

KEY DECISION NOTICE

SERVICE AREA:	COMMUNITIES, CHILDRENS, ADULTS AND HEALTH
SUBJECT MATTER:	INCREASES TO SPECIFIC BASIC / PERSONAL AND DAY CARE ALLOWANCES IN RELATION TO CHILDREN'S SERVICES
DECISION:	<p>It is DETERMINED that:</p> <ol style="list-style-type: none"> 1. The Government's recommended minimum allowance to Foster Carers for the allowance for the child's day to day care is again implemented in Tameside for 2014 / 2015 starting on 1 April 2014 from which date all Foster Carers who have completed core training and council workbook will continue to be entitled to a fee for each placement depending on the age of the child. 2. The Council continues to pay the higher weekly fee of up to £500 a week for children with complex needs who would otherwise be in a residential placement. This relates to a small group of children with significant disabilities and complex health needs and is separate from current consultation about a "complex needs fostering scheme". 3. The additional Birthday, Festival, Holiday and Initial Clothing Allowance continue in-line with current proportions of the minimum allowance for 2014 / 2015, as detailed in the report starting on 1 April 2014. 4. The Council agrees to the uplift of the personal allowance to young people looked after in line with the 2014 / 2015 income support rates, as recommended by Central Government starting on 1 April 2014. 5. The Council agrees to continue with the existing rate of £6.31 payable to carers for day care in line with the national minimum wage up until 30 September 2014 when this increases to £6.50 from 1 October 2014 in line with the advice to government from the Low Pay Commission, subject to change following formal government announcement regarding National Minimum Wage. 6. The Council uses the basic weekly allowance for Foster Carers for Special Guardianship Payments/Residence Order Payments and adoption allowances. 7. The Council continues to pay the foster carer mileage at the rate of 52.2p per mile 8. In future years, the Council will calculate increases in fees and allowances on the same basis as has now been applied since 2012, that is with reference to the Government's National Minimum Allowance for Foster Carers (NMAFC). Therefore, the decision will not require specific approval by a Executive Member unless there is a significant change in the way the NMAFC is calculated, or if there is a need to depart from this "formula". 9. The Council will keep under review the need to consult on decisions regarding changes to foster carer allowances and

	fees.
DECISION TAKER(S):	Councillor Allison Gwynne
DESIGNATION OF DECISION TAKER(S):	Executive Member, Children and Families
DATE OF DECISION:	30 April 2014
REASON FOR DECISION:	<p>Whilst the Council has to scrutinise any requests to increase financial support to foster carers a decision to keep the payments at the same rate as 2013 / 2014 could result in losing highly skilled carers.</p> <p>For a number of years the Council has agreed to the uplift of the personal allowance to young people looked after in line with Government income support rates. A decision not to increase in line with Central Government could result in Young People experiencing increased hardship and would see the Council taking a different line than other Local Authorities.</p>
ALTERNATIVE OPTIONS REJECTED (if any):	<p>The report details a number of options that were considered for the child's day care allowance for Foster Carers.</p> <p>The option not to increase the child's day care allowance to foster carers was not considered due to the risk involved in such a position in retaining highly skilled Foster Carers who remain crucial to reducing the Council's spend on Looked After Children.</p>
CONSULTEES:	<p>The proposed increase is in line with principles agreed with Foster Carers (and the Tameside Foster Care Association) as part of the settlement made in the spring of 2012. All foster carers have been asked for their views on these proposals. The response level was very low and has not altered the recommendations, but the process is described within the report.</p>
FINANCIAL IMPLICATIONS: (Authorised by Borough Treasurer)	<p>Although the Council does not have to comply with the National Minimum Fostering Allowances, our relationship with carers could diminish if these recommendations are not followed.</p> <p>The recommendations will increase expenditure within Children's Services of the Community, Children's, Adults and Health Directorate by approximately £73,630 per annum from 1 April 2014. (This includes an increase in Fostering Allowance and Personal Allowance).</p> <p>However, it is essential to note that related expenditure would be significantly greater if this group of carers chose not to care for the associated children due to a disregard of the change to allowances by the Council as some of these children may ultimately be placed in higher cost external placements.</p> <p>It is imperative that the associated expenditure relating to fees and allowances paid to carers is stringently monitored due to the level of significant efficiency savings required from the Community, Children's, Adults and Health Directorate budget over the medium to long term.</p> <p>The on-going financial strategy of the service to reduce high cost</p>

