

CHILDREN'S SERVICES PORTFOLIO

DECISION SCHEDULE



Tuesday 27 March 2012

at 10.15 am

**(or immediately following Culture, Leisure and Tourism Portfolio
commencing at 10.00 am whichever is the later)**

in Committee Room C, Civic Centre, Hartlepool

Councillor Hill, Cabinet Member responsible for Children's Services will consider the following items.

1. KEY DECISIONS

- 1.1 Admissions Arrangements for Admissions to Schools 2013-14 and Coordinated Admissions to Primary and Secondary Schools and in Year Transfers 2013-14 and an Update on New School Admissions Code 2012 – *Director of Child and Adult Services*
- 1.2 Schools' Capital Works Programme 2012/13 – *Director of Child and Adult Services*

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Approval of a Permanence Policy, Special Guardianship Policy, Residence Order Policy and Connected Persons Policy – *Director of Child and Adult Services*

3. ITEMS FOR INFORMATION

- 3.1 Performance Update on the Delivery of the September Guarantee and the Numbers of Young People (16-18) Not in Education, Employment or Training – *Director of Child and Adult Services*
- 3.2 Update on the use of Web Based Systems to Promote the Youth Officer in Hartlepool – *Director of Child and Adult Services*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No Items

5. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006

6. KEY DECISION

No Items

7. OTHER ITEMS REQUIRING DECISION

- 7.1 Children's Services Contracts: Exceptions to the Contract Procedure Rules
(para 3) – *Director of Child and Adult Services*

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder

27March 2012



Report of: Director of Child and Adult Services

Subject: ADMISSIONS ARRANGEMENTS FOR ADMISSIONS TO SCHOOLS 2013/14 AND COORDINATED ADMISSIONS TO PRIMARY & SECONDARY SCHOOLS AND IN YEAR TRANSFERS 2013/14 AND AN UPDATE ON NEW SCHOOL ADMISSIONS CODE 2012.

SUMMARY

1.0 PURPOSE OF REPORT

To determine the admission policy for community and voluntary controlled primary schools in Hartlepool for the school year 2013/14 and the co-ordinated admissions procedures to primary and secondary schools for 2013/14 following consultation with governing bodies, other admissions authorities and the general public.

2.0 SUMMARY OF CONTENTS

A report attached summarising responses to a consultation process on the Admissions Policy, recommending a policy for 2013/14.

3.0 RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder is responsible for Children's Services issues.

4.0 TYPE OF DECISION

Key decision (ii) reference number CAS105/11.

5.0 DECISION MAKING ROUTE

Children's Services Portfolio holder – 27th March 2012

6.0 DECISION(S) REQUIRED

o determine school admissions policy for 2013/14:

- The proposed oversubscription criteria for community and voluntary controlled primary schools which proposes to promote the sibling criteria above school admission zone criteria set out in paragraph 4.1.1 be approved.
- The revised admission limits attached be agreed.
- The Primary and Secondary and In Year Transfers co-ordinated admissions schemes be approved.
- To note changes to the new school admissions code which came into force on 1st February 2012.
- To note the proposal that the Admissions Forum should continue to meet in an advisory form.

Report of: Director of Child and Adult Services

Subject: ADMISSIONS ARRANGEMENTS FOR
ADMISSIONS TO SCHOOLS 2013/14 AND
COORDINATED ADMISSIONS TO PRIMARY &
SECONDARY SCHOOLS AND IN YEAR
TRANSFERS 2013/14 AND AN UPDATE ON
NEW SCHOOL ADMISSIONS CODE 2012.

1. PURPOSE OF REPORT

To determine the admissions policy for admissions to schools in 2013/2014 for community and voluntary controlled schools in Hartlepool and the co-ordinated admissions schemes and give an update on the new school admissions code which came into force on 1st February 2012.

2. BACKGROUND

General

2.1.1 Section 89 of the School Standards and Framework Act 1998 lays down the way in which an Admissions Authority must determine admission arrangements and requires them to consult with governing bodies and other admission authorities. The statutory code of practice, the School Admissions Code (the Code), has recently been changed and a new code came into force in February 2012 and applies to all maintained schools including foundation schools and academies. Admission Authorities must ensure that their determined admission arrangements comply with the mandatory provisions of the code. This code is made under Section 84 of the Schools Standards and Framework Act 1998 as amended by Section 40 of the Education and Inspections Act 2006. Failure to comply with these requirements would mean that Hartlepool Local Authority will be at risk of failing to meet their statutory duty.

2.1.2 The main changes within the School Admissions Code that came into force on 1st February 2012 are as follows:

- The role of the Local Authority role School Admissions is to ensure school places are allocated and offered in an open and fair way. The Local Authority have to report to the school adjudicator and must also refer objections to them, to ensure the process is fair.
- The adjudicator receives a large number of complaints are made in relation to faith schools. The Local Authority need to ensure that all

schools arrangements comply with the code. The Office of the Schools Adjudicator wants to know when these complaints happen.

- The offer code for Primary Schools will become the same across all Boroughs, having a 'national offer day'. Date for places to be offered will be 16th April 2013 for 2013-14 admissions.
- The definition of looked after children has been extended to give adopted children / special guardianship orders highest priority for admission. Some provisions in the code are down to local discretion.
- The code will give a greater freedom to schools to be able to increase intake numbers, however, if they are wishing to reduce numbers then will have to go through the formal process.
- Children of staff can be given priority for admission, so long as the member of staff has been employed for two or more years, or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
- Exception to infant class size for twins/multiple births.
- There is no exception in the code for siblings in the same year group.
- In year co-ordination has been removed as a requirement from the code.
- Banning of lotteries.
- The requirement to consult has been extended to consult at least once every seven years. Hartlepool review arrangements every year and if there are changes, only then is the need to consult.
- The Office of School Adjudicator will now accept objections from anyone.

2.1.2 In drawing up admission arrangements, admission authorities should aim to ensure that:

- the arrangements enable parents/carers to express a preference as to the school at which he/she wishes education to be provided for his/her child and to give reasons for their preferences;
- admissions criteria are clear, fair and objective, for the benefit of all children, including those with special educational needs, disabilities or in public care;
- local admission arrangements contribute to improving standards for all pupils;
- local admission authorities consult each other and co-ordinate their arrangements, including the rapid re-integration wherever possible of children who have been excluded from other schools;
- parents have easy access to helpful admissions information;
- local admission arrangements achieve full compliance with all relevant legislation and guidance – including on infant class sizes and on equal opportunities – and take full account of the guidance in the Code.

3. RESPONSES TO CONSULTATION

- 3.1.1 Attached at **Appendix 5** is a summary of the consultation responses received. This indicated that all schools that responded noted/supported/agreed the proposals set out in the consultation. Six governing bodies were against moving sibling above admission zone.
- 3.1.2 The views expressed were considered by the Admissions Forum on 6th February 2012. The forum discussed in detail the implications of moving sibling above admission zone and voted two for, four against with two abstentions. Following the forum meeting the issue was raised with the Primary Headteachers on 13/03/2012 and after much debate, a 'straw poll' of community and voluntary controlled heads was taken with 6 for and 9 against moving sibling above zone. Not every Headteacher from these sectors was present at the meeting. It was noted that the final decision on this matter would rest with the Portfolio holder for Children's Services.
- 3.1.3 Revised admission limits have been discussed with schools on the basis of revised net capacity figures, and these are attached at **Appendix 1**.
- 3.1.4 The co-ordinated schemes for primary and secondary admissions and In Year Transfers agreed by the Admission Forum are attached at **Appendix 2, Appendix 3 and Appendix 4**.

4. PROPOSED ADMISSIONS POLICY FOR 2013/14

- 4.1.1 On the basis of the consultation exercise, it is proposed that the admissions policy for entry to community and voluntary controlled primary schools in 2013/14 is as follows:

Parents/carers are invited to express preferences for up to 3 primary schools in priority order and give reasons for their preferences.

- In the first instance, places will be awarded to those pupils with a statement of special educational needs where the school is named in the statement.
- The remaining places will be awarded in the following priority order:
 - 1) those children who are looked after children and previously looked after children (*previously looked after children are children who were looked after, but ceased to be so because they were adopted or became subject to a residence order or special guardianship order*);
 - 2) those children who have older brothers or sisters who will be attending the school in September 2013; (previously number 3)

- 3) those children who live in the school's admission zone; (previously number 2)
- 4) those children who are distinguished from the great majority of other applicants whether on medical grounds or by other exceptional circumstances and who would suffer significant hardship if they were unable to attend the school;
- 5) those children who live closest to the school as determined by the shortest suitable walking distance (*measured by the shortest suitable walking route from the (ordnance survey) address point of the child's home address to the main entrance of the school, using the Local Authority's computerised measuring system*).

4.1.2 No places can be allocated at an oversubscribed school to parents/carers who have not stated their preference in writing for that school.

4.1.3 In considering requests for admission to a particular school, all preferences will be considered on an equal basis.

4.1.4 If an application is unsuccessful, a child's name may be placed on a waiting list. The position on the waiting list is determined in accordance with the published priority criteria. If a place subsequently becomes available, the place will be offered to the next child on the waiting list.

4.1.5 Children born between 1st September 2008 and 31st August 2009 can join the school on a full-time basis in September 2013. Parents/carers can, however, still defer the date of entry to Reception until the beginning of the term after their child's 5th birthday. Allocations for places at primary school will be based on a September intake and admission authorities and schools must keep a place available for that child.

In the secondary sector, children born between 1st September 2001 and 31st August 2002 will normally transfer to secondary school in September 2013.

4.1.6 Parents/carers have the right to appeal if their application for a place for their child is turned down. Details of the independent appeals process will be sent to parents/carers whose applications prove unsuccessful and an alternative placement cannot be agreed.

4.1.7 The timetables for secondary and primary admissions for 2013/14 are attached at **Appendix 2 and Appendix 3**.

4.1.8 The LA will accept applications which are received late only where there is evidence of a good reason for the lateness AND only if the application is received before offers of places are made. Where the late application is accepted and offers of places have not been made the application will be treated in the same way as all other applications. In the event of a

late application not being accepted or receipt is after the offer of places has been made, then places will be offered at the nearest school to the child's home, that is not already over-subscribed.

5. ADMISSIONS FORUM

- 5.1 The Admissions Forum no longer has a statutory standing following the new codes. The Admissions Forum can continue as a voluntary arrangement if it is of benefit.

The consensus view from schools and the existing Forum is that it is prudent to retain the Forum and it should be kept, as it is an effective arrangement for receiving updates on codes, general matters of interest, feedback, debate etc, and the members are able to report back to other headteachers as necessary.

6. RECOMMENDATIONS

- The proposed oversubscription criteria for community and voluntary controlled primary schools which proposes to promote the sibling criteria above school admission zone criteria set out in paragraph 4.1.1 be approved.
- The revised admission limits attached be agreed.
- The Primary and Secondary and In Year Transfers co-ordinated admissions schemes be approved.
- To note changes to the new school admissions code which came into force on 1st February 2012.
- To note the proposal that the Admissions Forum should continue to meet in an advisory form.

Contact Officer:
Peter McIntosh, Head of Planning and Development
Tel: 01429 284103

Appendix 1**PROPOSED ADMISSION LIMITS 2013/14**

	2013/14
Bamard Grove Primary School	50
Brougham Primary School	45
Clavering Primary School	55
Eldon Grove Primary School	60
Fens Primary School	60
Golden Flatts Primary School	30
Grange Primary School	50
Greatham C of E Primary School	15
Hart Primary School	12
Holy Trinity CE Primary School	30
Jesmond Gardens Primary School	45
Kingsley Primary School	60
Lynnfield Primary School	55
Owton Manor Primary School	30
Rift House Primary School	30
Rossmere Primary School	45
Sacred Heart R.C. Primary School	60
St. Aidan's C.E. Memorial Primary School	*50
St. Bega's R.C. Primary School	20
St. Cuthbert's R.C. Primary School	30
St. Helen's Primary School	45
St. John Vianney R.C. Primary School	30
St. Joseph's R.C. Primary School	24
St Peter's Elwick C of E Primary School	15
St. Teresa's R.C. Primary School	45
Stranton Primary School	50
Throston Primary School	60
Ward Jackson Church of England VA Primary School	25
West Park Primary School	45
West View Primary School	55
St. Hild's CE VA Secondary School	180
Dyke House Sports & Technology College	*210
High Tunstall College of Science	241
Manor College of Technology	250
English Martyrs R.C. School & Sixth Form College	240

* St Aidan's net capacity is under review. Dyke House Sports & Technology College have asked to reduce their admission number to 190. Each member of the School Admissions Forum was invited to express their comment/opinion of the reduction of the admission number for Dyke House and it was the majority opinion that this should be challenged.

Appendix 2

CO-ORDINATED ADMISSION SCHEME SECONDARY SCHOOLS 2013/14

This scheme is made by Hartlepool Borough Council LA under the 1998 School Standards and Framework Act as amended by the 2002 Education Act.

The proposed scheme for Hartlepool LA is set out below. The proposed dates relating to the admissions process for the school year 2013/14 are attached at **Annex 1 of Appendix 2**.

A separate scheme exists in relation to primary schools and in year admissions.

Interpretation

In this scheme -

"The LA" means Hartlepool Borough Council acting in its capacity as local education authority.

"The LA area" means the area in respect of which the LA are the local authority.

"The school" means all community, voluntary controlled, voluntary aided and foundation secondary schools which are maintained by the LA.

"Admission Authority" means the LA in respect of any of the schools which is a community or voluntary controlled school, and the Governing Body of the school in respect of a Voluntary Aided or Foundation School.

"Parent" means the parent or guardian with whom the child normally lives.

"Suitable school" means the nearest available school which offers an efficient full-time programme of education appropriate to the individual child's needs in the view of the Authority.

The Co-ordinated Admission Scheme will apply for the admission arrangements for the school year commencing September 2013.

The LA will include in its admission arrangements for the 2013/14 school year the provisions set out in this scheme.

The Governing Body of each Voluntary Aided and Foundation School will include in its admission arrangements for the 2013/14 school year the provisions set out in this scheme, so far as relevant to that school.

The scheme shall apply to every secondary school in the LA area (except Catcote special school) and shall take effect from September 2013.

1. Introduction

- 1.1 In line with the requirements of the 1998 School Standards and Framework Act as amended by the 2002 Education Act, this scheme has been drawn up by Hartlepool LA to co-ordinate admissions to its secondary schools. It applies to all maintained secondary schools in Hartlepool, except special schools, regardless of whether the LA or the governing body is the admissions authority.
- 1.2 The scheme's purpose is to ensure that as far as is reasonably practicable, every parent living in Hartlepool whose child is due to transfer to secondary school and who has applied for a place in the normal admission round, receives an offer of one, and only one, school place on the national offer day of 1st March 2013. It also sets out the arrangements for handling late applications.
- 1.3 The scheme will be implemented in accordance with the timetable set out in **Annex 1**.
- 1.4 **Annex 1** lists the secondary schools to which the scheme applies.

2. Common Application Forms

- 2.1 There will be two forms known as the Common Application Forms, (these are either on line or paper). They will bear the references CAF/1 and CAF/2. CAF/1 will be used for Year 7 applications within the normal admissions round and CAF/2 will be used for all applications outside the normal admission round.

3. Applications for Year 7 on form CAF/1

- 3.1 CAF/1 will be used for the purpose of admitting pupils into the first year intake group, i.e. Year 7, of secondary education in September 2013. It must be used as a means of expressing one or more preferences for the purposes of section 86 of the School Standards and Framework Act 1998, by parents resident in the Hartlepool LA area who wish to express a preference for their child:
- to be admitted to a secondary school within Hartlepool (including voluntary aided and foundation schools);
 - to be admitted to a secondary school located in another LA's area (including voluntary aided, academies and foundation schools).
- 3.2 The CAF/1 will:

- invite parents to express three preferences in rank order of preference including any schools outside the LA's area;
 - allow parents to explain the reasons for their preferences;
 - specify the closing date and where it must be returned;
 - allow parents to provide supplementary information in support of their application. The supplementary information form will be part of CAF/1.
- 3.3 The LA will make appropriate arrangements to ensure that CAF/1 forms are available to all parents with year 6 children who will be transferring to secondary schools in September 2013, in line with the timetable attached at **Annex 1**. An information booklet will be sent to parents advising of the benefits of making an on-line application. If a parent/carer would prefer to complete a CAF/1 form, these will be available from the Primary School Office or the LA.
- 3.4 The admissions authority of a Voluntary Aided/Foundation school can require parents who wish to express a preference for their school, to complete the supplementary information form attached to CAF/1. This information is necessary for the admissions authority to apply its over subscription criteria.
- 3.5 Where CAF/1 forms and any other supplementary information is sent directly to Voluntary Aided/Foundation schools by mistake they must be passed to the LA immediately.

4. **Closing Date for Return of CAF/1 and On-line Applications**

- 4.1 Completed CAF/1 forms must be returned by parents direct to the LA, or submitted on-line, by 23:59 on 31st October 2012. Where a preference has been received for a Voluntary Aided/Foundation school, the relevant supplementary information should be provided by the parent at the same time.
- 4.2 In relation to over-subscribed schools, preferences which are received or changed after the closing date but before the allocation date will only be considered in exceptional circumstances, e.g; where a family has recently moved into the area and was therefore unable to submit the form by the closing date. Parents will be asked to provide information in support of their late application and the relevant admissions authorities reserves the right to seek verification of any information provided.
- 4.3 In the event that an application is received after the allocation process, the admission authorities will be unable to accept the application irrespective of exceptional circumstances. Such an application will be considered after all allocations of places where a parent has expressed a preference.

5. **Determining Offers in Response to the CAF/1**

- 5.1 Places will be allocated using the Equal Ranking Scheme, by all admission authorities within Hartlepool.
- 5.2 The LA will act as a clearing house for the allocation of places by the relevant admission authorities in response to the CAF/1. The LA will only make any decision with respect to the offer or refusal of a place in response to any preference expressed on the CAF/1 where:
- an applicant is eligible for a place at more than one school, or
 - an applicant is not eligible for a place at any school for which they have expressed a preference.
- 5.3 Information on the ranking of applicants to Voluntary Aided/Foundation schools must be returned by the relevant admissions authority to the LA in line with the dates specified in Annex 1, either electronically or by post.

6. Processing Parental Preferences

- 6.1 By 12th November 2012, the LA will notify the admission authority for each of the schools of every preference which has been expressed for that school, including all relevant details and any supplementary information which schools require to apply their over-subscription criteria. Where parents have requested a place at a school outside of the LA area, the information will be forwarded to the relevant LA.
- 6.2 By 14th January 2013 – VA/Foundation schools and other LAs, inform LA of allocation of places for all preferences received in the priority order of their admission policy. All applications made need to be listed in order of priority.

The LA compares lists and considers all preferences from the parent and whether these schools can be offered. Liaison will take place between VA/Foundation schools and other LA's until the allocation of places is resolved for each application, as required. The lists will be sent back to the VA schools for their approval before finalising allocations.

- 6.3 Where a child is not eligible for a place at any of the nominated schools, the LA will allocate a place at the nearest school which has places.
- 6.4 By 8th February 2013 the LA will match ranked lists for all schools and:
- Where the child is eligible for a place at only one of the nominated schools, that school will be allocated to the child;
 - Where the child is eligible for a place at two or more of the nominated schools, they will be allocated a place at whichever of these is the highest ranked preference.
 - Where a child is not eligible for a place at any of the nominated schools, they will be offered a place at the nearest appropriate school with a vacancy.
- 6.5 By 28th February 2013 the LA will publish their appeals timetable on their website.

- 6.6 On 1st March 2013, the LA will post letters (second class) to all parents (if parents applied on-line, e-mails will also be sent on 1st March 2013) to let them know which school has been allocated to their child. The letter will also tell parents of their statutory right of appeal if they have been refused a place at their preferred school.

Parents will be asked to return their appeal forms to the appropriate admissions authority or the local authority as appropriate.

Parents will also receive details on what to do if they wish their child to be considered for any places that might become available in schools they ranked higher than the school they are offered, in the reallocation process set out below.

- 6.7.1 By 12th April 2013, parents should inform the LA if the offer of a place is not accepted.

Where a parent does not confirm acceptance of a place by 12th April 2013, the LA will write to warn the parent that if they do not accept the place within 14 days, the offer of a place will be withdrawn.

If the parent fails to reply to the letter from the LA within the 14 days deadline, the parent will be issued with another letter 7 days later. This letter will confirm that the place has been withdrawn and will offer a place at the nearest school to the pupil's home that still has a place available.

7. **Re-allocation of Places Not Taken Up**

- 7.1 From 26th April 2013, the admission authority will re-allocate any places that may have become vacant since the 1st March 2013 offer date. Consideration will be given to all applicants including:

- those who have not been offered any school place, for example as a result of late applications;
- those who have been offered a place but not at any of the schools they expressed a preference for and a place has become available at one of their preferred schools; and
- those who have been offered a place at a school which was given as a lower priority on the CAF/1 than the school at which a place has become available.

- 7.2 Places will be re-allocated by applying the admission authority over-subscription criteria. During week commencing 23rd April 2013 the LA will liaise with the governing body for Voluntary Aided/Foundation schools regarding further applicants so that they can be ranked using the admission authority's over-subscription criteria.

8. **Waiting Lists**

- 8.1 After the admission round is concluded the LA will not co-ordinate the waiting lists for places at voluntary aided schools or foundation schools. If parents wish for their child's name to be placed on the waiting list they should contact the school direct. If a parent subsequently wishes to make an application for a school, the parent should contact the LA for an application form. The LA will continue to co-ordinate the allocation of places. Waiting lists must be compiled in accordance with the schools admission criteria and places offered accordingly.

9. **Late Applications Received After 23:59 on 31st October 2012**

- 9.1 The closing date for applications is 23:59 on 31st October 2012. As far as is reasonably practicable applications for places in the normal admission round that are received late and the LA is satisfied that the reasons for the lateness are exceptional, will be accepted provided that they are received before 8th February 2013 (the date the allocations are finalised).
- 9.2 Except in exceptional circumstances, late applications will be considered after all allocation decisions have been made. As far as possible late applications received prior to 1st March 2013 will be offered a school place on 1st March 2013, but the closer to the 1st March 2013 deadline that an application is received, the less likely it will be that an offer will be made on that date.
- 9.3 Where it is not possible to offer a place on 1st March 2013, a place will be offered as soon as practicable thereafter.

