the future. We believe that this process now needs to commence earlier than we had planned.

The Council has a commitment to working with schools to make them centres for community learning, and supporting them in meeting the wider needs of the community by engaging social services, health, the police, and the voluntary sector.

### **What is proposed?**

It is now proposed that Benfield Junior School is made in to a two form entry all through primary school from September 2011. The new school will have an intake of 60 pupils at 4+. Flexibility would remain for Key Stage 2 to take additional children to a maximum of 32 children per class.

Benfield junior school is currently a three form entry school admitting 96 pupils per year. Consequently this proposal on its own will reduce the number of junior places available in the city. It is intended that the school will continue to admit pupils in to Year 3 in September 2010, 2011 and 2012.

This proposal is the start of a wider re-organisation of school places within Portslade which, if successful, will result in an additional 2 forms of entry overall for primary phase education for this part of the city. This will be the



subject of a separate report and a wide ranging public consultation exercise.

To support the creation of the all through primary school at Benfield there will be some building adaptations using the Primary Capital Programme funding with the intention of providing accommodation to better fit the needs of Early Years and KS1 teaching and learning. The nature of these adaptations will be discussed and agreed with the governing body and the head teacher of the school.

### **What might be the educational advantages in the creation of a new all through primary school?**

The Council believes the advantages of the creation of all through primary schools are as follows:

- Greater continuity in teaching, pupil wellbeing, care, security and development under a single headteacher and teaching staff. It is very important to ensure continuity in planning the curriculum across the stages of education so that pupils make the best possible progress in learning.
- The school could offer a greater range of teaching skills to oversee the effective teaching of individual subjects across the whole 4–11 age range.
- Greater flexibility that a 4–11 school has in organising classes, deploying teachers and support staff and using resources, including buildings, more effectively.
- Closer contact with parents over a longer period of time and covering the full span of the children's primary education.
- Practical advantages to parents e.g. the same staff development days, the same school policies relating to home links, uniform, codes of conduct etc.
- There will be no need for a separate admission round between years 2 and 3 which will enhance the pupils sense of security and well being.
- A positive feature of 4–11 schools is the social interaction between younger and older pupils

### **Views of the Governing Body**

The proposal to permanently change the age range of Benfield School has been discussed with the governing body of the school prior to this report being prepared. The Governing Body has welcomed the opportunities that this proposal offers and fully supports the proposal.

The views of the governing body will be finalised in light of the consultation.

## Consultation arrangements

If, having read this document, you would like to comment on the proposals; there are several opportunities for doing so:

- You should complete and return (either to the school or the Kings House) the tear off portion of the consultation leaflet..
- You can respond online at <http://tiny.cc/wwwte>
- You can send a letter to the Schools Futures Project Director, Children & Young Peoples Trust, Brighton & Hove City Council, King's House, Grand Avenue, Hove, BN3 2SR. *Please mark your letter for the attention of Gil Sweetenham.*
- In the interests of economy, letters will not be acknowledged or responded to.
- **Replies must be received by 1<sup>st</sup> October 2010**
- There will be a public meeting at the Benfield Junior school on 15<sup>th</sup> September 2010 at 7pm in the school hall.
- At this meeting parents and others will have the opportunity to put forward their views. Officers from the Children and Young Peoples Trust will be present to clarify points of detail.

## The next stage

All of the views put forward by consultees will be reported to Brighton and Hove City Council.

If the Council decides to move ahead with the proposal a Statutory Notice will be published for a period of six weeks. During this period objections to, or comments on the proposals may be made by any person or group.

The Council is empowered to make the decision on these proposals. Any objections or comments received during the six week period will be considered by the Children and Young People Cabinet member before a decision is made.

The proposals set out in this document are put forward as a basis for consultation only. It is stressed that **no decisions have yet been made** and that none will be made until consultations have been completed and all views carefully considered by Brighton and Hove City Council.

The Council's major objective is to ensure the outcome of this consultation has local support and is in the best interests of pupils in Brighton and Hove.

### DO PLEASE LET US KNOW YOUR VIEWS

#### **Gil Sweetenham**

Schools Futures Project Director  
Brighton and Hove Council 21 July 2010

**Table 1 – Current and forecast rolls for Benfield Junior School and surrounding schools**

	Capacity	Admission Number	Spring 10	Forecast Rolls			
				Jan 11	Jan12	Jan 13	Jan 14
Benfield Junior School	360	90	246	306	-	-	-
Benfield Primary School*	420	60	-	-	366	410	420
Portslade Infant School	353	120	340	345	350	355	360
St. Peters Infant School	90	30	88	90	90	90	90
St Mary's RC Primary School	209	30	219	215	210	210	210
St Nicholas CE Junior School	240	60	243	240	240	240	240
West Hove Infant School	349	120	360	360	360	360	360
West Hove Junior School	480	120	494	494	494	494	494
Goldstone Primary School	415	60	396	420	450	480	510

\*Assuming proposal goes ahead

If you require any further copies of the consultation document, please request them by ringing 01273 294224 or emailing [alison.price@brighton-hove.gov.uk](mailto:alison.price@brighton-hove.gov.uk)

Please return by **1<sup>st</sup> October 2010**  
**Thank you for your assistance in our consultation**

***The following timetable is proposed:***

Publication of Consultation Document	21 <sup>st</sup> July 2010
Public Consultation Meeting	15 <sup>th</sup> September 2010
Last date for responses	1 <sup>st</sup> October 2010
Report back to Children and Young People	11 <sup>th</sup> October 2010
Cabinet Member Meeting	
Issue Public Notice	15 <sup>th</sup> October 2010
End of public notice period	26 <sup>th</sup> November 2010
Decision by the Children and Young People	10 <sup>th</sup> December 2010
Cabinet Member	
Provisional Opening	1 <sup>st</sup> September 2011

The Councillors for the area are:

Councillors Les Hamilton and Steve Harmer-Strange represent South Portslade

Councillors Trevor Alford and Bob Carden represent North Portslade

**Please Note:** Apart from the public meeting which will be held at the junior school, all other meetings are held at Hove Town Hall. For the exact times, please contact Alison Price on telephone number 01273 294224.

Name	Postcode	I am...	Please state which school:	Please state which:	Do you support the proposal ?	My comments are as follows:
Jo Matthews	BN41 2bb	The parent of a pupil			No	I am very concerned as to the implications this proposal may have for other local schools. My children both attended St Peters Infant school, which is a vital part of the local community. I would like clarification on the comments about 'wider re-organisation of school places in Portslade'. I do support the proposal, we desperately need more school places. My child started Benfield reception this week and loves it. The new classrooms and teachers are great. If the school is not changed into an all through Primary School what will happen to our children next year? They will have to go to a different school for Yr1 which will be disruptive and upsetting for them. They need continuity in their education. Also all of the money already spent adding the Reception classes will have been wasted. I definitely want the proposal to go through.
c.antoni	bn3 3rx	The parent of a pupil			Yes	I believe that no consideration has been given to the impact on other schools in the area. As a former headteacher of Benfield and now a governor at St. Peter's I know the area well. In history St Peter's sent all their children to Benfield. This has gradually changed over the last 10 years and about 50% now go to St. Nicholas Junior School. The problem will be that there will be insufficient junior places in South Portslade to meet parental choice within two years. The consequence will necessitate further changes. St Peter's is an outstanding school providing first class education and their future will be compromised. I urge you to reflect on your decision and continue with the proposal to adapt Connaught to meet the demands from central Hove.
Ann Gilham	RH20 4NE	A school governor			No	I have tried to consider this proposal in a positive way but there are many concerns that keep arising one being that the Local Authority are ploughing precious resources into a school that has been struggling to receive good OFSTED reports to the detriment of the schools in the same area that are achieving good results. As Vice Chair of the governing body of St. Peter's Community Infant and Nursery School in Portslade I have many concerns about this proposal and how it will effect St. Peters and other schools especially those within the South Portslade area. I believe that with all the monitoring that takes place within the Council this problem should have been foreseen much earlier and this was also a point raised by parents at the consultation meeting, the changes to Benfield School have appeared to be a rushed and last minute decision which has caused a great deal of stress to many parents, their children and families. After attending the consultation meeting on 15th September I gained the impression that this proposal will go ahead, despite what people think or say, and that the
Daphne Geal		A school governor			No	
tom cook	bn35dq	The parent of a pupil			Yes	i think a through primary will be an excellent asset for the area and for my daughters learning and stability. we live in west hove and although benfield is not the nearest school it is a great size. i think that having an all through primary will support my daughter to build long term friendships and great learning relationship with her teachers. there have been ideas to rebuild other schools but it must make sense to refurbish an existing school and make it a great resource.
sara cahill	BN35DQ	The parent of a pupil			Yes	
Jo M.	Bn41	The parent of a pupil			No	I am very concerned by this proposal and the implications for other schools in Portslade. These are alluded to in the consultation document, but not clarified. I do not believe that the site is sufficient to meet the need of a through Primary and I am not convinced that the current school leadership are up to the task. I am also concerned as this is the second time I have commented, my previous comment having been deleted - perhaps it is considered vexatious to disagree with this council's proposals?
Tac Carters	BN3 2RQ	Other interested party				Portslade Infant School at present has 120 children leaving each year to seek a place at a Junior School there will clearly be a shortfall of 60 places. Where are the places for these children as some parents will not have a sibling link as they have been sent to Portslade Infants from over 2 miles from their address? This seems to be a sticking plaster on a wider problem and doesn't deal with the serious issue of families in south central Hove who are unable to get a place in Davigdor Primary, St Andrews and West Hove Infants yet more places are being created further to the west of the city. What does the Head of Portslade Infants think of these changes which will impact on the feeder relationship previously in existence between her school and Benfield? Benfield is being used as a solution to a problem based in central Hove, instead the problem has been exported to the schools around the problem. As a junior school it is a popular choice, with this year showing more demand for junior places than could be offered, so the council could have extended junior provision over adding a primary unit. Add to this the knock on affect to Portslade Infants, which will no longer have Benfield as a feeder school and a head and board of governors that still months later do not have any idea what the council will do with these displaced children, yet again suggests poor planning. Lastly with the options for parents sent to Benfield as an emergency measure and being offered a possible place at Connaught if and when it opens, what effect will this have if a large proportion of these parents take the opportunity leaving Benfield the poorer yet again! This expansion is not in the interest of the community surrounding Benfield as it is being used to accommodate children from other areas of the city not only displacing these children but prospective children wishing to
bob howitt	bn41 2le	Other interested party			Undecided	
Grace	bn3 1rf	Other interested party			Yes	
chris wilson	bn6	Other interested party			Undecided	It's nice to see such an open and transparent process being undertaken thank you BHCC



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 31

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed Creation of a new all through Primary School to replace Balfour Infant and Junior Schools – final decision</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> October 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gillian Churchill</b>	<b>Tel:</b> 29-3515
	<b>E-mail:</b>	<a href="mailto:gillian.churchill@brighton-hove.gov.uk">gillian.churchill@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	Yes	Forward Plan No: 17817	
<b>Wards Affected:</b>	All		

### FOR GENERAL

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform members of the outcome of the statutory consultation on the proposed discontinuance of Balfour Junior School and the change in age range and expansion of the premises for Balfour Infant School.
- 1.2 The purpose of this report is to provide the Cabinet Member with sufficient information to be able to determine the proposal

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member confirms the statutory notice and resolves to discontinue Balfour Junior School and extend the age range and expand the premises of Balfour Infant School from September 2011.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The consideration of amalgamating Balfour Infant and Junior schools has arisen as a result of the Councils Protocol for the Creation of an All-through Primary School. This states that we will consider merging linked infant and junior schools when the head teacher of one of the schools leaves. In this instance the head teachers of both schools are retiring at the end of the current school year (July 2010).

The amalgamation would require the closure of Balfour Junior School and the extension of the age range of the infant school to cater for pupils from age 4 to age 11.

At the Cabinet Member meeting held on 12<sup>th</sup> July 2010 it was agreed to publish the combined statutory notice required to progress these proposals.

#### **4. CONSULTATION**

- 4.1 Consultation on the closure of a school and expanding the age range of community schools must follow the processes set out in section 15 (1) and Section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) respectively. Section 16(2) of the Act provides that before publishing any proposals for closure of a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between April and June 2010.
- 4.2 On 12<sup>th</sup> July 2010 the Children and Young People Cabinet Member authorised the Director of Children's Services to proceed to publish the required statutory notices for the closure of Balfour Junior School and the change in age range of Balfour Infant School from September 2011. The subsequent publication period was the final opportunity for people and organisations to express their views on the proposals.
- 4.3 Statutory notices were published in the local newspaper on 19<sup>th</sup> July 2010. In addition Notices were displayed at the entrances to both schools and at other places used by the community (details of locations are in the full proposal information in the Members rooms). The statutory notice stated how the full proposal information on the closure proposal could be obtained.
- 4.4 The Statutory Notice forms part of the full proposal. Copies of the full proposal were sent to the Anglican and Catholic diocese, the governing body of the school, ward members, the Children and Young people Cabinet Member, the Member of Parliament and the DCSF. Copies of the complete proposal have to be made available to anyone who requests a copy during the publication period. A copy of the full proposal information is in the members Rooms.
- 4.5 During the publication periods no requests were received for the full proposal information in respect of any part of the proposals.
- 4.6 During the publication period no objections were received to the proposal.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

- 5.1 Any revenue costs of the proposal would have to be met from the existing Individual School Budget (ISB) as there are no additional resources available to fund any associated costs that may arise as a result of the merger. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Primary capital Programme and NDS modernisation. However given that the recent budget announcement indicates that government departments will have to find reductions of 25% over the next 4 years, we are not sure if this will impact on funding for Primary Capital. If this reduced in 2011/12 then the funding for any adaptations will have to be the first call on any reduced budget.

Finance Officer Consulted: Andy Moore

Date: 07 09 10



## 5.2 Legal Implications:

- 5.2.1 Statutory Notices were published on 19<sup>th</sup> July 2010 in accordance with Section 15(1) of the Education and Inspections Act 2006 and the accompanying School Organisation (Establishment and discontinuance of Schools (England) Regulations 2007 as amended. The statutory six week period for representations to be made followed. The closing date for receipt of representations or objections was 30<sup>th</sup> August 2010.
- 5.2.2 Statutory notices were published on 19<sup>th</sup> July 2010 in accordance with Section 19(1) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 as amended in respect of the proposal to extend the age range and enlarge the premises of Balfour Infant School. The statutory four week period for representations to be made followed. The closing date for receipt of representations or objections was 16<sup>th</sup> August 2010.

At the end of this representation period a decision on the proposals will need to be taken within 3 months.

The Education and Inspections Act 2006 sets out who decides proposals for any alterations to schools. In the case of these proposals the decision is to be taken by the LA with some rights of appeal to the schools adjudicator. The Children and Young People Cabinet Member will act as the Decision Maker for the Local Authority.

In addition the DCSF guidance provides that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;

- a) Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided.
- b) Does the published notice comply with statutory requirements? The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals.
- c) Has the statutory consultation been carried out prior to the publication of the notice? Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.
- d) Are the proposals linked or related to other published proposals?

Regulation provides that where proposals are related they must be considered together. Paragraphs 4.11- 4.14 provide statutory guidance on whether proposals should be regarded as “related.

- 5.2.5 In considering proposals for making changes to the age range of a school, and closing a maintained mainstream school the Decision Maker can decide to:
- reject the proposals
  - approve the proposals
  - approve the proposals with a modification
  - approve the proposals subject to them meeting a specific condition
- 5.2.6 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations. In this instance there are no circumstances where a conditional approval would be acceptable.
- 5.2.7 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.
- 5.2.8 The absolute national deadline for expressing preferences for an infant/primary school place is 15 January 2011. To avoid a breach of the admissions code it is important that the final decision can be published in compliance with the admissions code. The admissions booklet alerted parents to the prospect of a decision being made in October. It is recommended that in the event the recommendation is agreed all parents are contacted and notified of the new arrangement, so that they are given the option of including this when expressing a preference.

Lawyer Consulted: Serena Kynaston

Date: 25 August 2010

Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice.

