

TITLE OF REPORT: Children living in 'Out of Area' and 'At a Distance' placements

REPORT OF: Andrea Houlahan, Deputy Strategic Director,
Children's Social Care and Early Help

Purpose of the Report

1. To provide the Corporate Parenting Board with an update on 'Out of Area' and 'At a Distance' placements. Whilst this report is for information only and there are no decisions to be made the members of the Corporate Parenting Board is asked to acknowledge the content of the report.

Background

2. Local authorities have a statutory duty to ensure that there is sufficient accommodation to meet the needs of children looked after in their community. This duty is supported by statutory guidance (the Children Act 1989, as amended) which makes it clear that children should live in the local authority area, with access to local services and close to their friends and family, when it is safe to do so. However, there is no provision in legislation that prohibits a local authority from placing a child out of its local authority area (an "out of area" placement).
3. The general duties of local authorities towards children looked-after apply to all placements, including those that are out of area. Where a child is placed in a home, whether that be a fostering family, children's residential home or with a family or friend carer this is referred to as a placement, where this is outside the local authority's area it is called an "out of area" placement.
4. In addition, the Children Homes and Looked after Children (England) Regulations 2010, as amended, define a "at a distant" placement as a placement outside the area of the responsible authority and not within the area of any adjoining local authority.

5. There are many reasons why some children looked after live away from their home authority. Some may need to live out of area to help keep them safe from harm or from dangerous influences closer to home. Others may need specialist care that is not available in all local authority areas or need long-term foster placements that are in very short supply in many areas and for some children looked after they move out of area so that they can live with brothers and sisters, or to be cared for by relatives who are approved as foster carers.

6. Children who lived out of area but in an adjacent authority often benefited from pre-existing close collaboration between agencies, or from continuing services from the home authority, and could reasonably be considered 'local' placements. The nearer a child was living to home, the more likely it was that direct support from local services, especially from education or health professionals, can be offered or sustained.

7. Since January 2014, a decision to place a child looked after in a 'at a distance' placement, out of area, can only be approved by the Director of Children's Services from the placing local authority. The Director needs to be satisfied that the placement is in the child's best interests and will meet the child's identified needs. These regulations set out a requirement for the placing authority (the local authority who has responsibility for the child) to consult with the host local authority (the authority where the child is going to live) before they place a child outside the placing local authorities' boundary.

8. In addition, a local authority may only arrange for a child looked after to live outside England and Wales with the approval of a court. This may only be given if the court is satisfied that:
 - Living there would be in the child's best interests,
 - Suitable arrangements have been made for the reception and welfare of the child in the new country,
 - The child, if they have sufficient understanding, has consented to living in the new country,

- Every person who has parental responsibility for the child has consented to this arrangement.

9. Placements were typically commissioned under single pre-placement agreements ('spot-purchasing') which is a contract between the local authority and the provider, usually independent fostering agencies (IFA's) and providers of residential care. In most local authorities, decisions to place children in children's homes and with IFA's are based on organisational knowledge and experience of the care that is provided, recent Ofsted inspection reports and pre-placement visits by professionals and contract monitoring. Local authorities operated a policy whereby we would not place children in a provision that had been judged as less good or outstanding by Ofsted.

10. Decisions made in relation to inhouse foster carers and in house residential children's homes i.e. those owned by the local authority do not require Director approval by law nor do they require a spot purchasing agreement. However, a decision to for a child to live in either of these arrangements is required to ensure it is in the child's best interests and everything reasonably practicable has been done to try and ensure, where it is safe to do so, the child can not remain at home or with friends or family carers.

Gateshead Position

11. In March 2022, there were 85 children and young people living in an out of area placement, of which Independent Fostering Families made up the largest accommodation type, followed by residential children's homes. There are no secure homes in the Gateshead area which means all children who are living in a secure home are out of area. The one young person living in supported accommodation out of area is there to ensure they are close to friends and family.

Out of Area	Count	Projection 2021/22
IFA	51	£1,420,627.61
Residential Children's Homes	30	£5,971,928.59
Secure	3	£712,507.10
Supported Accommodation	1	£42,848.43
Grand Total	85	£8,147,911.72

12. Whilst residential children's homes consist of the second biggest out of area placement type it is by far the most expensive option with the average children's residential placement costing over five thousand pound per child per week. Interestingly, Ofsted's national return data for 2021 showed us a 11% increase (251 new homes) in the number of new children's homes registered in 2021 nationally. Of the 2,462 registered children's homes they offer a home for up to 9,699 children in England and Wales alone. This growth is in line with the increased number of children moving into children's residential care which is a result of more children requiring looked after care and the need for more foster carers locally and nationally to meet demand.
13. As of March, there were 30 children living in out of area children's residential homes there are another 8 children living in private children's homes in the Gateshead area, which totals 38 children in private children's homes. There were also another 13 children living in our local authority owned children's homes. This means in March 2022 there were a total of 51 Gateshead children living in children's residential care of which 21 were in Gateshead, 14 in out of area placements close by and 16 out of area at a distance (including Secure Placements).
14. Of the 38 children living in private homes 25 of these providers are not signed up to any regional commissioned framework which means they can charge any weekly rate.
15. As of March, there were 50 children living in out of area IFA's and another 13 children living in IFA's in the Gateshead area, which means there is a total of 63 children in IFA's. In March 2022 there were 63 Gateshead children living in IFA's of which 13 were in Gateshead, 27 in out of area placements close by and 23 out of area at a distance.

16. Of the 63 children living in IFA's 29 of these providers are not signed up to any regional commissioned framework which means they can charge any weekly rate.
17. Whilst every effort is made to ensure children live as close to their family network as possible it is not always possible to achieve this particularly as need far outweighs local resource. It is essential that we ensure children's views about where they live are heard and we look to the care planning arrangements to ensure this happens i.e., the child's looked after review and visits from their social workers, as well as supporting young people to share their views through independent advocates. Whilst most young people return from out of area placements back into Gateshead it is essential, we understand the trends to have a robust sufficiency plan which meets the needs of Gateshead's children and families.

Recommendations

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