	<p>external placements should be maintained to minimise the impact of this decision. Additional cost reduction proposals should also be considered and implemented.</p> <p>Further reviews may be required for any additional proposed fee increases in future years.</p>
LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)	<p>There is no statutory requirement to implement the National Minimum Standards. The Executive Member therefore needs to balance the benefits of achieving these standards with the significant financial cost together with the impact of the decision on the availability of future long term foster placements and recruitment of suitable people to be foster carers.</p> <p>The standards only require that all foster carers be paid on the same basis and they do not require any particular figure to be paid or require rates to be harmonised to the highest.</p>
CONFLICT OF INTEREST:	<p>There are no areas where a conflict of interest is present in considering the increases to specific basic / personal and day care allowances in relation to this report.</p>
DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:	N/A
REFERENCE DOCUMENTS:	<p>The background papers relating to this report can be inspected by contacting the Report Writer, Tony Griffin, Assistant Executive Director, Children's Services</p> <p> Telephone: 0161 342 3354</p> <p> E-mail: tony.griffin@tameside.gov.uk</p>

Signed..... Dated.....
Councillor Allison Gwynne, Executive Member, Children and Families

KEY DECISION REPORT

SERVICE AREA:	COMMUNITIES, CHILDRENS, ADULTS AND HEALTH
SUBJECT MATTER:	INCREASES TO SPECIFIC BASIC / PERSONAL AND DAY CARE ALLOWANCES IN RELATION TO CHILDREN'S SERVICES
DATE OF DECISION:	30 April 2014
DECISION TAKER	Councillor Allison Gwynne
DESIGNATION OF DECISION TAKER(S):	Executive Member, Children and Families
REPORTING OFFICER:	Tony Griffin, Assistant Executive Director
REPORT SUMMARY:	<p>This Report asks the Executive Member to consider increasing the allowance paid to foster carers (the allowance for the child's day to day care) in line with government guidance and the National Minimum recommended foster carer allowance rates.</p> <p>It also asks for an increase in the personal allowance paid to looked after children and children in need in line with the annual increase to income support rates.</p>
RECOMMENDATIONS:	<p>It is DETERMINED that:</p> <ol style="list-style-type: none"> 1. The Government's recommended minimum allowance to Foster Carers for the allowance for the child's day to day care is again implemented in Tameside for 2014 / 2015 starting on 1 April 2014 from which date all Foster Carers who have completed core training and council workbook will continue to be entitled to a fee for each placement depending on the age of the child. 2. The Council continues to pay the higher weekly fee of up to £500 a week for children with complex needs who would otherwise be in a residential placement. This relates to a small group of children with significant disabilities and complex health needs and is separate from current consultation about a "complex needs fostering scheme". 3. The additional Birthday, Festival, Holiday and Initial Clothing Allowance continue in-line with current proportions of the minimum allowance for 2014 / 2015, as detailed in the report starting on 1 April 2014. 4. The Council agrees to the uplift of the personal allowance to young people looked after in line with the 2014 / 2015 income support rates, as recommended by Central Government starting on 1 April 2014. 5. The Council agrees to continue with the existing rate of £6.31 payable to carers for day care in line with the national minimum wage up until 30 September 2014 when this increases to £6.50 from 1 October 2014 in line with the advice to government from the Low Pay Commission, subject to change following formal government

	<p>announcement regarding National Minimum Wage.</p> <p>6. The Council uses the basic weekly allowance for Foster Carers for Special Guardianship Payments/Residence Order Payments and adoption allowances.</p> <p>7. The Council continues to pay the foster carer mileage at the rate of 52.2p per mile</p> <p>8. In future years, the Council will calculate increases in fees and allowances on the same basis as has now been applied since 2012, that is with reference to the Government's National Minimum Allowance for Foster Carers (NMAFC). Therefore, the decision will not require specific approval by a Executive Member unless there is a significant change in the way the NMAFC is calculated, or if there is a need to depart from this "formula".</p> <p>9. The Council will keep under review the need to consult on decisions regarding changes to foster carer allowances and fees.</p>
JUSTIFICATION FOR DECISION:	<p>Whilst the Council has to scrutinise any requests to increase financial support to foster carers a decision to keep the payments at the same rate as 2013 / 2014 could result in losing highly skilled carers.</p> <p>For a number of years the Council has agreed to the uplift of the personal allowance to young people looked after in line with Government income support rates. A decision not to increase in line with Central Government could result in Young People experiencing increased hardship and would see the Council taking a different line than other Local Authorities.</p>
ALTERNATIVE OPTIONS REJECTED (if any):	<p>The report details a number of options that were considered for the child's day care allowance for Foster Carers.</p> <p>The option not to increase the child's day care allowance to foster carers was not considered due to the risk involved in such a position in retaining highly skilled Foster Carers who remain crucial to reducing the Council's spend on Looked After Children.</p>
CONSULTEES:	<p>The proposed increase is in line with principles agreed with Foster Carers (and the Tameside Foster Care Association) as part of the settlement made in the spring of 2012. All foster carers have been asked for their views on these proposals. The response level was very low and has not altered the recommendations, but the process is described within the report.</p>
FINANCIAL IMPLICATIONS: (Authorised by Borough Treasurer)	<p>Although the Council does not have to comply with the National Minimum Fostering Allowances, our relationship with carers could diminish if these recommendations are not followed.</p> <p>The recommendations will increase expenditure within Children's Services of the Community, Children's, Adults and Health Directorate by approximately £73,630 per annum from 1 April 2014. (This includes an increase in Fostering Allowance and Personal Allowance).</p> <p>However, it is essential to note that related expenditure would</p>

