
To: Education and Children's Services Policy Board

On: 14 March 2024

Report by: Director of Children's Services

Heading: Renfrewshire children outwith the care of their birth family

1. Summary

- 1.1. At Policy Board on 18 January 2024 members asked for a report in relation to Renfrewshire children who are looked after and accommodated in external residential provision. This report provides the information requested in the context of all of Renfrewshire's children who are outwith the care of their birth family.
- 1.2. S22 of the Children (Scotland) Act 1995 places a duty on Local Authorities to support children in need of care and protection to live with their families. One of the principles of this Act under which children's social work operates is that of minimum necessary intervention with children and their families. When children cannot be safely cared for by their own parents, we will explore whether they can live with relatives or close friends. This is called a kinship arrangement. If there are no kinship options available alternative care will be pursued with either foster carers or residential provision.
- 1.3. Renfrewshire Council is a registered foster care provider, and as such we have our own approved foster carers however, we also have some children living with foster carers approved by registered providers in the independent sector. Renfrewshire operates four children's houses and also has some children living in external residential children's provision.
- 1.4. On 29 February 2024, 183 children were cared for outwith their birth family by Renfrewshire Council. 139 children are cared for by foster carers. 115 of the children were cared for by Renfrewshire foster carers and 24 were cared for by foster carers provided by the independent sector. 44 children were cared for in residential settings. Of these, 17 were cared for in Renfrewshire's children's houses with the remaining 27 cared for in independent residential provision.
- 1.5. The service continues to experience budget pressures as a consequence of children being cared for outwith their birth family.

2. Recommendations

2.1. The Education and Children's Services Policy Board is asked to:

[a] note Children's Services operates a general duty under Section 22 of the Children (Scotland) Act 1995 to support children in need of care and support to live with their families;

[b] note the information in relation to children cared for outwith their birth family; and

[c] agree that information on Renfrewshire's looked after children be provided to Board on an annual basis.

3. Background

3.1. On 29 February 2024, 183 children were cared for outwith their birth family by Renfrewshire Council. 139 children were cared for by foster carers. 115 of the children were cared for by Renfrewshire foster carers and 24 were cared for by foster carers provided by the independent sector. 44 children were cared for in residential settings. Of these, 17 were cared for in Renfrewshire's children's houses with the remaining 27 cared for in independent residential provision

3.2. In 2012 the Council agreed to reduce the number of children who were looked after and accommodated in foster care and residential settings. The plan at that point required additional family support approaches to ensure children could be cared for by their parents or in kinship care. In later sections of this report information will be provided on the number of children in the care setting on 31 July 2012 and compare this with the number on 29 February 2024.

Renfrewshire Fostering Service

3.3. Renfrewshire Council's Fostering Service is registered and regulated by the Care Inspectorate. The annual report for the internal fostering service was considered at the Education and Children's Services Policy Board on 14 January 2024.

3.4. On 29 February 2024, 115 children from Renfrewshire were being cared for by Renfrewshire foster carers. 2 children from Renfrewshire were placed with internal foster carers during February 2024 and 5 children were discharged from care. On 31 July 2012, 140 children from Renfrewshire were being cared for by Renfrewshire foster carers.

3.5. Renfrewshire has 75 fostering households at present. Should a child require to live outwith their birth family, Children's Social Work attempts to ensure the child is cared for locally with one of our internal fostering households.

3.6. Renfrewshire foster carers receive a fee and maintenance allowance for each child they care for. In August 2023, the Scottish Government and COSLA agreed to introduce a Scottish Recommended Allowance for the maintenance

of each child. The Scottish Recommended Allowance was set at a higher level than Renfrewshire paid in our maintenance allowance.

- 3.7. The Education and Children's Services Policy Board considered a report on the new Scottish Recommended Allowance at its meeting on 2 November 2023. The Board agreed that Renfrewshire foster carers should receive the Scottish Recommended Allowance. Renfrewshire foster carers receive a weekly fee for each child of £296.56 plus the Scottish Recommended Allowance for each child according to age as follows: birth to 4 years - £168.31, 5 years to 11 years - £195.81 and 16/17 years - £268.41.
- 3.8. The Scottish Government provided £517,673 to support the new agreed allowance, the cost of implementation in Renfrewshire is anticipated to be £1,350,000. As a consequence, there is a significant additional financial pressure for the council, which is unlikely to be able to be absorbed within existing Children's Services total budget given ongoing cost pressures and anticipated overspends in relation to children's residential care. The Council will require to consider the further use of reserve balances to address this cost pressure in 2023/24, and also include this cost pressure in setting the 24/25 revenue budget. The total spend for internal foster care in the current financial year is projected to be £3,775,902.

