

## **Governance Committee**

**March 2019**

**Part I**

### **Corporate Parenting Panel Terms of Reference**

#### **Report by Director of Law and Assurance**

**Electoral Divisions: All**

#### **Summary**

New Terms of Reference for the Corporate Parenting Panel are proposed in order to deliver a more outward-focused Panel and to ensure that the voice of the child is central to all its work. It is recommended that new Terms of Reference be agreed as soon as possible, to ensure the best outcomes are being achieved for children looked after and care leavers in West Sussex at the earliest opportunity. The key change is the proposal to widen the membership to become a multi-agency advisory panel, with members including a representative of Independent Reviewing Officers, a Foster Carer, Chairman or Vice Chairman of the West Sussex Foster Carer Association, a member of the Children in Care Council and a Care Leaver. These changes will be reviewed in six months and during this time it is proposed that there is consultation with the Children in Care Council to seek its views on how the Panel operates.

#### **Recommendation**

To agree the new Terms of Reference and membership of the Corporate Parenting Panel as set out at the Appendix, for recommendation to the County Council on 5 April 2019.

#### **Proposal**

##### **1. Background and Context**

- 1.1 West Sussex County Council has a Corporate Parenting Panel (CPP) that meets four times per year, consisting of seven members of the County Council along with one non-voting health representative (the Designated Nurse for Children Looked After). It meets regularly with the Children in Care Council and care leavers in order to ensure their views are represented, however there is no formal role for young people or their families and carers within the process.
- 1.2 There is a drive to ensure that the CPP is more outwardly focused, and that the voice of the child is central to its work, by proactively seeking to have that view represented more strongly. Evidence from other local authorities shows that successful panels have a wider membership, including young people and foster carers. Many also have clearer lines of reporting to, and influence with, decision makers and are more public-facing, with meetings held in public and agenda/papers publicly available. In addition, many other

CPPs hold meetings and activities at times that will enable children and young people to take an active role in the work of the Panel without taking time out of school.

## **2. Proposal**

2.1 It is recommended that the changes summarised below, and set out in the Appendix, are made to the CPP Terms of Reference to deliver a more outcomes and outward focussed Panel, and to ensure the voice of the child is central to its work. It is proposed that the Panel will continue to meet in private for the time being, but it is asked to consult with the Children in Care Council to consider whether meetings should be held in public and at different times. This consultation should include other potential mechanisms for enabling children looked after and care leavers engage in and with the Panel's work.

**a) Membership:** That in addition to health colleagues, membership should be widened to make this a multi-agency forum. Representatives from foster carers, children in care, care leavers and any relevant advocacy groups should be included as non-voting members of the Panel. This will ensure that the voice of the child is central to all work of the Panel, and that a more holistic approach can be developed when considering items on the agenda. In addition, members of the Panel may be given specific lead roles (care leavers, residential homes), giving greater ownership of key areas of the Panel's work.

**b) Chairmanship:** That the Chairman of the CPP should be the relevant Senior Advisor to the Cabinet Member for Children and Young People. This will ensure a direct link to the Cabinet Member's work and policy direction.

**c) Work Programme:** A new Work Programme will be developed to ensure that the work of the Panel is more outcomes-focussed. Reporting to County Council on a regular basis, and at least twice per year, will continue to ensure the wider membership of the County Council understand the work of the Panel, and is reminded of their responsibilities as a corporate parent.

**d) Training:** As well as health training which is currently given, other opportunities will be developed for the members of the Corporate Parenting Panel, such as training in specific areas affecting children in care. All members of the County Council will receive training on Corporate Parenting as part of their induction.

2.2 It is recommended that the revised Terms of Reference be reviewed in six months, when further changes may be proposed following engagement with the Children in Care Council.

## **3. Resources**

3.1 This proposal should have a minimal impact on resources. There are two main areas of resource impact: external members' expenses and staff support costs. If expenses are to be paid by the Council to external members of the panel, it is estimated (on the basis of four external members attending up to 6 meetings/events per year) that this would be in the region

of £1,000 per annum (although this will vary depending on distance travelled etc.).

- 3.2 Staff support for the CPP is provided both by Service lead officers from the Children, Adults, Families, Health and Education Directorate (CAFHE), as well as from Democratic Services. If any additional activities and meetings are to be held, and if meetings are webcast, it is likely that some more officer time will be required but this can be met from within existing capacity. The current contract for the webcasting of meetings has a total limit of 60 hours per year. There should be capacity within this to webcast CPP meetings, depending on the number of other meetings being webcast. However Governance Committee may wish to review the webcasting arrangements for meetings to consider implications and capacity.