10. **No CAF/1 Received by 1st March 2013**

- 10.1 Where no CAF/1 is submitted, the child will, on 1st March 2013, be offered a place at the nearest school to the child's home which has a place following the allocation process outlined above.

ANNEX 1 (of Appendix 2)**TIMETABLE FOR SECONDARY CO-ORDINATED ADMISSIONS SCHEME**

from 3 rd September 2012	CAF/1 forms and other information to parents
23:59 pm on 31st October 2012	Closing date for return of CAF/1 online applications or paper.
By 9 th November 2012	LA to notify other LAs of any preferences which have been expressed for schools in their area.
12 th November 2012	LA to send CAF/1 forms to voluntary aided/foundation schools of every preference which has been received for their school, including all relevant details and any supplementary information which schools require to apply their over-subscription criteria.
14 th November 2012	All VA/Foundation schools set up admission committees to considered applications.
By 14 th January 2013	The admissions authority at each voluntary aided/foundation school/other LA's to equally apply the school's over-subscription criteria (if appropriate) and provide the LA with a list of those applicants which should be offered a place. Liaison will take place between VA's, foundation schools and other LA's until the allocation of places is resolved for each application, as required.
By 8 th February 2013	Finalise allocations and further liaison as necessary.
By 28 th February 2013	Publish appeals timetable on the LA's website.
1 st March 2013	Letters posted (second class) and e-mails send (if applied on-line) to all parents resident in home LA area, to let them know which school has been allocated to their child.
26 th April 2013	Admissions authorities to re-allocate any places that may have become vacant since the 1 st March offer date.
End May/June 2013	Appeal hearings arranged.

This scheme relates to the following schools in Hartlepool:

Dyke House Sports and Technology College
The English Martyrs RC School & Sixth Form College
High Tunstall College of Science
Manor College of Technology
St. Hild's Church of England VA School

Appendix 3

CO-ORDINATED ADMISSION SCHEME PRIMARY SCHOOLS 2013/2014

This scheme is made by Hartlepool Borough Council LA under the 1998 School Standards and Framework Act as amended by the 2002 Education Act.

The proposed scheme for Hartlepool LA is set out below. The proposed dates relating to the admissions process for the school year 2013/14 are attached at Annex 2.

A separate scheme exists in relation to secondary schools and in year admissions.

Interpretation

In this scheme -

"The LA" means Hartlepool Borough Council acting in its capacity as local authority.

"The LA area" means the area in respect of which the LA are the local authority.

"The school" means all community, voluntary controlled, and voluntary aided primary schools which are maintained by the LA.

"Admission Authority" means the LA in respect of any of the schools which is a community or voluntary controlled school, and the Governing Body of the school in respect of a Voluntary Aided School or an Academy.

"Parent" means the parent or guardian with whom the child normally lives.

"Suitable school" means the nearest available school which offers an efficient full-time programme of education appropriate to the individual child's needs in the view of the Authority.

The Co-ordinated Admission Scheme will apply for the admission arrangements for the school year commencing September 2013.

The LA will include in its admission arrangements for the 2013/2014 school year the provisions set out in this scheme.

The Governing Body of each Voluntary Aided School and Academy School will include in its admission arrangements for the 2013/14 school year the provisions set out in this scheme, so far as relevant to that school.

The scheme shall apply to every primary school in the LA area (except primary special school) and shall take effect from September, 2013.

1. Introduction

- 1.1 In line with the requirements of the 1998 School Standards and Framework Act as amended by the 2002 Education Act, this scheme has been drawn up by Hartlepool LA to co-ordinate admissions to its primary schools. It applies to all maintained primary schools in Hartlepool, except special schools, regardless of whether the LA or the governing body is the admissions authority.
- 1.2 The scheme's purpose is to ensure that as far as is reasonably practicable, every parent living in Hartlepool whose child is due to start primary school and who has applied for a place in the normal admission round, receives an offer of one, and only one, school place on the offer day of **16th April 2013**. It also sets out the arrangements for handling late applications.
- 1.3 The scheme will be implemented in accordance with the timetable set out in **Annex 2**.
- 1.4 **Annex 3** lists the primary schools to which the scheme applies.

2. Common Application Forms

- 2.1 There will be two forms known as the Common Application Forms (these are either on-line or paper). They will bear the references CAF/1 and CAF/2. CAF/1 will be used for Reception Year applications within the normal admissions round and CAF/2 will be used for all applications outside the normal admission round.

3. Applications for Reception on form CAF/1

- 3.1 CAF/1 will be used for the purpose of admitting pupils into the first year intake group, i.e. Reception, of primary education in September 2013. It must be used as a means of expressing one or more preferences for the purpose of section 86 of the School Standards and Framework Act 1998, by parents resident in the Hartlepool LA area who wish to express a preference for their child:
- to be admitted to a primary school within Hartlepool (including voluntary aided schools and academies);
 - to be admitted to a primary school located in another LA's area (including voluntary aided, academies and foundation schools).
- 3.2 The CAF/1 will:
- invite parents to express up to three preferences in rank order of preference including any schools outside the LA's area;

- allow parents to explain the reasons for their preferences;
 - specify the closing date and where it must be returned;
 - allow parents to provide supplementary information in support of their application. The supplementary information form will be part of CAF/1.
- 3.3 The LA will make appropriate arrangements to ensure that CAF/1 forms are available to all parents with reception age children who will be attending primary schools in September 2013, in line with the timetable attached at **Annex 2**. An information booklet will be sent to parents advising of the benefits of making an on-line application. If a parent/carers would prefer to complete a CAF1 form, these will be available from the LA.
- 3.4 The admissions authority of a voluntary aided school or an academy can require parents who wish to express a preference for their school, to complete the supplementary information form attached to CAF/1. This information is necessary for the admissions authority to apply its over subscription criteria.
- 3.5 Where CAF/1 forms and any other supplementary information is sent directly to voluntary aided schools by mistake they must be passed to the LA immediately.

4. **Closing Date for Return of CAF/1 and On-line Applications**

- 4.1 Completed CAF/1 forms must be returned by parents direct to the LA, or submitted on-line, by 23:59 on 15th January 2013. Where a preference has been received for a voluntary aided school, the relevant supplementary information should be provided at the same time.
- 4.2 In relation to over-subscribed schools, preferences which are received or changed after the closing date but before the allocation date will only be considered in exceptional circumstances, e.g. where a family has recently moved into the area and was therefore unable to submit the form by the closing date. Parents will be asked to provide information in support of their late application and the relevant admissions authorities reserves the right to seek verification of any information provided.
- 4.3 In the event that an application is received after the allocation process, the admission authorities will be unable to accept the application irrespective of exceptional circumstances. Such an application will be considered after all allocations of places where a parent has expressed a preference.

5. **Determining Offers in Response to the CAF/1**

- 5.1 Places will be allocated using the Equal Ranking Scheme, by all admission authorities within Hartlepool.

- 5.2 The LA will act as a clearing house for the allocation of places by the relevant admission authorities in response to the CAF/1. The LA will only make any decision with respect to the offer or refusal of a place in response to any preference expressed on the CAF/1 where:
- an applicant is eligible for a place at more than one school, or
 - an applicant is not eligible for a place at any school for which they have expressed a preference.
- 5.3 Information on the ranking of applicants to voluntary aided schools must be returned by the relevant admissions authority to the LA in line with the dates specified in Annex 2, either electronically or by post.

6. Processing Parental Preferences

- 6.1 By 4th February 2013 the LA will notify the admission authority for each of the schools of every application that has been made for that school, including all relevant details and any supplementary information which schools require to apply their over-subscription criteria. Where parents have requested a place at a school outside the LA area, the information will be forwarded to the relevant LA.

- 6.2 By 8th March 2013 – VA schools, academies and other LA's, inform LA of allocation of places for all preferences received in the priority order of their admission policy. All applications made need to be listed in order of priority.

The LA compares lists and considers all preferences from the parent and whether these schools can be offered. Liaison will take place between VA's, academies and other LA's until the allocation of places is resolved for each application, as required. The lists will be sent back to the VA schools and academies for their approval before finalising allocations.

- 6.3 Where a child is not eligible for a place at any of the nominated schools, the LA will allocate a place at the nearest school which has places.

- 6.4 By 29th March 2013 the LA will match ranked lists for all schools and:

- Where the child is eligible for a place at only one of the nominated schools, that school will be allocated to the child;
- Where the child is eligible for a place at two or more of the nominated schools, they will be allocated a place at whichever of these is the highest ranked preference.
- Where a child is not eligible for a place at any of the nominated schools, they will be offered a place at the nearest appropriate school with a vacancy.

- 6.5 On the 16th April 2013 the LA will post letters (second class) to all parents to let them know which school has been allocated to their child (if parents applied on-line, e-mails will be sent on 16th April 2013). The letter will also tell parents of their statutory right of appeal if they have been refused a place at their preferred school.

Parents will be asked to return their appeal forms to the appropriate admissions authority or the local authority as appropriate.

Parents will also receive details on what to do if they wish their child to be considered for any places that might become available in schools they ranked higher than the school they are offered, in the reallocation process set out below.

- 6.6 By 17th May 2013, parents should inform the LA if the offer of a place is not accepted.

Where a parent does not confirm acceptance of a place by 17th May 2013, the LA will write to warn the parent that if they do not accept the place within 14 days, the offer of a place will be withdrawn.

If the parent fails to reply to the letter from the LA within the 14 days deadline, the parent will be issued with another letter 7 days later. This letter will confirm that the place has been withdrawn and will offer a place at the nearest school to the pupil's home that still has a place available.

7. **Re-allocation of Places Not Taken Up**

- 7.1 From 22nd May 2013 the admission authority will re-allocate any places that may have become vacant since the 16th April 2013 offer date. Consideration will be given to all applicants including:

- those who have not been offered any school place, for example as a result of late applications;
- those who have been offered a place but not at any of the schools they expressed a preference for and a place has become available at one of their preferred schools; and
- those who have been offered a place at a school which was given as a lower priority on the CAF/1 than the school at which a place has become available.

- 7.2 Places will be re-allocated by applying the admission authority over-subscription criteria. During week commencing 20th May 2013 the LA will liaise with the governing body for voluntary aided schools regarding outstanding applicants so that they can be ranked using the admission authority's over-subscription criteria.

8. **Waiting Lists**

- 8.1 After 22nd May 2013 the LA will not co-ordinate the waiting lists for places at voluntary aided schools. If parents wish for their child's name to be placed on the waiting list they should contact the school direct. If a parent subsequently wishes to make an application for a school, the parent should contact the LA for an application form. The LA will continue to co-ordinate the allocation of places.

- 8.2 A waiting list will be kept by the LA for the community schools and voluntary controlled schools within its jurisdiction. The LA will continue to operate a waiting list after the commencement of the academic year in September 2013. All parents will have the choice of including their child's name on this waiting list for any of the community or voluntary controlled schools irrespective of whether that school was included on the form CAF/1.
- 8.3 All waiting lists must be compiled in accordance with the relevant admission authorities admission criteria and places offered accordingly.

9. **Late Applications Received After 23:59 pm on 15th January 2013**

- 9.1 The closing date for applications is 23:59 pm on 15th January 2013. As far as is reasonably practicable applications for places in the normal admission round that are received late and the LA is satisfied that the reasons for the lateness are exceptional, will be accepted provided that they are received before 29th March 2013 (the date the allocation process begins).
- 9.2 Except in exceptional circumstances, late applications will be considered after all allocation decisions have been made. As far as possible late applications received prior to 16th April 2013 will be offered a school place on 16th April 2013, but the closer to the 19th April deadline that an application is received, the less likely it will be that an offer will be made on that date.
- 9.3 Where it is not possible to offer a place on 16th April 2013, a place will be offered as soon as practicable thereafter.

10. **No CAF/1 Received by 16th April 2013**

- 10.1 Where no CAF/1 is submitted, the child will, on 16th April 2013, be offered a place at the nearest school to the child's home which has a place following the allocation process outlined above.

ANNEX 2 (of Appendix 3)

TIMETABLE FOR PRIMARY CO-ORDINATED PRIMARY ADMISSIONS
SCHEME

w/c 26 th November 2012	CAF/1 forms and other information to parents.
23:59 pm on 15 th January 2013	Closing date for return of CAF/1 and online applications.
By 4 th February 2013	LA to notify other LAs of any preferences which have been expressed for schools in their area.
4 th February 2013	LA to send CAF/1 forms to voluntary aided schools of every preference which has been received for their school, including all relevant details and any supplementary information which schools require to apply their over-subscription criteria.
February/Beginning March 2013	All VA schools and academies set up admission committees to considered applications.
By 8 th March 2013	<p>The admissions authority at each voluntary aided school/other LA's to equally apply the school's over-subscription criteria (if appropriate) and provide the LA with a list of those applicants which should be offered a place. All applications needs to be ranked.</p> <p>Liaison will take place between VA's, academies and other LA's until the allocation of places is resolved for each application, as required.</p>
29 th March 2012	Finalise allocations and further liaison as necessary.
16 th April 2013	Letters posted (second class) to all parents resident in home LA area to let them know which school has been allocated to their child.
From 22nd May 2013	Admissions authorities to re-allocate any places that may have become vacant since the 19th April 2013 offer date.
June/Beginning July 2013	Appeal hearings arranged.

ANNEX 3 (of Appendix 2)

This scheme relates to the following primary schools in Hartlepool:

Bamard Grove
Brougham
Clavering
Eldon Grove
Fens
Golden Flatts
Grange
Greatham C of E
Hart
Holy Trinity
Jesmond Gardens
Kingsley
Lynnfield
Owton Manor
Rift House
Rossmere
Sacred Heart RC
St Aidans CE Memorial
St Bega's RC
St Cuthbert's RC
St Helen's
St John Vianney RC
St Joseph's RC
St Peters Elwick
St Teresa's RC
Stranton
Throston
Ward Jackson C of E
West Park
West View

Appendix 4

LOCAL CO-ORDINATED ADMISSION SCHEME ADMISSIONS OUTSIDE OF NORMAL TRANSFER ROUND (In-Year Admissions) 2013/2014

Applying for a school place outside of the normal transfer times

Parents with children of statutory school age who move into or within Hartlepool and require a school place outside of the normal transfer times must apply for a school place by completing an in-year application form (CAF2) available from the Local Authority (LA) Admissions Team.

If any parent approaches a school directly, the school must advise parents that they need to apply for a school place through the LA and for safeguarding purposes take details of the pupil(s) forwarding this to the LA. All applications (including children attending out of authority schools, private schools, etc.) will be dealt with by the School Admissions Team.

Applications for school places can only be considered up to 6 weeks prior to the date the place will be required (eg an application for a place at the beginning of May will be considered from mid-March at the earliest). Children **must** be resident within the country before an application can be considered. Service and Crown Personnel are exempt from the above.

Application

The application form allows parents to apply for any school (excluding independent schools) and to give reasons for their preferences. If schools receive direct applications for parents, the school **must** forward it to the local authority for co-ordination.

The application form will ask the parents for the following information:

- Details of the child for whom the application is being made (address, date of birth);
- Details about the person completing the application (name, address, relationship to child, contact details);
- Name of the child's current school;
- Express up to three preferences in rank order,
- Reasons for their preferences;
- Indicate if the child has a statement of special educational needs; and
- Indicate if the child is 'looked after' by a local authority.

Parents are required to return the completed paper application form to the School Admissions Team.

Applications for Community or Voluntary Controlled Schools

The Local Authority will ensure that all parents' preferences are logged on the CAPITA ONE admissions database within 5 school days of receipt of application.

If there are more applications than places available, the local authority will apply the oversubscription criteria.

If the LA is unable to meet any of the preferences requested by the parents, a place will be allocated at the school nearest to the child's home address that has a place available unless the child already has a school place within close proximity to their home address. In this case, no alternative offer will be made unless requested by the parent.

The LA **must** inform parents in writing of the outcome of their application. Please note that a child **must** be admitted to the school within 20 school days of receipt of the application by the relevant local authority.

Applications for Voluntary Aided and Foundation Schools

The Local Authority will ensure that all parents' preferences are logged on the CAPITA ONE admissions database within 5 school days of receipt of application.

The LA will send details of all applications received, including any supplementary information, to the relevant voluntary aided and foundation schools within 5 school days of receipt if the school is shown as first preference, or when we are unable to offer a higher preference.

Voluntary aided and foundation school's admissions authorities **must** consider all applications without unnecessary delay. The school's admissions authority **must** admit the child if there is a space available (unless exempt under 3.32 of the School Admissions Code). If there are more applications than places available the school's admissions authority are required to apply their oversubscription criteria.

The admission authority should notify the LA of its decision.

Parents who are refused admission must be offered a right of appeal. Information about the appeals process must be provided in the refusal letter and the LA will send a copy must be sent to the Voluntary Aided or Foundation School. The LA will then allocate a place at the school nearest to the child's home address that has a place available unless the child already has a school place within close proximity to their home address. In this case, no alternative offer will be made unless requested by the parent.

Children with Statements of Special Education Needs

Children with a current Statement of Special Education Needs must be referred to their local Special Educational Needs (SEN) team. The SEN Team will work with the parents of the child to secure a place at a school where the specific needs of the child can be met. Where a child has a Statement of SEN naming a school, a place will be offered even if the year group is already full.

Managed Moves

The managed moves scheme which is in operation in Hartlepool will continue. Any applications for casual admission will be dealt with in accordance with the above co-ordinated admission scheme unless it is deemed to fall under the criteria for a managed move.

This scheme relates to all Hartlepool Primary and Secondary Schools.

Appendix 5

Summary of Responses from Governors

Discussed at the Admissions Forum 6th February 2012

Thirty six responses were received, all from Hartlepool Schools.

- Most schools noted/supported the proposed over subscription criteria for community and voluntary controlled schools including the movement of sibling link to the second criteria.
- Most schools noted/supported the proposed admission limits.
- All schools noted/supported the primary and secondary co ordination schemes and the scheme for in year transfers.

General comments received:-

Brougham

The Headteacher in response to the admission criteria reported that a child that might attend the nursery for two years but don't get a place in the school above the admission zone.

Holy Trinity

The Headteacher went onto request that an exercise is undertaken in Seaton Carew to define the number of Primary School children residing in Seaton Carew and where they attend school. She went on to say that she had been asked to consider 100% more admission applications that could be accommodated and therefore would like the admission number reviewed and revised in line with community needs. She continued to report that she felt that children from Seaton Carew were penalized resulting in them having to attend schools outside the local area. She added that she was aware of proposals for a new housing development of 270 homes.

Ow ton Manor

A Governor referred to the possible impact of a change in the admission criteria which might mean that a child from another area might take priority of a child who lives in zone.

Rossmere

A Governor questioned whether a change in the admission criteria would disadvantage families with only one child living in zone.

St Aidans

The Headteacher outlined to Governors his concerns in relation to the Partner Primary Schools system and that St Aidan's School is down to link with Dyke House Sports and Technology College in the admissions brochure which gives the impression that pupils will automatically go to Dyke House and in his opinion felt that this information is misleading adding that he would like to see the partner process reviewed.

Mr Taylor reported that two schools linked to Dyke House were also linked to another secondary school with Dyke House only liaised with two partner primary schools. He too agreed that it was wrong to publish this information.

Dyke House

Mr. A. Jordon reported that on line applicants for school admissions did receive notification earlier than those who applied by the form.

He went on to report on the timing of open evenings when other secondary schools held their evening earlier to Dyke House College.

High Tunstall

Governors noted that the tie-breaker proposed in the over-subscription criteria in 2012/13 'as the crow flies' was not the safest shortest route.

Manor College

It was pointed out that primary partner schools is not addressed in the criteria although the college admission policy does indicate investment with primary partner schools

Springwell

The Headteacher informed Governors that he had some concerns at the increasing numbers at Springwell but wanted to ensure that children get access to mainstream schools. He had raised this with Sue Beevers and also asked her to talk with Y6 children.

St John Vianney

The Headteacher reported that he had for the first time had to attend an appeal in respect of an in year transfer request for the school. He added that there had been 150 transfer requests across the town since September 2011. He explained that more schools were dealing with an increase in requests for reception classes. This particular appeal centered on there being no places available in any of the admission zone schools. A discussion took place on siblings having priority above living in the admission zone and whilst there was support, the school would not agree to this above a Catholic child.

Ward Jackson

It was noted that in 2012-13 the school will follow the LA admission arrangements with the introduction of their own admission policy in 2013-14.

Comments received in relation to admission numbers

Clavering

It was noted that the school admission numbers for the 2013/14 academic year is to increase to 55 and the school is hoping to have this increased to 60.

Lynnfield

Do not accept the proposed admission limits as appended to the report.

St Aidans

Request that the proposed admission limits as appended to the report be reviewed in line with new housing developments.

Dyke House

Reaffirmed the requirement to reduce the admission limit of 190.

Comments received in relation to moving sibling link criteria

St Peters/Hart

Governors agreed that both schools were part of the villages' communities and, therefore, to move sibling links above living within the admission zone would impact on a small village school and therefore felt that some caution should be given when considering this proposed change.

Governors were informed that neither of the schools was filled with children from the villages although numbers of children in the village communities were increasing in certain areas. Governors appreciated that St. Peter's Elwick was its own Admission Authority and, therefore, there was an added impact on the school in that the school had to pay for any admission appeals for admission to the school should they change their admission criteria.

It was reported by the Headteacher that there was the possibility of four children in Hart Primary with siblings who may not necessarily get a place at the school as they lived outside of the admission zone.

Governors went on to consider the issues faced in the town where families had children in more than one school. Governors felt that whilst there was capacity at present in the schools they would not wish to see any new families from the villages not having the chance to attend the schools in the future.

Governors confirmed that they were unable to support the proposed over subscription criteria for community and voluntary controlled primary schools including the movement of sibling links to the second criteria as they felt that the schools will not be serving the local community.

The Governing Body felt such a move could be detrimental to the communities of Hart and Elwick particularly as the Governors had fought the proposed closure of St. Peter's School on the basis that they serve the community.

Further more they felt that Hart School was in a unique position and this did not appear to have been taken into consideration

Fens

Some discussion took place in respect of admission particularly around siblings. It was felt that parents should be discouraged from children changing schools, particularly mid year transfers, which compounds the problem of the admission of children particularly in Year 6. Governors felt it to be unfair to move siblings above living within the admission zone.

