

Impact Assessment

Version final 2018

To publish, please send a dated PDF to impactassessment-mailbox@devon.gov.uk

Assessment of:	Foster Carers Fees - Remodelling
Service:	Childrens

Head of Service:	Darryl Freeman, Head of Children's Social Care
Date of sign off by Head of Service/version:	07/09/2018
Assessment carried out by (incl. job title):	Steve Rowland, Project Manager

Section 1 - Background

Description:	<p>This project is remodelling the fees paid to foster carers by Devon County Council (DCC) in addition to the standard National Foster Carer Allowance.</p> <p>The project is changing the basis on which fees are paid to DCC foster carers by DCC. There is a nationally prescribed foster carer allowance which is topped up by local authorities throughout the country. The project proposes that the fees model changes from an historic foster carer-centric approach to a model that is more child-centric with fees being paid based on the complexity of the placement.</p>
Reason for change/review:	<p>The current structure for DCC Foster Carers Allowances is widely perceived as unfair and has inconsistencies.</p> <p>There are a number of different schemes operating in Devon and children with complex needs are placed across the service within three schemes: Family Care Workers Scheme (FCWS), Devon Young Peoples Accommodation Service (DYPAS) and Mainstream fostering.</p>

Foster carers are not always receiving equal payments for children presenting similar needs, e.g 16-year-old Mainstream Band 2 is £397, DYPAS Band 3 is £471, ex-FCWS is £530.

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:

A number of scheme models have been considered in co-production with foster carers via the foster carer working group

The type of schemes that were drawn up and considered by the Foster Carer Working Group (made up of a cross section of foster carers from all schemes and DCC social workers) were as follows:

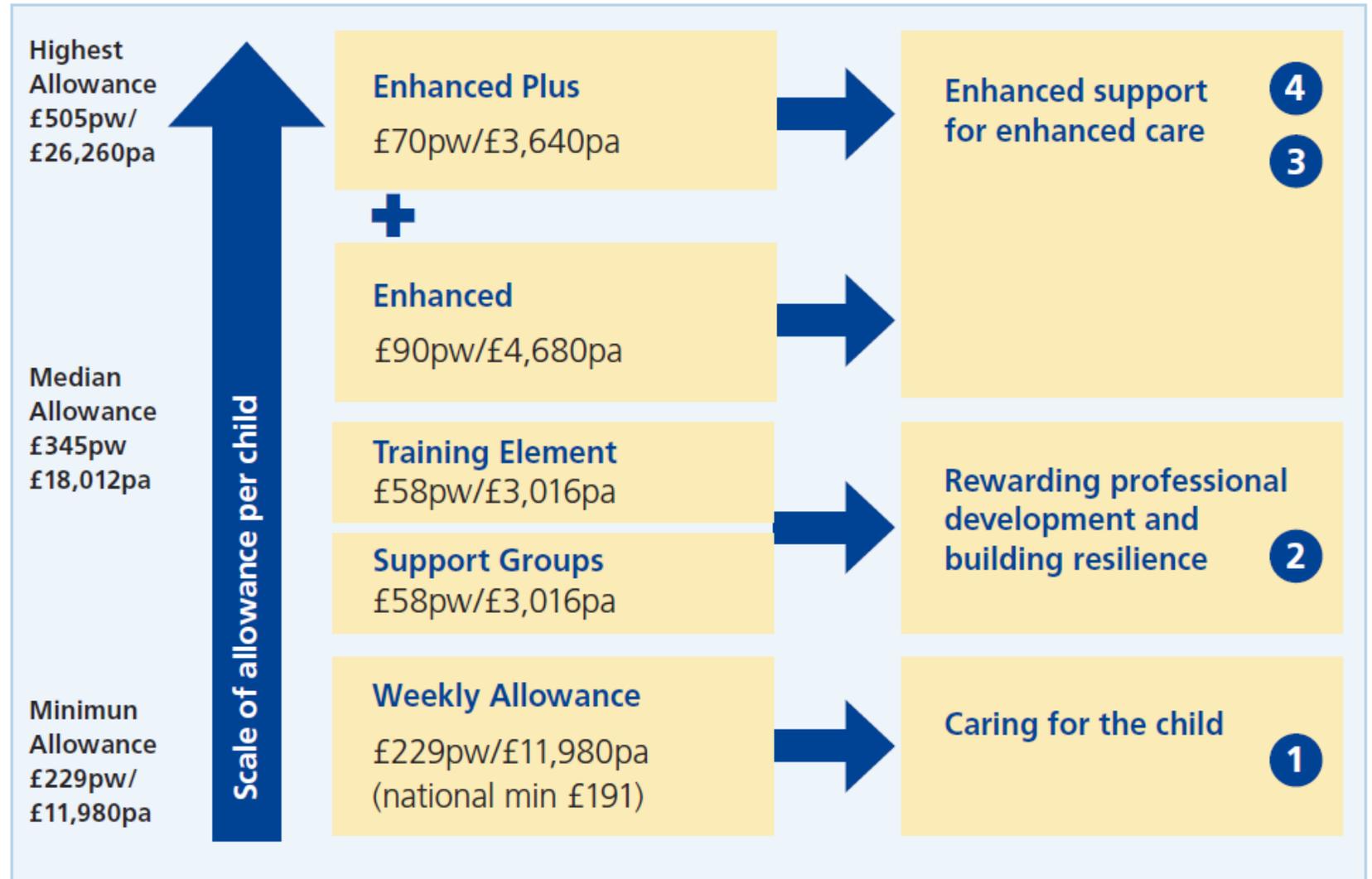
- flat rate option
- flat rate with enhanced payments
- basic fees and allowances with additional payments to recognise carer skills
- basic allowance, training reward, support group attendance reward and enhanced payments based on child complexity
- salaried scheme