	<p>be significantly greater if this group of carers chose not to care for the associated children due to a disregard of the change to allowances by the Council as some of these children may ultimately be placed in higher cost external placements.</p> <p>It is imperative that the associated expenditure relating to fees and allowances paid to carers is stringently monitored due to the level of significant efficiency savings required from the Community, Children's, Adults and Health Directorate budget over the medium to long term.</p> <p>The on-going financial strategy of the service to reduce high cost external placements should be maintained to minimise the impact of this decision. Additional cost reduction proposals should also be considered and implemented.</p> <p>Further reviews may be required for any additional proposed fee increases in future years.</p>
<p>LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)</p>	<p>There is no statutory requirement to implement the National Minimum Standards. The Executive Member therefore needs to balance the benefits of achieving these standards with the significant financial cost together with the impact of the decision on the availability of future long term foster placements and recruitment of suitable people to be foster carers.</p> <p>The standards only require that all foster carers be paid on the same basis and they do not require any particular figure to be paid or require rates to be harmonised to the highest.</p>
<p>RISK MANAGEMENT:</p>	<p>The Service will continue to monitor all placement costs for Looked After Children on a weekly basis in a meeting chaired by the Head of Social Care. A senior member of Resource Management will focus on the expenditure in internal foster care provision and all associated costs.</p>
<p>LINKS TO COMMUNITY PLAN:</p>	<p>In supporting Foster Carers to offer safe, appropriate placements for Looked After Children enables Foster Carers to improve children's health and wellbeing, protect the borough's most vulnerable children and increase their self-sufficiency and resilience.</p>
<p>REFERENCE DOCUMENTS:</p>	<p>The background papers relating to this report can be inspected by contacting the Report Writer, Tony Griffin, Assistant Executive Director, Children's Services</p> <p> Telephone: 0161 342 3354</p> <p> E-mail: tony.griffin@tameside.gov.uk</p>

1. INTRODUCTION

- 1.1 Fostering Services are regulated under the Care Standards Act 2000 and the Fostering Services (England) Regulations 2011. The Council is regulated and inspected by Ofsted with respect to provision of fostering services.
- 1.2 The Department for Education have produced National Minimum Standards (NMS) for Fostering Service provision. These are to be taken into account whenever Ofsted inspects the Council's Services and they were to take any enforcement action against the Council.
- 1.3 The NMS comprises 31 Standards, which are child focussed and intended to focus fostering service providers on securing positive welfare, health and education outcomes for all children. Each standard has a clear statement of the outcome to be achieved by the fostering service provider and notes the underpinning legislation.
- 1.4 The current National Minimum Standards for fostering services were implemented in April 2011.
- 1.5 This report sets out what we currently pay Tameside foster carers, the reasons why the Council is being asked to consider increasing the current Foster Carer allowance and the personal allowance to young people, which the Council has paid for many years in line with the benefit allowance.