Following consideration it was RESOLVED
not to support the proposed oversubscription criteria for community and voluntary controlled primary schools including the movement of sibling links to the second criteria.

Grange

The Headteacher informed Governors that the School was not over-subscribed at this present time, however, indications were that in 2012 the school might be oversubscribed which will require the admission criteria to be applied. Some debate took place in respect of the proposal to move sibling links above those living in the community and the possible impact and following a vote 10 voted to retain the current arrangements.

Rift House

Governors discussed the proposal to amend the admission criteria and expressed deep concerns in relation to sibling links being placed above admission zone children as they saw this as being very unfair particularly as the school is a community school.

Following consideration it was RESOLVED

Not to support the proposed oversubscription criteria for community and voluntary controlled primary schools including the movement of sibling links to the second criteria.

West Park

The question was asked should a child attend a school with a statement of SEN and the situation if a family wanted to move other children to the school would they take priority above those living in zone.

Governors had been circulated with a report drawing their attention to the draft admission arrangements for admission to schools in 2013/14 for community and voluntary controlled schools in Hartlepool and to the Co-ordinated Admissions Scheme and to seek views in respect of these.

Councillor Wells particularly expressed concerns with regards to the proposal to move sibling links above living in the admission zone as he could foresee problems should a child move to the school from out of zone at which a number of Governors felt to be unfair. Whilst supporting the view that children from the same family should be educated together this should not be to the detriment of children living in zone.

Following consideration it was RESOLVED

Not to support the proposed oversubscription criteria for community and voluntary controlled primary schools including the movement of sibling links to the second criteria.

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder

27 March 2012



Report of: Director of Child and Adult Services

**Subject: SCHOOLS' CAPITAL WORKS PROGRAMME
2012/13**

SUMMARY

1. PURPOSE OF REPORT

To seek approval to the formation of a Schools' Capital Works Programme for 2012/13.

2. SUMMARY OF CONTENTS

- Report requiring decision
- Information relating to the funding available
- Information describing the collaborative approach by which capital priorities have been determined
- The proposed capitalised condition and development programmes of work for 2012/13

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder for Children's Services has responsibility for all matters relating to Children's Services.

4. TYPE OF DECISION

Key decision, test 1 and 2 apply. Forward plan reference: CAS 119/12

5. DECISION MAKING ROUTE

Children's Services Portfolio Holder meeting on 27 March 2012.

6. DECISION(S) REQUIRED

Approval to the initial proposals for the 2012/13 Schools' Capital Works Programme.

Report of: Director of Child and Adult Services

Subject: SCHOOLS' CAPITAL WORKS PROGRAMME
2012/13

1. PURPOSE OF REPORT

To seek Portfolio Holder approval to the formation of a Schools' Capital Works Programme for 2012/13.

2. BACKGROUND

2.1 In December 2011 the Government announced the capital allocations relating to the school estate in Hartlepool. The funding available for 2012/13 is identified in Table 1, with the 2011/12 figures included for comparison.

2.2 Building Schools for the Future (BSF)

In July 2010, the government announced that the Building Schools for the Future (BSF) programme would be cancelled. In anticipation of BSF, no secondary schools received Local Authority (LA) funding towards capital works during the financial year 2010/11 meaning that all of the available capital funding was used for the primary sector. However, funding of £12.4 million was secured to significantly remodel Dyke House Sports and Technology College and this project was completed in December 2011. Funding of £975,000 was also secured to provide ICT infrastructure for the secondary "non-sample" schools. All works were completed by the end of August 2011.

2.3 Primary Capital Programme (PCP)

The LA secured funding of £8.4 million as part of the Government's PCP initiative. Two schools have now benefitted from PCP funding. Jesmond Gardens new build and Rossmere Primary School Early Years building are now complete and fully operational. As a result of Government spending cuts, the LA will not receive any further Primary Capital Programme funding and still awaits the Government's review on arrangements for future capital funding as mentioned in the James Review.

2.4 Priority Schools Building Programme (PSBP)

The Cabinet received a report on 24 October 2011 indicating that expressions of interest for PSBP had been submitted to Partnerships for Schools (PfS) for the following schools:

- Manor College of Technology
- Barnard Grove Primary School
- West View Primary School
- Holy Trinity Church of England Primary School

- 2.5 The LA carried out an analysis of condition data across Hartlepool schools which identified four schools as having exceeded the 30% value for money threshold set out by PfS. The applications for these schools are in line with Cabinet's existing strategy under the Building Schools for the Future and Primary Capital Programmes.
- 2.6 The PSBP will be privately financed and is intended to replace those schools nationally deemed to be in the worst condition. Announcements on the applications had been expected by late December 2011 but due to the unexpected high volume of LAs submitting interest and the consequential delays, we are still unsure as to whether any of the above are to be included in either the initial or later phases. Because the programme is aimed at rebuilding schools in the worst condition, it is not possible to fully set the 2012/13 capital programme in line with the usual criteria.
- 2.7 All three LA capital funded schools (Barnard Grove, West View and Manor) would figure as high priorities in the programme but it is felt prudent to defer their respective schemes together with the associated funding until announcements are made on the PSBP and certainty about their future position is gained.
- 2.8 It is therefore proposed that in order to make best use of the schools' summer break, the capital programme should be phased with the initial phase concentrating on those schemes that will be unaffected by national announcements on the PSBP. Funding in the order of £1.9m will be retained to mainly support those high priority schemes for the three schools where a decision is awaited and which, if required, will be selected in line with the assessment criteria outlined in paragraph 6 of this report. The funding would only be released if the schools were not being included in the PSBP in order to avoid financial resources being wasted should the school be rebuilt in the near future.
- 2.9 A further, more detailed report will be brought back to the Portfolio Holder after the announcement is made in order to set out a clearer position on the second phase of the 2012/13 schools capital programme.

3. FUNDING

2012/13 Capital Allocations

Table 1 Capital Funding	2011/12 £	2012/13 £	Increase / (Reduction) £
Basic Need	1,098,506	532,442	-566,064
Capital Maintenance	1,350,496	1,167,711	-182,785
Total Local Authority (LA)	2,449,002	1,700,153	-748,849
Devolved Formula Capital (DFC)	244,986	243,709	-1,277
Total LA - Schools	244,986	243,709	-1,277
Locally Controlled Voluntary Aided Programme (LCVAP)	624,062	539,481	-84,581
Voluntary Aided DFC	122,607	120,627	-1,980
Total Voluntary Aided	746,669	660,108	-86,561
Total Hartlepool DfE	3,440,657	2,603,970	-836,687
Revenue Contribution to Capital Outlay (RCCO)	628,000	628,000	-
TOTAL	4,068,657	3,231,970	-836,687

- 3.1 The Basic Need funding has been provided according to relative need or new places and all taxpayer-funded schools within each LA will be eligible for this funding, including voluntary-aided schools.
- 3.2 For the 2012/13 year, there are sufficient places in Hartlepool schools to support forecast pupil numbers in the community, voluntary-aided and foundation sectors. There are no schemes required to address places shortfalls planned in the capital programme, therefore this funding is available to support schemes in the condition and development programmes.
- 3.3 As in previous years, the LA can allocate a proportion of its share of the Dedicated Schools Grant (DSG) - (£628,000 in 2011/12) - as a Revenue Contribution to Capital Outlay (RCCO) contribution towards the schools capital programme. The LA will again contribute a share of its DSG towards the 2012/13 schools capital programme and it is currently anticipated this will remain at the 2011/12 level ie. £628k.
- 3.3 Schools receive their own Devolved Formula Capital (DFC) funding and the Dioceses receive their own Government funding in the form of the Locally Co-ordinated Voluntary Aided Programme (LCVAP). This year 2012/13, allocations have slightly decreased but not on the scale of 2011/12 allocation which suffered a decrease of approximately 80%.
- 3.4 Given these reductions, the LA recognise schools may find it difficult to meet the previously agreed 10% contribution towards capital schemes, without detriment to the school revenue budget. However, as a result of discussions with the Schools Capital Sub Group the LA will continue to

develop programmes on the agreed 10% basis for school funding purposes but has been asked to take a reasonable approach with schools where a major contribution could cause financial difficulties.

4. DIOCESE COLLABORATION

- 4.1 Discussions with representatives from Hexham & Newcastle and Durham & Newcastle Dioceses have taken place and a consistent approach to capital schemes has been agreed. Schedules of high priority condition items recommended by the LA have been forwarded to the two Dioceses for their consideration in order to aid their preparations for the LCVAP Programme for 2012/13.
- 4.2 It is worth noting that whilst neither Diocese came forward with proposals for the 2012/13 year with regard to the provision of school places, they are drawing up their programmes on the basis that there is some sharing of Basic Need funding to be made available in line with national guidance around their eligibility.

5. CHILDREN'S CENTRES

- 5.1 In previous years the LA has received a dedicated Children's Centre's capital allocation. This funding stream no longer exists however the LA is expected to maintain Children's Centre's utilising the Capital Maintenance allocations shown in Table 1 above.
- 5.2 Condition surveys have been carried out at Children's Centre's and it has been established that there are no immediate high priority capital works to be taken into consideration for the 2012/13 capital programme.

6. PROPOSED PROGRAMME OF WORKS 2012/13

6.1 Condition Priorities

The schedule of condition priorities in **Appendix 1** is derived from the most recent Condition Surveys (carried out late 2011). The Council's technical staff highlighted priorities across a wide range of issues with the highest priority areas categorised as "D2". Most of these schemes will be included in the second phase of the 2012/13 programme for reasons mentioned earlier in paragraph 2.8.

- 6.2 These schemes have been provisionally costed and due to the availability of funds, it is also possible to carry out some further works falling under the element category "C2". An explanation of prioritisation categories is shown below:

- | | | |
|-----------|----------|--|
| D2 | D | Life Expired – Exhibits major deterioration. Serious risk of imminent breakdown or is a health and safety hazard |
| | 2 | Essential – Prevent serious deterioration of the fabric or service / address medium risk of H&S of occupants / |

remedy less serious breach of legislation

- C2** **C** Poor – Exhibits various defects, each of which might not be significant in itself but together need attention on a planned basis
- 2** Essential – Prevent serious deterioration of the fabric or service / address medium risk of H&S of occupants / remedy less serious breach of legislation

6.3 **Fire Safety**

During 2010/11, the LA's Senior Health & Safety Officer (Fire Safety) carried out Fire Safety inspections of all schools. A subsequent action plan was sent to schools highlighting various works to be addressed. In conjunction with the Fire Safety Officer, the action points were prioritised and essential works were identified and approved for inclusion in the 2011/12 Capital Programme.

Following further consultation with electrical engineers, issues were also identified at three additional schools; Barnard Grove, St Helen's and Owton Manor Primaries and highlighted as priority schemes. Approval would be required for the additional three schools mentioned above and phase the work over two financial years, with phase one already being progressed as part of 2011/12 programme and phase two as set out in **Appendix 1**.

6.4 **Special Educational Needs (SEN)**

In previous years the LA has received a dedicated Access funding allocation. This funding has been directed at providing disabled toilets/shower facilities, ramps and modifications to school buildings, specifically to meet the needs of targeted SEN children, either groups or individuals.

The Access funding was withdrawn in 2011/12. However, the SEN team continue to be consulted to identify priority schemes. The SEN Manager has identified a scheme at Catcote Business & Enterprise College which will include adaptations to provide an individual teaching environment for a pupil who will be transferring from Springwell School in September 2012.

6.5 **Development Funding**

Development Funding of almost £1.3m was approved in the 2011/12 capital programme, this has been supplemented by funding from 2012/13 allocation. Submissions of interest for this funding were received from schools and evaluated by the Schools Capital Sub-Group. Seven schemes were taken forward to develop further in terms of initial designs and costings. Following consultation with the headteacher's of the seven schools, feasibility work has now been concluded and a proposed Phase

1 Development Funding schedule is shown in **Appendix 1**. At present only five of the seven schools are included, pending a decision on the PSBP as mentioned earlier.

- 6.6 Based on proposed programmes of works the funding allocations can be summarised as follows in Table 2.

Table 2 Funding Split	Estimated Costs £	Schools Contributions based @ 10%	Total LA Funding Required £
LA Capital Condition Items	1,500,000	150,000	1,350,000
Fire Safety	139,000	13,900	125,100
SEN Modifications	137,000	13,700	123,300
Development Funding - Additional	480,000	48,000	432,000
Diocese Allocation of Basic Need Funding	160,000	-	160,000
Contingency	200,000	-	200,000
Unallocated	192,998	-	192,998
Development Funding – b/f from 11/12	1,285,584	130,000	1,155,584
<i>*Assuming schools contribute 10%</i> Totals	4,094,582	355,600*	3,738,982

2011/12 expected carry forward	255,245
2011/12 Development Funding	1,155,584
2012/13 Funding	2,328,153
TOTAL LA FUNDING	3,738,982

- 6.7 Table 3 below shows only the proposed Phase 1 breakdown of funding.

Table 3 - Phase 1 Breakdown	Phase 1	School Contribution	Total LA Funding Required
LA Capital Condition Items	282,000	28,200	253,800
Fire Safety	139,000	13,900	125,100
SEN Modifications	87,000	8,700	78,300
Development Funding	1,154,176	115,000	1,039,176
VA Basic Need Allocation	160,000	-	160,000
Contingency	200,000	-	200,000
<i>*Includes a 10% contribution from schools</i> Total	2,022,176	165,800	1,856,376

7. PROCUREMENT

- 7.1 The procurement route for schemes identified will be through the LA Condition, Planned Maintenance and Minor Building Works Partnership Contract.
- 7.2 This contract is used to procure all building construction work of a non-specialised nature, below an estimated construction value of £100,000. The building works will be procured through the in-house Facilities Management Section plus two external contractors, using a partnering approach.
- 7.3 Works excluded from the partnership are :
- when the estimated contract value exceeds £100,000,
 - work is of a specialist nature i.e. CCTV, Alarm Systems, and Soft Landscaping
 - funding condition states that competitive quotes/tenders are required
- 7.4 For works estimated to be £100,000 and over where the in-house Facilities Management Section can prove best value against benchmarked prices they will be considered for the works. Otherwise a competitive process will be undertaken either by tender or via mini-competition using the North East Procurement Organisation construction framework. These approaches will provide a coordinated and efficient procurement best value principle.

8. RISK IMPLICATIONS

- 8.1 The report is concerned with the condition, protection and development of Council assets ie school buildings and children's centres.
- 8.2 The proposed programme of works has been compiled on the basis of those areas/sections of school buildings which are showing clear sign of failure together with aspects of the building which have the potential to improve teaching and learning.

9. MONITORING AND UPDATING THE PROGRAMME

- 9.1 The Schools Capital Sub Group meets on a termly basis and will review and monitor progress on the 2012/13 Capital Works Programme and at the same time develop plans for future programmes. Cabinet will be kept up to date during the year on progress and developments to the programme via quarterly monitoring reports produced by the Authority's Corporate Finance team. In addition there will be direct reports to the Portfolio Holder for Children's Services as required.

10. RECOMMENDATIONS

It is recommended that:

- The schedule of 2012/13 capital condition items are approved as summarised at **Appendix 1**, subject to the LA agreeing contributions from schools towards individual schemes in line with the shared funding principles established by the Schools Forum.
- The schedule of Fire Safety and Special Educational Needs schemes are approved as summarised at **Appendix 1**, subject to the LA agreeing contributions from schools towards individual schemes in line with the shared funding principles established by the Schools Forum.
- The Basic Need allocation to the Diocese and Contingency is approved as summarised at **Appendix 1**.
- The schedule of Development Funding schemes is approved as detailed in **Appendix 1**, subject to the LA agreeing contributions from schools towards individual schemes in line with shared funding principles established by the Schools Forum.
- The Child and Adult Services Department be allowed dispensation and discretion to authorise works where a significant health and safety risk is exposed in advance of formal approval by the Portfolio Holder for Children's Services.

11. BACKGROUND PAPERS

Report to the Schools Forum Capital Sub Group on 22 February 2012 and Schools Forum on 11 January 2012.

12. CONTACT OFFICERS

Peter McIntosh
Head of Planning and Development
Level 4, Civic Centre, Victoria Road, Hartlepool, TS24 8AY

Telephone 01429 284103
E-mail: peter.mcintosh@hartlepool.gov.uk

Julie Reed
Project Officer
Transformation Team
Level 4, Civic Centre, Victoria Road, Hartlepool, TS24 8AY

Telephone 01429 284063
E-mail: julie.reed@hartlepool.gov.uk

Appendix 1

2012/13 - PHASE 1 - CAPITAL PROGRAMME

School	Scheme	Estimated Costs £
Condition Projects		
Kingsley Primary School	Playground Repairs	40,000
Stranton Primary School	Boiler Replacement	42,000
Brougham Primary School	Roofing	200,000
	Sub Total	282,000

Fire Safety Modifications - Phase 2		
Rossmere Primary School	Fire Detection System	30,000
Rift House Primary School	Fire Detection System	22,000
Golden Flatts Primary School	Fire Detection System	20,000
West Park Primary School	Fire Detection System	24,000
Greatham Primary School	Fire Detection System	13,000
Owton Manor Primary School	Fire Detection System	30,000
	Sub Total	139,000

Special Educational Needs		
Catcote Business & Enterprise College	Create individual teaching space	87,000

Development Funding Schemes		
High Tunstall College of Science	Development of a Vocational Educational Centre	213,376
Rift House Primary School	Development of Science Garden	73,442
Stranton Primary School	Development of two existing school changing rooms into two 'experience rooms'	96,179
Throston Primary School	To create an external hall corridor and learning space	312,861
West Park Primary School	Creation of a Foundation Stage Unit	458,318
	Development Funding – Phase 1	1,154,176

Basic Need Allocation to Diocese	160,000
Contingency	200,000

*Includes 10% contribution from schools

TOTAL FOR PHASE 1 - £2,022,176*

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder

27th March 2012



Report of: Director of Child and Adult Services

Subject: APPROVAL OF A PERMANENCE POLICY,
SPECIAL GUARDIANSHIP POLICY,
RESIDENCE ORDER POLICY AND
CONNECTED PERSONS POLICY

SUMMARY

1. PURPOSE OF REPORT

To seek approval of the Portfolio Holder for the implementation of policies relating to Achieving Permanence for Children, Special Guardianship, Residence Orders and Connected Persons.

2. BACKGROUND INFORMATION

The Care Planning Regulations 2010 introduced a requirement upon local authorities to produce a Policy relating to the assessment and provision of services to 'Connected Persons' (Family and Friends) caring for a child or young person who otherwise would be looked after in a foster placement or residential care. In the development of the Connected Person's Policy and Procedure, the service has reviewed all associated policies relating to the care of children living outside of their immediate family, in particular those subject to Residence or Special Guardianship Orders who have been or would otherwise have been looked after by the local authority. The review also includes the local authority's Adoption Policy which is currently being revised to ensure we have met new requirements within the Adoption Regulations 2010; this will be presented to a future meeting for approval.

The overarching aim of all the policies is to ensure children and young people are placed within the most appropriate family situation whilst recognising the importance of family relationship and benefits brought

about my maintaining children and young people within their existing family network and ensuring a child's right to a private family life.

3. RELEVANCE TO PORTFOLIO MEMBER

These policies set out how Hartlepool Council will fulfil its statutory duties in relation to children looked after or as an alternative to children and young people becoming looked after and must be agreed by the Portfolio Holder. There are also resource implications relating to the Connected Person, Special Guardianship and Residence Order Policies which require the approval of the Portfolio Holder.

4. TYPE OF DECISION

Non Key.

5. DECISION MAKING ROUTE

Decision by Children's Services Portfolio Holder – 27th March 2012.

6. DECISION(S) REQUIRED

That the portfolio holder approve to the implementation of the Permanence Policy, Special Guardianship Policy, Residence Order Policy and Connected Persons Policy.

Report of: Director of Child and Adult Services

Subject: APPROVAL OF A PERMANENCE POLICY,
SPECIAL GUARDIANSHIP POLICY,
RESIDENCE ORDER POLICY AND
CONNECTED PERSONS POLICY

1. PURPOSE OF REPORT

To seek approval of the Portfolio Holder for the implementation of new policies in relation to Achieving Permanence for Children Looked After (**Appendix 1**), Special Guardianship (**Appendix 2**), Residence Order (**Appendix 3**) and Connected Persons, (**Appendix 4**).

2. BACKGROUND

- 2.1 The above policies have been reviewed and prepared to ensure Hartlepool is compliant with statutory guidance and regulation following the implementation of a suite of new Regulations in April 2011. These policies taken together set out the Council's vision and aspirations in relation to placement planning for children looked after and provide guidance and support to enable social workers to undertake appropriate planning for permanence for children and young people. The overarching policy for children sets out the position of Hartlepool Borough Council in providing children and young people with permanence and stability to enable them to thrive, enjoy a happy secure childhood and become confident adults who achieve their aspirations. The Special Guardianship, Connected Person and Residence Order policies detail the statutory requirements and the Council's vision in ensuring the most appropriate order is in place to meet the individual needs of a child and his/her family.

3. RISK IMPLICATIONS

- 3.1 Within the Special Guardianship and Residence Order policies, the service has introduced a time limit of three years for the agreement of financial allowance payable to carers and as such there is a risk that this could be a disincentive for carers to apply for such an order resulting in young people remaining looked after. However this risk needs to be mitigated against the budget implications of maintaining the current policy of paying an allowance until the child is 18 years old. Within the revised policy, the local authority commits to pay 3 years financial support in line with requirements to provide support for 3 years. At the

end of a 3 year period, a new assessment will be completed which will consider the holistic supports needs of the child and his/her circumstances and this will include an assessment of financial support needs and a decision regarding further funding will be made.

- 3.2 In implementing this policy the local authority is mindful of the guidance for making a Special Guardianship Order in that finance should not be a factor in preventing a Special Guardianship order being made.

4. LEGAL AND FINANCIAL CONSIDERATIONS

- 4.1 There are no legal implications in relation to these policies, the revised documents meet all legislative requirement both from Regulations and case law. The changes suggested in relation to the financial support will provide an opportunity to maintain the financial commitments at manageable levels and offer more predictability in relation to future budget planning and expenditure.