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council.

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal.

Corporate / Citywide Implications:

- 5.7 All planning and provision to for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning arrangements should lead to sufficient school places in all areas of the city and the removal of excess provision.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative option is to leave the schools as separate infant and junior schools.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The Council produced their Primary Strategy for Change in June 2008. This document reflected Brighton and Hove City Council's policy of supporting the amalgamation of infant and junior schools where appropriate.
- 7.2 It is recommended that the proposals to change the age range of Balfour Infant School and expand the premises accordingly and to Balfour Junior School by one form of entry are approved.
- 7.3 Both are popular and successful schools that many parents and carers choose for their children. There is no evidence to suggest that the size of a school has any effect on the success of a school.
- 7.4 The Council believes the advantages of the creation of all through primary schools are as follows:
- Greater continuity in teaching, pupil care and development under a single head teacher and teaching staff. It is very important to ensure continuity in planning the curriculum across the stages of education so that pupils make the best possible progress in learning.
  - The school could offer a greater range of teaching skills, including the opportunity to appoint curriculum co-ordinators with the time to oversee the effective teaching of individual subjects across the whole 4–11 age range.
  - Greater flexibility that a 4–11 school has in organising classes, deploying teachers and support staff and using resources, including buildings, more effectively.
  - Closer contact with parents over a longer period of time and covering the full span of the children's primary education.
  - Practical advantages to parents' e.g. same staff development days, the same school policies relating to home links, uniform, codes of conduct etc.

- Transfer to a different school environment after three years or less of schooling might be seen as an unnecessary disruption to pupil's sense of security and well being. A positive feature of 4–11 schools is the social interaction between younger and older pupils.
- 7.5 The public consultation prior to publication of the notices showed that a number of parents and carers of the current infant school were unhappy with the proposal to create an all through primary school as in their opinion this would be to the detriment of early years teaching in the school. This point was considered at that time and on balance it was considered that this would not be the case. This view has not changed. It is considered that the proposed changes will benefit pupil and staff development.
- 7.6 The two schools currently provide a range of extended services to the school community; this situation will not change as a result of these proposals.
- 7.7 The school is covered by the Council's admissions arrangements which strives to provide a truly local school which serves its most immediate community and assists in the aspirations of the Local Authority in terms of green travel arrangements.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. NONE

### **Documents In Members' Rooms**

1. Copy of the full proposal information
2. Copy of Guidance document 'Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)
3. Guidance Document 'Closing a Maintained Mainstream School'

### **Background Documents**

1. None

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 32

Brighton & Hove City Council

<b>Subject:</b>	<b>Contract for Provision of Health Services and staff between South Downs Health NHS Trust and Brighton &amp; Hove City Council</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> October 2010</b>		
<b>Report of:</b>	<b>Acting Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Barton</b>	<b>Tel: 29-6105</b>
	<b>E-mail:</b>	steve.barton@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No.: 17819</b>	
<b>Wards Affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

### 1 SUMMARY AND POLICY CONTEXT

- 1.1 In April 2010 the Council entered into two new s75 agreements with NHS Brighton & Hove, (the PCT) and South Downs Health NHS Trust (SDH). The agreements cover arrangements for the commissioning and provision of children's services.
- 1.2 The effect of the new s75 arrangements is that in practice the Council is now responsible for commissioning children's health care services from SDH using joint funds in the pooled commissioning budget. Previously these services were commissioned directly by the PCT.
- 1.3 This report seeks authority for the Council as the lead commissioner on behalf of itself and the PCT to enter into a commissioning contract with SDH for the provision of children's health care services. This will formalise the commissioning role of the Council as envisaged in the s75 agreements.

### 2 RECOMMENDATIONS:

- 2.1 That a contract for up to 1 year with a possible extension of up to 1 year with a value of £9.847 million per annum be entered into with South Downs Health NHS Trust for the provision of children's health care services. This period may coincide with changes emanating from the government white paper, 'Equity and Excellence: Liberating the NHS', which is likely to lead to changes in the structure of health services and associated bodies. Changes of this nature have been made in previous years, e.g. the replacement of Health Authorities with PCTs, and it will be necessary to review the contractual arrangements with any successor bodies.
- 2.2 That the Cabinet Member for Children and Young People authorises the Acting Director of Children's Services, after consultation with the Cabinet Member for Children and Young People, to finalise the detailed terms of the contract and to take all steps necessary or incidental to completing the contract.

- 2.3 That the Cabinet Member for Children and Young People authorises the Council's Head of Law to prepare and execute the contract.
- 2.4 That the Cabinet Member for Children and Young People authorises the Head of Law to make any necessary or consequential changes to the s75 agreements to ensure consistency with the contract, in particular in relation to payment arrangements.

### **3 RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 A Section 75 commissioning agreement was signed by the Council and NHS Brighton and Hove (the PCT) on 1<sup>st</sup> April 2010. This agreement makes provision for a pooled budget to commission integrated health, social care and education services to deliver better outcomes for children and young people across the city.
- 3.2 A section 75 provider agreement was signed by the Council and SDH on 1<sup>st</sup> April 2010 to secure the delivery of integrated services through a pooled fund for children's services and the secondment of NHS staff to the council.
- 3.3 Prior to the new agreements, NHS Brighton and Hove (the PCT) commissioned services for children from SDH Trust based on a standard form of NHS contract. The proposal in this report is for the Council to take over the administration of this contract because it is the Council that is leading on taking forward the commissioning of SDH services.
- 3.4 The amount of money to enter the pooled budgets is not affected by the proposals in this report. Currently the PCT commissions services from SDH for £9.847 million p.a. and the proposal is that the Council will take over this role and commission services for this amount. The PCT have requested this change in recognition of the role that the Council plays in commissioning under the new s75 agreements.
- 3.5 By contracting directly with SDH, the Council is purchasing health care services that were previously purchased direct by the PCT. The PCT will pay the equivalent of the contract value (being £9.847 million per annum) into the pooled commissioning fund pursuant to the commissioning s75 agreement to enable the Council to do so.
- 3.6 On receipt of the contracted sum, SDH then agrees to pay over those funds that relate to direct service delivery to the provider pool, which will be managed by the council, as host integrated provider, in accordance with the provisions and amounts specified within the Section 75 Provider Agreement.

### **4 CONSULTATION**

- 4.1 The PCT contracts team and commissioners have been consulted and have advised about the form of contract and the schedules that need to be included.
- 4.2 SDH senior managers have been consulted about the service specifications that form part of the schedules, the quality improvement programme and the form of contract. SDH are receiving external legal advice on the contract.

- 4.3 The Council has also sought external advice to confirm the proposed mechanism is an appropriate one and to advise on the contract itself. The external legal advice confirms that it is appropriate for the Council to enter into a form of commissioning contract with SDH on behalf of itself and the PCT pursuant to the commissioning s75 agreement.
- 4.4 Once authority to proceed is given, the Council's legal team will advise on the process to follow to ensure signatures and seal once all parties are agreed with the contract and associated schedules.

## **5 FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The value of the new contract will be £9.847m for children-related health services currently included in the NHS Contract between the PCT and South Downs NHS Health Trust. The new contract enables the council, as joint commissioner, to *directly* manage the performance of the Trust in respect of these services, including those pooled under the Section 75 Provider Agreement.
- 5.2 There are no direct financial implications for the council as the amount to be contracted under the new contract exactly matches the sums to be provided by the PCT to the council under the Section 75 Commissioning Agreement, including any performance related payments (e.g. CQUIN). Further, although the new contract will determine the value of payments to be made to the Trust for services provided, it does not change the financial risk provisions across the partnerships, which are contained in the Section 75 Agreements.

*Finance Officer Consulted: Nigel Manvell*

*Date: 22 September 2010*

### Legal Implications:

- 5.3 The form of the contract proposed will need external legal advice from health care law experts to ensure that the necessary health elements are incorporated.
- 5.4 In view of the nature of the proposed contract, its link to the services covered by the s75 agreements and the fact that the Council is effectively taking over an existing arrangement as lead commissioner, it is not appropriate to tender the contract. The contract will need to be made under seal pursuant to the Council's Contract Standing Orders. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report

*Lawyer Consulted: E Culbert*

*Date: 20<sup>th</sup> September 2010*

### Equalities Implications:

- 5.5 Equality of provision is a key principle of integrated provision

### Sustainability Implications:

5.6 No direct implications

Crime & Disorder Implications:

5.7 No direct implications

Risk and Opportunity Management Implications:

5.8 Delivery of key objectives in the Children and Young People's Plan, health vital signs and performance targets cannot be delivered if integrated provision and secondment of health staff into children's services are compromised

Corporate / Citywide Implications:

5.9 The CYPP is a city wide plan for improving outcomes for children and young people.

**6 EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 Not applicable

**7 REASONS FOR REPORT RECOMMENDATIONS**

7.1 This is a key decision and authority from a cabinet member is needed in order to proceed.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Documents In Members' Rooms**

1. None

**Background Documents**

1. Section 75 agreements – provider and commissioning
2. NHS form of contract



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 33

Brighton & Hove City Council

<b>Subject:</b>	Response to the report of the Children and Young People's Overview and Scrutiny Committee Report: School Exclusions		
<b>Date of Meeting:</b>	11 <sup>th</sup> October 2010		
<b>Report of:</b>	Acting Director of Children's Services		
<b>Contact Officer:</b>	Name:	Linda Ellis, Senior Secondary And Secondary School Adviser	Tel: 01273 293686
	E-mail:	Linda.ellis@brighton-hove.gov.uk	
<b>Key Decision:</b>	NO		
<b>Wards Affected:</b>	All		

### 1. SUMMARY AND POLICY CONTEXT:

1.1 In June 2009 the Children and Young People's Overview and Scrutiny Committee (CYPOSC) agreed to set up an ad hoc panel to investigate the issue of School Exclusion following a question about school exclusion from Councillor Carden, which posed the following queries:

1. Who is excluded, why and where from?
2. What support do students and parents receive prior to, during and post exclusion, including psychiatric, psychological and educational support?
3. What are the outcomes for students, either temporarily excluded more than twice or permanently excluded or who experience 'managed' moves?

1.2 This response sets out to address the recommendations of this report and to propose further action in respect to the Children and Young People's Trust (CYPT) response to the issue school exclusion.

### 2. RECOMMENDATIONS:

2.1 That the Cabinet member

- (a) Notes the recommendations of the report from CYPOSC and acknowledge the work of that committee.
- (b) Implement the actions within the response.
- (c) Ensure that the monitoring procedures are followed.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Ad-Hoc Scrutiny Panels consist of cross party groups who carry out short, sharply focused pieces of work. The purpose of the panel was to investigate school exclusions. They set objectives to investigate and identify whether specific groups of children are more vulnerable to exclusion, the differences between schools in practice and outcomes, the causes of exclusion and the impact of exclusion.
- 3.2 The panel subsequently held a series of evidence gathering meetings and drew together the report School Exclusion (Appendix 1).
- 3.3 A number of recommendations are about school policies and practice. Although the Council retains overall responsibility for all maintained schools in its area, it does not directly run the schools. Instead it provides an advisory and support service in relation to school discipline and exclusions. Legislation states that Headteachers and governing bodies now have responsibility for policies relating to behaviour and discipline. The council does however have a wider range of statutory duties to protect the welfare of all children in the city, including a duty to promote “the fulfilment by every child concerned of his educational potential”. Therefore, under current legislation, we have a vital role in making sure the local education system produces the right outcomes for local children and will use influence, support and challenge to affect outcomes in relation to exclusion.
- 3.4 The response to the report may need modification following a range of new government priorities and policies, which are not yet published. These include a review of Special Education Needs provision and legislation along with new guidance on behaviour and exclusions. Additionally the ability to deliver training or support to schools will be influenced by the outcomes of the Comprehensive Spending review this coming Autumn.

### **3.5 Response to Recommendations**

#### Recommendations 1

*Whilst the Panel recognises how far schools have developed their understanding of SEN, further training and advice for SENCOs on identifying early signs of problem behaviour is still required. The Headteachers’ Steering Group should investigate how schools identify children who may have behavioural needs as early as possible and what practices they are putting into place to support pupils.*

The CYPT is re-commissioning the services supporting schools to meet the needs of young people with behaviour, emotional and social difficulties which will take into account this recommendation. An aspect of the re-commissioned service is to enable schools to work in partnership to support each other, to share good practice and to develop shared understandings of the aspects of SEN including early identification of need. Once this review is complete and the recommendations have been agreed these will be shared with the Headteachers’ Steering Group.

### Recommendation 2

*The CYPT use its influence with schools to encourage schools to research and increase staff awareness in order to support children with all special needs, including Foetal Alcohol Syndrome (FAS).*

The CYPT will continue to provide a training programme on issues pertaining to SEN and access to specialist training from other providers. There has been a seminar on Foetal Alcohol Syndrome (FAS) in recent months and health service colleagues have and will continue to provide training sessions in schools when these are requested.

### Recommendation 3

*Schools should identify the best and most creative use of their SEN funding in the City and ensure that best practice is shared amongst all schools.*

Schools report annually on their spending of the SEN budget. They have also been encouraged to use the Audit Commission tool for evaluating Value for Money spent on SEN to review practice in their school. School Improvement Partners will continue to challenge and support schools on their efficient use of funding especially with regard to outcomes for children with SEN.

### Recommendation 4

*The CYPT to encourage schools to provide language, communication, and intervention in schools as early as possible to meet the needs of their pupils.*

SENCo meetings have discussed the importance of speech, language and communication difficulties and the consequent behaviour issues that can arise if the needs are not met. Schools have access to specialist support from the Language and Literacy Support Service along with Speech and Language Therapists. They will continue to receive support and training in this area to address this recommendation.

### Recommendation 5

*The CYPT continue to put into place robust monitoring systems to assess how each school is spending its SEN budget and to intervene and advise if spending is not as effective as it could be.*

See response to recommendation 3.

### Recommendation 6

*The Council should request changes to the legislation of SEN funding to stipulate that this funding is ring-fenced for schools to use on SEN related matters only (via provision for lobbying central Government introduced in the Sustainable Communities Act).*

The most recent consultation from DfE that covers the Pupil Premium for disadvantaged pupils states that the Government are not proposing to ring fence this funding as they believe schools know best how this should be

applied. In this context, it seems unlikely that they would want to do this with other SEN funding. In the annual in-school review exercise, we will continue to monitor this. We know from this review that every school states that they spend more in the SEN area than they are allocated.

#### Recommendation 7

*a) Clinical CAMHS should consider whether it offers the most responsive possible service to families, particularly in terms of being willing to travel to locations where families feel most comfortable, rather than requiring children with complex needs to travel to clinical facilities.*

*b) CAMHS need to ensure that, subject to patient confidentiality, it shares all relevant information with schools to best enable them to support all children in their care.*

*c) Where possible, CAMHS professionals/clinicians should offer training to parents and schools on techniques to support pupils.*

*d) CAMHS to investigate the perceptions that schools and parents have regarding long waiting times and to ensure that requisite changes are made to ensure easier access is made to appropriate CAMHS services.*

The CYPT has commenced a process of re-commissioning CAMHS and these recommendations' will be addressed in this process.

#### Recommendation 8

*The CYPT should continue to seek funding for school buildings, to investigate incorporating additional classroom space within current schools for 'support classes' (similar to Inclusion Centres) to provide pupils at risk of being excluded the flexibility of being taught in smaller classes.*

The Building Schools for the Future programme has been withdrawn by the Government. However in re-commissioning the service to support young people with behaviour, emotional and social difficulties the CYPT has recommended that schools create different environments to address the needs of young people and this has received support from schools. A number of our schools already have such provision in place. Any new school building or refurbishments will also include consideration of this recommendation

#### Recommendation 9

*The CYPT makes provision through the BSF project, for all schools to have access for some Offsite 'Learning Support Units' (for pupils who have been temporarily excluded), which are linked into mainstream schools (like the Hangleton and Knoll project).*

Schools are already being encouraged to work in partnership to develop such resources. A number of our schools have learning support units of similar resources on site and use the facilities of ACE as off-site provision.