2 BACKGROUND

- 2.1 All Local Authorities have a statutory duty to ensure there are sufficient suitable placements for looked after children. Each Council must have a sufficiency strategy detailing how they are providing enough local placements of high quality within their boundaries.
- 2.2 Tameside have invested in their internal Fostering Service resulting in a high number of children placed within Council approved Foster Carers at a significantly lower cost than they would be with Independent Fostering providers.
- 2.3 Retention of Council Foster Carers remains high and an on-going recruitment strategy has resulted in the number of Foster Carers remaining steady. This is important for the 428 children and young people currently looked after that Tameside has responsibility for.
- 2.4 In an increasingly competitive market with many growing Independent Fostering Agencies operating within Tameside or on its borders, Tameside offers lower financial rewards to members of the public wishing to foster than they would have to pay any independent fostering agency.
- 2.5 As well as making payments to Foster Carers, there is also a requirement for us to pay a personal allowance to children and young people in foster care. This allowance is offered in line with the benefits they would receive if the Council were not financially responsible for them and until they reach the age of 18, when they become eligible to apply for benefits in their own right.
- 2.6 There are two categories of Foster Carers which need to be considered for the purposes of this report along with means tested allowances to carers who are paid Special Guardianship, Residence Order or Adoption Allowances. The categories are as follows:
 - a) **Connected Person Foster Carers** – carers selected because of their family relationship to the child who is looked after by the Council.

- b) **Contract Foster Carers** – members of the public with no previous relationship with the child who agree to foster children on a short term basis (task centred) or on a long term basis (long term, meaning permanency until the child is supported into independence).
- c) **Special Guardianship Payments/Residence Order Payments and adoption allowances.** These payments use the basic weekly allowance as discussed in this report as the basis for the annual means tested financial assessment therefore any agreed uplift to the weekly allowance to Foster Carers also applies to this category of payments.

2.7 The fees and allowances paid to Foster Carers in 2013/2014 are as set out below:

The Foster Care allowance is designed to pay the carers expenses in looking after a child (e.g. food, travel, clothing, etc.).

The Foster Carer weekly fee element is designed to offer a level of financial support to the adult carer(s).

Type of Fostering	Foster Carer weekly fee element	Foster Carer weekly care allowance for the child
Connected Person or Foster Carer who has not completed core training and Council workbook	No fee element	0 – 1 year £116
		2 – 4 years £119
		5 – 10 years £132
		11 – 15 years £151
		16 – 18 years £175
Connected Person who has completed core training and Council workbook	0 – 4 years £110	0 – 1 year £116
	5 – 10 years £154	2 – 4 years £119
	11 – 18 years £176	5 – 10 years £132
		11 – 15 years £151
		16 – 18 years £175
Contract Foster Carer	0 – 4 years £110	0 – 1 year £116
	5 – 10 years £154	2 – 4 years £119
	11 – 18 years £176	5 – 10 years £132
		11 – 15 years £151
		16 – 18 years £175

3 RECENT CONTEXT OF FOSTER CARER PAYMENTS IN TAMESIDE

- 3.1 The fee element of Foster Carer payments remained unchanged from 2001 until 1 February 2012. The Council agreed that for 2012/2013 the fee element of Foster Carer payments would increase by 10%.
- 3.2 Such a significant increase at a time of financial pressure within the Council was agreed partly in recognition of the fact there had been no increase in the previous 11 years and also the strength of feeling from Foster Carers themselves in consultation with the Service and a desire to retain and further recruit highly skilled professional carers.

3.3 The Government's National Minimum Allowance for Foster Carers (NMAFC) was implemented in 2007 and the rates in Tameside have been increased annually in line with inflation and the Governments expectations. This rating is a benchmark for the minimum rate that any Foster Carer should be paid. In 2013 the recommended increase was 1.9% and that was applied to allowances but not fees.

4 OPTIONS FOR INCREASED PAYMENTS TO TAMESIDE FOSTER CARERS

4.1 In making this same decision last year we considered a range of options. Some centred on using the average increase in the NMAFC, which for this year is 2.16%. Others were based on arbitrary rates of increase either side of that figure. The clear outcome of the range of options was that we should adhere to the principle of using the figure itself, applying this to the allowances but not the fees. It continues the approach taken in the previous two years and there is nothing to suggest that this principle should be departed from.

4.2 The effect of it would be as follows:

Allowance	Current 2013/2014	NMAFC minimum allowance rates 2014/2015	Difference
Current annual costs are £3,045,316 for children's allowance and £2,234,232 for Foster Carer fees. A total of £5,279,548			
Option 1 is costed at £3,113,836 for children's allowance and £2,284,502 for Foster Carer fees. A total of £5,398,338			
The annual variation for children's allowance is £68,520 and Foster Carer fees £50,270. A total of £118,790			
0 – 1 year	£116	£119	£3
2 – 4 years	£119	£122	£3
5 – 10 years	£132	£134	£2
11 – 15 years	£151	£154	£3
16 – 18 years	£175	£179	£4
Fees	Current 13/14	Projected (no increase)	
0 – 4 years	£110	£110	
5 – 10 years	£154	£154	
11 – 18 years	£176	£176	

4.3 If applied to the current profile of placements (taking account of numbers and ages) this would produce an increased annual cost of £73,630. The figures leading to this calculation are provided at **Appendix 1**.