These options were appraised by foster carers and foster service staff. They were also assessed from a financial perspective. The Foster Carer Working Group then narrowed the model options down to 2 principle models which were both taken away for further financial analysis and senior manager consideration.

It was further agreed by the working group that the most appropriate and effective model to take forward was a model that had a basic weekly allowance, training reward, peer group attendance reward and a payment based on the complexity of the child's needs. It is this model that then underwent significant financial modelling to ensure all round viability and be the recommended option.

The Model

Following several months of work by the Working Party and the Project Group, the following model was agreed for consultation.



<p>Social/equality impacts (summary):</p>	<p>The financial impact on foster carers has been carefully considered as part of the process. The extensive financial modelling that has taken place fully considered individual circumstances and losses to allowances so they can be ameliorated as far as practicable.</p> <p>It is proposed to have a financial protection arrangement in place for foster carers. This protection will last for 2 years or the length of the placement (whichever is shorter). The protection will protect carer fees that show a reduction of more than 5% due to the new model.</p> <p>Although we have mitigated some negative impact with this protection, there is a risk to child placements being disrupted which is reflected within the project risk log.</p>
<p>Environmental impacts (summary):</p>	<p>There are no significant environmental impacts to consider as part of this change.</p>
<p>Economic impacts (summary):</p>	<p>There is a risk that the new model may mean that some foster carers leave fostering. Devon's market position is competitive, carers who decide to work for another authority or an Independent Fostering Agency (IFA) are unlikely to receive a higher financial package, and the Devon support package is strong. It is anticipated that the risk is outweighed by the benefit of attracting new foster carers into fostering for DCC due to the new fees model being more fair, consistent, equitable and easy to understand than before.</p>
<p>Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):</p>	<p>A proposed benefit of this model is to attract foster carers to work for DCC instead of an Independent Foster Agency.</p>
<p>How will impacts and actions be monitored?</p>	<p>The impacts and actions are being monitored as part of the project governance that has been in place since the project commenced. The project team will manage the required project activity and the project risk log. Any issues are escalated to Childrens Senior Leadership Team via the senior responsible officer (SRO).</p>