#### Recommendation 10

*CYPT to encourage Schools to have simplified School Behaviour Policies:*

- *with Exclusion protocols that are ‘child-friendly’*
- *to include acknowledging the prohibition of ‘Informal Exclusions’*
- *the restricted use of part-time timetables*
- *to show clearly the different stages of sanctions that the school has in place*

The CYPT implement this recommendation through the termly meetings of the School Improvement Partner.

#### Recommendation 11

*Headteachers should ensure that children and young people are not ‘informally excluded’ or unnecessarily placed on part-time timetables and the LEA should continue robustly to monitor this.*

All children and young people in maintained schools are entitled to 190 days of education. This education need not be in a school building but must be planned and agreed with the parents or carers. Schools should be aware of a young person’s attendance at any off-site provision and to register their presence or absence accordingly. Part-time timetables that are not monitored put young people at risk and could, in some cases, give rise to child protection concerns. Exclusion from school requires a formal process which is set out in legislation. Informal exclusions are unlawful since there is no basis in law for Headteachers or other school staff to do this, even if done with the agreement of parents or carers. Accordingly, both informal exclusions and un-monitored part-time tables are monitored centrally and strongly discouraged by all officers working with schools.

#### Recommendation 12

*The CYPT should encourage schools to improve their communication and support with parents (for pupils who have been excluded); by involving them more in the exclusion- decision making process.*

The CYPT implement this recommendation through the termly meetings of the School Improvement Partner.

#### Recommendation 13

*Headteachers and Governors should speak with young people who have been excluded and their parents more regularly, to learn from their experiences and seek improvements in exclusions protocols.*

The CYPT will endeavour to influence schools to implement this recommendation through discussion and agreement at the Headteachers’

Steering group and through colleagues involved with the children and their families.

#### **4. CONSULTATION**

- 4.1 The findings and recommendations of the CYPOSC report are based on extensive consultation.
- 4.2 Councillors Kevin Allen, David Smart and Rachel Fryer formed the panel together with Rachel Travers representing the Brighton & Hove Community Voluntary Sector Forum. Councillor Fryer was the Chair of the Panel.
- 4.3 The Panel held a series of evidence gathering meetings in public and in private. Witnesses included parents whose children had been excluded, officers from the Local Education Authority (LEA), an officer from the council's Youth Offending Service, a professional from Community Child and Adolescent Mental Health Services (CAMHS), and a Councillor (who was also a school Governor).
- 4.4 Panel members carried out visits to schools, ranging from a Church-Aided school, to state Primary, Secondary and Special schools. The Panel also spoke with pupils at Sellaby House, an Inclusion Centre (within a school) and at the Self Managed Learning Centre.
- 4.5 Some of the evidence was also gathered from parents and teachers in the form of private e-mails to the Panel.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

*[Address all capital and revenue financial and property implications arising out of the report proposals. This section to be completed by relevant finance officer]*

- 5.1 There are no specific financial implications arising from the recommendations at this stage however, it is worth noting some points for further consideration in the future. Recommendation 1 is connected with early identification of need and the Heads Steering Group should be aware that prioritising funding for early intervention has been the subject of debate at both Schools Formula Working Group and Schools Forum meetings in the last year. Clearly, funding allocated to schools via the formula is limited and representatives on the Heads Steering Group should liaise with colleagues involved in the funding groups to ensure a co-ordinated approach. Recommendation 8 regarding the creation of different learning environments within schools would need to be given consideration in terms of capital expenditure on a case-by-case basis.

*Finance Officer Consulted: Steve Williams*

*Date: 06/09/10*

Legal Implications:

- 5.2 The recommendations in this report are provided as part of the Council's overall responsibility to schools to provide guidance, support and advice on policies relating to behaviour and discipline within schools. This responsibility extends to liaise with other agencies in order to provide co-ordinated support to pupils, their families, and schools, hence the recommendations in paragraph 3.4.6 relating to the CAMHS service.

*Lawyer Consulted:*

*Serena Kynaston*

*Date: 03/09/10*

Equalities Implications:

- 5.3 The recommendations in this report are provided to improve access to education for vulnerable pupils.

Sustainability Implications:

- 5.4 The recommendations in this report will support the better attainment of vulnerable pupils which will lead to improved employability and thus add to the sustainability of the city.

Crime & Disorder Implications:

- 5.5 The recommendations in this report will have the effect of reducing crime and disorder

Risk and Opportunity Management Implications:

- 5.6 N/A

Corporate / Citywide Implications:

- 5.7 The recommendations in this report will support the better attainment of vulnerable pupils which enhances the reputation of the City Council.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

N/A

**7. REASONS FOR REPORT RECOMMENDATIONS**

## **SUPPORTING DOCUMENTATION**

### **Appendices**

1. Full CYPOSC Report

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. None



**Report of the Children and Young People's  
Overview and Scrutiny Panel**

**Date: June 2010**

**School Exclusion**

**Panel Members:**

**Councillor Rachel Fryer (Chairman)  
Councillor Kevin Allen  
Councillor David Smart  
Rachel Travers (representative of the Community  
Voluntary Sector Forum)**

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## Chair's Foreword

This has been an incredibly interesting, fulfilling and, at times, emotive scrutiny panel which it has been my privilege to chair. As with so many things it has raised more questions than it has answered yet has been very informative. I think that as a panel we have gained a good all-round understanding of the complex issues surrounding school exclusions.

A particularly important part of this scrutiny panel was the school visits – we packed an amazing five visits to schools into one day where we met and discussed with staff what they felt the issues were around school exclusion. This was followed by visits to learning centres where we met and spoke with young people who either had been excluded or were at risk of exclusion. We also learnt a lot from evidence given by parents and carers of young people who had been excluded. It is clear teachers face enormous challenges and do a lot to reduce the risk of exclusion. However it also became clear that there is room for communication between schools and other service providers and parents and carers to improve.

You will notice there has been an emphasis on young people with Special Educational Needs (SEN). This is because it became clear immediately that there are a disproportionately high number of young people with SEN who are being excluded. These are often the most vulnerable young people so the negative impact which may result from being excluded – such as feelings of rejection and isolation, as well as disruption to education, are therefore all the more pertinent. We understand the pressures schools are under in balancing meeting these needs with meeting the needs of all other children and young people in a class, particularly as SEN is such a complex area. The Headteacher of ACE described how it is possible to argue that all excluded young people have SEN. I would like to draw your attention to the section on Speech and Language. Many teachers said they believed disruptive behaviour was often caused by young people either trying to cover up or express frustration at their poor communication skills. We hope this report goes some way to setting out structures which will give support to schools to meet the above needs and prevent exclusion.

It should be pointed out that, contrary to popular belief, exclusion should not be used as a punishment. It can teach young people that misbehaving can mean they don't have to go to school – to some this will seem like a reward whilst reinforcing negative impacts discussed earlier. One parent described how the only person an exclusion punishes is the parent and these parents are often already in very demanding and challenging situations.

You will see at the end of the report areas which we think are very important to explore but which we simply did not have the scope for in this limited time. These include addressing issues of exclusion amongst Travellers, correlation with exclusion and domestic violence and issues of bullying including homophobic bullying.

We saw lots of excellent practice, including preventative measures such as clear behaviour policies with an emphasis on rewarding good behaviour and separate learning centres which young people at risk of exclusion attend where they can access more individual support and attention.

I would like to finish by expressing gratitude to my fellow members of the panel: Councillors Kevin Allen, David Smart and Rachel Travers from Amaze, all of who it has been a pleasure to work with. I'm sure they will join me in thanking the many teachers, parents and young people for their time, and at times disclosing personal and sensitive information. I would also like to formally thank Sharmini Williams, our scrutiny officer who organised meetings to fit in with our busy diaries, responded to our many comments and done a great job at pulling together this report and condensing what started as dozens of recommendations into a concise 13.



*Rachel Fryer*

Councillor Rachel Fryer  
Chair of the School Exclusion Scrutiny Panel

## **List of Recommendations**

### **Special Educational Needs:**

#### **Recommendation 1**

Whilst the Panel recognises how far schools have developed their understanding of SEN, further training and advice for SENCOs on identifying early signs of problem behaviour is still required. The Headteachers' Steering Group should investigate how schools identify children who may have behavioural needs as early as possible and what practices they are putting into place to support pupils.

#### **Recommendation 2**

The CYPT use its influence with schools to encourage schools to research and increase staff awareness in order to support children with all special needs, including Foetal Alcohol Syndrome (FAS).

#### **Recommendation 3**

Schools should identify the best and most creative use of their SEN funding in the City and ensure that best practice is shared amongst all schools.

#### **Recommendation 4**

The CYPT to encourage schools to provide language and communication and intervention in schools as early as possible to meet the needs of their pupils.

#### **Recommendation 5**

The CYPT continue to put into place robust monitoring systems to assess how each school is spending its SEN budget and to intervene and advise if spending is not as effective as it could be.

#### **Recommendation 6**

The Council should request changes to the legislation of SEN funding to stipulate that this funding is ring-fenced for schools to use on SEN related matters only (via provision for lobbying central Government introduced in the Sustainable Communities Act).

### **Child and Adolescent Mental Health Services (CAMHS):**

#### **Recommendation 7a**

Clinical CAMHS should consider whether it offers the most responsive possible service to families, particularly in terms of being willing to travel to locations where families feel most comfortable, rather than requiring children with complex needs to travel to clinical facilities.

#### **Recommendation 7b**

CAMHS need to ensure that, subject to patient confidentiality, it shares all relevant information with schools to best enable them to support all children in their care.

**Recommendation 7c**

Where possible, CAMHS professionals/clinicians should offer training to parents and schools on techniques to support pupils.

**Recommendation 7d**

CAMHS to investigate the perceptions that schools and parents have regarding long waiting times and to ensure that requisite changes are made to ensure easier access is made to appropriate CAMHS services.

**Building Schools for the Future Project:****Recommendation 8**

The CYPT should continue to seek funding for school buildings, to investigate incorporating additional classroom space within current schools for 'support classes' (similar to Inclusion Centres) to provide pupils at risk of being excluded the flexibility of being taught in smaller classes.

**Recommendation 9**

The CYPT makes provision through the BSF project, for all schools to have access for some Offsite 'Learning Support Units' (for pupils who have been temporarily excluded), which are linked into mainstream schools (like the Hangleton and Knoll project).

**Exclusions Policy:****Recommendation 10**

CYPT to encourage Schools to have simplified School Behaviour Policies:

- with Exclusion protocols that are 'child-friendly'
- to include acknowledging the prohibition of 'Informal Exclusions'
- the restricted use of part-time timetables
- to show clearly the different stages of sanctions that the school has in place

**Recommendation 11**

Headteachers should ensure that children and young people are not 'informally excluded' or unnecessarily placed on part-time timetables and the LEA should continue robustly to monitor this.

**Parents:****Recommendation 12**

The CYPT should encourage schools to improve their communication and support with parents (for pupils who have been excluded); by involving them more in the exclusion- decision making process.

**Recommendation 13**

Headteachers and Governors should speak with young people who have been excluded and their parents more regularly, to learn from their experiences and seek improvements in exclusions protocols.

**Monitoring of these recommendations:**

Once the report has been considered by the council's Executive and has been to Full Council for information, the implementation of agreed recommendations will be monitored 6 monthly and 12 monthly for the first year. After the first year, the recommendations will be monitored annually until all the agreed recommendations have been implemented.

## **A. Introduction**

This section explains why a Scrutiny panel was established, as well as providing general background on issues relating to school exclusion.

### **1. Establishment of the Scrutiny Panel**

1.1 At its 17 June 2009 meeting, the Children and Young People's Overview and Scrutiny Committee (CYPOSC) considered Councillor Carden's question on School Exclusion, which posed the following queries:

1. Who is excluded, why and where from?
2. What support do students and parents receive prior to, during and post exclusion, including psychiatric, psychological and educational support?
3. What are the outcomes for students, either temporarily excluded more than twice or permanently excluded or who experience 'managed' moves?

1.2 CYPOSC members agreed to set up an ad hoc panel to investigate the issue of School Exclusion. Councillors Kevin Allen, David Smart and Rachel Fryer agreed to sit on the panel as did Rachel Travers representing the Brighton & Hove Community Voluntary Sector Forum (CVSF). Councillor Fryer was subsequently elected as Chair of the Panel.

#### **The Panel's objectives**

- 1.3 The Panel agreed to establish the following objectives, to investigate:
- Informal exclusions made by schools and part-time timetables;
  - Differences in school exclusion figures, (aside from demographic variances), is this due to differences in Behaviour Policies?
  - Is there a link between exclusions and Special Educational Needs (SEN)? (look into autistic pupils and pupils with language and speech difficulties);
  - Is there a link between exclusions and bullying?
  - Is there a link between exclusions and domestic violence?
  - Is there a link between exclusions and health inequalities?
  - Why are pupils being excluded from Special schools?
  - Why are Looked After Children (LAC) being excluded?
  - How do schools prevent Traveller Children from being excluded?
  - What support packages are in place for children who are close to being excluded and children who have been excluded?
  - What is the impact on young people when they are excluded?



- Why girls are excluded less than boys and is there a variation in the impact of exclusion on girls compared with boys?

### **Witnesses**

- 1.4 The Panel held a series of evidence gathering meetings in public and in private. Witnesses included parents whose children had been excluded, officers from the Local Education Authority (LEA), an officer from the council's Youth Offending Service, a professional from Community Child and Adolescent Mental Health Services (CAMHS), and a Councillor (who was also a school Governor).
- 1.5 Panel members carried out visits to schools, ranging from a Church-Aided school, to state Primary, Secondary and Special schools. The Panel also spoke with pupils at Sellaby House, an Inclusion Centre (within a school) and at the Self Managed Learning Centre.
- 1.6 Some of the evidence was also gathered from parents and teachers in the form of private e-mails to the Panel.

### **Statistics for Brighton & Hove**

- 1.7 Permanent exclusions have reduced from 18 in the academic year 2006/07 to 9 in 2007/08 and just 3 in 2008/09. Days lost to fixed period exclusions have reduced from 6977 in 2006/07 to 4704 in 2007/08. The Panel recognise that these figures reflect excellent work from city schools, from the Advisory Centre for Education (ACE) and from the Children and Young People's Trust (CYPT).
- 1.8 The preliminary figures for 2008/2009 Fixed Term Exclusion indicates that out of 29,199 (total number of pupils) there were 2439 incidents, of which 1776 were pupils with SEN; 73% of all exclusions were children with SEN (pupils on School Action, School Action Plus and those with Statements). There are 7,553 pupils with SEN; which is only 26% of the total school population (Number on Roll) being identified as pupils with SEN.

This information was important to the Panel as it showed that the majority of exclusions are pupils with SEN and therefore the Panel decided to focus on pupils with SEN for part of its scrutiny.

### **1.9 Types of Exclusions<sup>1</sup>:**

**a) Permanent exclusion** is used when a pupil has breached the school's behaviour policy to such a degree that s/he can no longer be taught by that school or when that pupil's continuing presence might seriously harm the education and welfare of either the pupil themselves or other pupils in the school.

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<sup>1</sup> As set out in the "Improving behavioural and attendance: guidance on exclusion from schools and Pupil Referral Units" Department for Children, Schools and Families

**b) Fixed term exclusion** is when there has been a breach of the school's behaviour policy, including persistent disruptive behaviour, where this is not serious enough to permanently exclude and other sanctions such as detentions are not appropriate. Ofsted inspections evidence has suggested that 1-3 days is a sufficient number of days to exclude without any detrimental affect to the pupil's education.

#### 1.10 **Alternatives to exclusions**<sup>2</sup>

Guidance from the Department for Children Schools and Families (DCSF) states that alternatives to exclusions include:

- Restorative Justice - the offender to redress the harm that has been done to a victim
- Mediation – a third party, trained mediator working with the pupils, or with teacher and pupil
- Internal Exclusion – the pupil be removed from the class but not from the school premises with appropriate support
- Managed Moves - to another school to enable the pupil to have a fresh start

1.11 The DCSF's Statistical First Release (SFR) for "Permanent and Fixed Period Exclusions from Schools and Exclusion in England, 2007/8", refers to the:

**Characteristics of Excluded of pupils**, which are:

##### **a) Age and Gender**

- Boys' permanent exclusion rate was nearly 3.5 times higher than that for girls in 2007/8. Boys represented 78% of the total number of permanent exclusions each year.
- In relation to fixed term exclusions a similar pattern arises in 2007/8, with boys accounting for 75% of the total.