5 OTHER FOSTER CARER PAYMENTS

5.1 There are a small group of placements of children with complex needs (up to 10 places) who would otherwise be in residential care. It is proposed that these placements will continue to attract a higher weekly fee of up to £500 depending on the needs involved. In addition, managers have discretion to make additional payments to be made to Foster Carers to meet the cost of adaptations to the home, for children with very complex medical or behavioural needs.

5.2 These enhanced payments to carers are to prevent children from needing residential care, which is extremely expensive, and to ensure the young person concerned has every opportunity to remain within a nurturing family environment. These payments will continue

to be available at the Council's discretion. This tiered system reflects the need for specialist placements, which successfully manage complex behavior or need and reduce reliance on expensive external agency provision.

- 5.3 Foster Carer mileage for 2014/2015 will remain the same at 52.2p per mile and applied in accordance with **Appendix 2**.
- 5.4 Foster Care day care rates for 2013/2014 were fixed annually at the 1 October, dependent on adult minimum wage. They are currently £6.31 for the first child, halving for any sibling or subsequent day care placement. It is then recommended that we increase to the adult minimum wage increase of £6.50 on 1 October 2014. (This is subject to change following formal government announcement regarding National Minimum Wage).
- 5.5 It is recommended that the additional birthday, festival, holiday and initial clothing allowance continue in line with current proportions of the minimum allowance for 2014 / 2015. The current proportions are as follows:

Birthday Allowance	Half of one week's payment of the national minimum allowance specific to age category.
Festival Allowance	Additional one week's payment of national minimum allowance specific to age category.
Holiday Allowance	Up to 2.75 times of one week's payment of national minimum allowance specific to age category.
Initial Clothing Allowance	Up to 3.5 times of one week's payment of national minimum allowance specific to age category.

6 CONSIDERATION TO CHANGE TO PERSONAL ALLOWANCE RATES

- 6.1 In line with our financial responsibility for looked after young people the Council's Leaving Care Team are working with; we need to ensure the payments made to them in relation to personal allowances are at least equivalent to income support or other benefits they could access if the Council were not financially responsible for them.
- 6.2 This payment is for the looked after young person themselves and isn't taken from the allowance given to Tameside Foster Carers for caring for a child or young person.
- 6.3 For 2013 / 2014 the Council paid an allowance of £56.80 per week. The proposal is to pay the rates set by Central Government for Income Support for 2014/15 at the rate of £57.35 (this is a 0.97% increase) per week.
- 6.4 The number of young people who we support with personal allowance changes dependent on each year. There are currently 38 young people who we pay this allowance to therefore this will increase our costs by £1,087 per annum

7 CONSULTATION

- 7.1 In line with the agreement made with foster carers in 2012 we have consulted all foster carers about this proposed increase. The details were sent to them on 21 March 2014 with a request for any comments to be returned by 21 April. There has only been one response of any type to this. This was from a couple who said that they would "gladly give up the small increase, if everyone agreed to this. With that money the service could reappoint staff". This is undoubtedly a reference to the reduction in the number of staff in the

Fostering Team (and therefore available to support carers) that has been part of our need to make significant financial savings. The comment is consistent with others made in our recent consultation with foster carers on a separate issue. Further details of the consultation are contained in appendix 2

- 7.2 Although this suggestion has merit, officers are concerned about the prospect of recreating the situation described in sections 3.1 and 3.2 of this report. We have therefore decided not to suggest amending the proposed increase in allowances. However, the need for accessible and valued support is recognised and will inform other decisions to be taken within the service.

8 EQUALITIES

- 8.1 The Council's Duty under the Public Sector Equality Duty places a duty on all public bodies to promote disability equality. Under this new legislation all public bodies, are required to:

- Eliminate unlawful discrimination against disabled people
- Promote equal opportunities for disabled people
- Eliminate disability-related harassment
- Promote positive attitudes towards disabled people

- 8.2 The duty requires that every public authority shall, in carrying out its functions, have due regard to:

- The need to eliminate discrimination that is unlawful under this ACT;
- The need to eliminate harassment of disabled persons that is related to their disabilities;
- The need to promote equality of opportunity between disabled persons and other persons;
- The need to take steps to take account of disabled persons' disabilities, even where that involved treating disabled persons more favourable than other persons;
- The need to promote positive attitudes towards disabled persons; and
- The need to encourage participation by disabled persons in public life.

