



*Although a formal committee of the city council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Adults as well as Healthwatch. Papers come from a variety of sources. The format for Health & Wellbeing Board papers is consequently different from papers submitted to the city council for exclusive city council business.*

## **1. Working Together to Support Parents with a Learning Disability.**

- 1.1. The contents of this paper can be shared with the general public.
- 1.2. This paper is for the Health & Wellbeing Board meeting on the 11<sup>th</sup> July 2017.
- 1.3. Author of the Paper and contact details

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## **2. Summary**

The purpose of this report is to provide an update, on the development of joint work between Children and Adult Services to support parents in Brighton and Hove who have a learning disability.

The report follows on from the challenge raised within the 2016 Fairness Commission regarding the ability of Adults and Children Services to work together to provide a needs led service to families to

help support them to keep children safe and well and for families to remain living together. This stated:

‘The Council needs to change its approach to working with parents with learning disabilities to support the safety and security of the family and avoid children being taken into care by:

- a) Establishing a joint protocol between Adults and Children’s Services for referrals, assessment and support for parents with learning disabilities (as set out in DH Good Practice Guidance on working with a parent with learning disability, 2007).
- b) Work with experts from the University of Bristol Norah Fry Centre for Disability Studies to conduct an independent evaluation of current practice in supporting parents with learning disabilities in Brighton and Hove, and to develop specialist support for parents with a learning disability.
- c) Providing parents with learning disabilities with a choice of how they wish to live and be supported. This could involve extending Shared Lives, to parents with learning Disabilities (currently available in Brighton and Hove to adults with learning disabilities), as well as specialist support as outlined above.  
Ensuring all staff are aware of how the Care Act 2014 applies to parents with a learning disability, at all relevant stages’.

In October 2016 the Community Learning Disability Team moved into the Families, Children and Learning Directorate which has brought a closer partnership between Learning Disability Services and Childrens Safeguarding and Care.

### **Definitions:**

Learning disability and learning difficulty can sometimes get confused and it is worth noting that there is no overall single interpretation or consensual definition of the terms 'learning difficulty' and 'learning disability'.

In general terms the difference is highlighted as:

Difficulty = obstacle

Disability = something that incapacitates

**Learning difficulty:** Any learning or emotional problem that affects, or substantially affects, a person’s ability to learn, get along with others and follow convention.



**Learning disability:** A lifelong condition that can range across a spectrum of ability and starts before adulthood affects development and leads to help being required to:

- Understand information
- Learn skills
- Cope independently

For the purposes of this report we will be covering working with parents with a learning disability but it is fair to say that the principles do apply more broadly to parents who might experience a range of problems in relation to parenting.

### **3. Decisions, recommendations and any options**

- 3.1 That the Board accept this report and agrees that the content fulfils the response to the Fairness Commission
- 3.2 That the Board notes the joint protocol now established between Children and Adult's Services with regards services to parents with learning disabilities. The Protocol is awaiting feedback from a key stakeholder and we plan to go live as of the week ending 14<sup>th</sup> July.

See Draft Protocol in Appendix 1.

- 3.3 That the Board notes the services and support provided to parents who have learning disabilities to enable their parenting.

### **4. Relevant information**

- 4.1 Good practice is that the provision of services and support from all agencies to parents with a learning disability must include:
  - Information that is accessible and communication that is clear.
  - Early help and intervention.
  - Eligibility criteria and assessment pathways and processes that are coordinated and clear.
  - Access to independent advocacy.
  - Parental engagement in learning and education and planning for a family.

- Supports designed to meet the needs of parents and children that are based on assessment of needs and strengths.
  - Flexible funding and coordinated packages of support.
  - Long term support where necessary.
  - Support provided for parents who are unable to care for their child.
- 4.2 The way we all learn can be very different and for parents who are vulnerable individuals it is very important that we understand the best approach to enable learning and change. Becoming a new parent is a challenge for all parents. For parents the importance of having support available at an early stage in order to prevent unnecessary difficulties arising is key. For parents with learning disabilities how to communicate and aid understanding and achieve the assimilation of new skills is essential to enable individuals and couples. In addition a multi- agency understanding of the issues which inhibit the ability to be a good parent and how to support each individual and create a supportive 'Team around the Child' which enables 'good enough' parenting is essential.
- 4.3 The reality for many parents with learning disabilities is that many are subject to structural inequalities and experience poverty, unemployment, poor housing, lack of information, harassment, bullying and sometimes violence and financial or sexual exploitation. All of which can impact upon a parent's capacity to parent their child or children safely. The majority of concerns with regards care by parents with learning disabilities arise as a result of inadequate levels of childcare and supervision and are recorded under the risk of neglect and emotional harm categories (Cleaver and Nicolson, 2005). Where children are removed from the care of their families there are usually other difficulties faced by those parents, in addition to the learning disability (SCIE, 2005).
- 4.4 Fear can be a real barrier to working with any parent who believes that they have little chance of parenting their children due to stigma or prejudicial attitudes. For all parents a sensitive and enabling approach based on trusting relationships is the core of achieving good outcomes for children and parents. Each individual parent will have different strengths and weaknesses. The challenge is to support parents to be 'good enough' and to identify what support may be required to enable this to be the case. A further issue can be that families may struggle for a long time with a high level of stress, delaying seeking help until a crisis situation; thus leaving little opportunity for preventative intervention.

