

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee/Panel:</b>	Children and Families Advisory Panel
<b>Date:</b>	4 October 2011
<b>Title:</b>	Delegated Authority: Looked After Children
<b>Reference:</b>	3316
<b>Report From:</b>	Steve Crocker: Deputy Director Children and Families

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### 1. Summary

1.1 The Government makes it clear that foster carers should be authorised to make everyday decisions about their foster child wherever possible, within the legal framework. The Care Planning, Placement and Case Review Regulations 2010, Fostering Regulations 2011, came in to force in April 2011 and they underline the importance of social workers liaising closely with parents, young people, and foster carers to enable proper planning to take place about who does what.

1.2 Fostering Network was funded by government to develop a suite of documents and tools to support the delegation of responsibility to foster carers. It is proposed that Hampshire County Council uses the documents in the placement of children and young people in residential homes and in Foster placements. The Delegated Authority decision making tool has been developed to meet the needs and expectations of Hampshire's fostering and residential services for children and young people.

### 2. Contextual information

2.1 Placements for children and young people made under pressure can negate the process of sensitive discussions between parents, carers, young people and social workers to give clarity about who is best placed to do what for the child and or young person. Failure to get this right can have serious consequences as the placement continues.

Delegated Authority is about:

- Normalising the experience of young people in foster care
- Reducing the day to day decision-making that has to be sought from the social worker and or parents

- More proactive and considered thinking about who is best placed to do what
- Discussion and forward planning regarding agreement and consent issues
- Clarity and transparency
- Better use of existing processes and roles.

2.2 The Delegated Authority decision tool and associated documents have been developed by Fostering Network, funded by Government to support this key area of practice. The documents include:

- Handbook on delegated authority
- Delegated Authority decision tool
- Information for Parents of children in foster care
- Summary report 'Like Everyone Else'
- Parental Responsibility and Delegated Authority ; Q&A

2.3 A working party has considered the documents and have developed the Delegated Authority decision making tool to meet the needs and expectations of Hampshire's fostering and residential services for children and young people. It is considered that the other documents will be used as they are to support implementation and ongoing practice.

2.4 Whilst the structure and development of the delegated authority has been around foster placements it is felt that this could also be a useful tool in the management of placements within residential homes across Hampshire and therefore implementation would be for any placements made within fostering and or residential services.

### **3. Finance**

3.1. No impact

### **4. Performance**

4.1 Effective delegation of authority should minimise delays in decision making and maximise the child's opportunity to enjoy their childhood and family life. Young peoples views should be taken into account and parents should feel supported and informed to play a full a part as possible in their children's lives. Foster carers and residential staff should feel enabled and supported to take everyday decision about the child they care for where appropriate without fear of reproach. Any decisions about delegated authority should be based on sound and robust assessments of need and risk for the individual child and their carer.

4.2 The Delegated Authority decision tool would be used as part of the placement planning process prior to placement or where this is not possible within 5 days of the placement starting. Parents would be given and supported in

understanding the process of delegated authority and given the 'Information for Parents' leaflet.

4.3 The delegated authority is to be revisited at every statutory review and discussed with all parties between reviews as a living document to change with the developing needs and levels of risk for the young person and their carer. All changes will be incorporated in to the Placement Plan by the social worker.

## **5. Example/s of Delegated Authority**

5.1. The delegated authority will give foster carers the ability to seek from parents and social workers at the point a child is placed the permission to sign the parental consent for young people to go on school trips overnight and to sign the medical consent required. Without delegated authority there have been delays and trips missed due to carers having to defer the consent required to the child's social worker and or the child parent. Children and young people who are looked after should not be disadvantaged due to them being looked after.

5.2. The delegated authority will give foster carers the ability to make plans to take children and young people on holiday without the need to wait for parental or social work agreement if consent for this has been agreed at the point of placing the child. Seeking consent to take children on holiday has presented delays in families being able to take a holiday and has on occasions lead to children looked after not being able to go as permission to go has come to late.

## **6. Future direction**

6.1 The delegated authority tool and associated documents should provide clarity of the delegated responsibilities between carers, residential staff, social workers, young people and their families and this should normalise the experience of young people in care and reduce delay in decision making.

6.2 We will:

- use the suite of documents as designed and developed by the Fostering Network (attached as appendix)
- implement the use of the 'Delegated Authority' tool developed by the working party and the associated documents to support placements with foster carers and in Residential homes and to embed it as 'business as usual'.

## **8. Conclusion**

It is a recommendation of the Fostering Network Delegated Authority Project that Members of corporate parenting boards should receive information about the

Delegated Authority Project in order to improve understanding and knowledge of the foster carers role.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**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.)

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

Delegated Authority is about:

Normalising the experience of young people in foster care by reducing the day to day decision-making that has to be sought from the social worker and or parents. More proactive and considered thinking about who is best placed to do what through discussion and forward planning regarding agreement and consent issues, will bring clarity and transparency and better use of existing processes and roles.

This will all have a positive impact on meeting the cultural, ethnic and spiritual needs of Looked After Children.

### **2. Impact on Crime and Disorder:**

- 2.1. Normalising the experience of young people in foster care for them to experience a positive family setting,, is a protective factor against offending.

### **3. Climate Change:**

- a) No Impact on our carbon footprint / energy consumption.
- b) There is no consideration of the need to adapt to climate change, and be resilient to its longer term impacts.