



Haringey Council

Scoping Paper - Scrutiny Review Panel 14 November 2011
Looked After Children (including the associated legal costs)

Introduction by Chair of Budget Panel

“Since 2008 CYPS has seen a very substantial increase in the number of children taken into care with an associated rise in legal fees. Scrutiny wishes to ensure that activity in this sensitive area is comparable with the costs and performance of our statistical neighbours and that avenues of reducing costs have been looked at.”

Panel date: Monday 14th November, 6.30-9pm, Civic Centre
Papers to be submitted for despatch by noon 9th November
Contact: Martin Bradford, Senior Policy Officer, # 6950

1. Background and Introduction.

1.1. The number of Looked After Children (LAC) is one of the most visible indicators of activity and costs in Children and Families. Numbers of LAC have shown an upward trajectory over the last few years (Table 1) and this has resulted in significant and increasing costs involved in the assessment, placement and meeting the longer term needs of LAC (e.g. adoption, fostering, ceasing to be a LAC).

Table 1 – Numbers of LAC

	Apr 08	Apr 09	Apr 10	Apr 11	Sep 11
Looked After Children (excl. UASC)	381	464	555	597	588
Unaccompanied Minors (UASC)	47	51	41	38	32
Total	428	515	596	635	620

1.2. The costs associated with this level of activity are significant and, as the number of LAC has risen, costs in the area have similarly increased. A summary of the main cost areas for 2011-12 is shown below (Table 2)

Table 2 – LAC 2011-12 main Budget Areas

	2011-12 Budget	2011-12 Budget
Staffing Costs – First Response	2,516,000	
Staffing Costs – Safeguarding and Support	2,416,900	
Staffing Costs – Fostering and Adoption	1,871,070	
Staffing Costs – Children-in-Care	3,172,500	
Staffing Costs – Contact Service	659,100	
Staffing Costs – Leaving Care	1,035,900	
Sub-total		11,671,470
Placement Costs – External	17,569,400	
Placement Costs – Internal inc. Homes	4,823,600	



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Sub-total		22,393,000
Client Costs (Adoption allces, SGO etc.)		4,049,500
Total		38,113,970

- 1.3. A further significant cost associated with Looked After Children is the associated legal cost as the statutory process of both taking children into care and implementing long term solutions outside of the birth family is a highly regulated process. Care proceedings are an intervention by the state into family life and as such this is a potential breach of Human Rights. The Council therefore has to provide clear evidence that this is both justified and proportionate.
- 1.4. In total budget provision of £2.7m exists in 2011-12 for legal costs associated with the work of the LAC service.
- 1.5. The number of active legal cases as at July 2011 around 164 compared with 134 active cases in July 2010 mirroring the trend for LAC.

2. Scope - LAC and Legal.

- 2.1. The scrutiny review paper will consider the cost drivers associated with LAC including costs associated with the main components of LAC:
 - First Response, Safeguarding and Support – assessment and immediate placement needs;
 - Children-in-Care - the on-going ‘planned care’ of LAC;
 - Leaving Care – ensuring successful outcomes for children in care including adoption solutions and transition into adulthood; and
 - The cost of placements at all of the above stages.
- 2.2. The paper will consider the process for taking children into care and how this has changed over time as policy thinking, both locally and nationally and legislative and caselaw requirements have developed.
- 2.3. The paper will consider how performance is measured including in particular indicators surrounding the timely assessment of children highlighted to the service. It will also consider external evaluations of the service from organisations such as OFSTED.
- 2.4. Benchmark costs for key aspects of the service will be provided and the report will also consider the work of the newly formed Transformation Board which is chaired by the Chief Executive and is developing and implementing an action plan for the continued development of the service within existing and reducing resources as described in the Council’s Medium Term Financial Plan (MTFP).
- 2.5. Consideration of the associated legal costs will consider the stages that require key input from legal experts together with those aspects required



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by or imposed on the Authority by the courts, including in particular the use of court directed 'assessments' and any other reports. Consideration of costs will include benchmarked activity including those of work outsourced to Islington Legal Services in the recent past.

3. Scope – Early Intervention

3.1. In addition to the consideration of the service in connection with Looked After Children the paper will consider strategies in place to avoid children being taken into care or 'early intervention strategies'. This element will consider strategies that are currently in place, those adopted by other authorities and how the service is intending to develop these in the future to avoid some of the costs described earlier which are associated with LAC.

4. Other areas to be considered:

- What is being done to control costs?
- What opportunities are being explored to work with other Local Authorities and 3rd sector organisations?