- 4.5 Balancing the rights and needs of both children and adults in families can pose difficult dilemmas that need to be owned, articulated and addressed. For parents with learning disabilities this needs to be through the tight working together of the agencies supporting children and Adults.
- 4.6 Essentially in every case the local authority and the Court are being asked to balance the impact of long term support of a parent to parent their child, where capacity to parent might diminish, in relation to the growing complexity of the parenting task and be subject to the vagaries of government and local authority commissioning arrangements vs the positive research provided regarding effective early permanence planning, in terms of early placement for children which is associated with better outcomes for them. In all cases carefully considered assessment based upon the individual needs and strengths of a parent and their child must form the basis for decision making.
- 4.7 In summary the main aim of good practice in supporting parents with learning disabilities and their families is to improve children's wellbeing, specifically to enable them to stay safe, healthy, active, achieve and to be nurtured, respected, responsible and included. Connected to this aim is to enable children to live with their parents, as long as this is consistent with their welfare, through the provision of support that they and their families require.

There is however little available research available in respect of the longer term outcomes for those children whose parents require a significant amount of support to enable them to parent in the longer term versus a significant amount of research regarding the importance of achieving early permanency for children upon future outcomes.

- 4.8 This table tells us about the number of children currently open to Children's Social Work Service who are subject to Child in Need Plans (CIN), Child Protection Plans (CP) who are Children in Care (LAC) in pre- court proceedings (PLO) and in Court Proceedings. It then shows us the number of children where a parent with Learning Disabilities is a factor and the percentage this is within the whole group of children.

	Count at 31-03-16	Count with a Parental Learning Disability Factor	% with a Parental Learning Disability
<b>CIN</b>	2056	151	7.3%
<b>LAC</b>	436	39	8.9%
<b>CPP</b>	388	53	13.7%
<b>PLO</b>	89	10	11.2%
<b>Proceedings</b>	57	9	15.8%

#### 4.9 Protocol:

The multi-agency joint working protocol has been developed for any staff or volunteers working with parents where complex issues associated with their learning disability might impact on their ability to care for children and for those working with children whose parents or carers have complex problems, as a result of having a learning disability.

We have referred to the work of the Norah Fry Centre in Bristol, examples of best practice highlighted from SCIE research and other local authorities. A working group representing the Directorate of Families Children and Learning and informed by research, including the work of the Norah Fry Centre, and key stakeholders have collaborated to produce a protocol to inform the work of children's and adult's services to ensure that parents with a learning disability get better co-ordinated multi-agency support.

The aim of the protocol is to support and guide practitioners in making assessments and in offering interventions that are in the best long term interests of children.

The protocol and the practice guidance (in development), recognise that both services for Children and Adults do not work to support individuals living in the community in isolation. We stress the importance of a Whole Family Approach being adopted by all agencies, in the context of their work to improve both the identification and support for parents who have a learning disability.

#### 4.10 Our Offer:

As a result of forging closer working relationships, our offer to parents who have a learning disability has developed. We offer:



- Early assessment, particularly pre-birth, involving Children's and Adult assessments to inform joint planning and support.
- Specialist consultation for social workers to inform interventions. For example, since August 2016, a range of Learning Disability clinicians have attended the 4 weekly Drop-in Consultations to offer advice and guidance to Child Social Workers.
- Competence led specialist assessment from Parent Assessment Manual trained social workers.
- Joint work and training between Children and Learning Disability services.
- Creative collaboration and co-commissioning regarding packages of support.
- Assessment and intervention that makes for reasonable adjustments, supported by Learning Disability professionals when required.
- Assessment that is coordinated, timely and considers both children and adults needs and rights, to inform decision making and support planning.
- Bespoke interventions to enable parents to learn and adapt their parenting skills within the range of their abilities, including clinical support for parents, where appropriate, in terms of cognition and functioning.

**In development:**

- Shared bank of accessible resources for Children's and Adult Services to support learning.
- Training for child care professionals to support development and delivery of information in more accessible formats, including "easy read" formats for standard documents, such as reviews and reports
- Evaluation of joint working protocol via multi-agency LSCB audit (2018).
- Evaluation of practice and research with Sussex University to promote further learning and development of the joint working protocol.