## **Factors taken into account**

### **4. Consultation**

- 4.1 Consultation has been undertaken with the Leader, the Cabinet Member for Children and Young People, the Chairman of the Council and the Executive Director of CAFHE. The Children in Care Council, Care Leavers and current Panel members will be consulted as part of the implementation programme and any further changes required as a result will be presented to the Governance Committee for future consideration.

### **5. Risk Management Implications**

- 5.1 There are no risks associated with these proposals. If it is agreed that meetings should be held in public, the normal rules will apply in terms of how confidential information is dealt with, so there should be no risks associated with the discussion of any sensitive information relating to children, young people, their families or carers. Training and support will be provided to any external members appointed to the Panel, to ensure they are able to fulfil their roles and contribute effectively.

### **6. Other Options Considered**

- 6.1 The other option is to make no changes to the Panel. The changes proposed are designed to improve the work of the CPP and its ability to influence and improve outcomes for children looked after and care leavers. Therefore if no changes are made, the opportunity to improve and develop the CPP would be missed and the voice of the child would not be embedded as central to its work.

### **7. Equality Duty**

- 7.1 The proposals set out in this report will not have any detrimental impact on those with protected characteristics, as set out in the Equality Act. The Council has a public sector equality duty with regard to those with protected characteristics, one of which is age. The proposals are intended to ensure the voice of the child will be heard more strongly, and therefore should have a positive impact on children and young people.

**8. Social Value**

8.1 None.

**9. Crime and Disorder Act Implications**

9.1 None.

**10. Human Rights Implications**

10.1 None.

**Tony Kershaw**

Director of Law and Assurance

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**Appendix**

Revised Terms of Reference for the Corporate Parenting Panel

**Background Papers:** None

<p>Agreed Chairman</p> <p><i>[Signature]</i></p> <p>Date..... 27. Mar 19 .....</p>
<p><b>Action Authorised</b></p> <p><i>[Signature]</i></p> <p>..... Director of Law and Assurance</p> <p>Date. ? 27-3-2019 .....</p>

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### Terms of Reference – Corporate Parenting Panel

#### Positioning statement

Any child who comes into the care of the County Council until the child leaves care is the statutory responsibility of the County Council. Members of the County Council and staff members are Corporate Parents, and have a duty to ensure that during the child's time in care the voice and experience of the child is paramount. It is key that the child receives a consistently good experience and that the child's health and education needs are met allowing all children looked after the same life chances as any other child.

The Corporate Parenting Panel must work to national principles, including those provided by the Department for Education and as set out in the Appendix.

#### Constitution

A multi-agency advisory panel to the County Council and to the Cabinet Member for Children and Young People comprising six members of the County Council (appointed from among those best qualified to serve but including at least one minority group member and one from either the foster or adoption panel), as well as the multi-agency partners in West Sussex who are responsible for delivering good and effective corporate parenting for children and young people. This includes the Designated Nurse (NHS), a representative of Independent Reviewing Officers, a Foster Carer, Chairman or Vice Chairman of the West Sussex Foster Carer Association, a member of the Children in Care Council and a Care Leaver.

At least two County Council members of the Panel will also be members of the Children and Young People's Services Select Committee. Quorum is three. The Chairman of the Panel will be the relevant Senior Advisor to the Cabinet Member for Children and Young People.

#### Purpose

The Corporate Parenting Panel aims to ensure that the County Council, alongside other agencies, undertakes its duties as Corporate Parents for all children looked after and care leavers for which it is responsible so that young people can achieve their full potential and a successful transition into adulthood. The Panel does this by ensuring that the voice and experience of the child/young person is central to all its work and that the services provided for children and young people looked after by the County Council are of good quality, consistent and meet their needs. It works with all elected members and officers within the Council, with colleagues from partner agencies and with children and young people who are looked after. The Panel's ambitions assist in the Council's overarching vision that "Children and Young People in West Sussex get the best start in life".