5. RECOMMENDATIONS

- 5.1 That the portfolio holder approves the implementation of the policies attached.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The implementation of these policies will ensure the Council is meeting its statutory requirements and provides a clear understanding of its commitment and intentions within this area of work.

7. BACKGROUND PAPERS

None.

8. CONTACT OFFICER

Jane Young
Head of Business Unit (Resources and Specialist Services)
Tel: (01429) 275144
Email: jane.young@hartlepool.gov.uk

PLANNING FOR PERMANENCE FOR CHILDREN

CHILD AND ADULT SERVICES



**Date of Issue: January 2012.
Author: Jane Young
Review Due: January 2014**

1. INTRODUCTION

- 1.1 This overarching policy for children sets out the position of Hartlepool Borough Council in providing children and young people with permanence and stability to enable them to thrive, enjoy a happy secure childhood and become confident adults who achieve their aspirations.

2. DEFINING PERMANENCE

- 2.1 Permanence is a framework of emotional, physical and legal conditions that gives a child a sense of security, continuity, commitment and identity.

- 2.2 Permanence for children has three particular aspects:

- Legal – staying with birth parents who have **Parental Responsibility**; Adoption; or Court Orders such as a **Residence Order** or **Special Guardianship Order**.
- Psychological – when the child feels attached to an adult who provides a stable, loving and secure relationship.
- Physical or environmental – a stable home environment within a familiar neighbourhood and community where the child's identity needs are met.

3. WHY IS PERMANENCE ESSENTIAL FOR CHILDREN?

- 3.1 For a child to grow and develop they need secure attachments with a main caregiver, consistency and continuity of care and opportunities to grow in terms of their health, emotional, social and educational development. Ensuring children have permanence must be at the core of all social work practice. Wherever possible, care for children should be provided by their parents who should be supported to meet their children's needs. Where this is not possible and it is clear that families and children are unable to live together, planning must be swift and clear to identify permanent alternative carers.

4. OPTIONS FOR PERMANENCE

- 4.1 In planning for permanence for children, all options should be explored and given due consideration based on the assessed needs of the child and family. The framework for decision making should be based on multi agency planning arrangements with the child and their families being an essential partner in this process.
- 4.2 It is a fundamental principle of legislation that children should be enabled to live with their families unless this is not consistent with their welfare. Hartlepool Borough Council seeks to maintain children within their own families and provide services to support such arrangements where this is consistent with the child's safety and well being. The first stage within permanence planning is therefore to work with families and children in need to support them staying together. Staying at home offers the best chance of stability. Hartlepool Borough Council promotes the use of Family Group

Conferences as a means to engage the child's immediate and wider network in order to explore options which ensure appropriate care and good parenting, where ever possible, using the child's wider network to support their care within their birth family. (See Family Group Conference and Section 17 Policy and Procedure)

Placement with a Connected Person

- 4.3 Where a child cannot live with his/her immediate family and the local authority is considering the need to look after the child, the Council will make strenuous efforts to identify potential carers within the child's network of family and friends who are able and willing to care for the child. Every effort will be made to secure placement with a Connected Person. This will be either as part of the plan to work towards a return home or if a return home is clearly not in the child's best interests, as the preferred permanence option. (See Connected Person Policy and Procedure)

Residence Orders

- 4.4 Hartlepool Borough Council supports the right of each child to experience normal family life. The department will encourage and support relatives and significant others to make applications for Residence Orders as a possible alternative to the child becoming or remaining looked after so long as this is consistent with the child's welfare, having regard to his/her wishes and feelings. A Residence Order strengthens the degree of legal permanence in a placement with relatives or friends, or a long-term foster care and promotes the child's right to a private family life without intrusive state intervention. A Residence Order should be considered as a permanent option for any child who has regular contact with their parents and where their circumstances are such that parents rightly have an equal say in their upbringing. Carers will be encouraged and supported to apply for a Residence Order where this will be in the best interests of the child. (See Residence Order Policy and Procedure)

Special Guardianship Orders

- 4.5 Special Guardianship Orders meet the needs of a significant group of children, who need stability and security with alternative carers but not the absolute legal break with their birth family that is associated with adoption. Special Guardianship Orders provide an alternative for achieving permanence in families where adoption, for cultural or religious reasons, is not an option.
- 4.6 Hartlepool Borough Council promotes Special Guardianship Orders as a means to providing permanent family life for a child who may otherwise need to be looked after. The department will encourage and support relatives and significant others to make applications for Special Guardianship orders as a possible alternative the child becoming or remaining looked after so long as this is consistent with the child's welfare, having regard to his/her wishes and feelings. A Special Guardianship Order should be considered as a permanent option for any child who has limited ties and/or contact with their parents and

where it would not be in the child's best interest for parents to exercise shared parental responsibility. (See Special Guardianship Policy and Procedure)

Long Term Foster Care

- 4.7 Long term foster care provides permanence for children and young people who retain strong links to their birth families and/or for whom a plan for adoption would not be consistent with their best interests. Children in foster care are looked after by the local authority under the auspices of a Care Order (Section 31, the Children Act 1989) or accommodated under Section 20 of the Children Act 1989. Long term foster care maintains legal links to the birth family who are involved in the decision making for the child.
- 4.8 Long term foster care ensures that children and their carers receive the continued support and assistance of the local authority. The provision of long term fostering is managed through the Care Planning, Placement and Case Review Regulations 2010. (See Policy and Procedures)

Adoption

- 4.9 Adoption transfers the absolute legal rights and responsibilities for a child's parenting from the child's birth parents to adoptive parents removing all legal connection with the birth family. Placing a child for adoption provides the ultimate legal security and as such should be considered the optimum permanence option for a child where it is deemed to be in their best interests.
- 4.10 Adoption should be considered as a positive option for children as it offers the best possible outcomes in relation to care outside of the family. Therefore adoption should be considered for every child regardless of their age, gender, or whether they are being placed as part of a large sibling group. Where it is deemed that adoption is in the child's best interests, the Council will rigorously pursue implementing this plan and take all steps necessary to find the right adoptive family for the child. (See Adoption Policy and Procedures)

5. MAKING THE RIGHT DECISION

- 5.1 The decision to remove a child from his/her birth family and the future decision making as a consequence of this is probably the most significant decision a social worker will make and it has life changing consequences for the child. As such planning for permanence for children must be informed by a thorough assessment of a child's needs and the capacity of parents to meet those needs. The assessment must be informed by the wishes and feelings of the child and views of the parents and these should be complied with wherever it is consistent with the child's best interests.
- 5.2 When making a decision about a permanence plan for a child, this must be focussed on the child's welfare as the paramount consideration and promote positive outcomes, providing the child with security and stability. This decision should be taken within a multi agency planning framework.

- 5.3 The table below provides a summary of the arrangements for the care of children who do not reside with their birth parents and the statutory framework supporting these arrangements.

CARING FOR SOMEBODY ELSE

	Private Fostering	Family Care (informal)	Family and friends foster care	Unrelated foster care	Residence Order	Special Guardianship Order (SGO)	Adoption
Route into caring arrangement	<p>This is a private arrangement whereby the child is being cared for for 28 days or more (or the intention is that the arrangement will last for 28 days or more) by anyone who does not have parental responsibility, and who is not a close relative.</p> <p>Relative means grandparent, brother, sister, uncle or aunt (by full blood, half blood or by marriage or civil partnership) or a step parent.</p> <p>The child is not a looked after child.</p>	<p>The relative has chosen to take on the care of the child but does not have parental responsibility, and the arrangement was not made by the local authority.</p> <p>The child is not a looked after child.</p> <p>Relative may perceive the parents to be unable to care for the child; or the parents may be dead or otherwise not available (e.g. prison); or there may be an agreement between relatives due to difficult family circumstances.</p>	<p>The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care.</p> <p>The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer.</p> <p>The child may be accommodated voluntarily with the agreement of the parents or may be subject to a care order.</p>	<p>The child is looked after child being accommodated by the local authority under Section 20 Children Act 1989 or because the child is subject to a care order; but has been placed with a foster carer by the local authority.</p> <p>(Alternatively, the local authority may choose to place a child into residential care where this is considered to best meet the child's needs).</p>	<p>The child may be at risk of becoming 'looked after' and a friend or relative form an order, or</p> <p>The child may have been 'looked after' and their foster carer or other relative / friend applies for an order.</p> <p>In either circumstances, application can be made without the support of the parents or the local authority. Relatives may apply for an order after the child has lived with them for one year.</p> <p>Or, there can be benign reasons e.g. after parents death and in line with a prior agreement between the birth parents and the carer.</p>		<p>Looked after children: the LA may decide that the child should be placed for adoption. They can only do so with the consent of the birth parent or under a placement order made by a court.</p> <p>An approved foster carer can apply for an adoption order after a year of caring for the child.</p> <p>Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years.</p>
Parental Responsibility (PR)	<p>Remains with birth parents.</p>	<p>Remains with birth parents but the person who cares for the child may do what is reasonable to safeguard or promote the child's welfare.</p>	<p>Remains with birth parents if child accommodated under Section 20 Children Act, or if the child is subject to a care order or emergency protection order the local authority will have parental responsibility and determines the extent to which it may be exercised by others.</p>		<p>Shared by parents and holder of residence order.</p>	<p>PR shared with parents and any one else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusion of all others with PR, apart from another special guardian.</p>	<p>Transfers to adopters and relationship with birth parents is severed.</p>

	Private Fostering	Family Care (informal)	Family and friends foster care	Unrelated foster care	Residence Order	Special Guardianship Order (SGO)	Adoption
Approval Basis	The arrangement is assessed by LA, but the carer is not 'approved' as a local authority foster carer is. The arrangement may be prohibited if assessed by the local authority as unsuitable.	None.	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If child is looked after, carers must be approved as foster carers even if close relative).		Appointed by court following application.	Appointed by court, following application from the applicant. LA must investigate the matter and prepare a report for court dealing with the suitability of the applicant to be a special guardian.	Adoption agency assesses and approves prospective adopters, court makes order regarding specific child. If the child is not looked after then notice of intention to adopt must be given to the LA who then carry out an assessment / report for the court.
Duration	Subject to discretion of person with PR and readiness of private foster carer.	Subject to discretion of person with PR.	So long as placement remains in line with child's care plan as determined by LA.		Age 16	Age 18 unless varied or discharged by the court before the child reaches 18 years.	Permanent lifelong relationship.
Placement Supervision	It is not a placement, but there are statutory visits to child by social worker (minimum 6 weekly in first year then 12 weekly).	None	Statutory visits to child by social worker and supervision of foster carers supervising social worker.			None.	When child is placed for adoption by the LA, the placement is supervised and there are statutory reviews. Once the adoption is made, none.
Review of Placement	It is not a placement, but the LA may do formal reviews in addition to ongoing assessment during visits.	None	Statutory reviews of child's care plan (minimum 6 monthly) and annual reviews of local authority foster carers' approval.		None.	None.	See above.

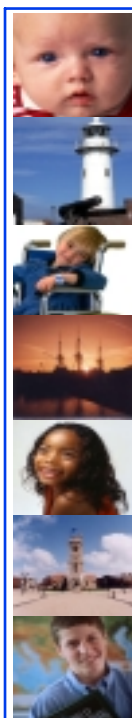
	Private Fostering	Family Care (informal)	Family and friends foster care	Unrelated foster care	Residence Order	Special Guardianship Order (SGO)	Adoption
Support Services	Provision of advice and support as determined necessary by the LA, which may assess the child as a child in need, with a child in need plan, and provide services / support for child / family under Section 17 of the Children Act 1989.	No entitlement but the LA may assess the child as a child in need, with a child in need plan, and provide services / support for child / family under Section 17 of the Children Act 1989.	Support to meet child's needs including health plan and personal education plan. Training and practical support to foster carers in accordance with the Fostering Services Regulations, NMS and CWDC standards. Young person may be entitled to leaving care support services.		No entitlement. (But LA has discretion to provide services / support for child / family under Section 17 of the Children's Act).	If child was looked after prior to making the SGO, LA must assess for need for special guardianship support services. LA has discretion whether to provide support. Young person may be entitled to leaving care support services if was a looked after child prior to making of the SGO.	Entitlement to assessment for adoption support services, which may be provided at discretion of LA in accordance with Regulations and NMS.
Financial Support – entitlement	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR.	Can claim child benefit and child tax credit if not being paid to parent. Financial responsibility to maintain the child remains with holders of PR. Guardians Allowance payable if both parents have died, or the only surviving parent cannot be found or serving 2 years or more prison sentence.	Child benefit and child tax credit not payable. Weekly allowance to meet the costs of caring for the child. This should at least meet the national minimum rate set by DCSF. The Manchester City Council judgement ruled that allowances must be the same for all foster carers, whether or not family and friends.		Can claim child benefit and child tax if not being paid to parent.	Can claim child benefit and child tax if not being paid to parent.	Can claim child benefit and child tax if not being paid to parent. Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.

	Private Fostering	Family Care (informal)	Family and friends foster care	Unrelated foster care	Residence Order	Special Guardianship Order (SGO)	Adoption
Financial Support – discretionary	LA has discretion to make one-off regular payments under Section 17 Children Act.	LA has discretion to make one-off regular payments under Section 17 Children Act.	<p>Some fostering providers pay their foster carers a fee to recognise the carers' skill, experience and commitment.</p> <p>The Manchester City Council judgement (which requires allowances to be paid on the same basis regardless of the relationship of the carer to the child) did not consider fees. However, Statutory Guidance for Fostering Services requires that any policy in relation to payment of fees must be applied to all foster carers who meet the criteria in the same way and must not discriminate on the grounds of a pre-existing relationship with the child.</p>		LA has discretion to pay residence order allowance – usually if child was previously fostered by the carers, or exceptionally if making residence order prevents child becoming looked after. Any allowance reviewed manually.	<p>Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child looked after prior to order and meets the criteria in the regulations.</p> <p>Subject to assessment as above and for former foster carers can include an element of remuneration.</p> <p>Regular or one off payments.</p> <p>Any allowances reviewed annually.</p>	Subject to assessment, one off payments or regular adoption allowance may be paid.

Date of issue:	Jan 2012	Document Owner;	Jane Young
Review Date	Jan 2014	Procedure No.	



CHILD AND ADULT SERVICES



SPECIAL GUARDIANSHIP POLICY & PROCEDURE

CHILDREN'S SERVICES in Hartlepool

Every Child Matters

Date of issue: January 2012.

Author: Jane Young

Review Due: January 2014

1 INTRODUCTION

- 1.1 The policy sets out the arrangements of Hartlepool Borough Council in relation to Special Guardianship orders and the support, that is available for children and their special guardians. This document should also be read in conjunction with departmental policy on Permanence Policy, Connected Care Policy and Residence Order Policy.

2 POLICY

- 2.1 Hartlepool Borough Council promotes Special Guardianship Orders as a positive option to provide permanence within a family, for a child who may otherwise need to be looked after. The department will encourage and support relatives and significant others to make applications for Special Guardianship Orders as a possible alternative the child becoming or remaining looked after so long as this is consistent with the child's welfare, having regard to his/her wishes and feelings. A Special Guardianship Order should be considered as a permanent option for any child who has limited ties and/or contact with their parents and where it would not be appropriate for parents to exercise shared parental responsibility
- 2.2 This policy aims to facilitate a child's sense of belonging within a family, free from the constraints and interference by the state. The principle underpinning this policy is that permanency for children is the paramount objective and this should be achieved by the order that best meets the individual needs of a child and their family whilst through the least intrusive means available.
- 2.3 Hartlepool Borough Council supports the right of each child to experience normal family life. Where appropriate the department will encourage and support relatives and significant others to make an application for a Special Guardianship Order as a possible alternative to a child's admission to the looked after children so long as this is consistent with the child's welfare' having regard to his/her wishes and feelings.
- 2.4 The department will consider, at all key stages of it's involvement, whether a child's welfare will be best promoted by arranging for his/her early discharge from local authority accommodation. In many instances, this will be best achieved by facilitating a child's return to parental care. Where this is not possible, the authority will give urgent and ongoing consideration to whether the child or young person's welfare may be best safeguarded and promoted by their discharge from accommodation via the making of an Adoption Order, a Special Guardianship Order, a Residence Order or other alternative arrangement.

- 2.5 The department will seek to identify, during the course of planning for a child who is at significant risk of becoming looked after, whether there is a relative or other appropriate person who could apply for a Special Guardianship Order
- 2.6 The decision to support and encourage alternative carers to make applications for Special Guardianship in respect of children who are at risk of becoming looked after will be based on an assessment of the child's needs and carer's ability to meet those assessed needs, taking into account the child and his/her parent's wishes and the alternative courses of action available.

3 **PROCEDURE**

Legal framework

- 3.1 Special Guardianship was introduced in the Adoption and Children Act 2002 and has been made available through an order made in the Family Court proceedings since December 2005. The Adoption and Children Act 2002 has been subject to amendments within the Children and Young Person's Act 2008.
- 3.2 Special Guardianship is to be treated as a permanence option for children who are unable to live with their birth parents. It is therefore a key element in the planning for children in care proceedings and in permanence planning for children looked after when taking decisions to do with his/her upbringing. A child subject to Special Guardianship will no longer be looked after by a local authority.
- 3.3 Special Guardianship offers greater security than long term fostering but without the absolute legal severance from the birth family that stems from an adoption order. Special Guardianship:
- Gives the carer clear responsibility for all aspects of caring for the child;
 - Provides a firm foundation upon which to build a life long permanent relationship between the child and their carer;
 - Is legally secure;
 - Preserves the basic link between the child and their birth family;
 - Is accompanied by access to a full range of support services including, where appropriate, financial support.
- 3.4 Prospective carers from minority ethnic groups may wish to offer a child a permanent family but have religious and cultural difficulties with adoption as it is set out in law. Unaccompanied asylum seeking children also need secure

permanent homes but have strong attachments to their families abroad. Special Guardianship may assist children in these circumstances.

4 KEY FEATURES OF SPECIAL GUARDIANSHIP

4.1 A Court may make a Special Guardianship Order in respect of the child on the application of:

- Any guardian of the child;
- A local authority foster carer with whom the child has lived for one year immediately preceding the application;
- Anyone who holds a Residence Order with respect to a child or has the consent of all those in whose favour a Residence Order is in force;
- Anyone with whom the child has lived for three out of the past five years;
- Where the child is in the care of the local authority, any person who has the consent of the local authority;
- Anyone who has the consent of all those with parental responsibility;
- Any person, including the child, who has the leave of the court to apply;
- A relative can apply for a special guardianship order without the permission of the court after caring for a child for one year (previously 3 years).

5 PARENTAL RESPONSIBILITY

5.1 A Special Guardianship Order gives the special guardian parental responsibility for the child. The birth parents retain parental responsibility though their ability to exercise this is extremely limited. A special guardian may exercise parental responsibility to the exclusion of others with parental responsibility and without needing to consult them in all but a few circumstances these are:

- To cause the child to be known by a different surname;
- To remove the child from the United Kingdom for more than 3 months;
- Where the law provides that consent of more than one person with parental responsibility is required.

6 APPLICATIONS TO THE COURT

- 6.1 Unlike adoption, Special Guardianship is not a placement option. Applications for Special Guardianship are private law applications and there is no 'agency approval' of special guardians as there is of foster carers and adopters. The suitability of a person applying for an order will arise in the course of assessing, planning and reviewing a child's case and upon completion of an assessment of the applicants to be special guardians.
- 6.2 Any person who wishes to apply for a Special Guardianship Order must give three months written notice to the local authority of their intention to apply. The only exception to the three-month notice period is where someone has already applied for an Adoption Order. The Court may then give leave for someone else to apply for a Special Guardianship Order. In these circumstances, the three months notice period is disregarded to stop the competing Special Guardianship Order delaying any Adoption Order.
- 6.3 A Special Guardianship Order can be varied or discharged. Birth parents may only apply for a variation or discharge of the Order with the leave of the Court and will be expected to demonstrate that a significant change in circumstances has taken place since the order was made or since any previous application.
- 6.5 The Court may make, vary or discharge a Special Guardianship Order in any family proceedings regardless of whether an application has been made. Where a local authority has applied to discharge a Care Order, the Court may make a Special Guardianship Order of its own volition; however the Court cannot make an order until it has received a local authority report.

7 REPORTS TO THE COURT

- 7.1 The local authority, on notice of the application or at the request of the Court, must investigate and prepare a report about the suitability of the applicants to be special guardians or arrange for someone else to do this on their behalf. The information to be contained in the report is set out in the Special Guardianship Regulations 2005 and is attached as Appendix One to this document. The report covers the necessary information about the child, the child's family, the wishes and feelings of the child, details of the prospective special guardian, and information about the local authority that completed the report and recommendations about whether an Order should be made and contact arrangements.

8 SUPPORT SERVICES

- 8.1 Local authorities are required to have in place arrangements for the provision of special guardianship support services, including financial support, counselling, advice and information. The assessment of need for special guardianship support services and the planning and reviewing of those services are detailed at section 11 of this document.

9 LEAVING CARE SERVICES

- 9.1 Children who were looked after immediately before the making of the Special Guardianship Order will qualify for leaving care advice and assistance under Section 24 (1a) the Children Act 1989 as amended. The Council should make arrangements for children who meet the criteria to receive advice and assistance in the same way as for any other child who qualifies for leaving care services. The relevant local authority is the last one that looked after the child.