**4.11 Training:**

Training for social workers is being provided via Children's Services Lead Practitioner in conjunction with a Clinical Psychologist attached to the Community Learning Disability Team. Additionally Children's Services have invested in training 26 social workers in the Parenting Assessment Manual training. The Early Parenting and Assessment Programme continue to offer a bespoke combined assessment and

intervention programme working with parents to enable them to provide for their babies both physically and emotionally.

Children's Services foster carers have received training from our Lead Practitioner on working to support parents with learning disability when they are residing in a Parent and Baby placement for the purposes of modelling, teaching and assessment.

#### **4.12 Evaluation:**

We will be undertaking multi-agency audit to evaluate our work as set against improving outcomes for children to further inform our practice. We will additionally be visiting other local authorities to inform our learning and working with our Young Carers Family Coach to gain a better understanding of the particular issues faced by children who reside with a parent who has a learning disability, to inform future interventions.

#### **4.13 Accommodation:**

In making for safe and stable arrangements it is recognised that all families are different and that there is not a one size fits all approach. Commitment is evident within Children's and Adults services to work creatively to support parents who have a learning disability maintain care of their children. An example is the use of Grace Eyre carers to offer support to parents to maintain their own independence, to enable the parents to care for their child, alongside the support of housing colleagues to locate suitable safe accommodation for families who are vulnerable.

#### **4.14 Further Support:**

There is clear recognition of the need for a variety of interventions to meet the needs of parents with learning disabilities. How effective these interventions are is largely determined by resources available and the extent to which the interventions meet a child's needs and how long they will be available. Decisions for children's future have to be based on realistic and sustainable packages of support. In addition to meet children's changing needs as they develop, a baby, toddler, primary, secondary aged child all require parenting that will meet their needs or parenting plus support that will meet their needs. Support can come through many different sources and combinations from wider family support or services, statutory or voluntary.

4.15 In order to identify a menu of support discussions are underway across Directorates e.g. Children's, Adults and Housing and with



Commissioners and with partner organisations, which include key advocacy services to find creative solutions to provide parents with the best opportunity to enable them to provide for their children into the longer term. Such as those provided by our Early Parenting and Assessment Programme and in conjunction with commissioned services such as Grace Eyre.

## 5. Important considerations and implications

### Legal:

- 5.1 The legal context for safeguarding children is based on the paramouncy principles as laid out in the Children Act 1989 and 2004 Children's Act. This means that the child's needs override the rights of the parents. The principle are:
- a. A child's welfare is paramount when making any decisions about a child's upbringing, known as the "paramouncy principle"
  - b. The court must ascertain the wishes and feelings of the child and shall not make an Order unless this is "better for the child than making no Order at all"
  - c. Every effort should be made to preserve the child's home and family links
- 5.2 The Care Act 2014 provides a duty to adults assessed has having care and support needs which arise from or are related to a physical or mental impairment or illness and as a result of those needs are unable to achieve 2 or more of the specified outcomes (which includes carrying out caring responsibilities, if the person has a child) with the consequence of being unable to achieve these outcomes there is, or there is likely to be, a significant impact on the adult's wellbeing
- 5.3 Article 23 of the United Nations Convention 'Rights of Persons with Disabilities states 'Disabled people have the same right as anyone else to have a relationship and start a family.' 'Must have access to appropriate information and support, must have rights respected and upheld in practice, including any support they need as parents. No child must be separated from their parents simply on the basis of a disability on the part of the child or a parent.
- 5.4 The Equalities Act 2010 provides protection from discrimination of any person because they are perceived to have, or associated with

someone who has a protected characteristic and places a duty to make reasonable adjustments to processes in order to avoid discrimination.

- 5.5 Actions taken and decisions made by the Local Authority in relation to children and their families must take account of individuals' human rights enshrined in the Human Rights Act 1998; most notably Article 8 – Right to Privacy and Family Life.

Lawyer consulted: Sandra O'Brien Date: 29/6/2017

**Finance:**

- 5.6 There are no direct financial implications at this stage but the objectives outlined within the report will need to be delivered within the overall budget resources available.

Finance Officer consulted: Sophie Warburton Date: 15/06/2017

**Equalities:**

- 5.7 There are legal rights for both parents with learning disabilities and their children, as outlined above. This proposal has been developed specifically to enable these rights to be consistently supported and balanced, enabling the best possible outcomes. The protocol directly responds to one of the Fairness Commission recommendations and is intended to enable agencies to better meet our legal duties

Equalities Officer consulted: Sarah Tighe-Ford Date: 15/06/2017

**Sustainability:**

- 5.8 No sustainability implications are noted.

Sustainability Officer consulted: Mita Patel Date: 15/06/2017

**Health, social care, children's services and public health:**

- 5.9 Covered in the paper.