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	list of stakeholders: <ul style="list-style-type: none">• Foster carers• Foster children• DCC social workers• DCC foster service staff																		
Diversity profile and needs assessment of affected people:	<p>The diversity profile of the listed stakeholders is given below. The proposed fee scheme is designed to be fair and equitable and this was considered and tested throughout the design stage.</p> <p>From figures produced in early 2018, the diversity profiles of foster carers and the children in fostering placements are as follows:</p> <p><u>Foster Carers Ethnic Diversity Profile</u></p> <table border="1" data-bbox="539 1002 1848 1423"><thead><tr><th>Ethnicity</th><th>Number</th><th>Percentage</th></tr></thead><tbody><tr><td>White British</td><td>443</td><td>93.2%</td></tr><tr><td>Info not known/not obtained</td><td>20</td><td>4.2%</td></tr><tr><td>White Other</td><td>6</td><td>1.3%</td></tr><tr><td>White Irish</td><td>2</td><td>0.4%</td></tr><tr><td>Mixed Other</td><td>1</td><td>0.2%</td></tr></tbody></table>	Ethnicity	Number	Percentage	White British	443	93.2%	Info not known/not obtained	20	4.2%	White Other	6	1.3%	White Irish	2	0.4%	Mixed Other	1	0.2%
Ethnicity	Number	Percentage																	
White British	443	93.2%																	
Info not known/not obtained	20	4.2%																	
White Other	6	1.3%																	
White Irish	2	0.4%																	
Mixed Other	1	0.2%																	

Mixed White/Asian	1	0.2%
Other Ethnic Group	1	0.2%
Null	1	0.2%
Total	475	

Fostered Children Ethnic Diversity Profile

Ethnicity	Number	Percentage
White British	260	82%
Asian Other Asian	11	3.5%
White Other	11	3.5%
Other Ethic Group	6	1.9%
Info not yet obtained/unknown	6	1.9%
Chinese	4	1.3%
Black African	4	1.3%
Mixed Other	4	1.3%
Mixed White/Black Carib	3	0.95%
Mixed White/Asian	3	0.95%
Gypsy/Roma	2	0.63%

Mixed White/Black African	2	0.63%
White Irish	1	0.32%
Total	317	

Fostered Children Age Profile

The proposed fee model does not propose any change to any age restrictions currently in place.

The minimum age to become a foster carer is 21 years old. There is no upper age limit.

Children can be fostered from birth up to age 18 years old. When a foster placement reaches 18 years old they may be eligible for Devon's Staying Put scheme or enter into an Adult Placement.

Age	Number
0	19
1	5
2	7
3	10
4	3
5	8
6	9
7	11
8	16

9	15
10	12
11	16
12	17
13	26
14	39
15	21
16	48
17	34
18	1

Devon's Foster Carers Age Profile:

The age breakdown for Devon's foster carers is as follows:

21-30 years old – 12

31-50 years old – 154

51-70 years old – 292

71 years old and above – 17

The highest number of carers per age is 33 for 51 year olds, followed by 54 year olds at 25 then 52 year olds at 24.

	The oldest carer is 86 years old and there are 3 foster carers aged 21-26 years.
Other stakeholders (agencies etc.):	<ul style="list-style-type: none"> • Other DCC staff • Councillors • Public
Consultation process and results:	<p>A workshop was held on 31 Oct which was attended by a cross section of foster carers forming a working group representing the current DCC fostering schemes. Also in attendance were two social workers and members of the project team. The attendees were tasked with setting a number of principles by which a new fee scheme should be governed. Once they had achieved this, the group prioritised these principles.</p> <p>With the newly set principles set in priority order, the group then discussed and drafted potential fee models each with their own set of pros and cons.</p> <p>The working group met again on 31 January 2018 and on 12th July 2018. These working group sessions allowed the diverse members to further review the model and to comment on the financial stress-testing that has taken place.</p> <p>The formal period of consultation commenced on 25th July 2018 and will run until 12th September 2018. 8 consultation sessions have been held at various locations across Devon. These sessions were run as 'open day' sessions to allow foster carers the flexibility to attend at their convenience during the day.</p> <p>A consultation session was held specifically for Tier 3 Foster Carers (DCC most experienced foster carers). A number attended and were given the opportunity to express their views to the Head of Children's Social Care and the Chief Officer for Children Services.</p> <p>All feedback has been collated to inform the DCC Cabinet decision required as part of this change.</p> <p>The consultation sessions have produced a number of scheme suggestions from foster carers including additional categories for the assessment criteria – Complex Contact Arrangements, Foetal Alcohol Syndrome and Children with a Terminal Illness. These additions will be considered along with all other feedback.</p>

Research and information used:

Other local authorities fee models and their approach to recent fee model changes were considered in advance and during the life of the project. Independent Foster Agency (IFA) fee structures were also considered.

