

# From a distance

Looked after children living away from their home area

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This thematic inspection evaluated the effectiveness of local authorities in discharging their responsibilities to looked after children who live away from their home community. Inspectors visited a sample of nine local authority areas. The report draws on evidence from 92 cases. It also draws on the views of looked after children and young people, carers, and professionals from the local authorities and from partner agencies.

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## Executive summary

Local authorities have a statutory duty to ensure that there is sufficient accommodation to meet the needs of looked after children in their community. This duty is supported by statutory guidance that 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.<sup>1</sup> The guidance emphasises that 'having the right placement in the right place, at the right time', with the necessary support services such as education and health in place, is crucial in improving placement stability, which leads to better outcomes for looked after children.

However, in 2013, more than one in 10 looked after children lived outside their home local authority area and more than 20 miles from their home community. Young people who live in children's homes were three times more likely to be living away from their home area than children who are looked after by foster carers.<sup>2</sup>

Launching the Children and Families Bill in February 2013, the Children's Minister, Edward Timpson MP, called for an end to an 'out of sight, out of mind' culture which he said had led to the high number of children being placed many miles from their home community.<sup>3</sup> More recently, the Secretary of State for Education, Michael Gove, has echoed this call and announced new arrangements that will enable information about children's homes to be shared more effectively between those who are responsible for keeping children safe. Local authorities will be held more accountable for their decisions to send children to live far from home.<sup>4</sup>

In this thematic inspection, Ofsted inspectors looked at how well local authorities carried out their responsibilities for looked after children who lived away from their home community. Inspectors visited a sample of nine local authority areas. The report draws on evidence from 92 cases. All cases involved children who were living outside their home local authority area and more than 20 miles from their home community. It also draws on the views of looked after children and young people, carers, and professionals from the local authorities and partner agencies.

There are many reasons why some looked after children 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

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<sup>1</sup> *Sufficiency: securing sufficient accommodation for looked after children* (statutory guidance), Department for Children, Schools and Families, 2010;  
[www.gov.uk/government/publications/securing-sufficient-accommodation-for-looked-after-children](http://www.gov.uk/government/publications/securing-sufficient-accommodation-for-looked-after-children).

<sup>2</sup> *Children looked after in England, including adoption*, Department for Education, 2013;  
[www.gov.uk/government/publications/children-looked-after-in-england-including-adoption](http://www.gov.uk/government/publications/children-looked-after-in-england-including-adoption).

<sup>3</sup> Edward Timpson, *Daily Telegraph*, 24 April 2013;  
[www.telegraph.co.uk/news/politics/conservative/10013169/Time-for-radical-changes-to-our-shameful-system-of-child-protection.html](http://www.telegraph.co.uk/news/politics/conservative/10013169/Time-for-radical-changes-to-our-shameful-system-of-child-protection.html).

<sup>4</sup> Michael Gove, *Daily Telegraph*, 12 September 2013;  
[www.telegraph.co.uk/health/children\\_shealth/10304696/Michael-Gove-Im-ending-this-scandal-over-childrens-care.html](http://www.telegraph.co.uk/health/children_shealth/10304696/Michael-Gove-Im-ending-this-scandal-over-childrens-care.html).

not available in all local authority areas, or long-term foster placements that are in very short supply in many areas. Some looked after children 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.

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 'home' services, especially from education or health professionals, could be offered or sustained.

Many placements had provided children with increased stability in their lives. Most children and young people who contributed to the review were satisfied with the support they received and with plans for their futures.

However, in far too many cases local authorities were failing to pay appropriate attention to the quality of care provided to, and the progress of, some of the most vulnerable children in their care, leaving too many children without the support and help that they needed.

In four of the local authorities visited, information was not shared properly with agencies when children moved out of area. In approximately a third of cases tracked, insufficient consideration was given to the quality or appropriateness of placements. In nearly half of the cases tracked by inspectors, the required level of direct support to meet children's complex needs was not fully in place when a child moved. In a similar number of cases, although most children had regular contact with close family members, not enough consideration was given to how children could keep in touch with all the people that were important to them.

Most local authorities were struggling to recruit enough carers to provide the right type of care for a growing looked after children population. For young people who require residential care, there are not enough children's homes in many regions of the country. It is unlikely that these placement shortages will be resolved in the near future and plans by some local authorities to address this remain unfocused.

Corporate parents, including Local Safeguarding Children Boards (LSCBs), generally did not give enough priority to understanding the risks and challenges faced by looked after children living far from home, or how to ensure that children who are unable to live with their families are not further disadvantaged by delayed plans for their future.