##### **b) Special Educational Needs**

- Pupils with SEN (both with and without statements) are over 8 times more likely to be permanently excluded than those pupils with no SEN. In 2007/8, 33 in every 10,000 pupils with statements of SEN and 38 in every 10,000 pupils with SEN without statements were permanently excluded from school. This compares with 4 in every 10,000 pupils with no SEN.
- In terms of fixed period exclusions in 2007/8 for those pupils with statements was 30.8%; the rate of those with SEN without statements was 28.9%. In comparison to 5.1% for those pupils with no SEN.

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<sup>2</sup> Source :Improving behaviour and attendance: guidance on exclusion from schools and Pupil referral Units September 2008, Department for Children, Schools and Families

## Special Educational Needs (SEN)

- 2.1 Special Educational Needs is a term that describes any learning difficulties that a pupil/child may have. Extra learning provision is made by schools to meet the needs of pupils with SEN.
- 2.2 The Special Educational Needs Co-ordinator (SENCO) Teacher, other teachers or teaching assistants provide support to pupils with SEN. There is a wide range of support offered, dependent on the school and the pupil's needs. Specialised external support is provided by the Advisory Centre for Education (ACE) for pupils with SEN who have Behavioural, Emotional and Social Difficulties (BESD) and also by an extensive range of other providers.
- 2.3 Schools use the term 'School Action' for SEN pupils who have their learning needs met from the school's internal resources. 'School Action Plus' is when the learning needs are met both from within schools *and* by external agencies e.g. educational psychologists, speech and language therapists etc.
- 2.4 SEN covers a range of conditions, including:
- Autistic Spectrum Condition (ASC)
  - Behaviour Emotional & Social Difficulties (BESD)
  - Hearing Impairment (HI)
  - Medical Needs (MED)
  - Moderate Learning Difficulties (MLD)
  - Physical Disabilities (PD)
  - Speech Communication and Language Needs (SCLN)
  - Severe Learning Difficulties (SLD)
  - Speech and Learning Difficulties (Dyslexia/SPLD)
- 2.5 **Statementing**  
'Statementing' is a term describing the formal and professional diagnosis/assessment of SEN conditions. Statements are normally initiated by children's families. Historically, many families have believed that attaining a formal statement may mean that their child is more likely to receive the services and support they need. However, this is not necessarily the case, and there is a counter-argument that statementing takes up time and money that might be better spent on actually delivering SEN support services.
- 2.6 **Code of Practice (COP)**  
All local authority schools/ educational settings must follow the Code of Practice. The Code of Practice is how the law about education works in practice. The COP provides guidance to Local Education Authorities (LEAs) and schools to on how to identify, assess and make provision for children with SEN.

## 2.7 **SEN Strategy**

The Local Education Authority's SEN strategy aims to:

- work in collaboration across the city
- build capacity to promote inclusion
- reorganise and rationalise special schools and SEN provision
- optimise funding for SEN and Value for Money (VFM)
- develop quality curriculum and learning

## 2.8 The SEN and Disability Strategy supports and promotes the Statement of Inclusion, (which schools should be working to) saying:

*"We believe that all children and young people, including those with special educational needs, should have access to educational and social opportunities within the mainstream system, alongside high quality appropriate specialist provision".*

## 2.9 For further information on SEN visit the Brighton & Hove website :

<http://www.brighton-hove.gov.uk/index.cfm?request=c1113321#SubTitle2>

### **3. Acknowledgement of good practice and a thank you to all those involved**

3.1 Panel members would like to thank local schools, council officers and other professionals who gave evidence to or otherwise assisted the Panel.

3.2 Panel members would particularly like to express their appreciation for those schools which agreed to host visits from the Panel. Members are aware that schools went out of their way to plan and prepare for these visits, and are very conscious of the effort taken and goodwill shown.

There was so much good practice seen within schools and this commendable work is reflected throughout the report.

3.3 Panel members were also delighted that pupils were given the opportunity to talk about their experiences of exclusion and how they were progressing.

3.4 Lastly, the Panel would like to thank those parents involved in the report for taking the time to attend the meetings/ sending e-mails and bringing forward important issues.

## **B Recommendations**

### **4. Special Educational Needs (SEN)**

- 4.1 This section of the report describes the problems faced by pupils, parents and schools within Brighton & Hove in relation to SEN and school exclusions and makes recommendations in terms of how improvements can be made.
- 4.2 The Panel heard from various witnesses on how SEN provision varied from school to school<sup>3</sup>. Each school operates differently, with the Headteachers, Deputy Heads and Special Educational Needs Co-ordinators (SENCOs) making decisions for that particular school on how to meet each SEN child's needs. However, all schools follow the SEN Code of Practice<sup>4</sup>.
- 4.3 At the first public meeting the Panel heard that a child with Autistic Spectrum Condition was advised by a Headteacher not to send the child to that school and the Headteacher did not feel the school could provide the appropriate support. The child was then accepted into another school. The child received significant support during class hours. However there was inappropriate behaviour during a lunch hour which led to the child being excluded. The issue this raises is the need for out of class support when inappropriate school behaviour may occur<sup>5</sup>.
- 4.4 If schools had the knowledge and skills to be able to deal with these extremes of behaviour that are often part of SEN conditions, and were able to identify at an early stage potential risks and strategies for mitigating these risks, exclusion and being at risk of exclusion could potentially be reduced.
- 4.5 For obvious reasons, the schools workforce tends to have an academic background, making it relatively easy for teachers to be able to identify at an early stage children who have literacy and numeracy shortfalls. However further skills are required to identify pupils with Behavioural, Emotional and Social Difficulties (BESD) or other conditions that are outside of the normal academic literacy and numeracy field. This means that schools are not always equipped to identify and understand the complexities of all the different types of SEN, and are therefore not always as aware as they could be of how best to deal with their students. Children with BESD whose individual needs are not adequately identified or addressed are likely to prove disruptive, and may well find themselves in danger of being excluded. In general, pupils with SEN who have been excluded or at risk of being excluded

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<sup>3</sup> Public Minutes 14/10/2009 Cllr. McCaffrey, paragraph 3.6 & Private Minutes 05/11/2009 paragraph 2.2

<sup>4</sup> See paragraph 2.6 of this report for an explanation of the Code of Practice.

<sup>5</sup> Private Minutes 02/11/2009 paragraph 2.8

will have been identified as having SEN, although they will not necessarily have been statemented<sup>6</sup>.

- 4.6 Brighton and Hove City Council has a SEN Strategy which was established in 2006. The council spends more money on SEN than many other comparable authorities, and the Strategy has regularly been updated and improved, including reinvesting in mainstream schooling. The next phase of the Strategy will be re-launched in 2010<sup>7</sup>.
- 4.7 The Panel heard about various measures of good practice in this area.
- 4.8 **Good practice** – Some schools have the skills to identify that disruptive behaviour may lead to pupils requiring further support. Some schools have in place interventions for when pupils have been repeatedly excluded.
- 4.9 The Panel heard that some schools showed best practice in terms of ‘inclusion’, by being assiduous in liaising with other services (e.g. Educational Psychologists) in order to assist with supporting and developing the skills of their teachers so that those teachers are able to understand the conditions of individual pupils, to minimise the risk of them being excluded and to improve their school experience<sup>8</sup>.
- 4.10 Schools have in place various plans such as Pastoral Support Plans for pupils with SEN who do not have statements. These plans should meet SEN pupils’ needs by ensuring that they are taught according to their particular requirements.

#### **Alternative Centre for Education (ACE)**

- 4.11 ACE is a provision for pupils with BESD which includes:
- a special school for statemented pupils
  - providing provision for pupils who are excluded and at risk of exclusion
  - a behaviour support outreach service to mainstream schools
- 4.12 ACE will shortly be re-commissioned<sup>9</sup> and some witnesses said that they would have liked to have seen a multi-agency centre formed, which would include services such as Child and Adolescent Mental Health Services (CAMHS), the Youth Offending Service (YOS) and the Substance Misuse team<sup>10</sup>. Schools and the YOS felt that this could improve the accessibility into external services for pupils who are at risk of being excluded or have been excluded and for schools who need

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<sup>6</sup> Private Minutes 27/01/2010 paragraph 1.16 & 14/01/2010 paragraphs 1.15 & 1.18

<sup>7</sup> Public Minutes 14/01/2010, JC paragraph 15.1 and information from the handout

<sup>8</sup> Private Minutes 02/11/2009 paragraph 4.11, 4.12 & 4.15

<sup>9</sup> Private Minutes 02/11/2010, paragraph 2.19 - 2.20

<sup>10</sup> Private Minutes 14/01/2010 paragraph 1.12

extra support. However it was uncertain what the conclusion of the re-commissioning would be.

- 4.13 The Panel heard about the good work ACE carried out in very difficult circumstances. ACE currently provide small off-site units such as Dyke Road and Sellaby House which offer pupils an imaginative temporary alternative to a mainstream school environment, with an alternative curriculum and timetable to meet the needs of the pupils. This may well involve part of the curriculum being delivered in a secondary school to work towards re-integration to the pupil's mainstream school.
- 4.14 One of the concerns that parents voiced was that ACE was a 'last resort' for their children and there was consequently some resistance from parents when it was suggested that they send their children to ACE. Indeed, given the concentration of pupils with BESD in one school, there were examples where pupils' behaviour could be even more challenging as a consequence of being placed in the ACE environment. In addition, some parents see ACE as problematic because their children feel that their mainstream school has given up on them, and are consequently not very motivated to working towards their re-integration. It is widely recognised that the city still needs this provision, but perhaps on a smaller scale.
- 4.15 A large majority of pupils attending ACE are boys. Girls typically attend some of the subsidiary sites (e.g. Sellaby House). Given the relatively low numbers of girls in this system, there is a risk that girls will experience isolation, and some Special schools engage in outreach partnership working with mainstream schools, to provide their pupils with more social interaction with other girls. It is important to ensure that girls with BESD and SEN, who are in classes numerically dominated by boys, are provided with the appropriate support to meet their specific needs.



## 5. Recommendation 1

### Early Interventions

- 5.1 The Panel heard about the various interventions that schools have in place to identify SEN. However, from the evidence heard it appears that some interventions are not undertaken early enough, meaning that some pupils are on the cusp of being excluded or have already been excluded before interventions are made<sup>11</sup>.
- 5.2 Early interventions can be undertaken at different stages of a child's school career. These interventions can take place from entry level-Reception years, through Primary and Secondary schools years. Interventions are ways of identifying special learning needs, at different stages of a child's education. The Panel agreed that early intervention was essential for the further prevention of children being excluded.
- 5.3 The Panel heard evidence to suggest that the current issue of not identifying SEN earlier has major implications for pupils either at risk of being excluded or who have been excluded. Early intervention for SEN children with BESD could help prevent pupils from entering into bad patterns of behaviour. Several of the parents who the panel heard from felt that there was a tendency for schools to let things progress too far before there was a coordinated response. By the time there was a proper response, children had typically settled into patterns of bad behaviour and it could be very difficult to challenge this behaviour. More so than had there been early intervention before bad behaviour had become established. Looking at different methods of earlier intervention and better support could help prevent behavioural problems escalating into exclusions.
- 5.4 The Panel heard that there had been one city SEN advisor, the model for providing SEN advice has now evolved, with School Improvement Partners (SIPs) and all advisors involved in challenging schools on the development of SEN. SENCO and Educational Psychologists taking on broader training responsibilities. Additionally, there are also now two other SEN advisor posts; thus increasing the team and the role.

### Transitional periods

- 5.5 The Panel heard evidence that more focus was needed on the transition from primary to secondary schools as this was a particularly difficult settling-in period for some pupils.<sup>12</sup> In particular, there needs to be a well-organised transfer of pupils' records so that SENCOs and teachers have a better understanding of the issues/needs of incoming pupils before they start at secondary school. Schools, if they do not already have initiatives in place, should seriously consider having transitional days - e.g. additional visits and taster days for secondary schools. Some secondary schools have implemented 'primary style

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<sup>11</sup> Private Minutes 02/11/2009 paragraph 1.6 & paragraph 1.18

<sup>12</sup> Private Minutes 02/11/2009 paragraphs 1.10 & 5.25

classes' whereby the same teacher teaches all the subjects, in the same classroom, for the first year. This nurturing style of transition into secondary schools can help pupils settle in quicker and also helps teachers to plan for individual learning and behavioural needs<sup>13</sup>.

- 5.6 Evidence representing good practice was taken from schools which already had robust systems in place to provide secondary schools with transitional packages for pupils<sup>14</sup>.
- 5.7 Some schools said that early intervention was the key to helping deal with children with challenging behaviour<sup>15</sup>.
- 5.8 Some schools did take steps to identify the reasons for challenging behaviour and arrange appropriate support<sup>16</sup>.
- 5.9 Based on all the above evidence the Panel recommended that:

**Whilst the Panel recognises how far Schools have developed their understanding of SEN, further training and advice for SENCOs on identifying early signs of problem behaviour is still required. The Headteachers Steering Group should investigate how schools are identifying children who may have behavioural needs as early as possible and what practices they are putting into place to support the pupil.**

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<sup>13</sup> Private minutes 02/11/2009 paragraph 4.31 & 14/01/2010 paragraph 1.4

<sup>14</sup> Private Minutes 02/11/2009 paragraph 4.31 & 5.29

<sup>15</sup> Private Minutes 02/11/2009, paragraph 4.6

<sup>16</sup> Private Minutes 02/11/2009 paragraph 1.17

## 6. Recommendation 2

### **Foetal Alcohol Syndrome (FAS)**

- 6.1 During the evidence gathering sessions, a number of parents asked to speak privately with the Panel. Some of the parents spoke about their children having an Autistic Syndrome Condition (ASC); others about Foetal Alcohol Syndrome (FAS) and how these conditions had contributed to their children being excluded. The parents felt that there was a lack of support and understanding of their children's conditions and behavioural needs which resulted in repeat exclusions. The exclusions started of at primary school and in some cases continued into secondary school<sup>17</sup>.
- 6.2 The Panel took evidence about Foetal Alcohol Syndrome (FAS). FAS is a BESD condition which comes under the SEN umbrella. One of the symptoms of FAS may be that a child has a very low attention span.<sup>18</sup> The child's lack of concentration means that these children may well become bored and disruptive in class.
- 6.3 The Panel heard evidence from parents that schools did not understand their children's conditions fully. Schools can access support from the Local Education Authority, from the CAMHS service and from Special schools on how to help support children with challenging behavioural conditions, including FAS. In instances where schools do not understand all the ramifications of a pupil's condition, it seems obvious that they should routinely take all appropriate steps to develop the necessary expertise.
- 6.4 The Panel heard that relatively few schools had a good understanding of FAS and of how best to support children with the condition. Greater research into training and awareness of FAS is required<sup>19</sup>.
- 6.5 Based on the above evidence the Panel recommends that :

**The CYPT use its influence with Schools to encourage Schools to research and increase staff awareness, to support children with all special needs, including Foetal Alcohol Syndrome (FAS).**

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<sup>17</sup> Private Minutes 05/11/2009 paragraph 1.14, 2.10 & Public Minutes 14/10/2009 Cllr. McCaffrey paragraph 3.6 & 05/11/2009 a Parent paragraph 9.2 & 9.16

