



CABINET - 19TH JULY 2017

SUBJECT: REQUEST FOR ADDITIONAL RESOURCES IN RESPONSE TO INCREASED DEMAND WITHIN CHILDREN'S SERVICES

REPORT BY: CORPORATE DIRECTOR, SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To provide Cabinet with contextual information to explain the increase in workload pressures across Children's Services Locality Teams, the Fostering Team and the Legal Team.
- 1.2 To request Cabinet approval for the use of service reserves to fund additional posts on a time limited basis.

2. SUMMARY

- 2.1 The report will detail current workload pressures, will explain the pressures relating to the Public Law Outline (PLO) and will provide the evidence to support the proposal to recruit the following additional staff to support Children's Services and Legal Services:
 - 2 Qualified Social Workers – Locality Teams
 - 2 Qualified Social Workers – Fostering Team
 - 1 Grade 5 Administrator – Legal Team

3. LINKS TO STRATEGY

- 3.1 Social Services & Well Being (Wales) Act 2014.
- 3.2 Well-Being of Future Generations Act (Wales) 2015. The recommended course of action contributes to the following Well-being Goals:
 - A resilient Wales
 - A healthier Wales
 - A more equal Wales

4. THE REPORT

Service Background:

- 4.1 Children's Services was restructured in 2014 to improve efficiency, reduce transfer points for families and contribute to the 3 year MTFP savings targets. Within the context of wider staffing cuts across the Division, the Social Work Locality Teams have been reduced by:
 - 3 Team Managers
 - 9 Qualified Social Workers
 - 6 Child Care Support Workers

In addition, the Fostering Team has been reduced by:

- 1 Team Manager
- 2 Qualified Social Workers

- 4.2 During the restructure and up to the present time, service performance has been maintained and in many areas improved. In the main, this was able to be achieved because of stability in Looked After Children (LAC) numbers and stable numbers of children on the Child Protection Register (CPR). However, the number of LAC has increased over the last few months. The complexity of the caseloads and the pressures through increased legal proceedings have placed exceptional demands on frontline teams including Legal Services.
- 4.3 Over the last two years, legal proceedings have increased by just under 60%, from 37 at the end of 2014 to 63 at the end of 2016. Year to date trends are demonstrating even higher rates in 2017 with 41 new applications issued at the end of May.
- 4.4 Data recently shared through the Family Justice Network has confirmed that across the UK there has been a 24% increase in legal proceedings in the last 12 months. Across the South East Wales Local Family Justice Board (LFJB) region comprising 10 Local Authorities, the increase is reported to be 29%.
- 4.5 To start with, the Social Work Teams, the Fostering Team and the Legal Team managed to absorb the increase in workloads but as this pressure has been relentless all the teams are now struggling to manage demand.

Public Law Outline (PLO):

- 4.6 The PLO provides a 2 stage framework for statutory intervention;
- Pre-Proceedings – where families are formally notified of the concerns of the Local Authority, what support services will be provided and what changes are required in order to avoid court proceedings and;
 - Proceedings – in those cases where the required improvements have not been made, the Local Authority applies to the court for legal orders and statutory intervention. The PLO states that all proceedings must be concluded within a 26 week timeframe.
- 4.7 A critical part of the Pre-Proceedings stage is the support provided to parents to identify potential alternative carers within their family network who could assume responsibility for their children should their situation not improve.
- 4.8 All potential alternative carers are assessed using the 'Connected Persons Assessment' (CPA). This is also a two stage process consisting of a viability assessment and a full assessment. The possible outcomes of the viability assessment are:
- Carers are not viable and cannot proceed
 - Carers are viable and should be considered as Special Guardians under SGO arrangements which, if approved, will mean they acquire parental responsibility for the child who will then no longer be LAC
 - Carers are viable but the Local Authority needs to retain parental responsibility due to complexities or safeguarding concerns. In such cases, carers have to be assessed as kinship foster carers and the child will continue to be LAC.
- 4.9 The viability assessment is led by the Locality Team Social Worker but includes joint working with the Fostering Team Social Worker and the recommendation to progress or not, is made jointly. If the outcome is positive and leads to SGO, the Locality Social Worker completes the full assessment but if progressing to foster care, the Fostering Team completes the full assessment.