10 DECISION MAKING

Children Looked After

- 10.1 Special Guardianship offers the child permanence with an identified carer and, depending on assessed needs, ongoing financial support, family contact and other social work services. It is the policy of Hartlepool Borough Council to promote permanence and stability for looked after children and to this end, the option of special guardianship should be positively explored for those children where no reunification with birth family is anticipated.
- 10.2 Special Guardianship, where appropriate and in the child's best interest, should be considered as part of the permanence planning process for children in care proceedings and routinely at statutory reviews of children looked after in long term stable foster placements. If it appears that Special Guardianship is in the child's best interests and the foster carer is interested in pursuing an Order, the social worker should consult with legal services on the merits of applying for a discharge of the Care Order and at the same time, inviting the court to make a Special Guardianship Order.
- 10.3 Making recommendations for special guardianship must be viewed in the light of the welfare checklist with the child's welfare being the paramount consideration. In determining whether a Special Guardianship Order is in the child's interests, the following issues must always be considered:

- The views and wishes of the child, whether they fully understand the nature of a Special Guardianship Order and why this may be the preferred permanency option for them;
 - The views and wishes of the carers and their suitability. This should include an assessment of whether they fully understand their roles as special guardians and how they view taking responsibility for making decisions about the child's upbringing without the involvement of the local authority.
 - The suitability of future plans for contact between the child and his/her birth parents.
- 10.4 Social workers for children looked after and supervising social workers for the foster carers should discuss the option of special guardianship with foster carers and offer advice and information on the Order. Where a child looked after is placed with an independent foster agency, the social worker should notify the agency of the intention to discuss special guardianship with the carer prior to undertaking any discussion with the foster carer.
- 10.5 Where a child is looked after and a prospective special guardian gives notice of their intention to make an application, the preparation of the report is the responsibility of the child's social worker. Where the prospective special guardian is a foster carer registered by Hartlepool Borough Council, the fostering team will be responsible for the relevant sections of the Court report.
- 10.6 Any application to the Court for a Special Guardianship Order in relation to a child looked after must be presented to the Children's Planning Panel. All decisions to support in principle the application to the Court for Special Guardianship Order in relation to a child looked after, or any child not looked after but for whom an allowance will be sought from the Council, must be endorsed by the Children's Planning Panel. Upon completion of the report for Court, the social worker should submit the report and relevant documents (e.g. Special Guardianship support assessment and plan) to the Panel and attend a meeting in respect of the proposals.
- 10.7 If the child is looked after by another authority and resident in Hartlepool, any notice of intention to make an application should be directed to the child's home authority. Equally, children looked after by Hartlepool Borough Council but placed in another authority area remain the responsibility of Hartlepool Borough Council in the event of a Special Guardianship application.

Children who are not looked after

- 10.8 Where a child is not looked after, the local authority has the same responsibility for reporting to the court on an application for a Special

Guardianship Order. As with looked after children, every effort will be made to consider fully with the prospective applicants and the child, the reasons for making an application, whether it is advisable to do so and what other options could be explored. The prospective applicants should be advised of the role of the local authority in reporting and making recommendations to the court including their duty to consider and report on what other options the court may wish to consider.

- 10.9 Where the application is made on an open case, it would be expected that the child's social worker will prepare the report for the court or completion of the report be undertaken by another member of the team who would work closely with the allocated worker. If the child is not an open case, the case will be allocated to a Social Worker in order to prepare a report for Court. It should be noted that the expectation of the statutory guidance is that the social worker should be suitably qualified and experienced; where this cannot be achieved, social workers who do not have suitable experience will be supervised by someone who is suitably qualified. Any application to the Court for a Special Guardianship Order in relation to a child who is not looked after but for whom financial support is being sought must be presented to the Children's Planning Panel. All decisions to support in principle the application to the Court for Special Guardianship Order in relation to a child looked after, or any child not looked after but for whom an allowance will be sought from the Council, must be endorsed by the Children's Planning Panel. Upon completion of the report for Court the social worker should submit the report and relevant documents (e.g. Special Guardianship support assessment and plan) to the panel and attend a meeting in respect of the proposals.

11 **ASSESSMENT AND PROVISION OF SUPPORT SERVICES**

- 11.1 Special Guardianship support services are defined as:

Financial support;

- Services to enable affected groups (children, special guardians, parents) to discuss matters relating to special guardianship;
- Assistance, including mediation, in relation to contact between the child and their parents, relatives and significant others;
- Therapeutic services for the child;
- Assistance to ensure the continuation of the relationship between the child and his/her special guardian, including training, respite care and mediation;

- Counselling, advice and information
- Where appropriate, cash payments can be made in lieu of any support services with the exception of counselling, advice and information. Arrangements for respite care must involve the child being looked after for the period of respite care.

Assessment

11.2 Where it is intended that a looked after child will become the subject of Special Guardianship Order, those who must receive an assessment for special guardianship support services at their request are:

- The child
- The special guardian or prospective special guardian;
- The child's parent.

The regulations state that other people may be offered an assessment of their needs for Special Guardianship support services at the discretion of the local authority.

11.3 It is important children who were not previously looked after are not unfairly disadvantaged by this approach. In many cases, the only reason a child is not looked after is that relatives stepped in quickly to take on the responsibility for the child when the parent could no longer do so. In such cases, it is appropriate to undertake an initial assessment to establish if the child is 'in need'. This may provide the basis for short-term support or longer-term support if necessary to prevent the child becoming looked after.

11.4 The assessment for support services should reflect the domains and dimensions, which are considered in assessments carried out under the Framework for Assessment of Children in Need and their Families recognising that the context is different from that for birth families.

11.5 The outcome of the assessment and the decision about the provision of support services should be notified to the person making the request in writing.

12. PLANNING AND REVIEW

12.1 A plan must be prepared if the local authority proposes to provide Special Guardianship support services that are not limited to provision of advice and

information. The plan should be completed in accordance with Hartlepool Borough Council's assessment planning and review procedures and produced on the appropriate documentation.(Appendix 2&3). The plan should set out:

- The services to be provided;
- The objectives and criteria for evaluating success;
- Timescales for provision;
- Procedures for review;
- The names of the people responsible for the implementation of the plan.

12.2 Where Special Guardianship support services are provided for a child, the provision of services must be reviewed:

- In the event of any change in the person's circumstances which may affect the provision of special guardianship support services
- At such stage in the implementation of the plan as considered appropriate
- In any event, at least annually.

12.3 Financial support to children previously looked after which was agreed before the special guardianship order was made will be paid, in accordance with the regulations, for as long as the child qualifies for payments. Other support services remain the responsibility of the authority that looked after the child for three years from the date of the Order.

12.4 Where a child looked after by another authority but resident in Hartlepool becomes subject of a Special Guardianship Order, the council will become responsible for the provision of support services (other than financial support) three years after the order was made.

13 **PROVISION OF FINANCIAL SUPPORT**

13.1 The regulations state that financial issues should not be the sole reason for precluding a Special Guardianship arrangement and support should be provided where this is necessary to ensure that the arrangements for the Special Guardianship Order can be secured. As Special Guardianship is available to a wider group of children than those formerly looked after, a discretionary, needs led approach to assessing for financial support is recommended. However, ongoing financial support will normally be provided only for formerly looked after children.

13.2 Circumstances in which financial support may be paid are:

- Where it is necessary to ensure the special guardian can look after the child
- To meet any special care needs
- As a contribution to legal costs and court fees
- To contribute to expenditure necessary to accommodate and maintain the child, e.g. alterations to the home, transport, furniture, equipment and provision of clothing, toys etc.

13.3 In determining the amount of financial support that will be paid, the local authority will have regard to the amount of fostering allowance which would have been payable if the child had remained looked after. The local authority's fostering allowance plus any enhancement will make up the maximum payment the local authority could consider making to the family. In determining the amount of financial support that will be paid, the local authority will take into consideration any other grant, benefit, allowance or resource which is available as a result of the child becoming subject to Special Guardianship arrangements for example child benefit allowance. Special guardians must therefore be advised and supported in maximising all benefits to which they are entitled.

13.4 Means testing will be applied to payments of special guardianship allowances to meet the needs of the child. Hartlepool has adopted the DCSF Means Test Model for Special Guardianship and produced an Information Sheet for Special Guardians and a financial assessment form. (Attached at Appendix 2). There is discretion not to means test settling in payments, recurring costs for contact and the costs of special care. The only circumstances where means must be disregarded is financial support for court fees and legal costs where the child is looked after and the local authority supports the application.

13.5 Ongoing provision of financial support will be reviewed annually using the financial assessment form and in receiving payment of special guardianship allowances the (prospective) special guardian agrees to the following conditions: That s/he will inform the local authority immediately if:

- S/he changes address;
- The child dies;
- There is a change in his financial circumstances or financial needs or resources of the child which may affect the amount of financial support payable.

That s/he will complete and supply the local authority with an annual statement as to the following matters:

- The special guardians financial circumstances;
- The financial needs and resources of the child;
- The special guardians address and whether the child still resides with him.

13.6 A foster carer/kinship carer who becomes a special guardian for a child they were formerly fostering will receive the age related allowance (minus benefits) they were receiving at the point that the special guardianship order was made. Payment of the allowance will normally be agreed for 3 years' subject to annual review and in exceptional circumstances this payment can be extended up to the child's 18th birthday. Any payments for skills will continue to be paid at the amount they were receiving when the order was made until the child is 18 years or the carer resumes fostering for any fostering agency.

13.7 Financial support ceases to be payable to a special guardian if:

- The child ceases to live with the special guardian;
- The child ceases full time education or training and commences employment;
- The child qualifies for income support or job seekers allowance in his/her own right;
- The child attains the age of 18 unless s/he continues in full time education or training when it may continue until the end of the course or training.

13.8 All special guardianship payments will normally be for 3 years following the Special Guardianship Order. Local Authorities have discretion to pay a Special Guardianship payments until the expiry of the special guardianship order, this will only be made in exceptional circumstances and with the agreement of the Assistant Director for Child and Adult Services.

13.9 Assessment of parental contribution(s)

The ability of any parent or other person with parental responsibility to contribute to the care of the child will be subject to an assessment.

13.10 Written Agreements

All arrangements will be set out in a written agreement (see appendix 2). The written agreement will include a requirement for carers to notify the department of any relevant changes in their circumstance.

13.11 Review of the placement

Written enquiries will be made regarding any changes in circumstances and the child's progress in placement in the process of conducting the annual financial review of the placement.

13.12 Financial review

Carers must complete a financial assessment form each year in order to formally confirm that the child is living with them and to confirm the level of any parental maintenance contributions, and of state benefits. Other allowances are subject to an initial means test and annual financial review.

13.13 Appeal process

In the event of dissatisfaction/disagreement about decisions to pay or terminate the payment of allowances, the applicant may appeal to the Assistant Director, Safeguarding and Intervention.

Appendix 1



SCHEDULE TO SPECIAL GUARDIANSHIP REGULATIONS 2005

Regulation 21: Matters to be dealt with in the report for the Court.

The following matters are prescribed for the purposes of section 14A (8) (b) of the Act.

1. In respect of the Child –

Name, sex, date and place of birth and address including Local

Authority area;

A photograph and physical description;

Nationality (and immigration status where appropriate);

Racial origin and cultural and linguistic background;

Religious persuasion (including details of baptism, confirmation or equivalent ceremonies);

Details of any siblings including their dates of birth;

The extent of the child's contact with his relatives and any other person the Local Authority consider relevant;

Whether the child is or has been looked after by a Local Authority or is or has been provided with accommodation by a voluntary organisation and details (including dates) of placements by the authority or organisation.

Whether the prospective special guardian is a Local Authority foster parent of the child;

A description of the child's personality, his social development and his emotional and behavioural development and any related needs;

Details of the child's interests, likes and dislikes.

A health history and a description of the state of the child's health which shall include any treatment the child is receiving.

Names, addresses and types of nurseries or schools attended with dates;

The child's educational attainments;

Whether the child is subject to a Statement of Special Educational Needs under the Education Act 1996(5); and

Details of any Order made by a Court with respect to the child under the Act including:

The name of the Court;

The Order made; and

The date on which the Order was made.

2. In respect of the Child's Family –

Name, date and place of birth and address (and the date on which their last address was confirmed) including Local Authority area of each parent of the child and his siblings under the age of 18;

A photograph, if available and physical description of each parent;

Nationality (and immigration status where appropriate) of each parent;

Racial origin and cultural and linguistic background of each parent;

Whether the child's parents were married to each other at the time of the child's birth or have subsequently married and whether they are divorced or separated;

Where the child's parents have been previously married or formed a civil partnership, the date of the marriage or civil partnership.

Where the child's parents are not married, whether the father has parental responsibility and, if so, how it was acquired;

If the identity or whereabouts of the father are not known, the information about him that has been ascertained and from whom, and the steps that have been taken to establish paternity;

The past and present relationship of the child's parents;

Where available, the following information in respect of each parent:-

Health history, including details of any serious physical or mental illness, any hereditary disease or disorder or disability;

Religious persuasion;

Educational history;

Employment history;

Personality and interests.

In respect of the child's siblings under the age of 18:

The person with whom the sibling is living;

Whether the sibling is looked after by a Local Authority or

provided with accommodation by a voluntary organisation; and

Details of any Court Order made with respect to the sibling under the Act, including the name of the Court, the Order made and the date on which the Order was made.

3. In respect of the wishes and feelings of the Child and others –

a. An assessment of the child's wishes and feelings (considered in light of his age and understanding) regarding

Special Guardianship;

His religious and cultural upbringing; and

Contact with his relatives and any other person the Local Authority consider relevant, and the date on which the child's wishes and feelings were last ascertained;

b. The wishes and feelings of each parent regarding:

Special Guardianship;

The child's religious and cultural upbringing; and

Contact with the child, and the date on which the wishes and feelings of each parent were last ascertained; and

c. The wishes and feelings of any of the child's relatives, or any other person the Local Authority consider relevant regarding the child and the dates on which those wishes and feelings were last ascertained.

4. In respect of the prospective special guardian or, where two or more persons are jointly prospective special guardians, each of them -

Name, date and place of birth and address including Local Authority area;

A photograph and physical description;

Nationality (and immigration status where appropriate);

Racial origin and cultural and linguistic background;

If the prospective special guardian is:

Married, the date and place of marriage;

Has formed a civil partnership, the date and place of registration of the civil partnership; or

Has a partner, details of that relationship.

Details of any previous marriage, civil partnership or relationship;

Where the prospective special guardians wish to apply jointly, the nature of their relationship and an assessment of the stability of that relationship;

If the prospective special guardian is a member of a couple and is applying alone for a Special Guardianship Order, the reasons for this;

Whether the prospective special guardian is a relative of the child;

Prospective special guardian's relationship with the child;

A health history of the prospective special guardian including details of any serious physical or mental illness any hereditary disease or disorder or disability;

A description of how the prospective special guardian relates to adults and children;

Previous experience of caring for children;

Parenting capacity, to include an assessment of the prospective special guardian's ability and suitability to bring up the child;

Where there have been any past assessments as a prospective adopter, foster parent or special guardian, relevant details as appropriate;

Details of income and expenditure;

Information about the prospective special guardian's home and the neighbourhood in which he lives;

Details of other members of the household and details of any children of the prospective special guardian even if not resident in the household;

Details of the parents and any siblings of the prospective special guardian, with their ages or ages at death;

The following information:

Religious persuasion;

Educational history;

Employment history; and

Personality and interests.

Details of any previous Family Court proceedings in which the prospective special guardian has been involved which have not been referred to elsewhere in this report);

A report of each of the interviews with the three persons nominated by the prospective special guardian to provide personal references for him;

Whether the prospective special guardian is willing to follow any wishes of the child or his parents in respect of the child's religious and cultural upbringing;

The views of other members of the prospective special guardian's household and wider family in relation to the proposed Special Guardianship Order.

An assessment of the child's current and future relationship with the family of the prospective special guardian.

Reasons for applying for a Special Guardianship Order and extent of understanding of the nature and effect of special guardianship and whether the prospective special guardian has discussed special guardianship with the child;

any hopes and expectations the prospective special guardian has for the child's future; and

the prospective special guardian's wishes and feelings in relation to contact between the child and his relatives or any other person the Local Authority consider relevant.

5. In respect of the Local Authority which completed the report:

Name and address;

Details of any past involvement of the Local Authority with the prospective special guardian, including any past preparation for that person to be a Local Authority foster parent or adoptive parent or special guardian;

Where section 14A(7)(a) of the Act applies and the prospective special guardian lives in the area of another Local Authority, details of the Local Authority's enquiries of that other Local Authority about the prospective special guardian;

A summary of any Special Guardianship support services provided by the Authority for the prospective special guardian, the child or the child's parent and the period for which those services are to be provided; and

Where the Local Authority has decided not to provide Special Guardianship support services, the reasons why.

A summary prepared by the medical professional who provided the information referred to in paragraphs 1(l) and 4(k).

The implications of the making of a Special Guardianship Order for –

The child;

The child's parent;

The prospective special guardian and his family; and

Any other person the Local Authority considers relevant.

The relative merits of Special Guardianship and other Orders which may be made under the Act or the Adoption and Children Act 2002 with an assessment of whether the child's long-term interests would be best met by a Special Guardianship Order.

A recommendation as to whether or not the Special Guardianship Order sought should be made in respect of the child and, if not, any alternative proposal in respect of the child.

A recommendation as to what arrangements there should be for contact between the child and his relatives or any person the Local Authority consider relevant.

Appendix 2



Hartlepool Borough Council Child and Adult Service

Financial support - Information Sheet for Special Guardians

Hartlepool Borough Council Child and Adult Service provides financial support to special guardians in accordance with the requirements of the Special Guardianship Regulations 2005. One of these requirements is that we carry out an assessment of the special guardian's need for financial support, and that this assessment takes into account their financial resources together with reasonable outgoings and commitments. The form, which is attached, is designed to gather the information we need to carry out the necessary assessment.

Once you have completed the form and returned it to us, our Finance Section will complete the assessment and we will inform you of the result.

If it is agreed that financial support will be paid on a regular basis, there will be some terms and conditions attached to this. Many of these are specific requirements of the Special Guardianship Regulations 2005 and they are summarised below.

You will have to agree to certain conditions before any allowance can be paid. The main conditions are:

- that you inform us if you change your address;
- that you inform us if the child dies;
- that you inform us if there is a change in your financial circumstances or the financial needs or resources of the child;
- that you complete and supply us with an annual statement of your financial circumstances, the financial needs and resources of the child, your address and whether the child still has a home with you. We will use this statement to carry out an annual review of your financial support. We will send you a reminder of the need for this annual statement and if you do not provide this within a given timescale, we have the right to suspend any further payments until it is received.

Financial support will cease to be paid:

- 3 years after the making of a Special Guardianship Order/or at the date agreed;
- If the child no longer has a home with you;
- If the child leaves full-time education or training and starts employment;
- If the child qualifies for Income Support or Jobseeker's Allowance;
- When the child reaches the age of 18 (unless still in full-time education)
- You are required to inform us if any of the above situations occur.

This information is provided as an initial summary of the most important conditions, which apply in respect of regular payments to special guardians. Further information will be available at later stages of the process.

Please now detach this sheet and retain it for your records, then complete the form and return it to Hartlepool Borough Council Child and Adult Service .



Name of 1 st parent		Date of birth	
Name of 2 nd parent		Date of birth	

Phone number:

Name	Date of birth	Relationship

Section B – Some details about your income

Please give details of all income received. All figures should relate to monthly amounts.

Some state benefits are disregarded when calculating your entitlement but please give information about all the benefits which you receive.

We will not contact your employer unless you request us to do this. Proof of earnings will be acceptable, for example pay slips for the last 12 weeks or 3 months.

1. Earnings from employment or drawings if self-employed– 1st parent

Employer's name and address	Amount received

2. Earnings from employment or drawings if self-employed– 2nd parent

Employer's name and address	Amount received

3. Benefits and pensions

Amount received
Employers' sick pay (after compulsory deductions)
Incapacity benefit
Statutory maternity/paternity/adoption pay or allowances
Bereavement benefit
Working tax credit (if paid directly)
Pension payments

Income Support/Jobseeker's allowance	
Child tax credit per household	
Child benefit for each child currently in family	
Other benefits (give details)	
4. Other sources of income	
Net monthly interest from capital, savings and investments	
Income from boarders/lodgers	
Income from unfurnished properties	
Income from furnished properties	
Maintenance payments received for any child in the household	
Existing adoption or special guardian allowances paid for any child (excluding child who is the subject of this application)	
5. Income relating to child(ren) who will be subject of special guardianship	
Any regular interest on capital and/or income in which the child(ren) has a legal interest and entitlement e.g. trust fund, property or other type of legacy. Do not include payments from Criminal Injuries Compensation Awards.	
Any other income (give details)	
C. Some details about your expenditure	Amount paid
Mortgage payments (capital and interest)	
Endowment payments linked to mortgage	
Rent (after any housing benefit payable)	
Council tax (after any council tax benefit payable)	

Loan repayments for essential purposes (give details of purpose here)	
Maintenance payments	
Court orders	
Private pension contributions	
National insurance if self-employed	
Reasonable child care costs including nursery fees (after any childcare element paid as part of the working tax credit)	
D. Declaration	
<p>I/we hereby declare that the information entered above is correct.</p> <p>I/we confirm that I/we have received and agree to the terms contained 'Financial support - initial information for special guardians'</p>	
Signed: (1 st parent)	Date:
Signed: (2 nd parent)	Date:

Appendix 3



ASSESSMENT OF PROSPECTIVE SPECIAL GUARDIAN'S NEED FOR SUPPORT SERVICES

Name of Child:		
Date of Birth:		
Family members in the household:		
Name:	Date of Birth:	Relationship:
Individual members of the family may have particular Special Guardianship support needs. Please give brief details, referring to each person individually, outlining the particular need and how this will be met:		
Family Member:	Identified support needs:	
Informal family and community supports available to the family:		

Financial considerations:		
Has advice been given to the prospective special guardian(s) regarding financial support post order?		
Has advice been given to the special guardian(s) regarding tax credits and benefits for which they may be eligible?		
Support Services:		
All special guardian(s) will have the opportunity to access a range of basic support services. Please indicate whether you would be interested in being on the mailing list to receive information regarding these services:		
Contact number for ongoing advice, assistance or onward referrals as needed		
Group meetings with other special guardian(s)		
Regular workshops/training e.g. managing difficult behaviour, sharing information, etc.		
Opportunity to keep in touch through a newsletter or regular social event		
Date form completed:		
Completed By:		
Comments if any prospective special guardian(s):		
Signed:		Prospective special guardian (s)
Signed:		
Date:		



SPECIAL GUARDIANSHIP SUPPORT PLAN

DATE: _____

To be completed prior to special Guardianship Order being obtained

CHILD					
Name:		Surname:		Date of Birth:	
Ethnic Origin:			Religion:		
Current Legal Status:			Applications for other Orders:		
PROPOSED SPECIAL GUARDIANSHIP FAMILY					
Name:		Surname:		Date of Birth:	
Ethnic Origin:			Religion:		
Name:		Surname:		Date of Birth:	
Ethnic Origin:			Religion:		
CHILDREN IN FAMILY					
Name(s)			Date of Birth:		

SUPPORT PLAN

DATE: _____

1. HEALTH	
Identified Health Needs (including any special needs which a disabled child may have or significant medical history, e.g. presentations to casualty)	Specific Support Plan to meet Health Needs (including roles, responsibilities and timescales)

SUPPORT PLAN

DATE: _____

2. EDUCATION	
Identified Educational Needs (including issues/concerns raised at school/nursery)	Specific support Plan to meet Educational Needs (including roles, responsibilities and timescales)
3. BEHAVIOURAL, SOCIAL AND EMOTIONAL DEVELOPMENT	
Identified issues regarding Behavioural, Social and emotional Development	Specific Support Plan to assist with Behavioural, Social and Emotional Development (including roles, responsibilities and timescales)

SUPPORT PLAN

DATE: _____

4. ATTACHMENT	
Identify any issues concerning attachment of the child to the carer(s)	Specific support Plan to address any concerns regarding attachment (including roles, responsibilities and timescales)
5. IDENTITY	
Identified needs regarding Identity (including cultural, ethnicity and religion)	Specific Support Plan to promote Identity needs (including roles, responsibilities and timescales)

SUPPORT PLAN

DATE: _____

6. FINANCIAL SUPPORT

Special Guardian(s) may be entitled to help with the initial costs of accommodating a child. Please state if this is needed and what the costs may be (authorisation for this will need to be sought from the Head of Regulated Services)

Please tick

Yes

No

Are you recommending any other financial support to the placement?