These are worrying findings, given the longstanding and extremely serious concerns that recent reports and high-profile cases have raised about the risks faced by some

children who live away from home.<sup>5 6</sup> The need to improve the care, help and protection for all looked after children, wherever they are living, remains of the utmost relevance and urgency.

## Key findings

- Children were living outside their home local authority for a variety of reasons. Most commonly, it was due to a shortage of suitable carers close to home.
- Children's views were often taken into account. Inspectors saw some good examples of cases where listening carefully to children's wishes and feelings had led to changes to their care plans.
- Contact with children's immediate families was generally well managed and promoted, although more could have been done to enable some children to see friends and members of their extended family.
- Permanence planning and preparation work for young people to become independent were not consistently strong, although inspectors saw some examples of good practice.
- Too often, the quality of the care and support that was provided to children was assessed and monitored by social workers without the appropriate level of expert advice from health or education specialists. This meant that decisions by managers about children living out of authority were not always based on high-quality assessments that fully described how children's needs could be met.
- Independent Reviewing Officers rarely contacted children living out of area between reviews and generally did not provide enough challenge to drift or delay in children's plans.
- Corporate parents did not give enough priority to assuring themselves that children living out of area were receiving high-quality care and support.
- Careful matching of children to carers was much more likely to occur when agreeing for children to live with foster families than it was when the decision was for them to live at a children's home.
- There was often serious delay in securing support to promote children's education and emotional well-being.
- Too often, local authorities failed to notify other agencies properly when a looked after child had moved into their area.

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<sup>5</sup> *Report from the joint inquiry into children who go missing from care*, The All Party Parliamentary Group for Runaway and Missing Children and Adults and the All Party Parliamentary Group for Looked After Children and Care leavers, 2012, p 20;

[www.childrenssociety.org.uk/what-we-do/policy-and-lobbying/parliamentary-work/appg-inquiry-children-who-go-missing-or-run-away-c](http://www.childrenssociety.org.uk/what-we-do/policy-and-lobbying/parliamentary-work/appg-inquiry-children-who-go-missing-or-run-away-c).

<sup>6</sup> *Accelerated report on the emerging findings of the OCC's inquiry into child sexual exploitation in gangs and groups, with a special focus on children in care*, Office of the Children's Commissioner, 2012; [www.childrenscommissioner.gov.uk/content/publications/content\\_580](http://www.childrenscommissioner.gov.uk/content/publications/content_580).

- Risks to some vulnerable children were not always adequately assessed and managed by the professionals involved and, in a small number of cases, poor professional practice contributed to further disruption and uncertainty in their lives.
- Meeting the sufficiency duty remains a considerable challenge for most local authorities (see page 25).
- Some local authorities did not have sufficient understanding of the needs of children placed in their area by other local authorities. LSCBs did not always monitor their needs closely enough.
- The views of children living out of area did not influence overall service planning in any meaningful way.
- The commissioning of independent placements for looked after children was underdeveloped in most authorities visited, lacking a clear focus on the outcomes required for children.

## Recommendations

Government should:

- Review the impact and effectiveness of recent changes to the regulations that strengthen the requirements and duties placed on local authorities and children's home providers to share information about children moving into and out of area and to assess the risks involved in placing children out of area in children's homes.<sup>7</sup> Such a review should be commissioned to ensure that the risks to and needs of children placed out of area are being well managed and overseen by those with responsibility for them.

Local authorities should:

- discharge their responsibilities as corporate parents properly, ensuring that they give high priority to the needs of looked after children living out of area and closely monitor the quality and impact of the care and support they receive
- notify local agencies promptly before placements are made whenever a child moves into another local authority area, to ensure that appropriate health and educational services are immediately available
- provide carers with timely, comprehensive information about the children and young people they are looking after

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<sup>7</sup> Consultation on safeguarding for looked after children: changes to the Care Planning, Placement and Case Review (England) Regulations 2010: government response, Department for Education, 2014; [www.gov.uk/government/consultations/improving-safeguarding-for-looked-after-children-changes-to-the-care-planning-placement-and-case-review-england-regulations-2010](http://www.gov.uk/government/consultations/improving-safeguarding-for-looked-after-children-changes-to-the-care-planning-placement-and-case-review-england-regulations-2010).