- 8.3 The Act therefore imposes a duty on the Council which is separate from the general duty not to discriminate. When a local authority carries out any functions the local authority is expected to rigorously exercise that duty.

- 8.4 The issues are similar to those raised last year but the Equality Impact Assessment has been updated and is attached at **Appendix 2**.

9 RECOMMENDATIONS

- 9.1 As detailed on the front of the report

APPENDIX 1

Annual Foster Carer Increase 2014/2015

<u>Placement Analysis as at 17/2/14</u>						
	0-1	2-4	5-10	11-15	16-18	Total no of Placements
*Placement Numbers (placements with additional allowances)	38	49	93	116	34	330
Adoption	0	11	24	14	5	54
Residence Order	0	1	12	11	4	28
Special Guardianship Orders	1	15	28	25	8	77
	<u>39</u>	<u>76</u>	<u>157</u>	<u>166</u>	<u>51</u>	<u>489</u>
<u>Based on Current payment structure</u>						
Current Weekly Allowance (FROM)	£116	£119	£132	£151	£175	
Current Weekly Fee	£110	£110	£154	£176	£176	
	<u>0-1</u>	<u>2-4</u>	<u>5-10</u>	<u>11-15</u>	<u>16-18</u>	<u>Total</u>
Current Allowances	235,248	470,288	1,077,648	1,303,432	464,100	3,550,716
Current Fees	217,360	280,280	744,744	1,061,632	311,168	2,615,184
Birthday Allowance	2,204	2,916	6,138	8,758	2,975	22,991
Festival Allowance	4,408	5,831	12,276	17,516	5,950	45,981
Holiday Allowance	12,122	16,035	33,759	48,169	16,363	126,448
						<u>6,361,320</u>
<u>Based on Current proposed NMA increase of 2.16% to allowance</u>						
Proposed Weekly Allowance (TO)	£119	£122	£134	£154	£179	
Current Weekly Fee remaining unchanged	£110	£110	£154	£176	£176	
	<u>0-1</u>	<u>2-4</u>	<u>5-10</u>	<u>11-15</u>	<u>16-18</u>	<u>Total</u>
Current Allowances	240,329	480,446	1,093,976	1,331,586	474,125	3,620,462
Current Fees	217,360	280,280	744,744	1,061,632	311,168	2,615,184
Birthday Allowance	2,252	2,978	6,231	8,947	3,039	23,447
Festival Allowance	4,503	5,957	12,462	17,894	6,079	46,895
Holiday Allowance	12,384	16,382	34,271	49,209	16,716	128,962
						<u>6,434,950</u>

**Total Additional Cost for 14-15
(Proposed minus Current)**

£73,630

APPENDIX 2

Equality Impact Assessment

Subject	Increases to allowances especially in relation to foster carers	
Service / Business Unit	Service Area	Directorate
Looked After Children	Children's Services	Community, Children's, Adults and Health
EIA Start Date (Actual)	EIA Completion Date (Expected)	Completion Date (Actual)
21.03.14	30.03.2014	15.04.14

Lead Contact / Officer Responsible	Tony Griffin
Service Unit Manager Responsible	Currently vacant (pending the arrival of Adele Smith) but covered by Tony Griffin

EIA Group (lead contact first)	Job title	Service
Tony Griffin	Assistant Executive Director	Children's Services

SUMMARY BOX
<p>The EIA on Increases to Specific Basic / Personal and Day Care Allowances in relation to Children's Services has been undertaken to consider all the elements of recruiting and retaining Tameside Foster Carers and ensuring that children who are looked after are supported in a way that enables them to have as good a quality of life as their peers who are not in public care.</p>

Section 1 - Background

BACKGROUND
<p>Tameside has a statutory responsibility to provide a stable and safe environment for vulnerable children who are unable to live within their birth family home. In house Foster Carers are the preferred placement option for Looked After Children and we are fortunate to have been able to recruit and retain a high number of local Foster Carers within the borough across all geographical areas.</p> <p>The Service has a robust recruitment strategy that is driving forward an increase in Carers able to care for adolescents, sibling groups and Black Minority Ethnic children.</p> <p>The Council has a duty under Fostering Regulations to review payments to Foster Carers on an annual basis. In 2012 the Council increased allowances significantly following 11 years of not having done so. Foster Carers were naturally unhappy and we agreed that we should avoid such a situation being repeated and that we should consult them on future annual increases. In the succeeding two years there has been almost no response to this consultation and the proposal is that future increases continue to be based on an established "formula" based on the Government's National Minimum Allowance for Foster Carers (NMAFC). Consultation should only be necessary in future when there is any need to consider a significant departure from that formula.</p>

Informing the review has been the fact that the number of Looked After Children placed in Independent Fostering Agencies has increased in the last 12 months which has impacted on the financial cost of children's placements. Whilst we have successfully retained the majority of Tameside Foster Carers there is a need to increase our pool of carers. Independent Fostering Agencies routinely pay their carers at a higher rate than the majority of Local Authorities and the EIA has balanced the need to recruit more carers, retain the carers we have, and honour the commitment to review their finances, against the backdrop of the Authority's financial constraints.

