

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR YOUNG PEOPLE

4 December 2018

Report of the Strategic Director for Children’s Services

Contract Care Scheme (Disabled Children)

1. Purpose of Report

To:

- Update the Cabinet Member on the work done to revise the Contract Care scheme (Disabled Children).
- Seek agreement to revise the payments for the scheme under Option 5 of the options detailed below, following consultation with the foster carers of this scheme.
- Seek agreement to make revisions to the paid break arrangements of this scheme for those carers who provide short breaks only.
- Seek agreement that these revisions will be implemented from 1st January 2019 and that those foster carers who will be financially disadvantaged by the changes will receive payment protection until 30th June 2019.

2. Information and Analysis

Prior to April 2017, the Contract Care Scheme (Disabled Children) was the Aiming High Scheme which was originally set up through a Government-funded initiative in 2009 in order to provide short breaks for families with disabled children. Government funding then ceased, but the scheme continued in Derbyshire, and was extended to include people caring on a full-time basis, focusing on those children with the most complex needs who would otherwise be placed in expensive specialist units. In effect, this has resulted in two schemes with the same service specification, allowances and fees.

In order to provide equity and consistency across the Derbyshire Fostering Service, the Contract Care Scheme (Disabled Children) was developed to reflect the Mainstream Contract Care Scheme as closely as possible.

There are currently 9 households on the scheme with 15 approved carers. Of these households, 5 provide at least 1 full-time placement for disabled children.

There should usually never be more than one full-time placement per carer at any one time under this scheme. The normal maximum is one full-time and one short break placement per carer. There are rare exceptions to this under specific arrangements.

Short break carers are currently contracted to provide 4 overnight placements per week for children. This is not always fulfilled for a variety of reasons including having other children in placement from other fostering schemes, not having an appropriate match available or the carer is not available on the days a family requires a break. Thus, some carers are being paid when they are not caring for a child.

There are a number of issues with the current scheme which have driven the need for review and change:

- All foster carers on the scheme receive the same fee and allowances, and all receive at least 28 days respite without any financial deduction, whether they provide long-term or short break care.
- All foster carers on the scheme receive the full fee entitlement whether they have a child in placement or not, whereas mainstream contract carers only receive a fee when they have a child in placement.
- Some foster carers have historical and exceptional arrangements for specific children for additional paid breaks in addition to the routine entitlement, and for both carers to be paid the full fee or $\frac{3}{4}$ of the fee.
- The scheme is not seen as being fair or transparent to all of the carers on the scheme. There is no incentive for carers to provide full-time placements above the 4 overnight minimum.
- Across the fostering service, allowances have been amended to incentivise occupancy.

We have consulted extensively with the foster carers on the options put forward in this report as detail in Appendix 1. Option 1 most closely aligns with the mainstream contract care scheme and was initially proposed to the contract carers. Having heard their views and concerns, the options were extended in response to these. Following wider consultation, Option 5 was given as the preferred option by the carers. Some of the comments received in support of this were:

- “Gives us more flexibility”.
- “Gives us the opportunity to do more/less depending on availability”.

- “This covers all the initial concerns that I had”.

In response to feedback from contract carers, we are also proposing that those who provide short breaks only will be entitled to 2 weeks’ paid break at half the full rate. (Those who provide full-time placements will continue to be entitled to up to 28 days’ paid break) These payments will be made automatically in two lump sum payments of £241.74. Where carers are not fulfilling their contracted obligations, the local authority may reserve the right to withhold these payments.

This report is to request agreement to support the recommendation to provide paid breaks for those providing short break care only, as described in the previous paragraph, and to change the payment of the scheme to Option 5 on the basis that this more closely reflects feedback following consultation with foster carers and is therefore most likely to retain carers. It fits more closely with activity, rewarding foster carers for the amount of fostering that they do, whilst having the least financial impact on those who do less. It provides flexibility for foster carers, whilst incentivising increased capacity and activity.

Following any revisions, the Contract Care Scheme (Disabled Children) will be re-launched with a targeted recruitment strategy. If a revised scheme is introduced that no longer pays a fee without a placement, there would be no risk of additional costs. Increasing the number of foster carers on the scheme could lessen overall costs of beds in residential placements.

Analysis is planned regarding the costs and potential benefits of establishing a new Family Resource Worker or Residential Children’s Worker to undertake direct work with disabled young people in placement to maintain family-based care. This to be undertaken with reference to best practice in other Local Authorities and independent fostering agencies. These young people are more likely to be in full-time education than some young people in mainstream contract care, but present other challenges which impact on placement stability.