- agree placement plans and confirm day-to-day arrangements at the start of placement, including clear arrangements to manage identified risks to children and young people
- ensure that children's educational progress and achievement is not compromised by a move out of area; virtual schools for looked after children should take the lead role in assessing the quality of out-of-authority education provision and supporting all children looked after by the local authority, wherever they are living
- establish full agreement for the funding of health provision in line with the responsibilities outlined in legislation and guidance, prior to children moving to their new home, so that there is continuity of health care for them when they live out of area<sup>8</sup>
- keep parents (where appropriate and safe to do so) fully informed about their children's progress and ensure that contact for children with all friends and relatives who are important to them is not jeopardised by living out of area
- ensure that workforce plans accommodate and prioritise time for social workers, independent reviewing officers and other professionals to develop meaningful, trusting and lasting relationships with looked after children
- ensure that independent reviewing officers closely monitor, review and pursue good progress in the plans for children living out of area
- ensure that the independent reviewing service manager reports regularly to senior leaders and managers in their capacity as corporate parents, on the overall progress of looked after children living out of area, with specific reference to any resource issues that may adversely affect the quality of care
- ensure that commissioning and contracting arrangements with providers clearly focus on how the care and support provided to children can meet their needs and help them to make the required progress
- develop a clear strategy to recruit carers based on an accurate analysis of current need, taking into account the known needs of children whose future needs may require care away from their families
- ensure the sufficiency strategy to accommodate the need for children to be looked after close to home where this is safe for them
- give children living at a distance from their home communities the same opportunities to influence the planning and delivery of services that are available to all children looked after.

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<sup>8</sup> *Promoting the health and wellbeing of looked-after children* (statutory guidance), Department for Education and Department of Health, 2009, p 22;  
[www.gov.uk/government/publications/promoting-the-health-and-wellbeing-of-looked-after-children](http://www.gov.uk/government/publications/promoting-the-health-and-wellbeing-of-looked-after-children).



Local safeguarding children boards should:

- Monitor the performance of the local authority and partners in meeting the needs of all looked after children living in and out of the local authority area, paying particular attention to:
  - the extent to which specialist services are available
  - the sufficiency of education and health resources
  - the risks to children missing from care
  - the effectiveness of the local authority sufficiency strategy in reducing the number of children placed out of the area.

## Introduction

1. Since 2011, a general duty has been placed on local authorities to secure sufficient accommodation within the local authority area to meet the needs of looked after children.<sup>9</sup>
2. This duty is supported by statutory guidance making it clear that children should live within the local authority area with access to local services and close to their friends and family, unless that is inconsistent with their welfare.<sup>10</sup>
3. However, the number of looked after children who live away from their home community has risen in recent years. In 2013, 12% of looked after children were living outside their home local authority area and more than 20 miles from their home community. This figure rises to 29% of looked after young people living in children's homes.<sup>11</sup>
4. Demand significantly outstrips supply of both foster care and residential children's homes placements and this has a serious impact on the capacity of local authorities to meet the needs of children locally. The Fostering Network estimates that there is a nationwide shortage in the United Kingdom of approximately 9,000 foster carers.<sup>12</sup> In September 2013, 54% of children's homes in England were located in only three regions of the country.<sup>13</sup>

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<sup>9</sup> Section 22 (G) Children Act 1989 (introduced by the Children and Young Persons Act 2008); [www.legislation.gov.uk/ukpga/1989/41/section/22](http://www.legislation.gov.uk/ukpga/1989/41/section/22).

<sup>10</sup> *Sufficiency: securing sufficient accommodation for looked-after children* (statutory guidance), Department for Children, Schools and Families, 2010; [www.gov.uk/government/publications/securing-sufficient-accommodation-for-looked-after-children](http://www.gov.uk/government/publications/securing-sufficient-accommodation-for-looked-after-children).

<sup>11</sup> *Children looked after in England, including adoption*, Department for Education, 2013; [www.gov.uk/government/publications/children-looked-after-in-england-including-adoption](http://www.gov.uk/government/publications/children-looked-after-in-england-including-adoption).

<sup>12</sup> The Fostering Network, 'Why do we need more foster carers?'; [www.fostering.net/could-you-foster/who-needs-fostering/why-do-we-need-more-foster-carers](http://www.fostering.net/could-you-foster/who-needs-fostering/why-do-we-need-more-foster-carers).

<sup>13</sup> Official statistics: Children's social care providers and places, Ofsted, 2013; [www.ofsted.gov.uk/resources/official-statistics-childrens-social-care-providers-and-places](http://www.ofsted.gov.uk/resources/official-statistics-childrens-social-care-providers-and-places).

