

HAMPSHIRE COUNTY COUNCIL

Report

Panel:	Corporate Parenting Board.
Date:	28 March 2023
Title:	Children with Disabilities who are in care
Report From:	Director of Children's Services

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Purpose of this Report

1. The purpose of this report is to inform the Board about the provision of placements for children with disabilities who are in the care of the Local Authority, as requested by the Chair of the Board at the January Board meeting.

Recommendation(s)

2. That the Corporate Board notes the content of this report.

Executive Summary

3. This report seeks to respond to questions raised by the Board in January 2023 as to whether children with disabilities receive the same or a different service, as other Children Looked After (CLA) regarding placement choice, availability, matching, and meeting of need generally. In essence, there is little difference in the way disabled children are provided for compared with non-disabled children. A needs assessment determines the kind of care provision that is needed. Placement choice is limited for all children given the national pressures on placements, and disabled children are not significantly more disadvantaged by this than non-disabled children. Social Workers in our specialist teams are very attuned to the needs of our children and are diligent in ensuring the children's needs are met in placement, and that our children remain safe. Risk assessments are conducted where concerns are raised, and timely action is taken to respond to any new or increased risks.

Contextual information

4. The Board will be aware that sufficiency of placements for children in care is a major national issue impacting on all Local Authorities who are often competing for the same placements. This is even more acute when considering children with the highest levels of need, which obviously includes our children with disabilities. Despite this, we are satisfied that all our children with disabilities are placed in appropriate placements where their needs are well met.

Finance

5. Not applicable to the content of this report

Performance

6. Disabled children are a very small proportion of our overall number of looked after children in Hampshire. Of 1831 looked after children (as of 23 February 2023) only 63 are open to our four Disabled Children's Teams. There will of course be a further cohort of children who have additional needs and disabilities, but they are not assessed as meeting the criteria for provision from the Disabled Children's Teams, and their additional needs will not be the primary reason for them being looked after.
7. The service provided to these children is the same as for other (non-disabled) CLA in that once identified as needing to come into full time Local Authority care, a placement search is initiated. For any child needing a placement, the search is based on an assessment of their needs and risks. Though the complex nature of the needs of our disabled children makes them more difficult to match with the right care provision, some of our non-disabled children can be equally difficult to place due their needs and risks.
8. Our Placement Commissioning Team will share the referral with all providers on the Framework whose provisions may be suitable for the child in question. Depending on the type of provision that the social worker has determined the child needs, this might be foster care, residential care, or may be a residential school placement which we are seeking jointly with our Special Educational Needs (SEN) colleagues. Of course, there are certain providers and types of provisions that are more likely to be able to meet the more complex needs of our most disabled children, and so referrals will be targeted to those.
9. In making their assessment of need for young people our social workers are very skilled at engaging children and families to enable them to participate fully in the assessment process. The Hampshire Approach is well-embedded in our Disabled Children's Teams and the staff group is relatively very stable.

Social workers have many direct work tools to help them to engage more meaningfully with disabled children whose means of communication may be very different and much more limited than those of non-disabled children. These can be paper-based tools using pictorial aids or technological devices and software applications. Social workers can use such tools to develop social stories and elicit views, wishes and feelings from verbal and non-verbal children, more than they otherwise would be able to do.

10. There are of course some issues specific to children with disabilities which can make matching more difficult. It can be more challenging to identify foster placements for these children, and specialist health placements can also be hard to find. Where there is no appropriate school that can meet need locally, this can result in child becoming looked after in a residential school. When children are placed at distance, we will often provide practical and financial support to enable parents and carers to maintain regular, good quality contact with their child, ensuring as far as possible that distance is not a barrier to contact.
11. Of our 63 disabled children currently in care, 12 are placed with in-house foster carers, 11 with independent fostering agencies, 15 are placed in non-county residential placements, 4 in residential schools in Hampshire, and 14 are placed in out of county independent non-maintained special schools. 7 are placed within the family whilst care proceedings are on-going.
12. In terms of meeting the needs of our disabled children in care, again, this is no different from non-disabled looked after children, in that every child has his or her "My Life, My Future" plan which sets out their needs and how these needs will be met. Therefore, the practice and principles are the same. The only difference is that the more complex needs of the disabled children will often require a higher level of provision, for example a higher ratio of staffing might be required in order to manage moving and handling needs or very challenging behavioural needs. Accordingly, the cost of provisions for disabled children can be much higher than for non-disabled children.
13. Increasingly we are finding it necessary to create bespoke provisions to ensure needs are adequately met. This can range from commissioning a single additional service to come into the care provision to fill a gap that the provider cannot meet, to identifying and securing appropriate premises and staff team in order to make provision for a child. However, this can apply equally to both disabled and non-disabled children.
14. Disabled children can be more vulnerable to abuse than non-disabled children by virtue of their reduced ability to self-protect or to tell someone what is happening to them. Social workers are very aware of this and visit their children regularly, making sure that they engage meaningfully with the child and ensure the care provider is adhering to all requirements. Where any concern is raised about a provider, we conduct risk assessments in respect of

all of our children that might be placed in that provision to establish whether we are satisfied that our child remains safe and their needs adequately met, or whether additional mitigating measures are needed, or indeed whether we would want to remove our child from the placement. A good example of this kind of work is the recently undertaken National Review of Children with Disabilities and complex health needs placed in residential settings (there is a separate report to the Board on this matter). This illustrates Hampshire County Council's robust and comprehensive approach to quality assurance of children's placements, as well as our ability to learn and adapt our practices in response to such learning.

Consultation and Equalities

15. The main body of the report covers this.

Climate Change Impact Assessment

16. Not applicable to the content of this report

Conclusions

17. Our cohort of disabled children in care is relatively very small. 63 are currently in care, although the Disabled Children's Teams support a further 623 (as at 23 February 2023) children who are being supported at home.

18. It is true that there are fewer providers with the skills and knowledge required to properly care for this cohort of children and this means that children are often placed outside of Hampshire. However, the support and scrutiny provided both by their families and friends and their social work teams and other professionals to these placements is robust and reviews provide us and families the assurance we need.

19. As with the mainstream CLA, our disabled children are placed in a variety of different types of provisions, according to their needs.

20. The needs of disabled children in care are met in accordance with their assessments and care plans.

21. We have a specialist and very skilled workforce in our Disabled Children's Teams who are able to meaningfully engage with our disabled children and their families, and to advocate strongly for them.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:

This report is provided to the Corporate Parenting Board only in response to its request for information about provision for children with disabilities who are Looked After.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

22. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

23. Equalities Impact Assessment:

See guidance at <https://hants.sharepoint.com/sites/ID/SitePages/Equality-Impact-Assessments.aspx?web=1>

Insert in full your **Equality Statement** which will either state:

- (a) why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or
- (b) will give details of the identified impacts and potential mitigating actions

Not applicable for this report.