3. Financial Considerations

This table shows the estimated saving of implementing each option considered, based on fostering activity in 2017/18. This figure would be offset by payment protection arrangements which we propose would be paid for 6 months following implementation. This transitional period would cost an estimated additional £17,000.

The provision of 2 weeks’ paid breaks for short break contract carers would cost £4,351 annually, based on current foster carer numbers, which if agreed, would need to be deducted from the savings shown in the table below.

The full weekly fee is £483.48 and the half fee is £241.74. As foster carers on this scheme currently receive a fee whether they have a placement or not, £79.6k was paid in fees in 2017/18 where a carer did not have a placement.

Option	Estimated Annual Saving
Option 1.	£72,437
Option 2.	£47,212
Option 3.	£66,512
Option 4.	£20,615
Option 5	£24,221

A description of each of these options is included in Appendix 1.

As described in the Children in Care Placement Sufficiency Strategy 2017/21, placement with Derbyshire foster carers is more cost-effective than any other type of placement.

4. Legal and Human Rights Considerations

When children cannot live with their birth families, providing high-quality foster homes is for the majority the most effective way of enabling them to 'be the best they can be'. It supports the Local Authority to meet the Human Rights Act 1998, Article 8 – regarding family life, both to live in as normal a home as possible and also that keeping children in their locality enables them to maintain contact with their family. Maintaining sufficient foster placements is required for Derbyshire County Council to meet its 'Sufficiency Duty', as laid down in Section 22G of the Children Act 1989 and Statutory Guidance Securing Sufficient Accommodation for Looked After Children (2009).

5. Social Value Considerations

The value of fostering placements is considerable, and often enables a young person to stay in their local community and attend their local school. It also reduces the need for agency or residential placements.

6. Equalities Impact

A key focus of the fostering service is to ensure appropriate ethnicity and cultural matches between foster carers and children, ensuring all health needs and equality issues are fully addressed through the fostering offer and a strong focus on positive outcomes for children who require a foster home.

7. Other Considerations

In preparing this report the relevance of the following factors has been considered: - prevention of crime and disorder, equality of opportunity; and environmental, health and transport considerations.

8. Key Decision

No

9. Call-In

Is it required that the call-in period be waived in respect of the decisions being proposed within this report? No.

10. Background Papers

File held by Service Director – Early Help and Safeguarding

11. Strategic Director's Recommendation

- Agreement to revise the payments for the scheme under Option 5.
- Agreement to revisions to the paid break arrangements of this scheme for those carers who provide short breaks only.
- Agreement that these revisions will be implemented from 1 January 2019 and that those foster carers who will be financially disadvantaged by the changes will receive payment protection until 30 June 2019.

**Jane Parfremment
Strategic Director for Children's Services**

Appendix 1

Option Number	Description		
1.	<p>Based on current arrangements with one scheme, paid on pro-rata basis only when carers have a placement:</p> <table> <tr> <td> Carer 1 would be paid: Full fee for 1st placement Half fee for subsequent placements </td><td> Carer 2 would be paid: Half fee for 1st placement Half fee for subsequent placements </td></tr> </table>	Carer 1 would be paid: Full fee for 1 st placement Half fee for subsequent placements	Carer 2 would be paid: Half fee for 1 st placement Half fee for subsequent placements
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3.	<p>Based on two separate schemes for full-time and short break.</p> <p>Full Time: Carers would be approved for 1½ placements as a maximum and would be paid the full fee for the first placement and half fee for subsequent placements. Carers would be paid on pro-rata basis only when they have a placement.</p> <p>Short Break: Paid full fee for every child for every day that they are in placement on a pro-rata basis.</p>		
4.	<p>Based on two separate schemes for full-time and short break.</p> <p>Full Time: Carers would be approved for 1½ placements as a maximum and would be paid the full fee for the first placement and half fee for subsequent placements. Carers would be paid on pro-rata basis only when they have a placement.</p> <p>Short Break: Expectation that carers will fulfil contractual requirements of 4 overnight stays per week and would be paid a regular weekly fee. The full fee would be re-calculated at £345.34 and the half fee at £172.67 (fee/7 x 5) to more accurately reflect the 5 days of care provided. Carer 1 would be paid the full fee every week Carer 2 would be paid the half fee every week</p>		
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