- 4.10 Whilst the involvement of the Fostering Team is vital in supporting the outcome and rationale for decision making, the impact of the increased workload means that less time is able to be devoted to recruitment, assessment and ongoing support of mainstream foster carers. There is a national shortage of foster carers meaning recruitment of new carers has to be a priority for Children's Services.
- 4.11 Once in proceedings, the courts in this LFJB region place excessive demands on Local Authority Social Workers and Solicitors. In addition, the majority of parents leave it until the proceedings are underway before identifying alternative carers which puts significant pressure on achieving the 26 week timescale.
- 4.12 Despite the PLO allowing 26 weeks for proceedings to conclude, the Designated Family Judge (DFJ) has driven the region to become the top performing in the UK, with the average length of proceedings dropping to between 23 and 24 weeks. This top performance comes at a cost for Social Workers and Lawyers who often report feeling overwhelmed by the demands of the courts and experiencing high levels of work related stress. In addition, the increased number of legal proceedings has impacted greatly on the level of administrative support required within legal services and as such an additional administrator is essential to manage the increased workload and time pressures which have arisen as a consequence.
- 4.13 Members are advised that in addition to the posts referred to in this report, due to capacity issues in Legal Services, an officer delegated decision has recently been made to use £43,000 from the Social Services reserves to fund a fixed term twelve month solicitor post.
- 4.14 It is important to note that Caerphilly has an excellent reputation within the region which is borne out by the fact that Service Managers and the Assistant Director (AD) are not routinely summonsed to court to give evidence. This provides a level of protection for Caerphilly practitioners and it is therefore vitally important that this position and reputation is maintained.

Workload Management:

- 4.15 The AD and Divisional Management Team continually quality assure all requests for children to become Looked After. The Division has introduced weekly multi agency Resource Panels where early intervention and prevention supports are identified in order to prevent escalation into statutory services. A monthly multi agency External Placements Panel, chaired by the AD, reviews all external placements including Independent Fostering Agency (IFA) and residential placements. In addition, placement activity data is reported to DMT on a weekly and monthly basis often leading to case audit and reviews.
- 4.16 Even with this level of oversight and scrutiny, it has been difficult to ascertain reasons for the increase in workload that has been experienced. There is no doubt that the Judiciary are driving changes in Social Work practice. For example, voluntary accommodation, where families agree for their child to be Looked After whilst assessments are completed, was often used as a support for families at times of crisis and although the child may be in care for several months, there were often good outcomes for families with children returning home successfully without legal orders. However, the Courts direct that any child who is accommodated for 16 weeks must be considered for legal proceedings. Similarly, children suffering unexplained injuries were often accommodated for short periods of time whilst medical assessments were completed. The DFJ has stated that all suspected and unknown Non Accidental Injuries (NAI's) must be issued on. This subjects families to higher levels of stress and anxiety and is leading to children being accommodated for longer periods than would previously have been necessary. These issues are raised by the AD at the periodic LFJB meetings with the Judiciary but changes have not been agreed.
- 4.17 As stated previously, the workloads across the teams have increased significantly and systems are straining to maintain performance in this critical area of Social Work practise.

5. WELL-BEING OF FUTURE GENERATIONS

5.1 The proposal contained within this report contributes to the Well-being Goals and the 5 ways of working in the context of strategy and vision, preventing problems occurring or getting worse and collaborating to meet agreed objectives. The proposal contributes to the following Well-Being Goals:

- Corporate planning
- Risk management
- Workforce planning
- Performance management
- Financial planning

6. EQUALITIES IMPLICATIONS

6.1 The Council's EIA process does not need to be applied in this matter.

7. FINANCIAL IMPLICATIONS

7.1 The essence of this report is the proposal to recruit additional staff in response to the workload pressures being experienced across Children's Services and Legal Services. As detailed at 2.1, the following posts are required and the costs (at top of scale and including on-costs) are:

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| • 4 Grade 9 Qualified Social Workers @ £42,407 | £169,628 |
| • 1 Grade 5 Administrator @ £26,289 | £26,289 |
| • Travel and IT (tbc) costs | £10,000 |

Total funding required: £205,917

8. PERSONNEL IMPLICATIONS

8.1 If approved, HR recruitment and appointment processes will be followed. The proposal is based on fixed term appointments for an initial period of 12 months from the date of appointment. The arrangements will be reviewed during the period and further reports provided as appropriate.

9. CONSULTATIONS

9.1 The report reflects the views of the consultees.

10. RECOMMENDATIONS

10.1 Cabinet is requested to note the information and approve the use of Service Reserves to fund the additional posts for an initial 12 month period from date of appointment at a maximum cost of ££205,917.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To ensure Cabinet are aware of the pressures being experienced in Children's Services and Legal Services and to address the need for additional resources.

12. STATUTORY POWER

12.1 Social Services and Well Being (Wales) Act 2014.

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