5. Data and research<sup>14,15</sup> suggest that looked after young people with the most complex needs and challenging behaviour are more likely to be living in children's homes. They are much more likely to have a statement of special educational needs. In comparison with the wider looked after children population, they are likely to have experienced more placement moves and they are more likely to have mental health difficulties. They are more likely to go missing, and to be subject to the serious risks associated with going missing. Yet young people living in children's homes are nearly three times more likely to be living outside of their local authority boundary and more than 20 miles from home than children living with foster carers.
  
6. The Joint All Party Parliamentary Group (APPG) report from the enquiry into children who go missing from care expressed serious concerns about the high number of vulnerable children living in care placements that were far from home and of poor quality.<sup>16</sup> The enquiry heard evidence that children living away from family and friends were more likely to go missing and, therefore, were at higher risk of physical and sexual abuse, criminality and homelessness. The report detailed local authority difficulties in monitoring the progress of children placed away from their home area and the considerable problems in accessing the necessary support services for this vulnerable group of children. A Joint Criminal Justice inspection led by HMI Probation in 2012 on the work of youth offending teams with looked after children who are placed away from their home area and who have also offended, found that the overall outcomes and future life chances for these children and young people were extremely poor.<sup>17</sup> Being placed away from their home area, along with frequent placement moves, significantly reduced the likelihood of rehabilitation.
  
7. In 2012, a research project undertaken by the Adolescent and Children's Trust (TACT) and the University of East Anglia examining the links between being looked after and offending, found that although the help provided through becoming looked after can reduce the risk of offending behaviour, living outside

<sup>14</sup> D Berridge, D N Biehal and L Henry, *Living in children's residential homes*, Department for Education, 2012; [www.gov.uk/government/publications/living-in-childrens-residential-homes](http://www.gov.uk/government/publications/living-in-childrens-residential-homes).

<sup>15</sup> Children's homes data pack, Department for Education, September 2013; [www.education.gov.uk/childrenandyoungpeople/families/childrenincare/childrenshomes/a00192000/c/childrens-homes-data-pack](http://www.education.gov.uk/childrenandyoungpeople/families/childrenincare/childrenshomes/a00192000/c/childrens-homes-data-pack).

<sup>16</sup> *Report from the joint inquiry into children who go missing from care*, The All Party Parliamentary Group for Runaway and Missing Children and Adults and the All Party Parliamentary Group for Looked After Children and Care leavers, 2012, p 9; [www.childrensociety.org.uk/what-we-do/policy-and-lobbying/parliamentary-work/appg-inquiry-children-who-go-missing-or-run-away-c](http://www.childrensociety.org.uk/what-we-do/policy-and-lobbying/parliamentary-work/appg-inquiry-children-who-go-missing-or-run-away-c).

<sup>17</sup> *Looked after children: an inspection of the work of youth offending teams with children and young people who are looked after and placed away from home*, HM Inspectorate of Probation, 2012; [www.hmcpso.gov.uk/cjji/inspections/inspection\\_no/594/](http://www.hmcpso.gov.uk/cjji/inspections/inspection_no/594/).

the local authority boundary can adversely affect progress, especially if specialist services such as mental health and education support are in short supply.<sup>18</sup>

8. The Expert Group on the quality of children's homes was established in July 2012 following the conclusion of the high-profile child sexual exploitation trial in Rochdale and reports from the Office of the Children's Commissioner and the APPG Inquiry.<sup>19</sup> One of the report's conclusions stated that local authorities must improve the planning, management and monitoring of placements for looked after children.<sup>20</sup>
9. Launching the Children and Families Bill in February 2013, the Children's Minister, Edward Timpson MP, called for an end to an 'out of sight, out of mind' culture which, he asserted, had led to the high number of children being placed many miles from their home community.<sup>21</sup> More recently, the Secretary of State for Education, Michael Gove, has echoed this call and announced new arrangements that will enable information about children's homes to be shared more effectively among those who are responsible for keeping children safe. Local authorities will be held more accountable for their decisions to send children to live far from home.<sup>22</sup>
10. Since January 2014, a decision to place a looked after child in a 'distant' placement, out of their home area, can only be approved by the Director of Children's Services in a local authority. They will need to be satisfied that the placement is in the child's best interests and will meet the child's identified needs. These new regulations aim to strengthen the current notification system by setting out a requirement for the placing authority to consult with the local area authority before they place a child outside the local authority boundary.<sup>23</sup>

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<sup>18</sup> G Schofield et al, *Looked after children and offending: reducing risk and promoting resilience*, TACT/University of East Anglia, 2012; <http://tactcare.org.uk/research-policy/research/>.