☐☐

If so, please specify:

Time limited payment for a specific reason?

☐☐

If so, please specify:

Lump sum for a particular item?

☐☐

If so, please specify:

iii) Ongoing financial support? Child's needs must fit into one of the categories for exceptional circumstances below.

☐☐

If so, please specify:

Does the child currently attract an enhancement due to particular needs? (E.g. soiling, wear & tear due to behaviour).		
Is the child part of a sibling group who need to remain together?		
Does the child have ongoing or long term emotional or behavioural difficulties due to past abuse or neglect?		
Is the child placed with a family member and without additional resources would the child remain on a Care Order?		

SUPPORT PLAN

DATE: _____

7. CONTACT POST PLACEMENT

Support arrangements for birth parents should take into consideration facilitating contact

Contact Arrangements	Type	Frequency	Venue	Support Arrangements
Birth mother				
Birth father				
Siblings				
Other (State Who)				

Appendix 4



Decision sheet for ongoing payments for foster carers or connected carers

This document is to assist the head of Business Unit, Specialist Services in deciding weekly payments to special guardians who are currently foster carers.

Ongoing payments are means tested and subject to a financial assessment where the child needs special care which requires a greater expenditure of resources than would otherwise be the case because of illness, disability, emotional or behavioural difficulties or the consequences of his past abuse or neglect (Regulation 6(2) (b)).

Name of Child:		DOB:	
Name of carer(s)			
Address:			
Does the child meet any of the following criteria?			
		(Please tick)	
		YES	NO
Does the child currently attract and enhancement due to particular needs (e.g. soiling/wear and tear due to behaviour)?		<input type="checkbox"/>	<input type="checkbox"/>
Is the child part of a sibling group who need to remain together?		<input type="checkbox"/>	<input type="checkbox"/>
Does the child have ongoing or long-term emotional or behavioural difficulties due to past abuse or neglect?		<input type="checkbox"/>	<input type="checkbox"/>
Is the child placed with a family member, and without the additional resources would the child remain in a care Order?		<input type="checkbox"/>	<input type="checkbox"/>
<p>Signed: _____</p> <p>Name: _____</p> <p>Date: _____</p>			

If the child meets the criteria the carer will continue to be paid at their rate. However, a financial assessment will be required and reviewed annually. The allowance will be paid minus Child Benefit and Child Tax Credit which the carer can claim from the HM Revenue and Customs.

If the carer is getting an skills payment and the child meets the criteria the carer will continue to receive this fee until the child reaches independence or until they resume fostering . This will be subject to the same financial assessment and annual review as above.

Appendix 5

Child & Adult Services

85 Station Lane

Hartlepool

TS25 1DX

Tel: 01429 275144

Fax: 01429 860670

www.hartlepool.gov.uk



Contact Officer:

Our Ref:

Email:

Your Ref:

(Special Guardian name & address)

Date

Dear *Name*,

Ref: Special Guardianship

I am writing to inform you that we have agreed that (*child's name*) is eligible for ongoing financial support should you wish to apply for a Special Guardianship Order.

You are currently receiving an allowance of £** and a fee (*if applicable*) of £**.

You will continue to receive this amount until the child is eighteen years of age or will cease prior to this if the child no longer has a home with you. It is your responsibility to notify the local authority of any changes in circumstances to prevent overpayments occurring.

You will also be able to make a claim for Child Benefit and a benefit pack can be requested by contacting the enquiry line on 0845 302 1444, or online at www.hmrc.gov.uk. You may also be eligible to claim Child Tax Credit and the telephone number to request further information about this is 0845 3003900. You will need to apply for child Benefit and Child tax Credit immediately the order is granted.

However, you should be aware that the amount of Child Benefit and Child Tax Credit for the child will be deducted from allowance quoted from the date of the order. You will also be required to complete an annual update of your circumstances.

Any queries regarding this proposal, please contact your social worker (add name and telephone number).

Yours sincerely,

(Name)

(Title)

Date issued	Jan 2012	Document Owner	Jane Young
Review Date	Jan2014	Procedure No.	

RESIDENCE ORDER POLICY & PROCEDURE

POLICY

1 INTRODUCTION

- 1.1 The policy sets out the arrangements of Hartlepool Borough Council in relation to Residence Orders and the payment of Residence Order allowances. This document should also be read in conjunction with the Council's Permanence Policy, Connected Person Policy and Special Guardianship Policy.
- 1.2 This document describes Hartlepool Borough Council's policy in respect of Residence Orders made in public law proceedings and the procedures to be followed relating to the provision of support including payment of Residence Order allowances. This policy and procedure applies to children in need who are normally resident within the Borough whose care arrangements meet the eligibility criteria relating to the provision of support including payment of Residence Order allowances.

2 POLICY

- 2.1 Hartlepool Borough Council supports the right of each child to experience normal family life. The department will encourage and support relatives and significant others to make applications for Residence Orders as a possible alternative to a child becoming or remaining looked after so long as this is consistent with the child's welfare, having regard to his/her wishes and feelings.
- 2.2 A Residence Order strengthens the degree of legal permanence in a placement with relatives or friends, or a long-term fostering placement and promotes the child's right to a private family life without intrusive state intervention. A Residence Order should be considered as a permanent option for any child who has regular contact with their parents and where their circumstances are such that parents rightly have an equal say in their upbringing. Carers will be encouraged and supported to apply for a Residence Order where this will be in the best interests of the child.
- 2.3 The department will consider, at all of the key stages of its involvement, whether a child's welfare will be best promoted by arranging for his/her early discharge from local authority accommodation. In many instances, this will be best achieved by facilitating his/her return to parental care. Where this is not possible, the authority will give urgent and ongoing consideration to whether the child or young person's welfare may be best safeguarded and promoted by their discharge from accommodation via the making of an Adoption Order, a Special Guardianship Order, a Residence Order or other alternative arrangement.

- 2.4 Admission to public care by virtue of a compulsory order is in itself a risk to be balanced against others. So also is the accommodation of a child by a local authority. If out of home placement is necessary, the least intrusive legal status consistent with meeting the child's needs should be the first choice; likewise the least restrictive placement. If young people cannot remain at home, placement with relatives or friends should be explored before other forms of placement are considered.
- 2.5 If children and young people have to live apart from their birth family, both they and their parents should be given adequate information and helped to consider alternatives and contribute to the making of an informed choice about the most appropriate form of care. Continuity of relationships is important and attachments should be respected, sustained and developed. Parents should be expected and facilitated to retain their responsibilities and remain as closely involved as is consistent with their child's welfare, even if that child cannot live at home either temporarily or permanently.
- 2.6 This policy aims to facilitate a child's sense of belonging within a family, free from the constraints and interference by the state. The principle underpinning this policy is that permanency for children is the paramount objective and that this should be achieved by the Order that best meets the individual needs of a child and their family.
- 2.7 The decision to support and encourage alternative carers to make applications for residence in respect of children who are at risk of becoming looked after will be based on an assessment of the child's needs and carer's ability to meet those assessed needs, taking into account the child and his/her parent's wishes and the alternative courses of action available. Processes for assessing and approving applicants who seek Residence Orders in respect of children who are looked after or who are at risk of becoming looked after should be as rigorous as arrangements made for assessing and approving other alternative carers. The level of support made available should be related to the child's and carer's assessed needs rather than the process by which he/she came to be placed.
- 2.8 Under certain circumstances, the support provided under Residence Order arrangements may include the payment of applicant's legal fees and the provision of a level of financial support to the placement. The primary responsibility for the financial support of children rests with their parents. A parent's ability to contribute to the maintenance of their child(ren) who is/are subject to Residence Orders will be subject to initial and annual assessment and charges may be made accordingly.
- 2.9 The Benefits Agency has the primary duty to provide a level of income maintenance in circumstances where parents are unable to provide an adequate level of financial support to a child who is subject of a Residence Order. The local authority will only consider payment of a Residence Order allowance in those circumstances where a child is looked after or will become looked after without the payment of an allowance.

- 2.10 The Council's Residence Order allowance scheme is operated to reduce the need for children to be placed in public care and to facilitate their early discharge from public care arrangements. The Council will exercise its discretion to pay a level of allowance to holders of Residence Orders with reference to specific eligibility criteria. This eligibility criteria and the level of allowance will be subject to periodic review and may be varied taking into account the level of demand and financial resources available to the Council.
- 2.11 The scheme will be organised so as to ensure that children are not admitted to public care or their discharge delayed by the creation or maintenance of financial disincentives to the making of a Residence Order. Payment of an allowance by the local authority will be for a maximum period of 3 years and subject to annual review.

PROCEDURE

3 LEGAL FRAMEWORK

- 3.1 A Residence Order is an order under Section 8 of the Children Act 1989, which settles arrangements as to the person with whom a child will live. A person in whose favour a Residence Order is made automatically acquires parental responsibility, but the order does not discharge the parental responsibility of others such as the child's parents.
- 3.2 Where parental responsibility is shared, each person may act independently of the other when meeting the responsibility. Thus, although the making of a Residence Order may curb a parent's ability to act independently to the extent that in practice the day to day care of the child is largely controlled by the person with whom the child is living; at least when the child is with a non-resident party, he or she may meet their full parental responsibility without the need to consult with the other person, except in respect of certain restrictions outlined below.
- 3.3 While the making of a Residence Order has the effect of conferring parental responsibility on the person to whom it is granted for the period while it remains in force, the degree of parental responsibility is limited to the extent that a person does not acquire the right to consent or to the making of an adoption order, or the right to appoint a guardian.
- 3.4 Another effect of the making of a Residence Order is that no person may cause the child to be known by a new surname or remove them from the United Kingdom without the written consent of every person who has parental responsibility for them or leave of the court.
- 3.5 A Residence Order comes to an end when a child reaches 18 unless the Court specifies that it should end earlier or another order is made that discharges it. This is an amendment by Section 37 of The Children & Young Person's Act 2008 to the Children Act 1989 (Section 9(6) – duration of Residence Orders).
- 3.6 Residence Orders made before 2009 will usually cease to have effect after the child reaches age 16, unless the Court has specified that it should last the child's 18th birthday.
- 3.7 The granting of a Residence Order discharges a Care Order, if one is in force.

A court may attach directions to a Residence Order which:

- Directs how it is to be carried out;
- Impose conditions, which must be complied with;
- Sets out that it is to have effect for a specified period;
- Includes other provision as the court considers appropriate in the circumstances.

Persons who may apply for a Residence Order

3.8 The following people may apply as of right:

- a) Parents or guardians;
- b) The child's step parents;
- c) Any person with whom the child has lived for a period of at least three years;
- d) Any person who, where a Residence Order is in force, has the consent of each person in whose favour the order was made;
- e) Any person who, where the child is in the care of the local authority, has the consent of that authority;
- f) Any person who has the consent of each person who has parental responsibility;
- g) A relative of the child if the child has lived with the relative for a year immediately preceding the application. [A relative is a child's grandparent, brother, sister, uncle or aunt (by full or half blood), or by marriage or civil registration or a step parent.

3.9 The following people may apply with the leave of the Court:

- a) The child him/herself if the Court is satisfied that he/she has sufficient understanding to make the application.
- b) Any person with a genuine interest in the child's welfare.

3.10 Where the person applying is not the child, the court in deciding whether or not to grant the leave will consider:

- a) The nature of the application;
- b) The applicant's connection to the child;
- c) Any risk of disruption to the child's life caused by the application;
- d) Where the child is looked after, the authority's plans for the child's future, and the wishes and feelings of the child's parents.

Restriction on making Residence Orders

3.11 No application may be made by a Local Authority for a Residence Order and no Court shall make such an order in favour of a Local Authority.

3.12 A person who is, or was at any time within the last six months, a foster carer for a child may not apply for leave to apply for a Residence Order with respect to the child unless:

- a) He/she has the consent of the authority;
- b) He/she is a relative of the child;
- c) The child has lived with him/her for at least 3 years preceding the application.

Variation and Discharge

- 3.13 Any person is entitled to apply for the variation or discharge of a Residence Order.

Legislation relating to the Payment of Residence Order allowances

- 3.14 Where a child lives, or is to live, with a person as a result of a Residence Order, a Local Authority **may** make contributions to that person towards the cost of the accommodation or care of the child, except where a person is the parent of the child or the husband or wife of the parent of the child. (Children Act 1989 Schedule 1 Para 15).
- 3.15 Residence Order allowances are payable solely at the discretion of the Local Authority. There is no restriction on payments being made at any time that a Residence Order remains in force.

4 PROCEDURE RELATING TO THE MAKING OF A RESIDENCE ORDER

Assessment and Care Planning

- 4.1 All decisions in relation to permanence for children should be based on an assessment of need and the capacity of the parent/carers to meet those needs. Where consideration is being given to recommending or supporting that a child reside with carers under a Residence Order, this should be based on an assessment of the suitability of the prospective carer to care for and meet the individual needs of the child. The assessment should include:
- Statutory checks, including police checks in relation to all adult members of the household and health checks regarding the prospective carer/s;
 - Assessment of parenting capacity and family and environmental factors of the carer/s, including their capacity to meet any individual identified needs of the child in both the short and long term;
 - Assessment of all members of the household, including their views on the proposals and their relationship with the child and any impact the placement may have on their family life;
 - Assessment of the relationship between the carer and the child's parents including their ability to support and promote contact.
- 4.2 The plan to place a looked after child with carers under a Residence Order or to support/oppose an application for residence in respect of a non-looked after child subject to care proceedings, will usually be made at a statutory Review meeting.
- 4.2 The option of applying for a Residence Order should be given careful consideration at each statutory Review. Foster carers should be made aware that the department may provide assistance with the cost of applying for the Order under certain circumstances.

Assessment and approval requirements: Looked After Children

- 4.3 The child's social worker will advise the supervising social worker of foster carer's interest in applying for a Residence Order, or vice versa.

Long term foster carer(s) and foster carers approved for a specific child.

- 4.4 If a child's long term placement was agreed and matched with a foster carer or named carer at a Fostering Panel meeting then no further departmental approval is required, except where:
- There have been significant changes and/or developments since the Panel meeting;
 - Other features of the case indicate consideration by the Fostering Panel may be beneficial.

Connected Person applying for a looked after child who is not currently in placement.

- 4.5 In some cases, a child may have been placed under Regulation 24 with a Connected Person (see Connected Person Policy and Procedure). If the plan for residence is clear at the outset, the Fostering Panel may consider the suitability of a Residence Order at the same time as the approval as foster carers.
- 4.6 In all cases involving care proceedings, plans which propose a Residence Order should be presented, in advance of the Court hearing, to the Children's Planning Panel.

Assessment and Approval Requirements: Applicants in Respect of non-Looked After Children

- 4.7 Children may be living with carers who could apply for a Residence Order in a range of circumstances, for example:
- Children who were privately placed with their carers by their parents with or without the involvement of the Local Authority;
 - Children who are privately fostered by the applicants.
- 4.8 In most instances, the Local Authority will not have been involved in the making of these arrangements and as such, the above applicants do not require approval to apply for Residence Orders in respect of children in their care unless they are seeking support/financial assistance from the Local Authority in their application to Court, or the payment of a Residence Order allowance.
- 4.9 In considering whether to support an application for a Residence Order in the above circumstances, the request should be presented to the Children's

Planning Panel. In presenting a child's circumstances to the Panel, the child's social worker should:

- Complete an assessment (including financial assessment if required);
- Prepare a support plan.

Payment of legal fees

- 4.10 The Local Authority may pay a contribution towards legal fees on occasions when this provides a direct alternative to legal intervention by the local authority and the applicant does not have recourse to legal aid. The level of any funding must be agreed by a Head of Business Unit in advance of any application.

5 ELIGIBILITY CRITERIA PAYMENT OF RESIDENCE ORDER ALLOWANCES

- 5.1 These criteria apply to the range of children who are looked after or at significant risk of becoming looked after by Hartlepool Borough Council.

Applications by foster carers (including connected carers) in respect of looked after children currently or previously in their care.

- 5.2 A Residence Order allowance paid at the fostering allowance rate, less any benefit entitlement, will be payable to those who have been caring for a looked after child as foster carers, including connected carers, where a Residence Order is granted in respect of the child. This payment will be provided for 3 years following the making of the Residence Order and subject to annual review; any skills payment paid to the carers will remain in place until the child attains 18 years of age.

Applications by persons in respect of a child/young person who is not looked after by the local authority

- 5.3 An allowance **may** be paid, at the discretion of the Local Authority, on application by those who are likely to be granted a Residence Order, in the following circumstances:
- Where financial assistance is required to meet the child or young person's needs and to promote his/her welfare and there is no other alternative source of funding available;
and
 - The child's parents are prevented from providing the child with suitable accommodation and the local authority would have to look after the child/young person if no financial assistance was provided;
and
 - The application for funding has been agreed by the Children's Planning Panel in advance of the granting of the Residence Order.

- 5.4 Carers who have an interim Residence Order will not be able to claim a Residence Order allowance, but in **exceptional circumstances** may be offered financial assistance under Section 17, if this is assessed as being required to meet the child's needs.

Placements made by other Local Authorities or children who move into the Borough after a Residence Order has been granted.

- 5.5 Children who are looked after by other local authorities and who are placed in the area under fostering regulations do not meet these criteria. Where another Local Authority supports an application for a Residence Order in respect of a child who subsequently moves to reside in Hartlepool, the payment of any Residence Order allowance is at the discretion of that Local Authority.

6 THE LEVEL OF RESIDENCE ORDER ALLOWANCES

- 6.1 A Residence Order allowance will be paid at the core fostering allowance rate payable at the date the order was made.
- 6.2 In determining the amount of financial support that will be paid, the Local Authority will have regard to the amount of fostering allowance which would have been payable if the child had remained in foster care. The Local Authority's fostering allowance plus any enhancement will make up the maximum amount that the Local Authority could consider making. In determining the amount of financial support that will be paid, the Local Authority will take into account any other grants, benefits, allowances or resource which are available as a result of the child becoming subject to a Residence Order. Those in whose favour a Residence Order is made must therefore be advised and supported in maximising all benefits to which they are entitled.
- 6.3 Means testing will be applied to payments of Residence Order allowances. Hartlepool has adopted the DCSF Means Test Model for Residence Order and produced an Information Sheet and a Financial Assessment Form. (Appendix B). There is discretion not to means test settling in payments, recurring costs for contact and the costs of special care. The only circumstances where means must be disregarded is financial support for court fees and legal costs where the child is looked after and the local authority supports the application.
- 6.4 The rate of allowance will be determined by the age of the child at the time the Order was made and will be payable for a period of 3 years.

Payments in respect of disabled children

- 6.5 Those in whose favour a Residence Order is granted may claim Disability Living Allowances for a child in their care if the child meet the qualifying conditions. Any Disability Living Allowance payment will be disregarded in the annual financial assessment.

7 APPLICATION FOR PAYMENT OF A RESIDENCE ORDER ALLOWANCE

General guidance

- 7.1 Plans to place a child permanently with a carer under a Residence Order must be considered and agreed by the Children's Planning Panel in advance of applications for funding. Allowances paid are means tested and parental contributions and state benefits, e.g. child benefit, child tax credit, will be deducted. Applicants applying for an allowance must declare any benefits and other payments received and continue to do so at each yearly review.
- 7.2 In order to agree the payment of a Residence Order allowance payment the Children's Planning Panel will require an assessment which identifies how the child's welfare will be best promoted by the plan for residence and the extent to which the eligibility criteria outlined in section 5 is met in the particular circumstances. The process of assessing how the placement will meet the child's needs also provides an opportunity to ensure that safe caring requirements are met e.g. police and other agency checks have been completed.

Stage 1: Financial Assessment

- 7.3 Applicant(s) should complete a financial assessment form and return them to Child's Social Worker. The form will be sent by the social worker to Finance to calculate the means test and level of allowance payable taking into account:
- The level of benefits that the carer will be entitled to receive
 - The carer's financial circumstances
 - Any alternative sources of funding e.g. state benefits.

Stage 2: Care Planning

- 7.4 When a carer is considering applying for a Residence Order, this must be discussed at the child's Looked After Review. The Review will consider whether the application is in the child's best interests and where agreed, ratify the plan.
- 7.5 Once ratified by the Review, the Social Worker and Family Placement Social Worker will present the case to Children Planning Panel with relevant documentation including the assessment, support plan and application for payment of an allowance.

Stage 3: Notification of decision

- 7.6 Following consideration by the Children's Planning Panel, the outcome will be notified in writing to the applicant by the Head of Business Unit. (see standard letter at appendix C).
- 7.7 In the event of dissatisfaction/disagreement about decision to pay or terminate the payment of allowances, the applicant may challenge the

decision in writing to the Assistant Director. In **exceptional circumstances**, the financial assessment may be waived at the discretion of the Assistant Director if it appears that the child's needs are best met by the proposed Residence Order and there are no other alternatives. The amount of allowance to be paid in these circumstances will be agreed on a case by case basis.