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	<p>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</p> <p>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</p>	<p>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’).</p> <p>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</p>
All residents (include generic equality provisions):	The change does not apply to all residents. The proposed change to the fostering model applies to foster carers and foster children. Children become fostered children due a variety of circumstances which mean they cannot live with their birth parents.	
Age:	See diversity profile in earlier section.	

	<p>The proposed scheme may have a potential positive impact as it is potentially more attractive to people all ages wanting foster under the fairer scheme, otherwise the impact on the age characteristic will be neutral.</p>
<p>Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:</p>	<p>Some of the children who are fostered will have disabilities. The proposed new fee model will ensure that the most appropriate and experienced foster carers are fairly and equitably rewarded for taking on the most complex placements.</p> <p>Based on figures from early 2018, Devon has 48 foster children classed with a disability out of 317 in total. This gives a percentage of 15.1%.</p> <p>A number of health considerations form part of the Health section within the proposed fostering assessment criteria. Please see appendix A for a full list of the proposed assessment criteria. The improved scheme should be more responsive to needs arising from disabilities so should have a positive impact.</p>
<p>Culture and ethnicity: nationality/national origin, skin colour, religion and belief:</p>	<p>Please see the table in the earlier Diversity Profile section of this form which gives a breakdown of ethnicity for foster carers and fostered children.</p> <p>Foster placements will be child-centric and will be placed to appropriate carers based on the child's needs and the skills and experience of the carers.</p> <p>Part of the proposed assessment criteria is to assess for any language barrier and those children who fall into the category of an Unaccompanied Asylum Seeker (UAS). See appendix A for a full list of proposed criteria for assessment.</p> <p>The new scheme should have a positive impact on needs arising from culture and ethnicity because the relevant assessment criteria is now clearer.</p>
<p>Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity</p>	<p>Based on figures produced in early 2018, the percentage of female foster carers is 58.8% and the percentage of male foster carers is 41.2%.</p> <p>Devon's foster children's gender balance is 44% female and 56% male.</p>

(including women's right to breastfeed).	The new scheme has the potential for a positive impact on needs arising from sex, gender and gender identity because it is clearer about all assessment criteria and the way needs are captured.
Sexual orientation and marriage/civil partnership:	<p>The fostering service actively seeks to recruit foster carers from LGBT communities. The foster service has produced targeted adverts and has attended events such as Pride.</p> <p>Any LGBTQ children will be matched to appropriately trained and experienced foster carers.</p> <p>The new scheme maintains this positive approach.</p>
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	<p>Based on placements as at April 2018, the proposed new model gives a financial increase to 50% of placements, 10% will remain unchanged and 40% will show a reduction.</p> <p>The project proposes to give financial protection to those foster carers who, as a result of the new model, will be financially worse off by 5% or more. This protection will last for up to 2 years or when the current placement ends (whichever is sooner).</p> <p>We acknowledge that despite the protection, there will be some social economic impact on some foster carers.</p>
Human rights considerations:	<p>One of the principle values behind the development of fostering itself is the right to a family life.</p> <p>The changes proposed within this project have no negative impact on any of the protected characteristics.</p>

Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	This is a change to the Foster Carers Fees Model. The changes proposed do not have any significant impact on the promotion of independence.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	The changes to the fees will be child centric so that the needs of each child placement is considered as a priority which should improve the safeguarding and wellbeing of children.
In what way can you help people to be connected, and involved in community activities?	The Fostering Service will continue with a range of activities, support groups, training events and recognition days throughout the year and will continue to encourage participation in community activities.

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
	Planning Permission under the Town and Country Planning Act (1990).

	Strategic Environmental Assessment under European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”.
--	---

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce waste, and send less waste to landfill:	none	none
Conserve and enhance biodiversity (the variety of living species):	none	none
Safeguard the distinctive characteristics, features and special qualities of Devon’s landscape:	none	none
Conserve and enhance the quality and character of our built environment and public spaces:	none	none

Conserve and enhance Devon's cultural and historic heritage:	none	none
Minimise greenhouse gas emissions:	none	none
Minimise pollution (including air, land, water, light and noise):	none	none
Contribute to reducing water consumption:	none	none
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	none	none
Other (please state below):	none	none

Section 4c - Economic impacts

	<p>Describe any actual or potential negative consequences.</p> <p>(Consider how to mitigate against these).</p>	<p>Describe any actual or potential neutral or positive outcomes.</p> <p>(Consider how to improve as far as possible).</p>
--	---	--