<sup>19</sup> *Accelerated report on the emerging findings of the OCC's inquiry into child sexual exploitation in gangs and groups, with a special focus on children in care*; Office of the Children's Commissioner, 2012; [www.childrenscommissioner.gov.uk/content/publications/content\\_580](http://www.childrenscommissioner.gov.uk/content/publications/content_580).

<sup>20</sup> *Reform of children's residential care: report of the expert group on the quality of children's homes*, Department for Education, 2012; [www.education.gov.uk/inthenews/inthenews/a00224323/quality-child-homes-report](http://www.education.gov.uk/inthenews/inthenews/a00224323/quality-child-homes-report).

<sup>21</sup> Edward Timpson, *Daily Telegraph*, 24 April 2013; [www.telegraph.co.uk/news/politics/conservative/10013169/Time-for-radical-changes-to-our-shameful-system-of-child-protection.html](http://www.telegraph.co.uk/news/politics/conservative/10013169/Time-for-radical-changes-to-our-shameful-system-of-child-protection.html).

<sup>22</sup> Michael Gove, *Daily Telegraph*, 12 September 2013; [www.telegraph.co.uk/health/children\\_shealth/10304696/Michael-Gove-Im-ending-this-scandal-over-childrens-care.html](http://www.telegraph.co.uk/health/children_shealth/10304696/Michael-Gove-Im-ending-this-scandal-over-childrens-care.html).

<sup>23</sup> Consultation on safeguarding for looked after children: changes to the Care Planning, Placement and Case Review (England) Regulations 2010: government response, Department for Education, 2014; [www.gov.uk/government/consultations/improving-safeguarding-for-looked-after-children-changes-to-the-care-planning-placement-and-case-review-england-regulations-2010](http://www.gov.uk/government/consultations/improving-safeguarding-for-looked-after-children-changes-to-the-care-planning-placement-and-case-review-england-regulations-2010).

11. Children's homes now also have a duty to notify local area authorities when children arrive from other local authority areas and when they leave the home. Providers opening new children's homes are now required to carry out a risk assessment of the area in partnership with the police and the local authority.

## Methodology

12. Inspectors visited nine local authorities in July and August 2013. The local authorities varied in size and geographical context and included metropolitan areas, a London borough and counties of varying size, with a combination of rural and urban features.<sup>24</sup>
13. A total of 92 cases were examined during the survey. All cases involved children who were living outside their home local authority area and more than 20 miles from their home community.
14. For each visit, six cases were pre-selected by the survey lead inspector and tracked in detail via semi-structured interviews with relevant professionals, including the social worker, and included scrutiny of case records. Inspectors also sought the views of children and young people, carers and parents. Tracked cases were selected from a range of placement types, including both residential and foster care, to ensure that findings represented as accurately as possible the experiences of all looked after children living out of area. A further 38 cases were sampled randomly during the nine visits.
15. Meetings were held with the following key stakeholders:
  - local independent placement providers
  - commissioning managers
  - senior local authority representatives (for example LSCB member; head of service, lead elected member for children)
  - representatives from the local Children in Care council.
16. An online questionnaire, running concurrently with the fieldwork visits, sought the views of children who were looked after by the participating local authorities and living outside the area and more than 20 miles away from their home community. Responses were received from 32 children, with at least one response from all nine local authorities.

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<sup>24</sup> Six of the local authorities placed more children out of area than were placed by other local authorities within their boundary, and were therefore net 'exporters' of looked after children. The remaining three were net 'importers', placing fewer children out of area than other local authorities placed within their boundary.

## Meeting the needs of children

### Profile of cases

17. More than half (32 out of 54) of the children in cases tracked by inspectors were living with foster carers, 23 of whom were approved and supported by independent fostering agencies. A small number of children (four) were living with local-authority-approved foster carers living outside the local authority, some of whom (five) were family and friends (or kinship) carers. Nearly half (21 out of 54) were living in independent children's homes.
18. The children had experienced a wide range of very difficult life experiences prior to becoming looked after, most commonly parental domestic violence, abuse and neglect. Many parents had longstanding substance misuse or mental health difficulties, or both. The children all had unique needs and had varying degrees of vulnerability. Several children displayed disruptive or aggressive behaviour that previous carers had found hard to manage. Some children had a history of offending or running away from home. Some had been at risk of sexual exploitation. Several had specific learning needs. A small number of children displayed sexualised behaviour that placed them, and others, at risk. Most children had experienced a number of placement moves before moving to where they were currently living. The majority of the children had been assessed as needing expert help to meet their significant emotional and social needs.
19. In nearly half of the cases tracked by inspectors, specialist care (nearly always sought from independent children's homes) had been required. This specialist care was unavailable closer to home. It was not always possible to make an accurate distinction between those placements that had been made based on specialist need and those that had been made primarily as a result of a shortage of local placements.<sup>25</sup>