Independent Foster Care

- 3.9. As part of the Council's Achieving Step-Change in Children's Outcomes in 2012, it was agreed that to reduce the reliance on external fostering care and reduce the number of new external placements in future years. Children who were cared for by external foster carers were supported to complete their care journey with their current carers where this was in their best interest.
- 3.10. On 29 February 2024, 24 children from Renfrewshire were being cared for by foster carers in the independent sector. Over the past 12 months 6 children from Renfrewshire were placed with foster carers in the independent sector. These new arrangements were made to secure long term stable care for the individual children. On 31 July 2012, 110 children from Renfrewshire were being cared for by foster carers in the independent sector.
- 3.11. 3 of the children currently placed with foster carers in the independent sector will reach the age of 18 by the end of March 2025 and a further 7 by the end of March 2026. The service aims to minimise further use of external fostering care provision and therefore aims not to replace these placements.
- 3.12. The costs of external foster care varies dependent on the individual provider and ranges from £789 per week to £3290 per week. In the current financial year, the total spend on external foster care is projected to be £1,901,902.

Internal Residential Children's Houses

- 3.13. Renfrewshire currently operates four children's houses which are able to provide care for 22 young people up to the age of 21. On 29 February 2024, 17 young people under the age of 18 were being cared for in Renfrewshire's internal children's houses. Four young adults aged between 18 and 20 are cared for in our internal children's houses exercising their right to remain there under continuing care legislation. The continuing care legislation gives young people the right to remain in their current care setting up to the age of 21 if

they wish to do so unless a welfare assessment indicates this is not in their best interest.

- 3.14. On 31 July 2012, Renfrewshire Council operated 5 children's houses which were able to provide care for 49 young people. A planned redesign of the children's houses was implemented where some larger residential settings were replaced with smaller purpose-built houses. The redesign programme replaced Rowanlea (care for 16 young people) and Chapel (care for 10 young people) with Barochan and Arkleston, both of which provide care for 6 young people. The redesign work meant that whilst there was provision for the care of 49 young people the actual number in our internal children's houses was 46 under the age of 18 and a further 3 young people aged 18 and 19.
- 3.15. In 2019, Brediland a new purpose-built house for four children opened. This new house was planned to replace Roneil which could provide care for 8 children. Roneil was closed in March 2020. At the same time Longcroft which could provide care for 6 young people also closed. Longcroft had been providing care for 5 related children who returned to family care in a kinship arrangement.
- 3.16. Currently Renfrewshire, in common with many other local authorities is experiencing significant pressures with recruitment and retention of staff within the residential children's houses. The result of having vacancies in the staffing means there is higher than predicted use of overtime which will result in an overspend in the budget for internal children's houses. The budget for the internal children's houses is £3,742,751. The weekly cost of caring for a child in an internal residential children's house is £3,271 per week. A small overspend is expected due to the need to cover vacancies via overtime.

External Residential Provision

- 3.17. The needs of some children and young people require the use of external residential provision. The external residential provision used by Renfrewshire includes secure care, residential schools, specialist residential provision for children and young people with complex health or learning disabilities.
- 3.18. On 29 February 2024, there were 27 young people from Renfrewshire placed in external residential settings. 14 young people were discharged from external residential settings in the last twelve months and 8 of the young people in external provision have been accommodated in the same period, resulting in an overall reduction of 6 placements.
- 3.19. On 31 July 2012, 24 young people from Renfrewshire were cared for in external residential provision.
- 3.20. On 31 March 2020 there were 21 young people in external residential placements. On 31 March 2021 there were 22 external placements. By 31 July 2021 the number of external placements had increased to 27. The number of external placements increased further to 33 by 31 March 2022.
- 3.21. The increase in the use of external residential care settings was significant in the second year of the COVID-19 pandemic. The main reasons for accommodating young people in external residential settings at this time was family breakdown for children with significant learning disabilities and young people with serious mental health concerns.

Secure Care

- 3.22. One young person is currently placed in secure care. Secure care is only used for young people who meet specific criteria in respect of the level of risk they are exposed to within the community or present significant risk to others in the community.
- 3.23. The types of risks presented by those young people placed in secure care include significant self-harm, attempts at suicide, being exploited by adults or have acted in a seriously harmful manner towards others. Young people under the age of 18 who are charged with serious offences can be remanded to secure care by the Sheriff as an alternative to being remanded in Polmont. The local authority is responsible for funding these placements irrespective of the reason the young person is in secure care.
- 3.24. During the current financial year, five young people from Renfrewshire have been looked after in secure care. The cost of secure care varies across the four providers in this sector ranging from £6800 to £7500 per week. The total anticipated cost of secure care for this financial year is £727,044.