Impact on knowledge and skills:	Some carers could leave DCC fostering service if they decide that the new fee model negatively impacts on them financially. Most higher paid carers are those with long service, so there is a risk that some knowledge may be lost, resulting in a small negative impact.	We have put some transitional financial protection in place and also expect to recruit more new foster carers under the new scheme.
Impact on employment levels:	There is also a very low risk that some DCC foster carers may decide to stop being foster carers due to their individual reduction of fees under a new model, this will potentially result in a small negative impact.	There is a recruitment drive in place and the new models would be fairer and more equitable than current models. Therefore, this should be more attractive to potential foster carers and so mitigate the possible negative impact.
Impact on local business:	neutral	neutral

Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	none
---	------

Section 5 - 'Social Value' of planned commissioned/procured services:

How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?	<p>The scheme should offer enhanced social value from fostering because its aims are:</p> <p>To implement a Foster Carer fees model that is fair, equitable and fully represents value for money.</p>
---	--

	<p>To put in place a fees scheme that puts the needs of the child at the centre and deals with the complexity of the child as a priority.</p> <p>To ensure that the financial support to carers is fair, clear and equitable.</p> <p>To promote, in the long term, the retention of carers.</p> <p>To produce a competitive payment structure that supports the recruitment of new carers.</p> <p>Enable young people to live in a household resourced to provide security and promote best outcomes.</p> <p>To recognises the skills, experience and input of foster carers.</p>
--	---

1. Solo placement	
	Requires solo placement only
2. Risk	
	Risk to younger children
	Risk to animals
3. Legal status	
a)	Care Order
b)	Interim Care Order/EPO/PPO
c)	Accommodated
4. Number of previous placements	
a)	0
b)	1-3
c)	4+
5. Age	
a)	0-10
b)	11- 18
6. Time in Care	
a)	One year or under
b)	1-4 years
c)	5 years an up
7. Previous types of placements	
a)	From home/hospital
b)	Foster care/connected carer/Family
c)	Residential
d)	Secure
e)	Unaccompanied Asylum Seeker (UAS)
8. Missing from home /care episodes?	
a)	None
b)	1-3
c)	4+
9. Education	
a)	Pre-School
b)	Full time education /FE college
c)	Education, Health and Care Plan (EHCP)
d)	Special School
e)	Occasional non attendance
f)	Pupil Referral Unit / home tuition
g)	Frequent non attendance
h)	Temporary Exclusions
i)	Permanent exclusions
j)	No education

10. Experience of abuse and neglect	
a)	Emotional abuse
b)	Neglect
c)	Sexual abuse
d)	Physical abuse
e)	Domestic Violence in home
f)	Displaced due to UAS status
g)	Young Persons Behaviour only
11. Health	
a)	No specific health needs mentioned
b)	Diagnosed mental health difficulties
c)	CAMHS involvement
d)	Learning disability/communication difficulties
e)	Physical disability/sensory
f)	Other diagnosed difficulties/inc global developmental delay
g)	Chronic health problems
h)	Diagnosis resulting in 24/7 health care (inc night care)
12. Substance Misuse	
a)	Substance misuse not mentioned as risk
b)	Low Level actual or potential risk
c)	Occasional and/or at medium risk
d)	Frequent and/or at high risk
e)	Other agency involvement
13. Level of need / risk	
a)	Can live as part of a fostering family. Not a high risk to others, less behavioural issues
b)	Able to form secure attachments reflected in learning and behaviour
c)	Some attachment issues mentioned
d)	Significant learning and/or behavioural difficulties
e)	Significant attachment issue that have a major impact on child development
f)	Autistic spectrum disorder leading to complex additional needs
g)	Emotional and behavioural difficulties
h)	YOTS involvement
i)	Severe emotional and behavioural difficulties
j)	Challenging or offending behaviours. Threats of violence and aggression towards care givers
k)	Extremely challenging or offending behaviour. Actual violence and aggression towards care givers/foster carers
l)	Sexualised behaviour and sexually harmful behaviour
m)	Risk of child sexual exploitation
n)	Language Barrier (no English)
o)	Self Harm – superficial
p)	Self Harm – serious concerns (not substance misuse)
q)	Risk of fire setting. One or more events of fire setting inside a home