<sup>18</sup> Private Minutes 05/11/2009, paragraphs 1.1 - 1.4

<sup>19</sup> Private Minutes 05/11/2009 paragraph 1.3 & 1.19

## 7. Recommendation 3

### SEN funding (SEN Formula)

- 7.1 Many parents with children who have SEN appear eager for their child to be 'statemented'. There are pros and cons to this. On the one hand, a statement may conceivably lead to additional school SEN funding, meaning that more support is available for the individual child. On the other hand, the Children and Young People's Trust argued that, if schools are identifying children's needs correctly in the first place and providing the appropriate support, there shouldn't be a requirement for parents to push for a statement, as they will already be accessing all the services and support available<sup>20</sup>.
- 7.2 The Panel heard how SEN children with statements had regular reviews of their Pastoral Support Plans (PSPs) & Individual Education Plans (IEPs), which was seen as good practice. From this the Panel felt that SEN children without statements would benefit from having PSP and IEPs too<sup>21</sup>. The Panel decided that such plans would help these pupils to focus more regularly on their education and also to monitor their progress. The LEA could monitor the development of these IEPs. These IEPs should be prepared in conjunction with parents, as per the SEN Code of Practice.
- 7.3 Schools also need to be more creative in how they spend their SEN funding. Although 1:1 teaching assistant support can be very effective, a situation where several SEN pupils in one class are each supported by their own teaching assistant threatens to be a waste of resources and to impinge upon the education of other pupils. Schools need to think holistically: concentrating both on the needs of individual SEN pupils *and* the dynamics of the whole class environment. Schools also need to think about how best to access the skills of other partners such as social workers and mental health professionals<sup>22</sup>.
- 7.4 The Panel heard evidence about how 1:1 teaching/counselling was not always a good use of money (as some pupils are resistant to this) and that it is often more effective to work with smaller groups as working in peer groups have a good influence on teenagers. The Panel were also made aware by the witness that mainstream schools had inflexible times, curriculums were not person-centred enough, communication is limited due to the large classes and it would be beneficial if schools reorganised their resources to get the most out of their pupils<sup>23</sup>.
- 7.5 Further evidence was heard how sometimes the traditional school curriculum isn't suitable for all children; schools may need to move towards a more creative approach and flexible curriculums for some SEN pupils (e.g. vehicle maintenance), especially for those children who are not

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<sup>20</sup> Private Minutes 05/11/2009 paragraph 2.5 & 14/01/2010, paragraph 1.19 and Public Minutes 14/01/2010 J. Coe, paragraphs 15.2 - 15.4

<sup>21</sup> Public Minutes 14/01/2010, J. Coe, paragraph 15.10 – 15.11

<sup>22</sup> Public Minutes 14/01/2010, J. Coe, paragraph 15.5 – 15.8

<sup>23</sup> Public Minutes 05/11/2010, Professor I. Cunningham, paragraph 9.24

as 'academic'<sup>24</sup>. Teachers need to be supported to provide this change of curriculum.

- 7.6 Other types of creative learning classes for children with SEN in mainstream schools should be considered. Special schools routinely provide Play and Art therapy in order to facilitate more pupil-centred learning, less emphasis on exam results and league tables and more emphasis on preparing pupils for adult life<sup>25</sup>.
- 7.7 Supportive environments for learning should be investigated more for children with SEN. Schools with a strong sense of community and an emphasis on nurturing seem best placed to provide an appropriate environment for pupils with SEN<sup>26</sup>.
- 7.8 Pupils should also be able to discuss their future choices freely with teachers. This should include having pragmatic conversations about where they could end up if their behaviour doesn't improve<sup>27</sup>.
- 7.9 The Panel felt that more support was required for pupils struggling with Social and Emotional Aspects of Learning (SEAL). These are children with difficulties in understanding and managing their feelings, working co-operatively in groups and motivating themselves<sup>28</sup>.

#### **ACE**

- 7.10 Schools have reportedly said how it seems difficult for them to access services to support pupils' needs, whether these are services from CAMHS or from other external agencies. ACE has good links with various services e.g. YOS, the substance misuse team and Youth Workers.
- 7.11 Through the re-commissioning of ACE, schools should benefit from having better access to these services. In any system where generalists are supported by specialist services it is vital that the pathway of referral into specialist services is clear and rapid: if the system is over-complicated or there are unacceptable waiting times, then generalists will not refer to specialist services as often as they should and the system will not function properly.
- 7.12 **Good practice**  
The Panel was already aware that children with SEN often experienced problems with the transition from primary to secondary school, and was encouraged by the adoption of the model of having one teacher teach all subjects in the first year of secondary school, in order to smooth over the transition.

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<sup>24</sup> Private Minutes 14/01/2010, paragraph 1.5

<sup>25</sup> Private Minutes 02/11/2009, paragraphs 5.6, 5.21 – 5.22, 5.27

<sup>26</sup> Sellaby House and some Special schools provided community environments and Public Minutes 05/11/2009 paragraph 9.15

<sup>27</sup> Public Minutes 05/11/2009 Professor I. Cunningham, paragraph 9.21

<sup>28</sup> Private Minutes 02/11/2009, paragraph 3.13

- 7.13 The Panel also heard how the Key Stage 4 Engagement programmes were already having a positive impact on pupils as the practical work experiences were giving pupils a further opportunity to plan for the future<sup>29</sup>.
- 7.14 The Panel was made aware that the SEN Strategy is to educate more SEN children into mainstream schools, (rather than Special schools) whenever practicable. The SEN complex needs project is in operation, via which mainstream city schools are partnered with the city's special schools, so that the SEN specialists can share their expertise/knowledge on how to meet the needs of SEN pupils more effectively. These current partnership arrangements should be praised, and more of this type of co-working encouraged.
- 7.15 The council has provided extra permanent funding for 2009/10 and 2010/11 to provide more expert support for mainstream schools; the Panel welcome this decision.
- 7.16 Based on the above evidence the Panel recommends that :

**Schools should identify the best and most creative use of their SEN funding in the City and ensure that best practice is shared amongst all schools.**

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<sup>29</sup> Private Minutes 14/01/2010, paragraph 1.3 – 1.4

## 8 Recommendation 4

### Speech and Language interventions

- 8.1 The Panel heard that the 2006-10 SEN strategic aim was to review the provision of speech and language therapy to meet the needs of pupils. However, evidence the Panel received suggested that there was still a gap in service provision<sup>30</sup>.
- 8.2 Schools are aware that there is a need to train up teaching assistants to have some speech and language skills to help identify and to provide additional further support where needed. Many SEN pupils struggle with literacy and with expressing themselves<sup>31</sup>.
- 8.3 Schools spoke about how a lack of speech and language skills can be linked to problem behaviour as children who are unable to express themselves verbally may end up evincing challenging behaviour<sup>32</sup>.
- 8.4 Schools should, wherever practicable, also ask parents to be involved in training, so that they can provide their children with additional language and communication support.
- 8.5 It was felt that more support was required for mainstream schools to increase their skills and understanding of children with BESD. As part of the LEA's Service Level Agreement (SLA) with ACE, ACE was to provide outreach support and training to mainstream schools so that more speech and language, other specialist skills and advice can be shared. The teaching staff at ACE should continue to pass on their relevant skills to mainstream schools.
- 8.6 **Good practice**  
The Panel heard how some schools had arranged and received support with speech and language from outside agencies<sup>33</sup>.
- 8.7 Based on the above evidence the Panel recommends that:

**The CYPT encourage schools to provide language and communication and intervention in schools as early as possible to meet the needs of their pupils.**

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<sup>30</sup> Private Minutes 14/01/2010 , paragraph 1.15

<sup>31</sup> Private Minutes 02/11/2009, paragraph 4.5

<sup>32</sup> Private Minutes 02/11/2009, paragraphs 3.10 & 4.3

<sup>33</sup> Private Minutes, 02/11/2009, paragraph 4.4



## 9 Recommendation 5

### Monitoring systems

- 9.1 The LEA allocates delegated SEN funding (called 'formula' money) to schools and the LEA already monitors how schools are spending their SEN funding. The Panel heard evidence about how schools are encouraged to spend this funding in creative ways for children with SEN<sup>34</sup>.
- 9.2 Evidence was taken regarding the need for better use of SEN funding in utilising speech therapists, literacy support, youth workers, social workers and mental health services to support SEN children and reduce exclusions<sup>35</sup>.
- 9.3 Government guidance does not stipulate how the formula money should be spent. Even though schools have a responsibility to ensure that they support all children with SEN by meeting their needs appropriately, with no ring fencing in place for this formula money, schools have a free reign on how this money is spent. The LEA needs to carry on reviewing and using robust systems to assess how schools are utilising the formula money on SEN pupils<sup>36</sup>. The LEA could provide support and advice by utilising the expertise of teachers at Special schools to ensure mainstream schools utilise their formula money in the most creative and effective ways.
- 9.4 **Good practice**  
The Panel heard evidence that some schools match funded their formula money to provide further support for pupils with statements<sup>37</sup>.
- 9.5 Based on the above evidence the Panel recommends that:

**The CYPT continue to put into place robust monitoring systems to assess how each school is spending its SEN budget and to intervene and advise if spending is not as effective as it could be.**

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<sup>34</sup> Public Minutes, 14/01/2010, J. Coe, paragraph 15.5

<sup>35</sup> Public Minutes, 14/01/2010, J. Coe paragraph 15.6

<sup>36</sup> Public Minutes, 14/01/2010, J. Coe paragraph 15.9

<sup>37</sup> Private Minutes, 02/11/2010, paragraph 1.5



## 10 Recommendation 6

- 10.1 As previously noted, the Panel heard evidence that the SEN money (also called 'formula' money) that was allocated to schools from the LEA did not necessarily have to be spent on children with SEN – i.e. it was not 'ring-fenced' for SEN<sup>38</sup>. The Panel had concerns that some schools might not spend their allocated formula money on children with SEN – instead using it to invest in general services etc.
- 10.2 Schools may need further support and training to broaden their skills to spend the SEN funding more flexibly and appropriately. By utilising the expertise of Special schools teams and by continuing to use the Audit Commissions' SEN Value for Money Tool mainstream schools can determine how they can best use their SEN resource. Mainstream schools should consider what role social workers, literacy support, youth workers, relationship and group therapy work, anger management support and mental health services can play in providing more holistic outcomes<sup>39</sup>.
- 10.3 By broadening and being more creative in supporting children with SEN, the formula budget that is allocated to schools would be used to its full potential, particularly in terms of utilising the full range of support services enumerated above.
- 10.4 The Panel concluded that it was very important and beneficial to SEN children that the formula money that schools received was ring-fenced for SEN children only, whether it is in the form of home to school transport, activities, group therapies, anger management support or any other areas of creative assistance to meet the needs of these children.
- 10.5 Based on these concerns the Panel recommends that :

**The Council should request changes to the legislation of SEN funding to stipulate that this funding is ring-fenced for schools to use on SEN related matters only** (through the provision to 'lobby' central Government which was introduced by the Sustainable Communities Act).

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<sup>38</sup> Public Minutes 14/01/2010, J. Coe paragraph 15.9

<sup>39</sup> Public Minutes 14/01/2010, J. Coe paragraph 15.6

## 11. Recommendation 7

### **Child and Adolescent Mental Health Services (CAMHS)**

- 11.1 The Panel heard how the Child Mental Health Services has two tiers:
- 11.2 Community CAMHS (Tier 2) is managed by the council and has been in operation for 5 years. For the last 3 years it has been part of the Schools and Community Support (SCS) teams, based within the East, Central and West teams. SCS works in an integrated way and includes educational psychologists, school nurses, educational welfare officers and community mental health workers.
- 11.3 Clinical CAMHS (Tier 3) is managed by the Sussex Partnership NHS Foundation Trust and is clinic based<sup>40</sup>.
- 11.4 CAMHS have a single point of referral to Community and Clinical CAMHS. All new referrals have to be seen within 4 weeks and this target is generally met. Weekly review meetings are undertaken to allocate referrals to ensure that the child/young person receives the most clinically appropriate service and professional.
- 11.5 Due to time pressures, the Panel were unable to consider all the possible evidence on the subject of school exclusions, and consideration of clinical CAMHS services was one of the areas which received relatively little attention. However, the Panel did receive a good deal of evidence about clinical CAMHS services, and it would seem remiss to omit this testimony; it is therefore included, with the caveat that the review had no formal input from clinical CAMHS professionals (although clinical CAMHS did respond in writing to some of the issues raised).
- 11.6 The Panel agreed that in order to reduce the number of fixed term exclusions across the city that there needed to be easier access to appropriate CAMHS services.

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<sup>40</sup> Private Minutes, 27/01/2010, paragraph 1.1

## 12. Recommendation 7a

### Clinical CAMHS- Tier 3 to investigate visiting families

- 12.1 The Panel heard how community CAMHS would carry out visits in a family's choice of location. Parents and children sometimes found that schools were a comfortable arena to meet CAMHS, as families find these settings familiar and teachers can provide further support if required<sup>41</sup>.
- 12.2 The Panel was made aware that clinical CAMHS were sometimes not as responsive as community CAMHS. Clinical CAMHS generally required families to attend clinical settings, rather than providing a home-visiting service.
- 12.3 Clinical CAMHS responded to the Panel by stating that:
- *"Clinicians would indeed visit families in their preferred location, if appropriate*
  - *feedback is that CAMHS locations are central to the local community*
  - *...involved with the community discussing with all partners around a project, looking at providing services within the heart of the local community as in Brighton's largest housing estate and are keen to ensure CAMHS are identified within the family preferred site*
  - *We already provide a similar response in another hard to reach area of the city to improve accessibility for families<sup>42</sup>"*
- 12.4 The Panel agreed that clinical CAMHS was working towards meeting the needs of their patients by operating from more community based locations. However the Panel wanted to know more about how clinical CAMHS was looking at offering further outreach services in different areas of the city to help families access their services. If the service doesn't continue to increase its accessibility, there is a risk that it will not reach those who need it most.
- 12.5 Subsequently, CAMHS informed the Panel that a trial would be undertaken in the summer term of 2010, where a clinic would be held within Patcham House School, with a visiting psychiatrist from Clinical CAMHS. This would give the school the opportunity to be kept informed of any changes in the child's condition/ medication and to participate in any consultations too. CAMHS said that they intend to support children in this way where children may otherwise find it hard to attend traditional CAMHS locations.

The Panel noted that this was a trial, and providing it was successful, would expect this type of outreach service to be rolled out to mainstream schools in the future too; especially as mainstream schools reported issues with accessing CAMHS.

