

MAYOR AND CABINET		
Report Title	Fostering Statement of Purpose	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Children & Young People (Andrews Owusu Osei)	
Class	Part 1	Date: 10 October 2018

1. Purpose

- 1.1 To present the Lewisham Fostering Service Statement of Purpose to the Mayor and Cabinet.

2. Summary

- 2.1 It is a regulatory requirement that children, their parents, foster carers, staff and the leaders of responsible authority are clear about the aims and objectives of the fostering service and what services and facilities it provides. This information is all contained within the Lewisham Fostering Service Statement of Purpose which is attached at Appendix 1.

3. Recommendation

- 3.1 That the Mayor and Cabinet approves the Fostering Statement of Purpose.

4. Policy Context

- 4.1 The Fostering Statement of Purpose contributes to five of the key priority outcomes of Lewisham's Sustainable Community Strategy, 2008-2020:

- **Ambitious and achieving** – where people are inspired and supported to fulfil their potential.
- **Safer** – where people feel safe and live free from crime, antisocial behaviour and abuse.
- **Empowered and responsible** – where people are actively involved in their local area and contribute to supportive communities.
- **Healthy, active and enjoyable** – where people can actively participate in maintaining and improving their health and well-being.
- **Dynamic and prosperous** – where people are part of vibrant communities and town centres, well connected to London and beyond.

- 4.2 The Statement of Purpose contributes to the Children and Young People Plan 2016-2018 and its 5 priorities: Be Healthy, Stay Safe, Enjoy and Achieve, Make a Positive Contribution and Achieve Economic well-being.

- 4.3 The National Minimum Standards require that the Fostering Agency approves and annually reviews the Statement of Purpose.
- 4.4 Lewisham Fostering Service is delivered in line with legislation and statutory guidance:
- Children Act 1989 and associated Care Planning, Placement and Case review (England) Regulations 2010, 2013, 2014 and 2015
 - The Fostering Services (England) Regulations 2011
 - The Care planning, Placement and Case review and Fostering services (Miscellaneous Amendments) Regulations 2013 and 2015
 - Assessment and Approval of Foster Carers: Amendments to the Children Act 1989 Guidance and Regulations, Volume 4 Fostering Services, July 2013
- 4.5 Consultations: The Corporate Parenting Committee, Children in Care Council and Foster Carers Association (LFCA) have been consulted and regularly updated on the work of the Fostering Service. The progress report was in July 2018 and this will be updated on a quarterly basis.
- 4.6 There has been a programme of work to improve the council's approach to fostering in response to consultation with existing foster carers and in the light of the wider market for placements. This involves a range of developments which are reflected in the new Statement of Purpose attached as Appendix 1:
- A new approach to recruitment of foster carers, with an in-house team following the non-renewal of the contract with an external provider
 - Strengthening of the support for 'connected carers' – these are relations of children who are appointed as carers for up to 16 weeks
 - Strengthening of the support for 'special guardians' – these are (usually) relations of children who given responsibility by the court via a Special Guardianship Order
 - A new category of 'specialist foster carer' is being established to recognise that some foster carers take on additional responsibilities, either for young people who are bailed or on remand, young people who are Unaccompanied Asylum Seeking Children or who have particular therapeutic needs
- 4.7 A major focus of the Children's Social Care Improvement Programme is improving the process for procuring placements for looked after children, develop the market and improve the quality and relevance of what is on offer locally. This Statement of Purpose is in line with those aspirations as it contributes to making a better offer to local foster carers who are the best option for the majority of young people and certainly the lowest cost. A new 'LAC Placements Sufficiency Strategy' is being developed as part of the Improvement Programme and this will be reported to CYP Select Committee in December 2018.

5. Financial Implications

- 5.1 The cost of the Fostering Team sits within the staffing budget for Children's Social Care and the cost of paying foster carers is met from the placements budget in CSC. The existing and new Sufficiency Strategy both aspire to increase the

number of in house foster carers as means of improving services but also as a contributor to addressing the overspend on children's placements. The current position is that between 35-40% of children are placed with Lewisham carers. The pursuit of the objective to place 60% of children with Lewisham in-house foster carers within the next 3 years. If successful, this will contribute significantly to the reduction of the overall placement cost. This will be further fleshed out in the new Sufficiency Strategy referred to above.

6. Legal Implications

- 6.1 Local Authorities exercise Social Services functions as required by the Local Authority Social Services Act 1970. Local Authorities have a statutory responsibility to provide appropriate services for the children they look after.

7. Equalities Implications

- 7.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

- 7.3 The duty continues to be to "have regard to duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 7.4 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>.

- 7.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 7.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 7.7 Lewisham's Comprehensive Equalities Scheme 2016-20 sets out the council's commitment to improve the life chances of residents across the borough. In the context of this report, the Comprehensive Equalities Scheme objectives that are particularly relevant are to: improve access to services, close the gap in outcomes for our citizens and increase participation and engagement.
- 7.8 The work of the Fostering Service contributes to the achievement of the Council's priority relating to the 'protection of children.' Equality & Diversity has been incorporated into the Statement of Purpose and is updated as part of the regular review of the Statement of Purpose.

8. Crime and Disorder Implications

- 8.1 There are no crime and disorder implications arising from this report.

9. Environmental Implications

- 9.1 There are no environmental implications arising from this report.

Appendix 1-Fostering Service Statement of Purpose 2018-19