It is essential that children looked after by the Council have access to high quality placements that meet their individual needs after careful matching; without this children will not experience stable and permanent care which is essential for all children's wellbeing.

The Council has commitment to delivering high quality cost effective services locally.

The National Minimum Standards (NMS) for Fostering Service Provision, together with the Regulations relevant to the placement of children in Foster Care, Fostering Services (England) Regulations 2011, form the basis of the regulatory framework under the Care Standards Act 2000 (CSA) for the conduct of Fostering Services.

These Standards and Regulations apply to all Local Authorities and Independent Fostering Agencies and are issued by Government for use by Ofsted, who take them into account in the inspection of fostering services.

The National Minimum Standards came into effect on the 1 April 2011.

Section 2 – Issues to consider & evidence base

ISSUES TO CONSIDER

The increase to basic allowances to Foster Carers is intended to benefit vulnerable Looked After Children to ensure they have the same experiences as their peers who are not in public care. This means that the weekly allowance paid to Carers for the day to day care of children i.e. clothing, food, transport, education costs, trips and activities should enable them to access the same as their peers and give them an opportunity to improve their outcomes in education, health, community engagement and identity and self-esteem.

Tameside's Annual Dataset on its Looked After Children evidences their performance in education, employment and training, mental well-being and placement stability; it clearly indicates the disadvantages faced by those in public care when comparing their outcomes to those of their peers.

The Public Sector Equality Duty, which came into force on the 5 April 2011, ensures that Public Authorities focus on tackling inequality for all members of society. Looked After Children need to be supported to participate in all areas of public life and retaining Foster Carers and financially supporting them to ensure children have a high standard of care is essential in giving them the safe quality of life as other children.

Foster Carers in Tameside are recruited in a targeted way to encourage applicants with diverse ages, class, ethnicity, disability, gender, sexual orientation, religion, belief, gender reassignment, marriage / civil partnership, single, with children or no children to come forward to learn more about Fostering.

The number of same sex partnership and black or minority ethnic approved carers has increased in the past twelve months partly due to our branding, targeted campaigns, working alongside communities, and 'word of mouth' from applicants who are happy with our services to them.

The only customer group who we may ask to put their enquiry on hold or defer would be women or men who are expecting a child to be born or placed for adoption or had recently had a baby. As a council we have a responsibility to applicants' children as well as children Looked After and it has been evidenced that fostering other people's children when you have a very young baby is not always the best match for all concerned due to the high demand of contact, meetings and support for Looked After Children.

Contract Foster Carers

Contract Foster Carers will continue to receive the same allowance for any child placed with the annual uplift.

Connected Person Carers

Connected Carers will continue to receive the same allowance for any child placed with the annual uplift.

Adults with Special Guardianship Orders

Special Guardianship Carers will continue to receive the same allowance for any child placed with the annual uplift.

Foster Carers offering Day Care to children

Foster Carers offering Day Care to children will continue to receive the same allowance for any child placed with the annual uplift.

Looked After Young People receiving personal allowance

The personal allowance to young people looked after in line with the 2014/2015 income support rates, as recommended by Central Government starting on the 1 April 2014.

Foster Carers caring for Looked After Children with Complex Needs

Foster Carers caring for children with complex needs will continue to be assessed in the current format, which looks at a child's individual requirements and then recommends any additional financial support to meet these needs to the Assistant Executive Director for approval.

LIST OF EVIDENCE SOURCES

The details of the proposals were sent to foster carers on 21 March 2014 with a message that asked for any comments to be returned by 21 April. There has only been one response of any type to this. This was from a couple who said that they would "gladly give up the small increase, if everyone agreed to this. With that money the service could reappoint staff". This is undoubtedly a reference to the reduction in the number of staff in the Fostering Team (and therefore available to support carers) that has been part of our need to make significant financial savings. The comment is consistent with others made in our recent consultation with foster carers on a separate issue.