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<sup>41</sup> Private minutes 27/01/2010, paragraph 1.1

<sup>42</sup> Private e-mail 17/02/2010

12.6 Based on this the Panel recommends that:

**Clinical CAMHS should consider whether it offers the most responsive possible service to families, particularly in terms of being willing to travel to locations where families feel most comfortable, rather than requiring children with complex needs to travel to clinical facilities.**

### 13. Recommendation 7b

#### **CAMHS Feedback to Schools**

- 13.1 Evidence from one school concluded that feedback from CAMHS was varied<sup>43</sup>. In some instances schools may have been involved in the initial referral, but then had no contact from CAMHS after that referral. This could be frustrating for schools, as it was hard to see how pupils can effectively be supported without teachers being made aware of the issues that their pupils may have. Whilst recognising that they had to respect patient confidentiality and only act with the approval of families, schools wanted and needed feedback on whether a pupil had attended the arranged session, how the school could improve their education delivery to that pupil and what progress the pupil had made.
- 13.2 The Panel heard how community CAMHS worked closely and had a good relationship with some mainstream schools but that it was difficult to get appointments with clinical CAMHS<sup>44</sup>.
- 13.3 In response to this clinical CAMHS stated:
- *“All carers would be treated individually and confidentiality observed where appropriate, however there is no reason why the information requested should and is not shared with teaching staff when required and in the child’s interests*
  - *We will re-establish lines of communication with all teams in relation to clinical feedback to schools around pupils’ involvement with CAMHS where appropriate<sup>45</sup>.”*
- 13.4 **Good practice:** The Panel heard how most pupils at a Special school had intervention from CAMHS (60%-70% had required mental health support). Professionals such as speech therapists, occupational therapists, educational psychologists and counsellors were on site<sup>46</sup>.
- 13.5 Based on above the evidence the Panel recommends that:

**CAMHS need to ensure that, subject to patient confidentiality, it shares all relevant information with schools to best enable them to support all children in their care.**

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<sup>43</sup> Private Minutes, 02/11/2009, paragraph 1.28

<sup>44</sup> Private Minutes, 02/11/2009, paragraph 4.10

<sup>45</sup> Private e-mail 17/02/2010

<sup>46</sup> Private Minutes, 02/11/2009, paragraph 5.31 & 5.32

## 14. Recommendation 7c

### Offering training

- 14.1 Whilst there are obvious benefits to the expert diagnostic and therapeutic input provided by the clinical CAMHS team, direct CAMHS intervention will necessarily tend to be of limited scope. It is therefore important that CAMHS supports parents in themselves supporting their children. This may be particularly important in situations where there is a lengthy wait for formal clinical treatment. Schools could also clearly benefit from this type of training were it to be on offer.
- 14.2 Parents are often unaware of what their children have a right to expect in terms of therapy provision. If there was more clarity on what provision should be available, parents would be in a stronger position to ask and discuss their options with a professional (as per the recommendations of the Lamb Inquiry<sup>47</sup>).
- 14.3 When the Panel spoke to pupils who had been excluded, one of the pupils had received anger management support. The pupil said that the support had helped him control his behaviour and that he was continuing to attend the sessions.
- 14.4 A Special school had told the Panel that it would benefit from CAMHS doing work on relationship building, improving learning skills and CAMHS having more interaction with their pupils<sup>48</sup>.
- 14.5 Based on the above evidence the Panel recommends that:

**Where possible, CAMHS professionals/clinicians should offer training to parents and schools on techniques to support pupils.**

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<sup>47</sup> 16 Dec. 2009 – Brian Lamb – Lamb Inquiry, Special Educational Needs and Parental Confidence about improving parental confidence and children’s life chances see <http://www.dcsf.gov.uk/lambinquiry/downloads/8553-lamb-inquiry.pdf>

<sup>48</sup> Private Minutes, 02/11/2009, paragraph 5.33

## 15. Recommendation 7d

### Long waiting lists

- 15.1 The Panel heard how on one occasion, prior to an exclusion which occurred, due to the pupil's level of behaviour the Parent had requested psychological and mental health support, but had not received this<sup>49</sup>.
- 15.2 The national target for waiting times is up to 4 weeks for an intervention with CAMHS. An intervention can vary from advice given over the phone to meeting the family. Some of the area teams can have a backlog of cases<sup>50</sup>. Waiting too long for services can clearly have a negative impact upon children and their families and may discourage schools from referring to that service in the future.
- 15.3 The Panel heard how on one occasion, Councillor McCaffrey spoke about an exclusion which occurred, due to the pupil's level of behaviour. The Parent had requested psychological and mental health support, but there were long waiting lists for these<sup>51</sup>.

The Panel heard how one school had 23 pupils on the waiting list for the Educational Psychologists<sup>52</sup>.

- 15.4 However on hearing the evidence from parents and schools about the long waiting lists, CAMHS insist that in the vast majority of cases that they are meeting their 4 week target for an intervention and any breaches are reported and investigated.
- 15.5 The SEN Code of Practice advises that the waiting times to have a statutory assessment to be statemented is 26 weeks<sup>53</sup>. The service should look at speeding up the statementing process by having shorter timescales than the statutory requirements.

One Parent said it took 6 months for their child to be statemented<sup>54</sup>.

- 15.6 It is important to note that it is uncertain which CAMHS services i.e. Clinical or Community, or both, that parents and schools are making reference to in terms of long waiting lists and whether parents and schools are referring to the time taken for a pupil/child to be statemented.
- 15.7 Feedback from CAMHS was that there was an expectation that schools complete a Common Assessment Framework (CAF) when referring to

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<sup>49</sup> Private Minutes , 02/11/2009 paragraph 1.28, 3.5 & 4.10-4.11 and 05/11/2009 paragraph 1.14

<sup>50</sup> Private Minutes, 27/01/2010, paragraph 1.2

<sup>51</sup> Public Minutes, 14/10/2009, Cllr. McCaffrey paragraph 3.5

<sup>52</sup> Private Minutes, 02/11/2009 paragraph 4.11

<sup>53</sup> Public Minutes, 14/01/2010, J. Coe paragraph 15.3

<sup>54</sup> Private Minutes, 05/11/2009 paragraph 2.5

CAMHS, which schools can perceive as an onerous exercise. It is uncertain whether issues relating to accessing CAMHS were difficult for schools and parents due to the referral process and the introduction of the CAF.

Additionally, CAMHS informed the Panel that schools were encouraged to contact the area teams or commissioner if they were experiencing difficulties in a specific pupil accessing CAMHS.

**15.8 Good practice**

The Panel heard about good practices such as the 'Team Around Child' meetings. These involve health professionals, teachers and parents working together to agree on plans to help pupils with challenging behaviour or learning problems<sup>55</sup>.

15.9 Currently primary schools have Planning and Review Meetings (PARMS) in which professionals, teachers and parents review and prioritise large numbers of pupil cases. These meetings are held at the primary school. Secondary schools should consider using this procedure for the same purpose which would help prioritise the number of pupils with special educational needs.

15.10 The Panel heard from a Parent how her child was statemented and the process was fast and took between 12-16 weeks, which included the assessments and observations<sup>56</sup>.

15.11 Scrutiny Panels operate to a deadline, and it was only towards the end of this review that the Panel realised that there were important CAMHS-related issues to be addressed. Although there was not time for a thorough examination of these issues, contact was made with CAMHS, and the Panel decided to make the following recommendation:

**CAMHS to investigate the perceptions that schools and parents have regarding long waiting times and to ensure that requisite changes are made to ensure easier access is made to appropriate CAMHS services.**

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<sup>56</sup> Public Minutes, 05/11/2009, a Parent, paragraph 9.14



## 16. Building Schools for the Future Project

### 16.1 Recommendations 8

16.2 The Panel noted several areas of good practice at an Inclusion Centre they visited. The centre had relatively small classrooms supported by the SENCO and teaching staff for pupils who:

- had been excluded and were being re-integrated back into their class,
- were on the cusp of being excluded,
- needed support to catch up with the curriculum

16.3 The pupils within the Inclusion Centre spoke about how these smaller classrooms gave them time to catch up with the curriculum which they found difficult to do within their normal larger size classes. These smaller units allowed some pupils to develop 'Life Learning Skills' to help focus on their future, build up their self esteem and to give them a chance to talk about any issues they needed support with.

16.4 Additionally, pupils with behavioural issues were encouraged to use the unit if they were getting frustrated about something and needed to go somewhere to calm down. (The teaching staff at the Inclusion Centre would be able to support the pupil during this time by discussing their issues and by teaching them coping mechanisms). This could in turn help prevent the occurrence of incidents which might have escalated into an exclusion. These units have a positive impact on pupils as it gives them the ability to learn skills to cope with difficult situations and to help them integrate back into their regular classroom.

16.5 The Panel heard evidence that children with behavioural problems often couldn't cope with large classrooms and needed to be taught in a more flexible way that is appropriate to their learning needs<sup>57</sup>. In some circumstances (e.g. when dealing with youth offenders) young people did want to receive an education but needed 1:1 teaching<sup>58</sup>.

16.6 Based on the above evidence the Panel recommends that:

**The CYPT should continue to seek funding for school buildings, to investigate incorporating additional classroom space within current schools for 'support classes' (similar to Inclusion Centres) to provide pupils at risk of being excluded the flexibility of being taught in smaller classes.**

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<sup>57</sup> Private Minutes 05/11/2009 paragraph 1.19 & Public Minutes 05/11/2009, Professor I. Cunningham paragraph 9.24 & 9.26

<sup>58</sup> Private Minutes 14/01/2010 paragraph 1.8

## 17. Recommendation 9

### Exclusion Units/Offsite- Learning Support Units

- 17.1 The Panel heard that excluded pupils tended to do better in Exclusion Units rather than studying at home, whether supervised or not. Excluded children at home found it difficult to motivate themselves to do their work<sup>59</sup> and there were generally very limited resources available to help them. Some excluded children may have chaotic lives and home environments which are unsuitable for studying in<sup>60</sup>.
- 17.2 The Panel felt that it wasn't the primary responsibility of parents to supervise their child during an exclusion, but rather the school's responsibility to do this whilst the child was of school attending age<sup>61</sup>. Parents often cannot supervise their children during an exclusion due to work or other commitments. In addition relatively few parents are likely to be equipped with the teaching skills required to effectively support their children's learning throughout the exclusion period.
- 17.3 Parents gave evidence as to how they had been required to leave work at very short notice because their child had been excluded<sup>62</sup>. The Panel felt that these children should have been attending an Exclusion Centre rather than being sent home with the parents' permission, especially when the exclusion was for more than a couple of days.
- 17.4 The Panel received confidential evidence that it was generally best that the school Exclusion Centres were based *off site*, rather than on-site. Some incidents were very sensitive and it was best that the perpetrator wasn't seen for a short while, so that the emotions of all involved could settle<sup>63</sup>.
- 17.5 The LEA told the Panel that all city secondary schools have access to off-site Learning Support Units shared with neighbouring schools, meaning that pupils who have been excluded shouldn't be sent home. The Panel heard from one school, which confirmed that the centre did provide intensive support to referred pupils, with further support provided when the pupils were ready to return back to their classes<sup>64</sup>.
- 17.6 **Good Practice**  
ACE has several sites within the city that provide varied learning environments. The Panel visited Sellaby House and was most impressed with its nurturing style of teaching provision for pupils who

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<sup>59</sup> Evidence was heard where some pupils did complete their work during the exclusion period and others didn't but played with their computer games for the whole exclusion period.

<sup>60</sup> Private Minutes 14/01/2010, paragraph 1.7

<sup>61</sup> Private Minutes 05/11/2009, paragraph 1.11

<sup>62</sup> Public Minutes 05/11/2009, a Parent paragraph 9.9

<sup>63</sup> Private e-mail 26/01/2010

<sup>64</sup> Private Minutes 02/11/2009, paragraph 3.8

had been excluded. These pupils were taught in small classes and had flexible curriculums to suit their needs - including life and cooking skills.

17.7 The Panel also heard evidence that the Village Centre, Portslade and Hove Learning Centre in Hangleton worked well, as these schools worked on the principle of keeping the pupil within the community<sup>65</sup>.

17.8 Based on the above evidence the Panel recommends that:

**The CYPT makes provision through the BSF project, for all schools to have access for some Offsite 'Learning Support Units' (for pupils who have been temporarily excluded), which are linked into mainstream schools (like the Hangleton and Knoll project).**

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<sup>65</sup> Private Minutes 14/01/2010, paragraph 1.7

## **18. Exclusions Policy**

- 18.1 The Panel acknowledged the good work undertaken by schools and council officers which had led to a significant reduction in the number of permanent exclusions.
- 18.2 Schools told the Panel that they used exclusion as a last resort and had prevention measures in place which included:
- involving parents
  - pastoral support ( having a mentor)
  - personal support plans
  - support involving CAMHS
  - using the Triple P (Parenting Programme)<sup>66</sup>
  - in extreme cases meeting with the Local Authority
- 18.3 A parent said that exclusions should never be a punishment no matter how serious the incident<sup>67</sup>.
- 18.4 A school commented that 2-3 day exclusions could be effective in helping pupils understand that their behaviour was unacceptable<sup>68</sup>.
- 18.5 The Panel were told that all schools have a Behaviour Policy which set out the schools' standards to the pupils and parents of that school. The Panel requested behaviour policies from the schools that they were visiting and other schools which had been flagged up by Local Authority exclusion statistics as having high exclusion rates.
- 18.6 Whilst the Panel sympathised with the issues facing schools and teachers, it is clear that exclusion is seldom effective and often counter-productive, so alternatives must be sought.
- 18.7 The Panel heard of good practice where there were exclusion exchanges with schools in the same area e.g. Carlton Hill and St. Luke's Primary School.

### **Restorative Justice**

- 18.8 Evidence was heard that Restorative Justice can be used to support schools in the reduction of exclusions. The perpetrator listens, understands how their actions had a negative impact on another pupil/teacher, and apologies for their behaviour. Victims have to be willing to engage for restorative justice to take place. In situations when its use is sanctioned, restorative justice will typically be used as an alternative to exclusion.
- 18.9 However, schools need to ensure that they carry out restorative justice and that it is embedded in the school's working culture. For restorative

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<sup>66</sup> Private Minutes 02/11/2010, paragraph 4.13 - 4.15

<sup>67</sup> Public Minutes 14/11/2009, a Parent, paragraph 9.16

<sup>68</sup> Private Minutes, 02/11/2009, paragraph 3.11

justice to work successfully it needs to be championed by Headteachers and be practised and promoted by staff with pupil and parental engagement. It may be particularly important to ensure that school staff are supportive of the concept of restorative justice, as in many instances a staff member will be the 'victim' of an incident and therefore be required to play an active role in restorative justice. Where there is broad agreement on its use, restorative justice should be written into the Behaviour Policies<sup>69</sup>.

- 18.10 The Panel was told how the YOS was promoting restorative justice and how a variety of schools and teachers were going through the training programme which resulted in them becoming trained facilitators for restorative justice sessions.
- 18.11 The Panel heard how a school already had restorative justice sessions in place for pupils on the cusp of being excluded or for pupils who had been the victim of a situation to talk about what happened and explore their feelings<sup>70</sup>.
- 18.12 A report from the International Institute for Restorative Practices Graduate School – “Improving School Climate, Findings from Schools Implementing Restorative Practices” was presented to the Panel by a witness. The report gave examples of schools within Pennsylvania and Canada which had adopted restorative justice programmes, with significantly positive results.

Some quotes from the report:

*“West Philadelphia High School.. ...We didn't really believe that we could get our kids to the point where they could express remorse, sympathy and respect. Now the kids have embraced restorative practices even more than the adults- the Principal “*

*“Palisades Middle School...I used to get in a lot of trouble, but teachers talk to students and help you make the right decisions - an Eighth-grade student”*

*“Springfield Township High School ...restorative practices to be part of a culture building, including treating kids with respect and having a team of teachers and parents identify the school's core values- a Teacher”*

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<sup>69</sup> Private minutes, 14/01/2010, paragraph 1.11

<sup>70</sup> Private Minutes 02/11/2010, paragraph 3.10

## 19. Recommendation 10

- 19.1 The Panel heard that parents were often not aware that schools should not be excluding pupils informally and felt that the only way of communicating this to parents was through the individual school Behaviour Policies.
- 19.2 All schools should have an exclusion policy, and this should form part of their Behaviour Policy. This should, where possible, include the reasons for exclusion being used – i.e. to protect:
- a) the child being excluded;
  - b) other children or teachers in the schools.
- 19.3 Schools should identify more creative strategies to manage behaviour as alternatives to excluding a child and schools should look at using these more prior to an exclusion process being initiated. These strategies should also be clearly defined in the schools' behaviour policies.
- 19.4 The Panel felt that in some instances schools might be best advised to think about how an individual pupil might be supported to continue in school rather than by focusing on how best to avoid exclusion. This more positive way of thinking might help in particular cases.
- 19.5 The Panel agreed that to reduce the number of fixed term exclusions across the city, there should be easier access to appropriate external services, whether speech and language therapists, educational psychologists etc.
- 19.6 The Panel felt that exclusions should be used as a last resort and should only be for the most serious cases.
- 19.7 Parents told the Panel that exclusions were often ineffective, as, rather than modifying their behaviour following an exclusion, some children would seek to repeat a particular pattern of behaviour in order to be again excluded<sup>71</sup>.
- 19.8 As previously mentioned, much damage can be done to a pupil when they have been excluded from school, as their life chances may be significantly reduced. Statistically, young people excluded from school are significantly less likely than the average to find employment and are more likely to come into contact with the criminal justice system. Whilst it may not be the case that exclusion is necessarily a primary cause of these problems, its association is such that it surely makes sense to use exclusion as a last resort.