8 GENERAL GUIDANCE: ADMINISTRATION OF RESIDENCE ORDER ALLOWANCES

Assessment of parental contribution(s)

- 8.1 The ability of any parent or other person with parental responsibility to contribute to the care of the child will be subject to an assessment.

Written Agreements

- 8.2 All arrangements will be set out in a written agreement (Appendix A). The written agreement will include a requirement for carers to notify the department of any relevant changes in their circumstances.

Review of the placement

- 8.3 Written enquiries will be made regarding any changes in circumstances and the child's progress in placement in the process of conducting the annual financial review of the placement.

Financial review

- 8.4 Carers must complete a financial assessment form each year in order to formally confirm that the child is still living with them and to confirm the level of any parental maintenance contributions and state benefits. Other allowances are subject to an initial means test and annual financial review.
- 8.5 The financial review will take place prior to the start of the new financial year in conjunction with the review of the placement outlined above. Any changes in financial circumstances notified during this review will take effect from the start of the new financial year. Reviews will be undertaken by the Finance Section with the guidance of Head of Business Unit, Specialist Services.

End of Residence Order Considerations

- 8.6 Local authorities have the discretion to pay a Residence Order allowance until the expiry of the Residence Order. Hartlepool Borough Council's policy in relation to payment of Residence Order allowances is for a maximum of three years from the date of the Order. Requests for the continued payment of an allowance beyond 3 years will only be considered in exceptional circumstances and with the agreement of the Assistant Director.

Appendix A

Format for Residence Order Allowance Agreement

Residence Order Allowance Agreement

This agreement is between Hartlepool Borough Council Children's Social Care and name and address of person(s) to whom a residence order allowance will be payable, as detailed below:

Carer details

Name.....

Address.....

.....

.....

Child/young person's details

Name.....

DOB.....

HBC Children's Social Care

Agrees the following:

1. Payment of allowances

Payment of a weekly allowance of £..... has been agreed under the department's residence order allowance policy.

For his/her part, the Residence Order holder agrees the following:

1. Financial assessment

I/we agree to complete and return the annual financial assessment within 14 days of receipt. We understand that the department will make any adjustments to the level of payment that arises from this re-assessment at the start of each financial year.

I/we understand that the department may make deductions or take other action to recoup any payments that are made in error irrespective of whether overpayment is due to my/our failure to report a change in financial circumstances or some other factor.

I/we understand that in the event that I/we fail to report a significant change in my/our financial circumstances the department may exercise its discretion to withdraw or withhold any future payments and/or reclaim any amount of overpayment.

2. Review of the placement

I/we agree to provide the department with details of the child's progress in placement at the time of the annual financial review.

3. Notification of changes to the household

I/we agree to notify the department's family placement team manager immediately, if:

- The child/young person stops living with me
- The residence order is discharged
- My/our financial circumstances change
- My address changes
- There are any changes to my/our household composition

4. Access to support

I/we understand that, in addition to any arrangements specified earlier, I/we can request advice and assistance from the department by making contact with the duty and assessment team with Child and Adult Services, Civic Centre, Hartlepool.

5. Termination of the Agreement

I/we understand that:

I/we can withdraw from this arrangement at any time, by writing to the Head of Business Unit.

Child and Adult Services may terminate this agreement if:

- A residence order is no longer in force at the termination date agreed
- The child no longer lives with me on a full time basis
- A change in my/our financial circumstances means that I am no longer entitled to a residence order allowance
- I/we do not cooperate with the annual reviews
- I/we fail to report any significant changes in my/our financial circumstances within 28 days.

And that we may appeal against any such decision by making representation to the Head of Business Unit in the first instance.

Signatures

First applicant

Date

Second applicant

Date

Child's Social Worker

Date

Team Manager

Date

Appendix C

Decision sheet for ongoing payments for Carers- Residence Order

This document is to assist the Head of Business Unit, Specialist Services in deciding weekly payments to special guardians who are currently foster carers.

Ongoing payments are means tested and subject to a financial assessment where the child needs special care which requires a greater expenditure of resources than would otherwise be the case because of illness, disability, emotional or behavioural difficulties or the consequences of his past abuse or neglect (Regulation 6(2) (b)).

Name of Child:		DOB:	
Name of carer(s)			
Address:			
Does the child meet any of the following criteria?			
Does the child currently attract and enhancement due to particular needs (e.g. soiling/wear and tear due to behaviour)?	(Please tick) YES	NO	
	<input type="checkbox"/>	<input type="checkbox"/>	
Is the child part of a sibling group who need to remain together?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the child have ongoing or long-term emotional or behavioural difficulties due to past abuse or neglect?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the child placed with a family member, and without the additional resources would the child remain in a care Order?	<input type="checkbox"/>	<input type="checkbox"/>	
Signed: _____ Name: _____ Date: _____			

If the child meets the criteria the carer will continue to be paid at their rate. However, a financial assessment will be required and reviewed annually. The allowance will be paid minus Child Benefit and Child Tax Credit which the carer can claim from the HM Revenue and Customs.

If the carer is getting a skills payment and the child meets the criteria the carer will continue to receive this fee until the child reaches independence or until they resume fostering. This will be subject to the same financial assessment and annual review as above.

Nicola Bailey
Director of Child & Adult Services
85 Station Lane
Hartlepool
TS25 1DX

Tel: 01429 275144
Fax: 01429 860670
www.hartlepool.gov.uk



Contact Officer:
Email:
(carers name & address)

Our Ref:
Your Ref:

Date

Dear Name,

Ref: Residence Order Allowances

I am writing to inform you that we have agreed that **(child's name)** is eligible for ongoing financial support should you wish to apply for a Residence Order.

You are currently receiving an allowance of £** and a fee (if applicable) of £**.

You will continue to receive this amount until the child is eighteen years of age or will cease prior to this if the child no longer has a home with you. It is your responsibility to notify the local authority of any changes in circumstances to prevent overpayments occurring.

You will also be able to make a claim for Child Benefit and a benefit pack can be requested by contacting the enquiry line on 0845 302 1444, or online at www.hmrc.gov.uk. You may also be eligible to claim Child Tax Credit and the telephone number to request further information about this is 0845 3003900. You will need to apply for child Benefit and Child tax Credit immediately the order is granted.

However, you should be aware that the amount of Child Benefit and Child Tax Credit for the child will be deducted from allowance quoted from the date of the order. You will also be required to complete an annual update of your circumstances.

Any queries regarding this proposal, please contact your social worker (add name and telephone number).

Yours sincerely,

(Name)

(Title)

CONNECTED PERSON POLICY AND PROCEDURE

1. Introduction

- 1.1 This policy sets out the arrangements of Hartlepool Borough Council to implement the Care Planning, Placement and Case Review (England) Regulations 2010 requirement in relation to the placement of children or young people who cannot be cared for by their parents with a Connected Person. A Connected Person is defined as a relative, friend or other person connected with a child. The term 'other person' refers to someone who would not fit the description of relative or friend but has a pre-existing relationship with the child. It could, for example, be someone who knows the child in a professional capacity such as a childminder, teacher or youth worker.

2. Policy

- 2.1 It is a fundamental principle of legislation that children should be enabled to live with their families unless this is not consistent with their welfare. Hartlepool Borough Council seeks to maintain children within their own families and provide services to support any such arrangements, wherever this is consistent with the child's safety and well-being. Where a child cannot live within his or her immediate family and the Local Authority is considering the need to look after the child, the Council will make strenuous efforts to identify potential carers within the child's network of family and friends who are able and willing to care for the child.
- 2.2 The Council will provide support for any such arrangement based on the assessed needs of the child, not simply on his or her legal status and will ensure that family and friends carers are provided with support so that children do not become looked after by the Local Authority or do not have to remain looked after longer than is needed.
- 2.3 Where birth parent/s cannot look after their children, most families will find a solution from within their family/friends network. In order to achieve this, families may need temporary or short term help from the local authority and this can be provided under Section 17 of the Children Act 1989. In line with Hartlepool Borough Council's principle of delivering services through the least intrusive intervention necessary, the Council will support such placements, which can include the provision of financial support, to prevent the need for a child to become looked after (please refer to Policy and Procedure relating to Section 17 support).
- 2.4 A Family Group Conference should always be offered to the family before a decision is made about an arrangement involving a Connected Person. Effective placements with Connected Persons are more likely to emerge from Family Group Conferences as the parents and family are involved in the planning and decision-making for the placement.

- 2.5 Some families will set up Private Fostering Arrangement to resolve their difficulties and these should be notified to the Local Authority under the Private Fostering Regulations (please refer to Private Fostering Policy and Procedures).
- 2.6 Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010 allows the local authority to make an immediate placement with a Connected Person who is not yet approved as a local authority foster carer whilst an assessment of the child's needs is undertaken and/or the Connected Person is being assessed as a foster carer. Where a child is subject to a Care Order or Interim Care Order they can only be placed with friends or relatives (other than parents) immediately or as a planned placement, under Regulation 24.
- 2.7 Where a child is placed under Section 20 of the Children Act 1989 the authority will give due regards to the wishes and feelings of the child and their parents. A child should only be accommodated within a family and friends placement if it is the judgement of the authority that this is necessary to safeguard and promote their welfare and this should be consistent with wishes of the parents. The child should not be accommodated and relatives and friends approved a foster carers in order to provide financial support to the carers, this runs the risk of inappropriately maintaining the child within the looked after system unnecessarily. Provision is made under the respective policies and procedures in relation to Section 17, Residence Orders and Special Guardianship Orders to provide financial assistance to children living in such circumstances.

PROCEDURE

3. Legal Framework

- 3.1 Where a parent can arrange suitable accommodation or care for his/her child, the criteria for accommodation under section 20 are not satisfied. Section 20(7) of the Children Act 1989 states:

“A local authority may not provide accommodation under this section for any child if any person who-

- a) has parental responsibility for him; and
- b) is willing and able to –
 - I. Provide accommodation for him; or
 - II. Arrange for accommodation to be provided for him,

Objects.”

- 3.2 This section of the Children Act makes provision for a parent to arrange alternative accommodation for their child under a private arrangement and s/he has the right and choice to make these decisions. Where the Local Authority has concerns surrounding the care that a parent is giving in their own home, the parent/s should be informed that the authority intends to accommodate the child unless they are willing and able to arrange for suitable accommodation and care to be provided. If the local authority has a role in bringing about a private arrangement then the Council must:

- a) Make the nature of the private arrangement plain to those involved;
- b) Make it plain to the person caring for the child that he/she must look to the parent for financial support;
- c) Make it clear that any financial assistance from the Local Authority will be at the discretion of the Local Authority in whose area the child is living.

- 3.2 Where a child is subject to a Care Order/ Interim Care Order or accommodated under Section 20 of the Children Act 1989, the Local Authority is required to consider the placements of children with relatives or with people with whom they are familiar or connected as an alternative to being looked after by strangers. The Act states that ‘unless it is not practicable or consistent with the child’s welfare, the child must be placed with family and friend’s’ (Section 23 (1, b (6) of the Children Act 1989).

- 3.3 The Care Planning, Placement and Case Review (England) Regulation 2010 places a duty under Regulation 24 in relation to the placement of children looked after with ‘Connected Person’ as detailed in part 1.1 of this document. Regulation 24 makes provision for Local Authorities to place a child looked after with a connected person in an emergency/temporary situation for up to 16 weeks subject to initial assessment and enquiries. In these circumstances the connected person is approved as a local authority foster parent for the temporary period. It is expected that a full assessment would be completed and presented for approval at Family Placement Panel within 16 weeks of the

placement commencing. In exceptional circumstances the Local Authority Agency Decision Maker can approve a further extension for up to 8 weeks. If the placement has not been approved through Fostering Regulation after 24 weeks the child/young person must be removed from the placement. A Connected Person approved as either a temporary or permanent foster carer for the Local Authority is entitled to a fostering allowance, training and support.

4 Decision Making

- 4.1 The decision to look after a child will only be made after a full assessment of the child's needs and circumstances has been undertaken. This decision should not be made lightly and Social Worker should give due regard to the significance of such a decision for a child/young person and his/her family. The assessment will include the wishes and feelings of the child/ young person and the views of the parent/carers.
- 4.2 The decision should be made on a planned basis taking into account the findings of the assessment and in consultation with partner agencies. Children becoming looked after on an emergency basis should only take place where it is clear the child is at immediate risk of harm.
- 4.3 The assessment and plan will be presented to the Children's Planning Panel, for consideration and a recommendation and/or approval for the child to become looked after (Refer to Children's Planning Guidance). The Panel will consider all options relating to children becoming looked after and make recommendations in the best interests of the child. A child is deemed 'looked after' when they have been:
 - Accommodated (Section 20, Children Act 1989);
 - Made subject of a Care Order or Interim Care Order (Section 31/38, Children Act 1989);
 - Placed in Police Protection (Section 46, Children Act 1989);
 - Arrested and Released (Police and Criminal Evidence Act 1982);
 - Remanded by the Court (Children and Young Persons Act 1969 and ; accommodated under Section 21. Children Act 1989).
- 4.4 Appendix 1 – Flow Chart for Approving Placements with Connected Persons (planned) and Appendix 1a – Flow chart for Approving Placement with Connected Persons (emergency) outline the processes to be followed.

5. Placements with Connected Person under Regulation 24

- 5.1 When Social Worker has assessed that a child or young person needs to become looked after, the primary consideration will be to identify a placement within the child or young person's family network. Regulation 24 of the Care Planning Regulation 2010 allows the Local Authority to make an immediate placement with a 'Connected Person' who has not yet been approved as a Local Authority foster carer whilst an assessment as a foster carer is completed.

5.2 Criteria for making a Regulation 24, immediate placement:

- An immediate placement is required (by immediate the placement cannot be postponed whilst a Fostering Assessment can be completed);
- The identified placement is deemed in the best interest of the child;
- The suitability of the arrangements have been assessed;
- A written agreement has been signed by the carer who agrees:
 - To care for the child as if she was a member of the family;
 - To allow a Local Authority officer to visit at any time;
 - To keep information confidential;
 - To comply with court orders and/or local authority requirements with regards to contact;
 - To permit the child to be removed at any time if the Local Authority decides it is no longer a suitable placement;
 - To sign agreements for checks, and Police, Health, Local Authority and Education references for all persons over 18 years who live or have regular and substantive contact with the household.

6. Suitability Assessment

- 6.1 Before any placement with a Connected Person can be approved at Children Planning Panel, the child's Social Worker must assess it's suitability, including the level of support likely to be required and the effect the proposed placement upon the child's contact with parents, siblings and other relatives and friends who are significant to the child.
- 6.2 Emergency checks should be undertaken with the Police, Health and Local Authority, including education and adult's social care. Where the child is to be placed in another Local Authority area, checks should be undertaken with the appropriate Local Authority.
- 6.3 The child's social worker will complete a suitability assessment using BAAF Form C - Connected Person (Appendix 2) and this must include:
- Interviewing the propose carer;
 - Inspection of the accommodation including the sleeping arrangements for the looked after child;
 - The completion of statutory checks;
 - Information obtained about other persons in the household.
 - The views of parents/those with parental responsibility
- Guidance notes attached to BAAF Form C – in relation to Temporary Approval Assessment should be followed (Appendix 2).
- 6.4 The prospective carer must be given information about the assessment process which will follow if the placement is to last longer than 16 weeks, including the need for CRB checks and other agency enquiries on all members of the household over the age of 18 years and interviews with referees, adult children and ex-partners as part of a full fostering assessment.

- 6.5 The suitability assessment should be completed prior to any placement being made. In the case of an immediate emergency placement, emergency checks and an initial assessment would need to be completed prior to the approval being given by a Head of Business Unit. In such cases the suitability assessment should be completed within 7 days and presented to Children's Planning Panel.
- 6.6 Once a child is placed under Section 24 of the Care Placement Regulations 2010, they will become a Looked After Child and as such will be subject to the full requirement of the legislation including Looked After Reviews, Health Assessment, preparation of a Persona; Education Plan, where appropriate, and the statutory notifications will need to be completed. The Social Worker should visit the child or young person in accordance with the Council Quality Standards requirements.

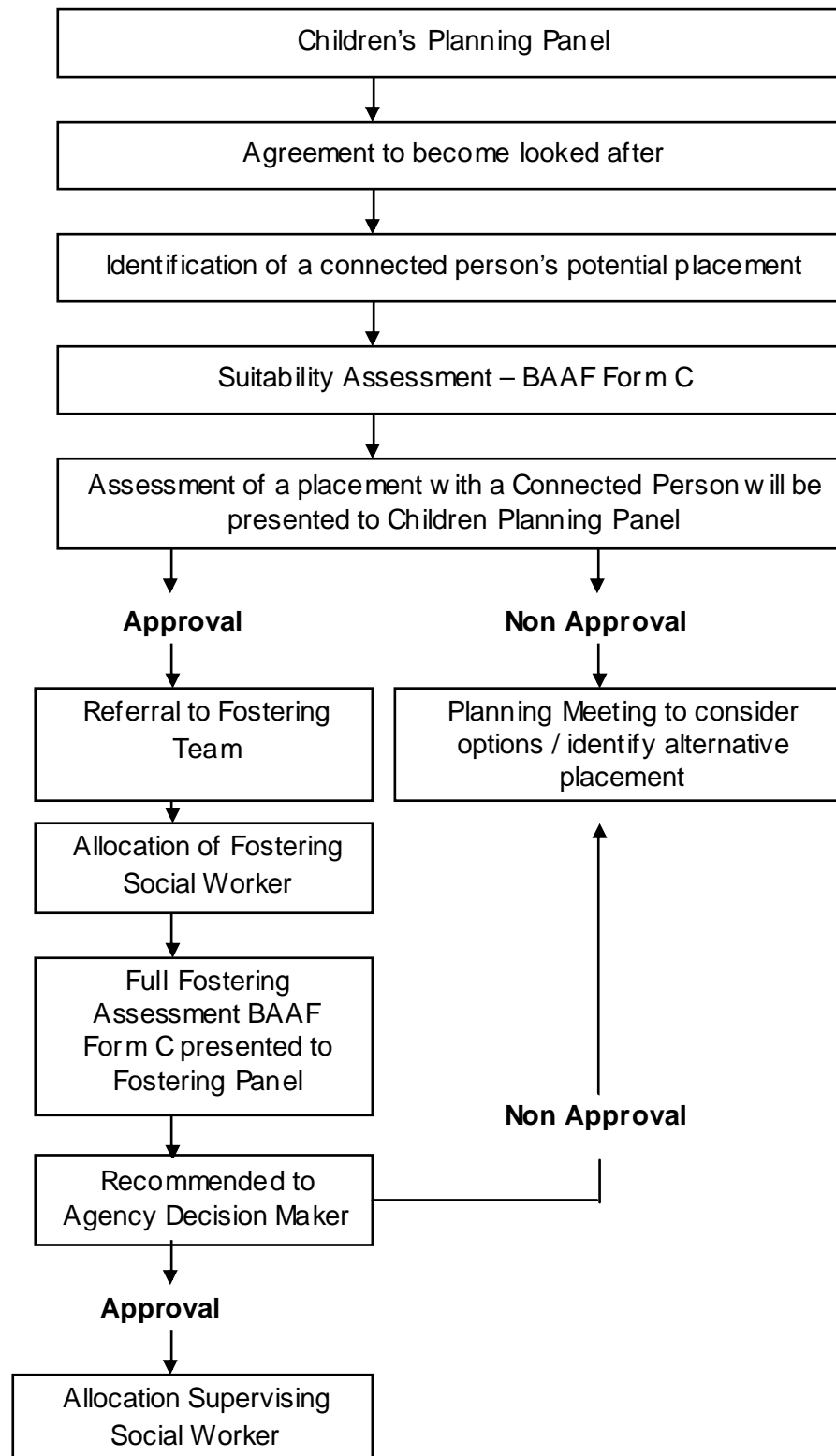
7 Assessment of a Connected Person as a Local Authority Foster Carer

- 7.1 When a child is placed under Regulation 24 and there is an expectation that the placement is likely to last more than 16 weeks a request should be made to the Fostering Team for a full fostering assessment including CRB and statutory checks. The Fostering Team Manager will allocate a Fostering Social Worker to complete the assessment and ensure it will be presented to Family Placement Panel for approval within the prescribed timescales.
- 7.2 The Child's Social Worker and Fostering Social Worker are required to attend Panel to present the assessment. The approval will be for a named child only and the carers skills will be assessed to consider their banding status in line with the Council's Banded Payments Policy.
- 7.3 The connected person foster carer will receive the age related fostering allowance payable for the child/children.
- 7.4 Following approval the Family Placement Team Manager will allocate a Supervising Social Worker to provide continuing support and supervision to the placement and the carers. The carers will have access to all training and development opportunities available to all registered carers.
- 7.5 The carers will be supported and supervised in line with Fostering Regulation 2010.

