

Foster Carer Fees

Report of the Chief Officer (Children's Services)

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect

Recommendations

It is recommended that Cabinet;

1. Approves the revised fees and allowances structure for Devon County Council's Foster Carers.
2. Agrees that the scheme commences three months after approval and a 12-month review and evaluation is reported to the Children's Overview and Scrutiny Committee in 2019

1. Background

- 1.1 The responsibilities a Council holds for children in care are unique and to be discharged with the utmost care and gravity. The Council is a corporate parent and, in all its decision-making pertaining to children in care, must have the welfare of the child as the paramount consideration. Being child centred isn't always easy as there are always other interests in play. Members are required to discern, in the myriad representations, where the best interests of the child lie.
- 1.2 The Council is responsible for determining the fees and allowances it pays its foster carers. The DfE recommends the rate of the allowance. Changes to fees and allowances, or other discretionary payments to foster carers would not necessarily constitute a key decision for cabinet. The proposals in this report do constitute a key decision. They are based upon a fundamental review of the principles under-pinning the existing scheme. An extended and full engagement with foster carers, coupled with an analysis of practice in other Local Authorities and in Independent Fostering Agencies has informed the proposals.
- 1.3 Comprehensive papers were prepared for The Childrens Overview and Scrutiny Committee on 17 September 2018. These can be found [here](#). The Children's Overview and Scrutiny Committee also heard representations (public participation) on 23 January 2018 and 20 March 2018 and members of the committee undertook a master class also on 20 March 2018. Cabinet will be mindful that the Children's Overview and Scrutiny Committee has an independent advisor to assist them in their deliberations. Members have sought responses from officers in response to representations in person and in writing. Foster carers who made representations to the Children's Overview and Scrutiny Committee, noted, at the time and in their subsequent communications, their appreciation of the careful attention members have

given to this issue. Cabinet can be confident that the Council's governance arrangements have been fully exercised in examining the proposals.

2. The proposal

2.1 The proposed model is set out in [appendix 1](#) and is explained in detail in the scrutiny report; key points are summarised here

- Fee payments will be matched to the complexity of children's needs. The skills, expertise and experience of carers will be recognised in payments for the uptake of learning and development and engagement with support groups.
- The proposal simplifies a complex system that has built incrementally over many years and makes fair, a system that is manifestly unfair. Today a carer looking after the same 16-year-old child could attract a weekly fee of £397, £471 or £536.
- The proposal is designed to attract more carers, who are a hugely valued resource.
- The offer for carers compares well with neighbouring authorities and with the independent sector.
- Under the proposal 50% of carers (135 carers) will see an increase in fees, 10% will stay the same and 40% (108 carers) will see a decrease. For those who will see a decrease, fee protection is offered for two years or until the child leaves the placement.

3. Children's Overview and Scrutiny response

3.1 After thorough examination of all the representations made, including in person and written submissions, the [minute](#) of the Children's Overview and Scrutiny Committee:

"RESOLVED that the Committee endorse the principles behind the changes to the Foster Carer fees and allowances structure, as set out in the Report and Addendum Report (CS/18/25), but that Cabinet be strongly urged to:

- guarantee income protection for carers until all current foster placements come to an end;
- pay birthday, holiday and festival allowances on or near the relevant date, rather than as part of the weekly allowance; and
- ensure that the fostering service look favourably upon requests for additional support, in circumstances where there are childminding and/or transportation needs, where this is consistent with the child's care plan."

4. Engagement and Consultation

4.1 Detail of the thorough engagement and consultation is set out in the scrutiny papers.

4.2 It is reasonable to expect that those who will gain from the proposals are likely to be broadly in favour and those who will lose are likely to be broadly against. As with all consultations, those who oppose are usually most assiduous in making representations. At the time of writing, following the scrutiny committee and the closure of the formal consultation, the Council has received over ninety

emails. In summary these representations appreciate the contribution of scrutiny but urge that carers fees are protected until such time as they cease fostering for Devon County Council. These late submissions reflect the content of the objections fully considered by scrutiny. Cabinet is not recommended to accept these representations; they would be prohibitively expensive and defeat the purpose of the review which is to reward carers for the work they do with the children they look after and to make the system fair for all.

5. Financial considerations

5.1 A snapshot of children in placement on 31.3.18 was used as the baseline for the financial modelling we undertook in respect of the original proposal and subsequently in respect of the scrutiny recommendation to offer protection to the end of existing placement placements.

5.2 Original Proposal - protection of income for a period of two years or until the current placement ends, whichever is sooner

This will cost an additional £1m in each of the first 2 full years of implementation and thereafter the ongoing resource required would be circa £360k per year. Original costings assumed a worst financial case scenario, assuming that all placements would be protected for the full 2 years. The cost of the original proposal could therefore be lower than modelled.

5.3 Overview and Scrutiny recommendation – protection of income until all current placements come to an end

Unlike the original calculations, estimates of likely end dates have been incorporated into the costings for the Overview and Scrutiny recommendation. The estimated cost of this is an additional £860k in the first full year, £760k in year 2, and £630k in year 3. Thereafter the ongoing resource requirement will be in the region of £500k over the next ten years, until all the protection periods are over and we are left with the ongoing resource requirement of £360k per year.

The Overview and Scrutiny recommendation is the more costly option, however its risk profile in relation to placement stability for children is lower

6. Equality considerations

6.1 An Equality Impact Assessment has been completed and is attached as an appendix to this report.

7. Legal considerations

7.1 There are no specific legal considerations.

8. Reason for recommendation / conclusion

8.1 The current fees and allowances system has been adapted and developed over many years to respond to national and local policy and best practice innovations and to address specific issues. The unintended consequence has been increased complexity, some confusion and inequities. A commitment to review the fees and allowances was made in 2015 but, due to changes in senior leadership, could not begin until September 2017.

- 8.2 The Council wants a model of payment that is fair and equitable. The Council wants to strengthen the focus on children and their needs, matching payments to the complexity of need.
- 8.3 Devon County Council values its foster carers and the contribution that they make to the lives of many children and young people. In addition to creating a fair and equitable system, it is our intention by creating a more transparent fee structure, coupled with our highly regarded support for foster carers, to be in a stronger position to recruit more foster carers in the future.

Darryl Freeman

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Electoral Divisions: All

Cabinet Member for Children's Services and Schools: Councillor James MacInnes

Local Government Act 1972: List of Background Papers

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Background papers

Appendix 1 - Consultation paper:

https://content.govdelivery.com/attachments/topic_files/UKDEVONCC/UKDEVONCC_941/2018/07/24/file_attachments/1043489/04393%2BFostering%2Bcons%2Bpanels%2Bv7_1043489.pdf

Appendix 2 - Impact assessment:

Children's Overview and Scrutiny Committee minutes (and reports):

<https://democracy.devon.gov.uk/mgAi.aspx?ID=15379>