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<sup>71</sup> Public Minutes 05/11/2009, a parent paragraph 9.8

- 19.9 In particular, exclusions at primary school should be avoided at all costs. Children excluded at this stage in their lives are very likely to repeat the type of behaviour that got them excluded in the first place.<sup>72</sup>.
- 19.10 When schools are developing behavioural policies, pupils should be involved more to help define class rules. The Panel had requested Behavioural Policies from schools and it was found that some policies were very teacher-led, and could be more parent and pupil friendly. Peer group discussions on behaviour would be a good way for pupils to collectively decide what behaviour is acceptable.
- 19.11 The Panel heard evidence that there were sometimes discrepancies in the school standards when dealing with discipline<sup>73</sup>. When an incident occurred and there had been more than one pupil involved, the Panel heard how different pupils might be given different exclusion periods for the same 'offence'. (In one reported incident, pupils found this out by phoning each other at home.) This type of behaviour risks parents and pupils feeling that exclusion is not objective: if there are reasons for excluding one pupil for longer than another, then these should be clearly communicated to pupils and their parents. Consistent and fair discipline strategies are needed to ensure that no pupil or parent feels they have been treated unfairly.
- 19.12 During the evidence gathering sessions from parents, the Panel were told that schools sometimes seemed unaware of the background of their children - particularly if they had behavioural and/or home issues. Parents felt that more understanding was needed by schools when disciplining their children. Several parents commented that, prior to an exclusion, they were not asked for their opinion on the action proposed or asked about any circumstances at home or details of their child's SEN etc<sup>74</sup>.

#### **Lunch times/Breaks**

- 19.13 The Panel heard how break and lunch times have to be organised so that pupils can play co-operatively and that it was important that lunchtime supervisors are trained to manage behaviour. The Panel also heard that late lunches could mean that some pupils would get irritable and start to misbehave. Pupils also need sufficient time to run around/play and eat lunch otherwise they may become unsettled in the classroom<sup>75</sup>.

#### **Drinks and healthy eating**

- 19.14 There was evidence from all schools that high energy drinks caused pupils to be disruptive in class. One school had spoken to their local convenience store, which supported the school with this issue, declining to sell these drinks to children in school uniforms. Due to the

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<sup>72</sup> Public Minutes 05/11/2009, a parent paragraph 9.2 & 9.16

<sup>73</sup> Private Minutes 14/01/2010, paragraph 1.6

<sup>74</sup> Private Minutes 05/11/2009, paragraph 1.3 & 1.6

<sup>75</sup> Private Minutes 02/11/2009, paragraph 4.28 – 4.30



disruptive behaviour in classes after the consumption of energy drinks at break times the school has banned any of these types of drinks on its premises<sup>76</sup>.

- 19.15 All schools are promoting healthy eating through cookery classes and in terms of what is made available for sale in the school canteens. This will assist in improving behaviour and concentration.

### **Boys**

- 19.16 Most excluded pupils are boys who have been disruptive in class. It was felt that to address this, schools needed to find out the root causes of their disruptive behaviour and use the curriculum to combat this. By adding flexibility into the curriculum, and having more suitable and creative classes which pupils with shorter attention spans can be more involved with, it should be possible to reduce disruption caused by boredom and frustration.
- 19.17 These changes to the curriculum and teaching styles will take time to implement and appropriate training for teachers will need to be delivered, but this would be effective in the long run for the school and most importantly for the pupil.

### **Part-time timetables**

- 19.18 There was evidence heard from the Local Authority that showed much good practice was already in place in the monitoring of part-time timetables.<sup>77</sup>
- 19.19 Schools made the Panel aware that in some cases part-time timetables were unavoidable – particularly in situations where the only realistic alternative was exclusion. The Panel understood the potential benefit of part-time timetables, but thought they should only be implemented with the support of the parent and pupil. Part-time timetables should be reviewed weekly by the parent and teacher to ensure they are for a time-limited period only and they need to be focused on building back to integrated learning.
- 19.20 Once again, to prevent pupils being sent home, the pupil should go to the Learning Support Unit to be with the teaching staff there when on a part-time timetable. However if there are no other viable options than to send the pupil home when on a part-time timetable, it should be with the agreement of the pupil and parent.

### **19.21 Good practice**

The Panel heard how one school dealt with disruptive behaviour in class by having the pupil removed from their class and made to study

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<sup>76</sup> Private Minutes 02/11/2009, paragraph 1.25, 5.34 – 5.37

<sup>77</sup> The LA have Education Welfare Officer's in place to monitor school attendance



in the Headteacher's office. This approach was effective as the pupil's behaviour improved in class after this.

- 19.22 Displaying of school rules is an effective way of reminding pupils of the standards of behaviour that are acceptable within that school. The Panel visited some schools that did this and would recommend this approach to any other schools that have not already adopted it.
- 19.23 Other preventative strategies presented to the Panel included having teachers on the buses that pupils used and setting up pupils to be bus monitors to encourage good behaviour on public transport<sup>78</sup>.
- 19.24 Some schools said that when an incident occurred in class and before a disciplinary decision was taken by the school they would consult with the parent to check whether there were any underlying issues. However evidence from parents was generally that they were not consulted in the decision making process prior to their child's exclusion. The Panel felt that this type of parental involvement was probably the exception rather than the norm.
- 19.25 A Special school described that they had Police Community Support Officers who patrolled the school as part of their 'beat'. This promoted good behaviour and also respect for the police. There were also plans to have youth workers within schools too, to help promote community cohesion<sup>79</sup>.
- 19.26 Schools and parents spoke about how some schools would swap pupils who had been excluded. This was generally viewed as effective, as it gave the pupil another chance to start again, with no adverse history and the opportunity to perform better.
- 19.27 There was evidence for and against 'managed moves'. A managed move is when a pupil on the cusp of being excluded is moved to another school. Schools and parents felt that this could be a new start for the child giving them the opportunity to improve their behaviour<sup>80</sup>. However, some witnesses thought that these could sometimes reflect the needs of schools rather than the needs of excluded pupils<sup>81</sup>.
- 19.28 The Panel commented on a clear and well thought of Behaviour Policy which had pupil involvement, and was written for pupils rather than teachers. The Policy also displayed various rewards e.g. certificates and a scheme called 'Golden Time'. The scheme was successful as it was embedded into the school's culture and all pupils had a right to take part in the chosen weekly activity, rather than earning it. Pupils only lost time on the activity through bad behaviour<sup>82</sup>.

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<sup>78</sup> Private Minutes 02/11/2009, paragraph 1.26

<sup>79</sup> Private minutes 02/11/2009, paragraph 5.14 & 5.17 – 5.18

<sup>80</sup> Private Minutes 02/11/2009, paragraph 4.15 & 05/11/2009, paragraph 2.6

<sup>81</sup> Private Minutes 14/01/2010, paragraph 1.9

<sup>82</sup> Private minutes 02/11/2009, paragraph 4.21 - 4.22

19.29 Another scheme was called 'Bubble Time' which gave pupils the opportunity to write their name on a bubble (which was displayed in each class), if a pupil needed to talk to a teacher about something. The teacher would then find the pupil during that school day and discuss and support the pupil with whatever was troubling them<sup>83</sup>.

19.30 Both, Golden Time and Bubble Time were successful schemes and the Panel were most impressed at how this school was being creative in use of such schemes. Schools that do not have such rewards schemes in place should look at implementing them or something similar.

19.31 A pupil who had been excluded spoke about how , while he was in the Learning Support Unit, he was rewarded for good behaviour by being given time at the end of lessons to undertake activities that he enjoyed; the pupil saw this as a positive and it encouraged him to improve his behaviour<sup>84</sup>.

19.32 Based on the above evidence the Panel recommends that:

**CYPT to encourage Schools to have simplified School Behaviour Policies:**

- **with Exclusion protocols that are 'child-friendly'**
- **to include acknowledging the prohibition of 'Informal Exclusions'**
- **the restricted use of part-time timetables**
- **to show clearly the different stages of sanctions that the school has in place**

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<sup>83</sup> Private Minutes 02/11/2009, paragraph 4.27

<sup>84</sup> Private meeting with a pupil

## 20. Recommendation 11

### **Youth Offenders**

- 20.1 If young people are attending school or college they are less likely to be involved in crime, as they have an alternative focus. Where school attendees do come in contact with the criminal justice system, it is important that schools continue to provide support. This could be in the form of external services being brought into the school e.g. the Youth Offending Service and youth workers. It is vital that these young people remain regular school goers, even if this means schools have to be flexible in terms of the curriculum that they are taught.
- 20.2 The Panel was told that when a pupil is involved in a criminal offence, the combination of excluding the child and the police charging the child could seriously damage that pupil's life chances. Evidence from the YOS recommended that schools should normally not exclude when a child has been criminally charged. It was important to provide the appropriate support during this time, for both the pupil and the parents<sup>85</sup>.
- 20.3 Youth offenders who have been excluded typically come from homes where they may not have access to facilities such as IT and a suitable area to complete their school work<sup>86</sup>. Exclusion for this group of pupils may therefore have a greater negative impact than for other groups.

### **Looked After Children**

- 20.4 The Panel examined the issue of Looked After Children (LAC) and whether these children were being excluded from schools. Some evidence was heard that a number of Looked After Children had been excluded due to behavioural issues, often linked to SEN conditions<sup>87</sup>. The Panel felt that schools should not exclude any LAC as these children have typically been through very unsettling experiences and need schooling to help stabilise their lives.
- 20.5 The LEA should look at improving their monitoring processes to ensure that LAC are not excluded and to check that excluded children have not been criminally charged for the same incident that have been excluded for.

### **Special Schools**

- 20.6 The Panel heard how Special schools were cautious about excluding children as the pupils who attended special schools had typically been moved there to support their specific needs and it was important to give these pupils security and confidence. However, in extreme circumstances where the safety of other children is imperilled, with parental involvement and when all other options have been exhausted,

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<sup>85</sup> Private Minutes 14/01/2010 paragraph 1.10

<sup>86</sup> Private Minutes 14/01/2010 paragraph 1.7

<sup>87</sup> Private Minutes 05/11/2009 paragraph 1.11

the most appropriate option left may be to either move or exclude the pupil<sup>88</sup>.

### **Exclusion**

20.7 The Panel heard from some parents who said that they felt punished when their child had been excluded<sup>89</sup>.

20.8 The Panel wanted to ensure that schools were not excluding children because they were unable to access appropriate services to meet the child's special needs. The Local Authority, if it does not do so already, should check that there are processes in place to monitor the reasons why schools are excluding children.

20.9 Where an exclusion does take place, the pupil should be provided with a suitable timetable (covering a whole school day) of alternative activities/lessons to be carried out during the exclusion period. The pupil should not be educated at home, but preferably at a separate on/off site Learning Support Unit. Provision should be made for the pupil to keep up with the curriculum, be supported by staff and to submit the work after for it to be marked.

20.10 The Local Authority, if it does not do so already, should monitor :

- what support classes excluded pupils attend
- where they attend this (i.e. at an offsite/onsite location)
- whether parents were involved in the decision
- the degree of teaching support provided during school hours

20.11 The Panel heard evidence from pupils who had been repeatedly excluded and were sent home to the effect that some pupils did not carry out any school work, but filled their time up by playing with their computer games for the whole period of the exclusion<sup>90</sup>.

### **20.12 Managed Moves**

Where a pupil is on the cusp of being excluded or has been excluded, one option is to move the pupil to another school. This could give the pupil the opportunity for a fresh start. However, some pupils with SEN may have conditions which would be exacerbated by a managed move. A managed move is only likely to be beneficial to the pupil if the parent and pupil are involved in the decision to go ahead with this<sup>91</sup>.

### **20.13 Bullying**

The Panel was presented with data from Amaze which showed that 66% of children on the Compass database who had been excluded had also been bullied<sup>92</sup>. It is unclear from these figures whether the

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<sup>88</sup> Private Minutes 02/11/2009 paragraph 5.37

<sup>89</sup> Public Minutes 05/11/2009, a Parent paragraph. 9.16

<sup>90</sup> Private meeting with a pupil on the 01/02/2010

<sup>91</sup> Private Minutes 14/01/2010 paragraph 1.19 & 05/11/2009 paragraph 2.6, 02/11/2009 paragraph 4.15, 5.8, 5.10

<sup>92</sup> Private meeting – 14-10-2009 , (Amaze) handout statistics

bullying was directly related to the exclusion or not, but the correlation between the two figures is striking. Schools, if they do not already do so, should be investigating whether bullying is one of the causes of school exclusion.

20.14 The Panel did ask some of the schools whether children being bullied had led to the child being excluded; however schools didn't provide evidence that there was a definite link between bullying and exclusions.

#### 20.15 **Informal exclusions**

The Local Authority continues to work with schools to eliminate informal exclusions with the support of Government guidance which stipulates that it is illegal for schools to informally exclude a pupil. In reality informal exclusion is still happening, as parents confirmed to the Panel. The Local Authority has Education Welfare Officers who monitor and investigate informal exclusions in schools.

20.16 Schools use this method of informally excluding a pupil to prevent fixed term exclusions appearing on the school and the pupil's record, in the hope that the pupil will not repeat the incident or cause further issues that may lead to a fixed term exclusion. Additionally, informal exclusions are used to give time for the pupil to calm down<sup>93</sup>.

20.17 A parent spoke to the Panel about a discrepancy between their school's records and their personal records with regard to the number of times their child had been excluded<sup>94</sup>. The Local Authority is already aware of the inaccurate recording of exclusions and is utilising its Education Welfare Officers to work with schools to improve the data accuracy<sup>95</sup>.

#### **Not in Education, Employment or Training (NEET)**

20.18 One of the areas that the Panel investigated was to determine how many school leavers who had been excluded ended up as NEETs. The Panel was informed that this information was not collated by schools. However, one school had collected this data purposely for the Panel's visit: 6 pupils out of 340 in the 2008-2009 year group had ended up as NEET, and only one of these had been excluded<sup>96</sup>. The Panel felt that the Local Authority should ask schools to maintain records of NEETs for pupils who have been excluded, so that schools can monitor the impact of exclusion on pupils' job and life prospects.

20.19 The Local Authority should also continue to monitor the educational achievement of pupils with BESD to see how schools are coping and being supported with these pupils. Any good practice could then be cascaded to other schools in the area.

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<sup>93</sup> Private Minutes 14/01/2010, paragraph 1.6

<sup>94</sup> Private Minutes, 05/11/2009, paragraph 2.8

<sup>95</sup> Private Minutes, 14/10/2009, paragraph 1.2-1.9

<sup>96</sup> Private information, 02/11/2009, paragraph 1.24

20.20 Based on the above evidence the Panel recommends that:

**Headteachers should ensure that children and young people are not 'informally excluded' or unnecessarily placed on part-time timetables and the LEA should continue robustly to monitor this.**

## 21. Recommendation 12

### Parents

- 21.1 Good communication with parents throughout all parts of the exclusion process is essential. Parents can help schools understand their child as fully as possible and help determine the most effective way for their child to learn from an incident they have been involved in.
- 21.2 However, the Panel heard evidence from parents who were not involved in the decision-making process to exclude their child: the first time they heard of the exclusion may have been via a formal phone call or a letter from the school<sup>97</sup>. In other schools the situation seems very different, with parents involved at every stage of the process.
- 21.3 Parents should be valued more and made to feel more welcome in schools, whether their children are challenging or performing well. Parents should be involved more in improving their child's behaviour (as per the Behavioural Emotional Social strategy) and supported more by all services.
- 21.4 Parents should to be invited more into school at the start of and end of an exclusion period in order to contribute to the future strategy for their child.
- 21.5 The Panel heard from single parents who wanted extra support from schools, regarding techniques and advice for improving behaviour and addressing the learning needs of their children. Schools might be well advised to have special policies for single parents, in recognition of the fact that some single parents have a particularly difficult job to do and may sometimes require more support than two parent families.
- 21.6 Schools should continue to review how they could improve their communications with parents and ensure they have up to date information on how best to contact parents as the Panel heard evidence that answerphone messages were left on parents' phones, advising them of an incident/exclusion, where the parents could have been contacted via other means – e.g. mobile phone<sup>98</sup>. However, the Panel also heard from parents who had been contacted directly by schools. It would therefore seem that there is both good and bad practice in this area<sup>99</sup>.
- 21.7 The Panel heard that parents do not always understand the reasons that schools give for an exclusion<sup>100</sup>. It is very important that parents

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<sup>97</sup> Private minutes 05/11/2009, paragraph 1.5 -1.8, 1.14 & Public Minutes 05/11/2009, a parent paragraph 9.2 & 9.9

<sup>98</sup> Private Minutes, 14/01/2010, paragraph 1.6

<sup>99</sup> Public Minutes 05/11/2009, paragraph 9.4 & Private Minutes 02/11/2009 paragraph 1.13, paragraph 3.9, paragraphs 4.18-4.20, 5.15-5.16

<sup>100</sup> Private Minutes 05/11/2009, paragraph 2.10 & paragraph 1.14 & 1.18

are absolutely clear why their child has been excluded, and schools must make every effort to communicate these vital facts as transparently as possible.