8 Deregistration

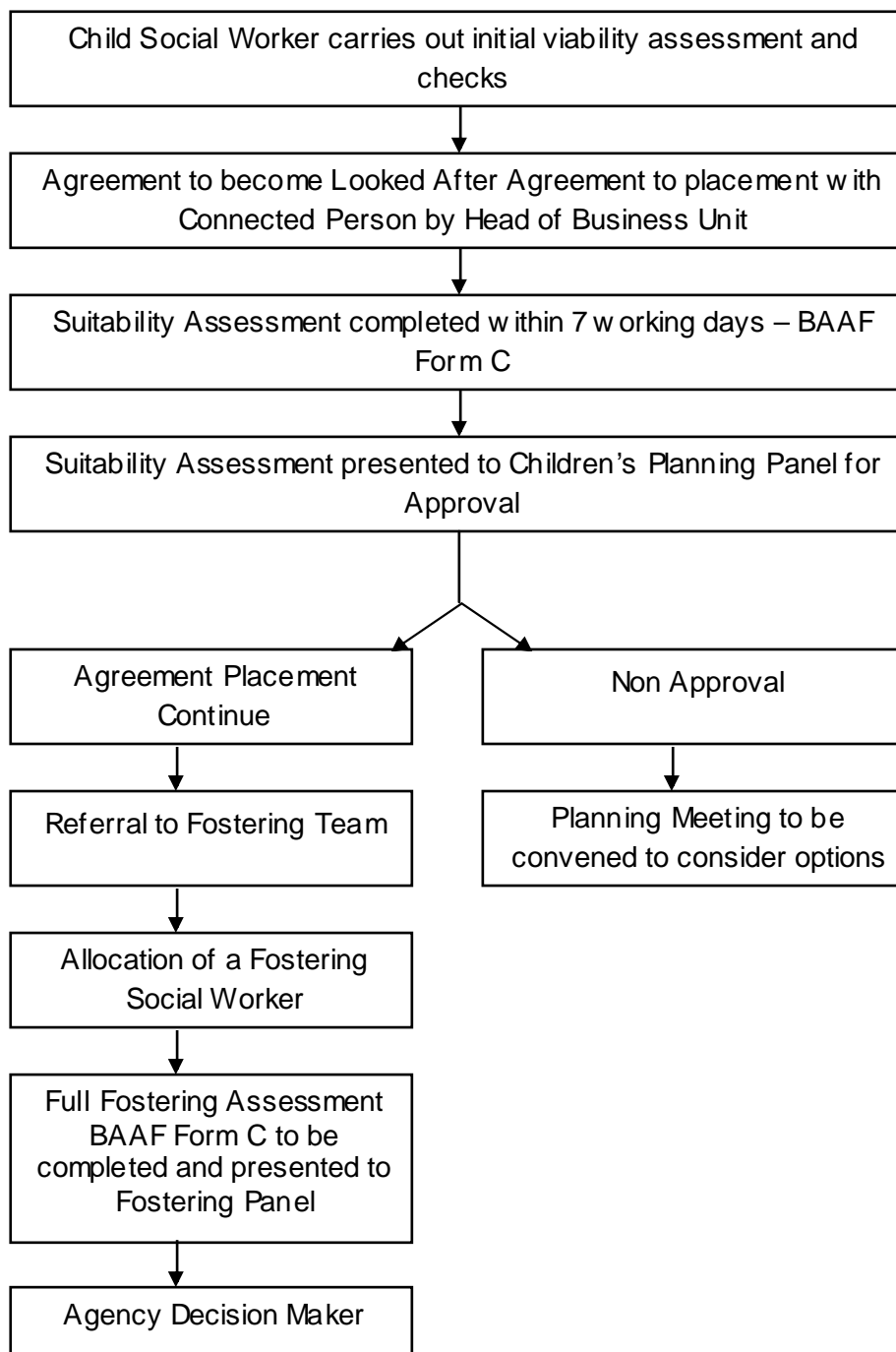
- 8.1 In the event that a child returns to their home prior to the Panel date when the full connected carers assessment is presented to Panel or the child moves to an alternative placement there will be no need to proceed to Family Placement Panel.
- 8.2 If the child moves placement following Panel then letter of resignation will be presented to Panel for agreement for de-registration.

Flow Chart for Approving Placements with Connected Persons - Planned



Appendix 1A

Flow chart for Approving Placement with Connected Persons in an emergency



CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder
27 March 2012



Report of: Director of Child and Adult Services

Subject: PERFORMANCE UPDATE ON THE DELIVERY OF THE SEPTEMBER GUARANTEE AND THE NUMBERS OF YOUNG PEOPLE (16-18) NOT IN EDUCATION, EMPLOYMENT OR TRAINING.

SUMMARY

1. PURPOSE OF REPORT

The purpose of this report is to advise and update the Portfolio Holder on the progress made in relation to the reduction of the number of young people (16-18) locally who are Not in Employment, Education or Training (NEET) and the delivery of the local September Guarantee.

2. SUMMARY OF CONTENTS

The report provides background information relating to these two key performance indicators and details Hartlepool's performance in relation to the numbers of young people (16-18) who are not in education, employment or training and the delivery of the September Guarantee in comparison to the regional and national picture.

3. RELEVANCE TO PORTFOLIO MEMBER

Children's Services Portfolio includes responsibility for the Integrated Youth Support Service and the improvement of outcomes for all local young people in relation to their transition from school to suitable education, employment and training.

4. TYPE OF DECISION

For information only.

5. DECISION MAKING ROUTE

Not applicable.

6. DECISION(S) REQUIRED

That the Portfolio Holder for Children's Services notes the performance of the Local Authority in relation to the numbers of young people locally who are not in education, employment or Training and the delivery of the September Guarantee.

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Report of: Director of Child and Adult Services

Subject: PERFORMANCE UPDATE ON THE DELIVERY OF THE SEPTEMBER GUARANTEE AND THE NUMBERS OF YOUNG PEOPLE (16-18) NOT IN EDUCATION, EMPLOYMENT OR TRAINING.

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise and update the Portfolio Holder on the progress made in relation to the reduction of the number of young people (16-18) locally who are Not in Employment, Education or Training (NEET) and the delivery of the local September Guarantee.

2. BACKGROUND

- 2.1 The non-participation of young people in education, employment or training following compulsory education i.e. being **Not in Employment, Education or Training** between 16 and 18 years of age, is a key predictor of later unemployment, low income, unplanned teenage parenthood, depression and poor physical health. Educational attainment and engagement in learning remain central to breaking long term cycles of deprivation and child poverty.

- 2.2 The Not in Employment, Education or Training reduction target is measured by the Department for Employment's annual participation estimates. These estimates combine data from a number of sources including the local Integrated Youth Support Service Management Information system to provide an overview of the cohort as a whole. Young people are recorded as Not in Employment, Education or Training if they are not participating in:

- Full time education either in a further education Institution or a Higher Education Institution;
- Work based learning (including Apprenticeships, Foundation Learning and National Vocational Qualifications)
- Other education or training (including independent colleges or training centres or receiving training or part-time education but not currently employed);
- Employment.

- 2.3 Hartlepool has made significant progress against the targets set by the previous government resulting in a performance outturn figure of 6.6% in 2010 against a target of 7.4 % at the survey point.
- 2.4 The guidelines for the reporting of Not in Employment, Education or Training Reduction Activity changed in April 2011 following the shift to a coalition government. Rather than reporting on the young people whose actual age is 16, 17 or 18, the reporting guideline changed to report on those young people whose academic age is year 12, 13 or 14.
- 2.5 This means that the service originally reported on young people who were aged 16-18. A young person would have been removed from the reporting cohort on the first day of the month of their 19th birthday, however following the change in guidelines they would remain in the cohort until the end of the academic year. As a result the cohort size remains constant rather than young people leaving the cohort.
- 2.6 In addition the guidelines changed from reporting on the young people dependent on the locality of their learning base, to being dependent on their home address (residency).
- 2.7 Hartlepool benefitted from being a “net importer”. More young people from surrounding areas (eg, Billingham/Stockton/Durham) attend places of learning in Hartlepool as opposed to those going out of the town for their learning.
- 2.8 The **September Guarantee** is an offer, by the end of September, of a place in learning to young people completing compulsory education in 2011 and for those who left compulsory education in 2010.

The offer must be of one of the following:

- Apprenticeship. This must include both the training element and a job or work placement where this is a condition of the young person taking up the place. This may not be the case for programme-led apprenticeships, where young people can begin the training element and find an employer place during the course of the provision.
 - Diploma.
 - Foundation Learning.
 - General Qualifications, such as GCSEs and A levels.
 - Other LSC-funded accredited qualifications.
 - Employment with training to at least level 2.
- 2.9 This is an important element of the local strategies for reducing the proportion of young people not in education, employment or training, increasing participation, and attainment at age 19.
- 2.10 The offer must be appropriate for the young person's individual needs. That means it must be at the right level; geographical location;

occupational sector and learning method. The offer should also be of a place on a specific course, and not a 'blanket' offer made by a school to existing students, or by a training provider who guarantees a place to any young person not in learning. The offer must include an agreed start date. A place on a waiting list does not count as an offer.

3 LOCAL PERFORMANCE

- 3.1 The table below highlights Hartlepool's historical year on year progress in relation to the reduction in the numbers of young people who are not in education, employment or training since 2006. The figure for 2011 is higher than in previous years, at 7.4%, which, as explained above, is due to the application of the new reporting guidelines.

	2006	2007	2008	2009	2010	2011
Not in Employment, Education or Training	11.1%	8.5%	7.9%	7.4%	6.6%	7.4%
						6.8%
Activity Not Known	6.5%	6.5%	5.8%	2.8%	2.1%	3.6%
						3.1%

- 3.2 Using the previous reporting guidelines the figure would have been 6.8% which would suggest a slight increase in the numbers of young people locally who are not in education, employment or training.
- 3.3 Based upon the new reporting requirements we are able to provide a comparison with last years performance (with the new reporting arrangements applied) and contrast this with the broader regional and national picture (see below), to identify more fully, how Hartlepool has performed amidst the broader national context of rising unemployment levels and austerity measures.

	2011	2012
England	6.6%	6.1%
North East	9.2%	8.8%
County Durham	9.3%	7.5%
Darlington	10.2%	11.2%
Gateshead	8.8%	9.0%
Hartlepool	8.8%	7.4%
Middlesbrough	13.2%	11.8%
Newcastle	10.9%	11.8%
North Tyneside	7.4%	6.2%
Northumberland	6.5%	6.7%
Redcar & Cleveland	11.5%	10.4%
South Tyneside	7.9%	7.5%
Stockton on Tees	9.1%	10.3%
Sunderland	8.6%	9.1%

- 3.4 The above figures highlight that overall Hartlepool continues to perform better than the majority of neighbouring local authorities although continues to compare unfavourably with the national picture.
- 3.5 Young people and their families locally continue to contend with rising youth unemployment levels and the withdrawal of their automatic entitlement to Education Maintenance Allowance has prompted the local partnership to seek out new and innovative ways of supporting young people to stay on in learning beyond compulsory school age to give them the best opportunity compete in an increasingly competitive labour market.
- 3.6 The table below highlights Hartlepool's performance in relation to the delivery of the September Guarantee for 2011 which is our key mechanism for encouraging young people to stay on in learning beyond school age.

	Year 11 G/tee	Year 12 G/tee
National	96.6%	89.5%
Regional		
average	95.6%	89.4%
Hartlepool	97.8%	93.6%

- 3.7 The table above highlights Hartlepool's performance in relation to the delivery of the September Guarantee for 2011 continues to be higher than both the regional and national averages and as result Hartlepool have some of the highest numbers of young people (16-18) staying on in learning, which continues to stand us in good stead for the raising of the participation age in 2013 to 17 and 2015 to 18.
- 3.8 As a result of this strong performance Hartlepool has been invited to be part of the national Raising of the Participation Age Trials which are seeking to determine best practice in relation to securing the engagement of all school leavers in further learning.

4. RECOMMENDATIONS

- 4.1 That the Portfolio Holder notes progress made regarding the delivery of the September Guarantee and the continued emphasis placed upon the reduction in the numbers of young people who are not in education, employment or training in preparation for the Raising of the Participation Age.

5. CONTACT OFFICER

James Sinclair, Youth Support Manager, Hartlepool Integrated Youth Support Service, james.sinclair@hartlepool.gov.uk, 01429 523900

Mark Smith, Head of Integrated Youth Support Services, mark.smith@hartlepool.gov.uk, 01429 523405

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder

27 March 2012



Report of: Director of Child and Adult Services

Subject: UPDATE ON THE USE OF WEB BASED SYSTEMS TO PROMOTE THE YOUTH OFFER IN HARTLEPOOL

SUMMARY

1. PURPOSE OF REPORT

The purpose of this report is to provide the Portfolio Holder with an update on the progress made in expanding the Hartlepool Now website and developing a Facebook page to promote the local Youth Offer through media that are reflective of the preferences of local young people.

2. SUMMARY OF CONTENTS

The report provides information and the rationale regarding the use of web based systems and social networks to promote the Youth Offer for Hartlepool by the Integrated Youth Support Service and provides an update on progress to date.

3. RELEVANCE TO PORTFOLIO MEMBER

Children's Services Portfolio includes responsibility for the Integrated Youth Support Service and improving outcomes for local young people.

4. TYPE OF DECISION

For information only.

5. DECISION MAKING ROUTE

Not applicable.

6. DECISION(S) REQUIRED

That the Portfolio Holder notes progress made regarding the expansion of the Hartlepool Now website and Facebook page to promote the Youth Offer by the Integrated Youth Support Service.

Report of: Director of Child and Adult Services

Subject: USING WEB BASED SYSTEMS TO PROMOTE
THE YOUTH OFFER IN HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide the Portfolio Holder with an update on the progress made in expanding the Hartlepool Now website and developing a Facebook page to promote the local Youth Offer through media that are reflective of the preferences of local young people.

2. BACKGROUND

- 2.1 The Integrated Youth Support Service has been developed to support and lead on the delivery of a comprehensive integrated Youth Offer for 13-19 year olds (and up to 25 where there is additional need). The key aim of the Integrated Youth Support Service is to ensure that all local young people have the chance to enjoy happy, healthy and safe teenage years that prepare them well for adult life and enable them to reach their full potential.

The service seeks to do this:

- By ensuring that local young people have access to a range of positive activities and informal learning opportunities tailored to suit their needs;
 - By providing impartial information advice and guidance to help young people make more informed choices, about learning, raise their aspirations and equip them to make safe and sensible decisions about sexual health and substance use;
 - By ensuring that young people are engaged in shaping the services they receive and by encouraging more young people to volunteer and become involved in their communities;
 - By offering more personalised, joined up support and activities for young people who are experiencing difficulties.
- 2.2 On 18th April 2011, young people presented their final report – Youth Involvement / Participation in the Development of Council Services, Including the Safeguarding of Young People (see **Appendix A**). In this

report, young people said that Social Networking is “*an excellent tool*” to engage young people and promote council activities. The report also made seven recommendations on how to support the safe implementation of Social Networking across the authority.

- 2.3 The Integrated Youth Support Service has explored options for promoting the Youth Offer, taking into consideration the views of young people and is in the process of developing both a Facebook page and a website page. In terms of a website, approval was given by the Integrated Youth Support Head of Service to develop pages within the existing Hartlepool Now website. This would bring about cost saving benefits along with the joining up of both adult and young people's information sources which will hopefully bring about a seamless transition over time.

3. CURRENT SITUATION

- 3.1 There has been much work undertaken both corporately and by young people around the issues of staying safe on-line particularly around the use of Facebook. The guidance that has been produced locally has been incorporated into procedures (currently in draft format) by the Integrated Youth Support Service to ensure consistency across the authority and that any risk to the safety of young people accessing on-line services is kept to a minimum.
- 3.2 Hartlepool Now is a well used (average of 1200 visits/month) community information resource originally administered by Hartlepool Borough Council Adult Services and now by Child and Adult Services. It aims to make it easy for the public to find out about the different events, activities and opportunities that are available in the town. The software used in the administration of Hartlepool Now has more functionality than that of the Borough Council Jadu website and it is hoped will attract more visitors.
- 3.3 The administration of both the Hartlepool Now and Facebook elements of the Integrated Youth Support Service is currently undertaken by the Planning Officer for the Integrated Youth Support Service, with the view of extending this responsibility to key members of staff from the service in line with the draft procedures. Overall administration for the Hartlepool Now site remains with Child and Adult Services.
- 3.4 Facebook requires the use of an email address. The Borough Council have established one email address to be used by all authority officers wanting to create a Facebook page. However, we have sought approval corporately to create an Integrated Youth Support Service administration group to support the monitoring and administration of the Facebook page. This is in line with the draft procedures developed by the Integrated Youth Support Service that will be circulated to the E-Safety and Local Safeguarding Children's Board for comment.

- 3.5 Hartlepool Now has been populated with information regarding the individual aspects of the Youth Offer. The views of young people are currently being sought to inform how the information can be best presented in a format that is attractive to young people. The outcome of this consultation will be reviewed with young people being informed as to what has been adopted and why.

4. RISK AND BENEFITS

- 4.1 Responsibility for maintaining the Youth Offer aspects of Facebook and Hartlepool Now will transfer to Child and Adult Services Family Information Hub which is currently under development as part of the Early Intervention Strategy.
- 4.2 By integrating the Youth Offer within Hartlepool Now we are bringing adult and young people's information resources together that will hopefully raise awareness to parents/carers of what is available to local young people. In turn, young people may choose to explore the adult section of Hartlepool Now to find out about what events/services are available across the town either for them or a family member.

5. FINANCIAL CONSIDERATIONS

- 5.1 There is a zero cost in terms of purchasing a product or licence for Hartlepool Now as this is already in place. The only cost incurred by the service is one of administration time which is negligible once the information is in place and that of promoting the site to young people.
- 5.2 Facebook is a free to use resource, but will require regular monitoring of content. It is proposed that this monitoring is spread across the Integrated Youth Support Service areas to reduce impact upon individuals for monitoring and to ensure a wider coverage in terms of time is achieved.

6. RECOMMENDATIONS

- 6.1 That the Portfolio Holder notes progress made regarding the developing Hartlepool Now website and Facebook to promote the Youth Offer by the Integrated Youth Support Service.

7. CONTACT OFFICER

Graham Bryson
Integrated Youth Support Service Planning Officer
Child and Adult Services
Hartlepool Borough Council

01429 523619

Graham.bryson@hartlepool.gov.uk

APPENDIX A – Final Report Youth Involvement / Participation In The Development Of Council Services, Including The Safeguarding Of Young People

Purpose of the Report

To present the findings of the Children's Services Scrutiny Forum following the investigation in to 'Youth Involvement / Participation in the Development and Delivery of Council Services, Including the Safeguarding of Young People'.

Setting the Scene

As part of the Children's Service Scrutiny Forum we were given the opportunity to pick a topic that we were interested in and lead on our own investigation. After some discussion we picked the topic of Social Networking. This was because we felt it was very relevant to a large majority of young people. We decided to focus our investigation on 'how the council could use social networking as a way to promote and advertise what's on offer'.

Background

Social networking sites like facebook, and twitter have grown massively over the Years and are heavily accessed by young people. Research by the National Youth Agency found that 'Over 60% of 13 – 17 year olds have profiles on social networking sites and that many Young People are spending upwards of two hours a night on online social networking activities', and only 18% of young people have not tried using a social networking site' (NYA 2008 - appendix 2).

Social networking sites are merely a communication tool for young people and they use the sites similar to how they use their mobile phones. They allow young people to have a voice in Society and can allow young people to express their thoughts and opinions.

Sites like facebook and twitter are therefore an ideal way to promote services to young people as they are simply used to frequently for them to be dismissed as a method of communicating to both young people as well as adults. However throughout our investigation we have placed a huge emphasis on safeguarding and tried to cover as much as we could on how Social Networking can be used safely within council departments.

What are young people doing in Hartlepool?

Although we had statistics on how popular Social Networking is, we still wanted to ask the question on a local basis. We put together some questions and used existing groups of young people to find out just how popular social networking was amongst young people in Hartlepool. We ran a number of sessions that

were facilitated by our Youth Workers and asked some key questions around Social Networking.

What we found was that almost every young person who took part in the focus groups used Facebook as the main way to communicate with their friends. The second most popular way of communicating was via their mobile phones. When young people were asked how they would like to be consulted with, Social Networking sites was their first answer.

When we asked what they thought about using Facebook young people gave comments like:

'I could not live without being able to go on Facebook'

'I use Facebook every night'

This confirmed the fact that Social Networking is the most popular and preferred method of communicating to young people in Hartlepool and that there is definitely scope for Council Services to increase young people's participation.

What is already happening within Council departments?

When we first began the investigation we were unsure if the Local Authority could use it as a means of communicating events and activities to young people in a safe and appropriate way. However once we begun our investigation it became apparent that some departments within the Council have used, and still do use, sites like Facebook, as a way of communicating what's going on to both adults and young people.

The Tall Ships Facebook page was set up within the Council in order to get feedback on issues around access to and on the site. It was also used as a platform in which people could post comments on and upload their photographs of the event. Whilst there were no safeguarding issues or concerns that arose as a result from the page being set up it did raise some concerns for us which we will later explore.

Another example of a council department using Social Networking as a means to communicate is Sports development. The site is set up by an individual within the department and is used to attract a specific target audience to events and activities that sports development are holding. This again raised some concerns for us as there seems to be no real policy or guidance put in place that identifies some clear procedures when using facebook as a means of communication.

This led us to ask the question below, at the Children's Services Scrutiny Forum;

"Where the responsibility would be if a young person was to be put at risk using Facebook or Twitter to access Council information."

The response we received was from Jim Murdoch, Business Manager for Hartlepool Safeguarding Children Board,

'Accessing Council information via the Council web site should present no risk to anyone as there is no contribution from the person making the enquiry. The Council web site is "read only" rather than being interactive.'

During the Tall ships there was a Facebook account where information about that event was available. However, every precaution was taken to remove any risk to users. The Council has a small group currently considering standards to be followed for any social networking site set up by staff as part of the Council approach to communicating with the public.

There is no way in which one person accessing the Council web site can access any details of another person who is, or has been, connected to the site.

There are risks to using any of the social networking sites if the relevant safety measures are not implemented and the responsibility rests with the user.' 18th February 2011.

Safeguarding Young People

Whilst we appreciate the response we do still feel that as a council we owe a duty of care to any young person, to keep them safe while accessing any of our services. And we are concerned that whilst the tall ships page was safely monitored that this is not always the case in other areas.

As part of our investigation we became familiar with the much publicised case of Ashleigh Hall (see appendix 1). This raised concerns for us over how paedophiles can access sites like facebook to groom young people.

In addition there are other concerns such as bullying and the role Social networking plays in this.

Whilst we understand the risks will always be there when using Social Networking as a method of communicating Council services to young people, we feel that it is therefore vital that the Council has some clear policy and guidance put in place that departments can follow.

Recommendations

We think that using Social Networking to promote council activities and/or engage young people is an excellent tool we would make the following recommendations that will support doing this safely:

- Some Clear policy and guidance put in place for all departments within the council to follow

- Have a standard procedure – departments should not go ahead and do this on their own
 - Closed sites that can not be commented on or someone to be responsible for the site 24 hours a day. This would include fast and effective takedown procedures!
 - Employers should have basic legal training. If not don't do it!
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- Education is a good way of ensuring young people are safe when they are online. Ashleigh's rules go some way in to supporting this. This could be advertised when each department sets up a site
 - Take in to consideration examples of good practice. Some Councils may be ahead of others so link with them where possible
 - Social networking is not for everyone so other methods of communicating such as posters and leaflets will still need to be in place.

For further information please contact;
Zoe McKenna
Integrated Youth Support Service
Windsor Offices
Middleton Grange
Hartlepool
01429 523900