Although this suggestion has merit, officers are concerned about the prospect of recreating the situation described in sections 3.1 and 3.2 of this report. We have therefore decided not to suggest amending the proposed increase in allowances. However, the need for accessible and valued support is recognised and will inform other decisions to be taken within the service.

Foster Carers have a role in ensuring that children who are looked after are afforded all the opportunities that their peers have including holidays, school trips, additional tuition, after school activities and hobbies, hair and clothing, which all play a big part in how a child's self-esteem is improved.

In supporting children and young people to have good quality of life and access to theatre, cinema, galleries, travel and friendship groups, Foster Carers need to use all of the child's allowance to make this financially viable.

The Council has a legal and moral duty to ensure that Looked after Children are supported by

safe, experienced Foster Carers who tackle the inequality that children face by the very nature of them being in public care, and offer them a personalised service that focuses on their individual needs. The Public Sector Equality Duty supports the Council in eliminating the discrimination that Looked after Children face and an increase in the child's allowance to carers would support them in achieving good outcomes for these children.

The Council's Corporate Parenting Meetings chaired by Councillor Allison Gwynne and the Services collection of Looked after Children's views from the electronic questionnaire 'Viewpoint' evidence the importance of Looked after Children being financially supported to achieve in education, employment, training, housing, health and leisure.

The Children in Care Council also voice the importance of good quality Foster Carers and the impact they can have on a child's life, their self-esteem, identity and 'sense of self' and list the areas of their lives they have enjoyed most; many of which have a financial component.

Section 3 – Impact

IMPACT

We attract and have approved prospective Foster Carers from different age groups, who are single, married or in same sex relationships or civil partners.

We have Foster Carers with different levels of ability, mobility and health needs, carers who do not drive; carers of different race and ethnic origin with a range of religious and spiritual beliefs and gender reassignment.

The only group of prospective carers who would possibly be asked to hold their interest in a career in fostering are women who are pregnant or on maternity leave or men on Paternity Leave as they wouldn't be considered as a priority to assess by the Service due to the researched impact on Looked after Children and birth children of a new-born baby.

Other than this group there will not be a disproportionate impact on any particular group under the Public Sector Equality Duty of the proposed payment.

The proposed increase wouldn't favour any applicants who were unemployed or on benefit at the time of applying to be a Foster Carer or anyone who had taken severance from the Council.

The Services recruitment strategy will continue to focus on members on the public who may still remain apprehensive of approaching the Council for information in fostering (i.e. gay, lesbian, transsexual or bi-sexual, black and minority ethnic, single men and women, people who don't own their own home and people who have physical challenges).

Our marketing material, how to access it and who it reaches out to is the key to attracting all applicants interested in knowing more about fostering, covering all nine of the 'protected characteristic groups' under the Public Sector Equality Duty 2011.

The proposal to increase the child's allowance to Foster Carers will not impact negatively or unequally on any of our carers.

Section 4 – Proposals & Mitigation

PROPOSALS & MITIGATION

As a Service we have a good understanding of who the children are who will require being cared for by Contract Foster Carers and Connected Person Carers. The data on their age, gender, race and ethnic origin and why they are unable to live with their birth parent(s) or extended birth family informs our work with them and our recruitment and commissioning strategies.

We know we need an increase in Foster Carers to care for Black and Asian children, children who are aged thirteen to sixteen and sibling groups of two to four.

The proposal to uplift the foster carers allowance to the child will support the Service in recruiting and retaining Foster Carers to offer lower cost placements than the Independent Sector provides and keep children placed within the Borough ensuring they can still access local universal services, schools, family and health facilities.

Section 5 – Monitoring

MONITORING PROGRESS

The Service has made a commitment to its Foster Carers to include them in any proposed changes to their role and that of the teams they work with. The most recent evidence of adherence to this commitment is provided by consultation with a significant number of carers about a proposed scheme for the “specialist fostering” of teenagers who would otherwise be in expensive, out of borough, residential placements.

There have and continue to be separate reviews of the costs of placements, one of which is currently being conducted by a Scrutiny Panel of the Council.

We are also currently engaged in improving the way we collect, hold, present and use data and information about foster carers and their placements, which will significantly benefit future service and other reviews.

So, we will continue to engage regularly with foster carers but the experience of recent consultation exercises is that there is neither the appetite nor the need for this to include a specific annual review of fees and allowances. Rather we will apply the NMAFC “formula” as referred to above and consult only when there is a significant departure from that standardised approach.

Issue / Action	Lead officer	Timescale
None		

Sign off

Signature of Service Unit Manager	Date
	21.04.14
Signature of Assistant Executive Director / Assistant Chief Executive	Date
	21.04.14