Settings for children with disabilities

- 3.25. 9 of the young people currently in external residential settings have complex health or learning disabilities and required specialist provision. These young people could not be cared for in one of the Renfrewshire children's houses due to their individual complex needs.
- 3.26. Three of the young people were accommodated in the past twelve months. Four of the young people were accommodated by Renfrewshire before 2018.
- 3.27. Three of the young people are subject to permanence orders and were initially cared for in foster care however as their needs changed the foster carers weren't able to meet the complex needs and residential provision was required. All of these disruptions occurred in 2022 and 2023 with the impact of the COVID-19 pandemic contributing to the breakdown of the foster care arrangements.
- 3.28. The cost of residential care for Renfrewshire's children with children with disabilities placed with external providers ranges from £2,684 to £6,000 per week.
- 3.29. It is likely that most of these young people will require long-term or substantial care support when they transfer to adult services when they reach their 18th birthday. Two young people will transfer to adult services in the next financial year with others in future years. The transfer to adult services will add significant pressures to Renfrewshire Health and Social Care Partnership in the current and future years.

Specialist Therapeutic Settings

- 3.30. 6 young people are currently in specialist therapeutic residential settings. These settings are identified to meet the needs of children and young people who have experienced significant trauma in their life. 3 of the young people have been accommodated in the past twelve months.

- 3.31. The pressure on some families from COVID has been the main factor in the decision to accommodate these young people.
- 3.32. The cost of therapeutic care placements has increased over the past twelve months due to the withdrawal of Scottish Government grant funding to the providers. The cost of therapeutic provision ranges from £4,158 to £5,390 per week.

Residential Schools

- 3.33. Three young people are currently in a residential school provision. These children have all been in their current placement for more than twelve months and the placement has been assessed as meeting their care and learning needs. One child was discharged from a residential school in February 2024. This child had been in a residential school for more than three years before their discharge.
- 3.34. The cost of a residential school placement for a Renfrewshire child ranges from £5,370 to £8,533 per week.

External Residential Children's Houses

- 3.35. 8 young people are in external residential children's houses. 6 of the young people have a range of needs where the external provision was assessed as being in their best interest and required additional support due to their mental health and safeguarding issues. Two young people (siblings) were placed in an external residential setting during March 2022 as there wasn't capacity within our children's houses and to ensure they could be cared for together under the Keeping Brothers and Sisters Together Policy.
- 3.36. One of the 8 young people in external residential children's houses was placed there in the past twelve months.
- 3.37. The costs for the individual Renfrewshire children in external residential children's houses ranges from £3,980 per week to £5,068 per week.
- 3.38. Children's services attempts to ensure that children in external residential provision are able to return to supported accommodation in Renfrewshire around their 18th birthday. If young people were to remain in external provision under continuing care, there is a risk of significant financial pressures on the children's services budget.

Review of children outwith birth family care

- 3.39. All children who are cared for outwith their birth family are reviewed under the Looked After Children (Scotland) Regulations 2009. These regulations require a review of the child's placement and plan at least once every six months. The purpose of the review is to ensure that the care needs of the child continue to be met by the placement and to ensure appropriate plans are in place for the next six months.
- 3.40. For children who are placed in external residential provision there is an additional monthly discussion with senior managers to consider if there are options to bring the child back to Renfrewshire's internal provision or for them to return to their birth family.

Implications of this report

1. Financial

The cost of external residential provision ranges from £2,648 per week to £8,533 per week for individual children and young people. The current year budget is projecting an overspend of £2.858m. An additional £2m was provided for in the 2023/24 budget, with a noted expectation that “up to a further £3m may be required to be funded from ringfenced balances in 2023/24”.

The Council will require to consider the use of reserve balances to address this cost pressure in 2023/24, and also include this cost pressure in setting the 24/25 revenue budget.

The introduction of the Scottish Recommended Fostering Allowance has resulted in an additional financial pressure of £xxx,xxx in the current and future financial years.

2. HR and Organisational Development

There are no additional staffing implications from this report.

3. Community/Council Planning

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| Our Renfrewshire is safe | - Children who require care outwith their parents are supported in a safe alternative. |
| Working together to improve outcomes | - Social work staff work with colleagues elsewhere in the Council to ensure children achieve the best outcome possible. |

4. Legal

The actions and information in this report demonstrate the Council is meeting its duties under the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Children’s Hearing (Scotland) Act 2011 and the Looked After Children (Scotland) Regulations 2009.

5. Property/Assets

None.

6. Information Technology

None.

7. Equality and Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals’ human rights have been identified arising from the recommendations contained in the report.

8. Health and Safety

None.

9. Procurement

None.

10. Risk

The failure to provide safe care for children and young people would be a significant risk for the authority.

11. Privacy Impact

None.

12. Cosla Policy Position

None.

13. Climate Risk

None.

List of Background Papers

(a) None

Children's Services

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