## **Terms of Reference**

1. To rigorously monitor and challenge service improvement and the impact of social work practice in improving outcomes for children looked after;
2. To be aspirational and ambitious in driving better outcomes for children looked after;
3. To ensure that the voice and experience of the child is central to the work of the whole Council and to creatively consider ways in which the Corporate Parenting Panel will hear and respond to the views of children looked after, care leavers, their parents and carers;
4. To develop expertise in issues affecting children looked after and care leavers;
5. Ensure that ALL elected councillors are able to fulfil their role as corporate parenting champions and advocates for West Sussex children and young people who are looked after, and those leaving local authority care;
6. To provide the multi-agency strategic direction to achieve good outcomes for both children in local authority care and leaving care;
7. To contribute to the development of the Children Looked After and Care Leavers Strategy and to challenge and hold to account for its delivery;
8. To take action continually, in conjunction with officers and partner agencies, to improve services and ensure it is responsive and meeting changing needs;
9. To deliver the County Council's 'Pledge' to children looked after and care leavers, and refresh this on an annual basis;
10. To monitor and challenge where necessary the effectiveness of the Virtual School in improving the educational attainment of children looked after and care leavers;
11. To raise members' awareness and understanding of children looked after and care leavers, their needs and experiences and consider how all members can contribute to improving outcomes, through ensuring they are the Council's first consideration when making any decisions that may affect them;
12. To monitor and challenge where necessary the health and wellbeing of children looked after and care leavers;
13. To include the voice of foster carers, adopters and Chairman of the Fostering and Adoption Panel, by invitation to panel meetings;
14. To report to the County Council on a regular basis, and at least twice a year;
15. In the event of serious concerns to accelerate these to the Cabinet member; and
16. To consider what training is required by members to ensure that elected councillors are able to fulfil their role as corporate parenting champions and advocates for West Sussex children and young people.

## **Notes**

These Terms of Reference will be delivered by the Panel in the following ways:

- The Panel will liaise with the Cabinet Member for Children and Young People on services for children looked after and care leavers, and with the Leader on the wider corporate parenting agenda across the County Council.

- Members of the Panel will have specific lead roles in order to give ownership to work the Panel undertakes.
- The Panel will liaise with the Children and Young People's Services Select Committee to seek to avoid duplication of work. Members of the Panel who are also on the Select Committee and its Business Planning Group will be responsible for sharing knowledge and issues of concern so that the Committee and the Panel can each fulfil their roles in the knowledge of the work undertaken by the other body.

## **Appendix**

A strong ethos of corporate parenting means that sense of vision and responsibility towards the children they look after and their care leavers is a priority for everyone. They recognise that children looked after have the same needs – to be loved, cared for and feel safe - as other children. But also that there are unique challenges that children looked after and care leavers face: 60% of children become looked after due to abuse or neglect and they have poorer educational and health outcomes than their peers. A strong corporate parenting ethos recognises that the care system is not just about keeping children safe, but also to promote recovery, resilience and wellbeing.

The Children and Social Work Act 2017 introduces corporate parenting principles, which comprise of seven needs that local authorities in England must have regard to whenever they exercise a function in relation to children looked after or care leavers (collectively referred to as children looked after and young people). The corporate parenting principles are intended to secure a better approach to fulfilling existing functions in relation to children looked after and care leavers and for the local authority to facilitate as far as possible secure, nurturing, and positive experiences for children looked after and young people and enable positive outcomes for them.

The corporate parenting principles are about embedding a positive culture in the local authority towards children looked after and care leavers and their success will depend on the extent to which directors, councillors, heads of service and front line managers champion and promote understanding of them. The experiences of children looked after and care leavers, particularly in regards to whether they feel cared for and listened to, will therefore be an important measure of how successfully local authorities embed the principles.

### **The principles**

In order to thrive, children and young people have certain key needs that good parents generally meet. The corporate parenting principles set out seven principles that local authorities must have regard to when exercising their functions in relation to children looked after and young people, as follows:

- To act in the best interests, and promote the physical and mental health and well-being, of those children and young people;
- To encourage those children and young people to express their views, wishes and feelings;
- To take into account the views, wishes and feelings of those children and young people;

- To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
- To promote high aspirations, and seek to secure the best outcomes, for those children and young people;
- For those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- To prepare those children and young people for adulthood and independent living.

The corporate parenting principles are not about applying a formulaic approach to how services are delivered in relation to children looked after and care leavers. Rather they describe the behaviours and attitudes expected of councils when they are acting as any good parent would do by supporting, encouraging and guiding their children to lead healthy, rounded and fulfilled lives. The principles intend to ensure that all councils have high ambitions for the children in their care. In doing so, the application of the principles must respond to the individual needs, vulnerabilities or disadvantages of children looked after and care leavers. This will assist in securing that such children and young people are not placed at significant disadvantage when compared with the support a non-looked after child or young person may receive from their family.