- 21.8 More provision needs to be looked at for pupils who have been immediately excluded following a serious incident. In such situations, it may be that it has not been possible to contact the parents in advance, and that when contacted, parents are unable to pick the pupil up. In such situations, Offsite/On-site accommodation should be used in these cases rather than the pupil being sent home. Learning Support Units should be used for the remaining duration of the exclusion with the parent's permission.
- 21.9 The Panel heard how some parents had their social workers or a representative from the Youth Offending Service attend school meetings, as some parents felt that they needed support to talk with schools<sup>101</sup>.

#### **Good practice**

- 21.10 The Panel heard from all the schools visited during the evidence gathering sessions how schools did work with the parents to support their families during the exclusion process and in some cases how Schools worked with Social Services to provide respite care and support during the school holidays<sup>102</sup> and managed moves with parental and multi-agency involvement<sup>103</sup>.
- 21.11 Based on the above evidence the Panel recommends that:

**The CYPT should encourage schools to improve their communication and support with parents (for pupils who have been excluded); by involving them more in the exclusion-decision making process.**

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<sup>101</sup> Private Minutes 05/11/2009, paragraph 1.16

<sup>102</sup> Private Minutes 02/11/2009, paragraphs 4.15 & 5..23

<sup>103</sup> Private Minutes 02/11/2009, paragraph 5.8



## **22. Recommendation 13**

- 22.1 A requirement of any Scrutiny Panel is to consider evidence from all parties concerned on the subject matter. The evidence heard from parents and pupils in relation to their experiences on school exclusions was of paramount importance. Without this evidence the Panel would not have been able to formulate meaningful recommendations.
- 22.2 With this in mind, the Panel felt that if the Headteachers Steering Group does not do so already, it should speak with pupils who have been excluded and their parents to find out what improvements can be made to school exclusion protocols.
- 22.3 Some parents provided testimony alleging that schools had could make improvements to their behaviour monitoring arrangements<sup>104</sup> and that schools could have made much more effort to prevent exclusions than they in fact did<sup>105</sup>.
- 22.4 Based on the above evidence the Panel recommends that:

**Headteachers and Governors should speak with young people who have been excluded and their parents more regularly, to learn from their experiences and seek improvements in exclusions protocols.**

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<sup>104</sup> Private Minutes, 05/11/2009 paragraphs 1.3, 1.8, 1.12, 2.2 & 2.8

<sup>105</sup> Private Minutes, 05/11/2009 paragraph 1.19 & 05/11/2009 paragraphs 9.3, 9.8, 9.15 & 9.16

## **23. Domestic Violence and Traveller Children**

- 23.1 The Panel reviewed their objectives during the investigation process. Evidence gathered from schools focused on the main challenges schools faced in relation to exclusion. These areas were around SEN and CAMHS.
- 23.2 Evidence collated from parents focused on schools giving more flexible support to children with SEN, particularly with regard to children with BSED conditions.
- 23.3 The Panel did not receive any evidence relating to domestic violence and traveller children, although these were topics identified as important during the scoping process. Scrutiny Panels are time-limited, and it is not always possible to pursue every avenue of enquiry. In this instance, the Panel chose not to request expert testimony on these topics. This is by no means intended as a reflection on the importance of these issues, and the Panel does recommend that any future scrutiny panels examining aspects of domestic violence or traveller issues should consider whether to look at exclusion-related matters as part of their enquiries.

## **24. Lesbian, Gay, Bisexual and Transgender (LGBT)**

- 24.1 The Panel heard evidence that Stonewall (with support from the DCSF and teaching Unions) was producing an interactive DVD to tackle homophobic bullying. It gives further support to teachers working to tackle homophobic bullying in their schools. These DVDs will be sent out to all secondary schools.

Further information is available on the Stonewall website:

[http://www.stonewall.org.uk/education\\_for\\_all/default.asp](http://www.stonewall.org.uk/education_for_all/default.asp)

- 24.2 A teacher gave evidence as to how LGBT teachers were not always given the freedom to be open about their sexuality. The witness felt that this could help foster an environment where pupils felt discouraged about displaying or talking about their sexuality. Consequent frustrations might be manifested as unmanageable behaviour, which could be misconstrued as BSED.
- 24.3 The Panel agreed that LGBT contact numbers should be included in the school planners for additional support<sup>106</sup>.

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<sup>106</sup> Private Minutes 27/01/2010 paragraph 2.1 - 2.11

## 25 APPENDIX 1

### Glossary

ASC – Autism Syndrome Condition

BESD – Behavioural, Emotional and Social Difficulties

CAF- Common Assessment Framework

CAMHS – Child and Adolescent Mental Health Services

COP – Code of Practice

DCSF – Department for Children, Schools and Families

FAS – Foetal Alcohol Syndrome

IEP – Individual Educational Plans

LAC- Looked After Children

LEAs –Local Education Authorities (also referred to as the Local Authority)

PARM – Planning and Review Meetings

PLP- Personal Learning Programmes

PSP- Pastoral Support Plans

SEAL – Social and Emotional Aspects of Learning

SEN- Special Educational Needs

SCLN- Specific Learning Difficulties

SIP – Schools Improvement Partners

YOS – Youth Offending Service

## APPENDIX 2

### Witnesses who gave evidence (in order of appearance)

Name	Title	Private /Public meeting	Date of appearance
Jo Lyons	AD Learning, Schools and Skills	Private- Scoping meeting	09.09.2009
Linda Ellis	Senior Secondary and Special Schools Advisor	Private- Scoping meeting	09.09.2009
Linda Ellis	Senior Secondary and Special Schools Advisor	Private meeting	14.10.2009
Janet Swingle	Behaviour Strategy Manager	Private meeting	14.10.2009
Ros Cook	Assistant Director of Amaze	Private meeting	14.10.2009
Juliet McCaffrey	Councillor	Public meeting	14.10.2009
Anonymous	Parent	Private meeting	05.11.2009
Anonymous	Parent	Private meeting	05.11.2009
Anonymous	Parent	Public meeting	05.11.2009
Professor Ian Cunningham	Self Managed Learning Centre	Public meeting	05.11.2009
Mary Hinton	Youth Offending Team	Private meeting	14.01.2010
Jacqueline Coe	Head of Learning Support Service	Public meeting	14.01.2010
Hass Yilmaz	Principal Educational Psychologist from CAMHS	Private meeting	27.01.2010
Nigel Tart	Teacher at Patcham House	Private meeting	27.01.2010

### School visits – Private meetings

Name of school	Title of Teachers	Date visited
Cardinal Newman Catholic School	Headteacher - Malvina Sanders Paul Miller – Acting Deputy Head, responsible for Behaviour Suzanne Harmer – Assistant Headteacher - Special Needs Coordinator Lesley Torn – Coordinator for Inclusion	02.11.2009
Alternative Centre for	Headteacher – Mark Whitby	02.11.2009

Education- Queensdown School Road		
Hove Park Secondary School - Neville Campus	Ken Leonard - Deputy Headteacher - Based at Nevill Campus (Hove Park Upper School), Jim Roberts - Deputy Headteacher - Based at Valley Campus Sue Jupp – SENCO – Based at Valley Campus.	02.11.2009
Carton Hill Primary School	Headteacher – Louise Williard	02.11.2009
Patcham House School	Head of School – Gayle Fagen Headteacher – Kim Bolton	02.11.2009
ACE- Sellaby House Tuition Centre	Spoke with Pupils and Vicky Scale - Teacher	15.01.2010
Self Managed Learning Centre	Professor Ian Cunningham	15.01.2010
Cardinal Newman – Inclusion Centre	Spoke with Pupils and Lesley Torn – Teacher- Coordinator for Inclusion Centre	01.02.2010

## **APPENDIX 3**

### **Bibliography**

Brighton & Hove Children and Young People's Trust – Behaviour Strategy: Inclusion of Children and Young People with Behavioural, Emotional and Social Difficulties 2006-2010

Brighton & Hove Children and Young People's Trust - SEN and Disability Strategy: Inclusion for Children and Young People with Special Educational Needs and Disabilities 2006-2010

Findings from - Schools implementing restorative practices – A report from the International Institute for restorative Practices Graduate School

Improving behaviour and attendance: guidance on exclusion from schools and Pupil referral Units September 2008

National Parent Partnership Network – Ofsted report – the exclusion from school of children aged four to seven – June 2009

Statistical First Release (July 2009) – Permanent and Fixed Period Exclusions from Schools and the Exclusions Appeals in England, 2007/8- Department for Children and Schools and Families

Where Next for Pupils Excluded from Special Schools and Pupil Referral Units – Research Report No. DCSF-RR163 for the Department for Children and Schools and Families (September 2009)

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 34

Brighton & Hove City Council

**Subject:** Bright Start Nursery Consultation  
**Date of Meeting:** 11 October 2010  
**Report of:** Acting Director of Children's Services  
**Contact Officer:** Name: **Caroline Parker** Tel: **29-3495**  
E-mail: [Caroline.parker@brighton-hove.gov.uk](mailto:Caroline.parker@brighton-hove.gov.uk)  
**Key Decision:** No Forward Plan No. N/A  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Bright Start Nursery provides childcare places for children 0-4 for both Council and community parents. The Council subsidy for the nursery in 2010/11 is £87,000 and there is a projected over-spend of £12,000. It is estimated that the Children & Young People's Trust will have to find savings of £7.1 million in 2011/12.

#### 2. RECOMMENDATIONS:

- 2.1 That the Children and Young People Cabinet Member agrees to a consultation with Bright Start nursery staff and parents of children who use the nursery on the closure of the nursery by April 2011.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The nursery is registered with Ofsted for 51 children including 21 babies under 2. The nursery is staffed for 47 places and, from September 2010, will be used by 73 children. Of these children 43 have Council employee parents, 23 parents from the local community and 7 funded two year olds. The occupancy in September was 70% compared to 79% last July.
- 3.2 The nursery is very highly valued by the parents who do use it. However the nursery only benefits a very small percentage of all Council employee parents. The number of childcare places in the city has increased substantially since the nursery was first opened and many parents choose to send their children else where. All council employees can purchase childcare vouchers through salary sacrifice up to the value of £55 a week.
- 3.3 The Council has a statutory duty under the Childcare Act 2006 to ensure that there are sufficient childcare places to meet the needs of parents who are working and training. This includes parents who travel in to the city to

work. There are few nurseries in the immediate area and few vacancies within a half mile radius of Bright Start. The increase in use by community parents who pay the higher rate demonstrates a demand for places. There has been a small increase in the amount of daycare places available across the city over the last year with new nurseries opening in Hove. Two other city centre nurseries (Regent House in Dyke Road and Western Road) closed in September 2010 at very short notice with the loss of 112 places. However the new Supersaurus nursery has recently opened in Cromwell Road with 120 places. An analysis of the home post codes of Council staff using the nursery in March 2010 showed that parents are spread across the city with six parents living outside the city, six parents live in central Brighton, six in central Hove, six in Hollingdean, six in west Hove and four in Moulsecoomb. Government guidance on the sufficiency is clear that local authorities should not run childcare unless no other person is willing to provide childcare or that it is appropriate for the local authority to run childcare – for example in a disadvantaged area.

- 3.5 Bright Start costs are higher than many private sector nurseries which pay their staff less than Council rates of pay. Many private sector nurseries do not offer staff pension schemes and their staff work longer hours. Most of the staff at Bright Start are at the top of their scale because retention is good. This makes the cost of running Bright Start considerably higher than many private sector nurseries.
- 3.6 The building was refurbished in 2006 but needs a substantial capital investment to bring it up to a good standard. A feasibility study completed by NPS estimated that the cost would be some £230,000. The flooring in the children's toilets and the heating needs urgent attention. The estimated cost is £5,000.
- 3.7 Where possible Bright Start staff will be re-deployed to fill vacancies in Council run Children's Centre nurseries. In some nurseries it may be possible to employ additional staff to provide more childcare places.

#### **4. CONSULTATION**

- 4.1 This paper asks for permission to consult with the nursery staff and the parents using the nursery on the closure of the nursery. A consultation paper will be issued to all nursery staff and nursery parents with a deadline of 12 November. The final decision will be taken at CMM on 10 December.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1.1 Closing the nursery will potentially result in a long term saving of the Council subsidy of £87,000. There will be increased costs this year if occupancy levels drop. In the short term there may also be redundancy and pension costs. The amount will depend on the number of staff who can be redeployed. There could also be increased costs in the Children's



Centre nurseries because of the redeployment of Bright Start staff, for example if staff are redeployed to a lower grade and their salary protected.

Finance Officer Consulted: Jeff Coates      Date: 20<sup>th</sup> August 2010

Legal Implications:

- 5.2 At this time the only decision being made is to consult on the possibility of closure of the nursery. When the matter returns for a decision as well as the outcome of the consultation being available for consideration, there will need to be information available as to the implications of closure for the city, including the council's capacity to meet the sufficiency requirements of the Children Act 2006.

Lawyer Consulted: Natasha Watson      Date:27.09.10

Equalities Implications:

- 5.3 The closure of the nursery may make it more difficult for some children to access nursery provision. An Equalities Impact Assessment will be completed for the December report.

Sustainability Implications:

- 5.4 There are no direct environmental implications arising from this report.

Crime & Disorder Implications:

- 5.5 There are no crime and disorder implications.

Risk and Opportunity Management Implications:

- 5.6 The ground floor of the Old Slipper Baths will become vacant and the Council would continue to be responsible for rates, insurance, security and maintenance costs whilst unoccupied. The property is however located in a good central position near to the Jubilee Library, Prince Regent swimming pool and the Pavilion cultural quarter. It could be occupied for a wide range of useful community purposes including Medical & Health services, Day Centre, Museum, Library, Art Gallery, or Education & Training Centre. The first floor is used as a fitness centre in conjunction with the swimming pool and there is scope to expand this facility. There is also the option of disposal of the property if an asset review assesses this as the optimum option at the time. There is a secure residential tenant of the second floor flat.

Corporate / Citywide Implications:

- 5.7 The closure of the nursery may make it more difficult for some children to access nursery provision.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 The other option which has been considered is to increase the fees in order to remove the subsidy. There are currently two charging rates. Council employees (M10 and below) pay £35 per day and Council employees (M8 and above) and community users pay £40 per day. Based on March 2010 occupancy rates it is estimated that these would need to increase by 31.43 %

to £46 a day for employees (M10 and below) and 27.5% to £51 a day for employees (M8 and above) and community users. These are substantial increases and it is considered likely that they would actually lead to a drop in occupancy that would prevent the savings target being reached. The table below shows how the average cost of a daycare place in Brighton and Hove in October 2009. Many nurseries provide hot meals and nappies in these costs which Bright Start does not.

	<b>Cost per day 0-2s £</b>	<b>Cost per day 3-5s £</b>
<b>Citywide</b>	42.13	36.63

## **7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 The reason is to help achieve the savings the Council needs to make in 2010/11. At present a small number of children are receiving a substantial subsidy towards their childcare costs. Most of these children do not have identified needs.

7.2 The report is also recommending that where there is some spare capacity in Children's centre nurseries then the number of spaces should be increased and staff redeployed to these nurseries where possible.

### **SUPPORTING DOCUMENTATION**

**Appendices:** None

**Documents In Members' Rooms:** None

**Background Documents:** None

Document is Restricted