### Notifications

20. When making arrangements for a looked after child to live outside the local boundary, local authorities are required to notify the local authority where the child will be living.<sup>26</sup> Concerns, however, have persisted for some time that this

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<sup>25</sup> See also *Findings and recommendations from the Department for Education's 'A long way from home' initiative, 2012*, Department of Education, 2013, p 9; <http://dera.ioe.ac.uk/19480/>.

<sup>26</sup> Regulation 11(2)(d), The Children Act 1989 Guidance and Regulations, volume 2: Care planning, placement and case review, Department for Education, 2010; updated February 2014; [www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00185-2010](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00185-2010).

notification system is unreliable.<sup>27,28</sup> When the proper notifications do not happen, this almost always leads to an absence or delay in the provision of necessary protection and support for vulnerable children living away from home, including health and education. Strategic needs assessments for 'receiving' local authorities are also undermined by inaccurate information about the number of, and needs of, children living in their area. The demand on local resources, from policing through to LSCBs, schools and community health services should not be underestimated.

21. Inspectors found that, in four of the nine local authorities visited, the notification system was both flawed and poorly applied. In these areas, local authorities were not able to provide evidence that key agencies were informed when a looked after child moved into their area. Most local authorities also failed to inform host local authorities routinely whenever a child moved out of their area, causing further difficulties when planning services for looked after children.
22. Where practice was strong, robust systems had been put in place to trigger the required notifications, and it was usually the responsibility of one centralised team to send the necessary information to relevant agencies where children would be living. Managers were able to track compliance closely. Poor practice was more likely in those areas where the responsibility to make notifications lay with individual social workers. In these areas, regular non-compliance with the policy was compounded by weak management oversight.
23. The findings of this inspection re-emphasise the urgent need, already identified by Ofsted and government, to address this longstanding system and practice failure and to reinforce notification arrangements, alongside improved care and placement planning for looked after children.

## Identifying placements to meet children's needs

24. Decisions that looked after children should live outside the local authority area were often made by multi-agency panels of professionals, usually chaired by a senior local authority manager. These were variously known as complex case panels, entry-into-care panels, or out-of-area panels. They often provided effective forums for scrutinising the care to be offered to children living away from home, ensuring that the right agencies were involved in decision-making and providing management oversight. They also supported social workers to match the right resource for children with some very complex needs.

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<sup>27</sup> *Accelerated report on the emerging findings of the OCC's inquiry into child sexual exploitation in gangs and groups, with a special focus on children in care*, Office of the Children's Commissioner, 2012, p 33; [www.childrenscommissioner.gov.uk/content/publications/content\\_580](http://www.childrenscommissioner.gov.uk/content/publications/content_580).

<sup>28</sup> Lancashire County Council Task Force, *Who cares? Cross boundary looked after children task force report*, Lancashire County Council Overview and Scrutiny, 2011; [www.childrenssociety.org.uk/sites/default/files/tcs/u32/who\\_cares\\_-\\_cross\\_boundary\\_looked\\_after\\_children\\_task\\_group\\_report\\_-\\_lancashire.pdf](http://www.childrenssociety.org.uk/sites/default/files/tcs/u32/who_cares_-_cross_boundary_looked_after_children_task_group_report_-_lancashire.pdf).

25. In too many cases, however, once a decision had been made that a child's needs could not be met by a local placement, there was serious delay in providing the right support for children out of area, most often in securing access to education and mental health services.
26. In nearly half of the cases tracked by inspectors, the required level of support for children was not fully in place at the time of placement. Despite the requirements for authorities to scrutinise arrangements for distant placements, not all plans were informed by a thorough evaluation of the care provided by professionals with the necessary expertise.<sup>29</sup>
27. Although professionals said they were generally clear about the reasons for a decision that a child should move out of area, the rationale was not always clearly recorded. In these cases, the oversight and analysis of children's needs were not clearly evident and the poor recording meant that children would not easily be able to understand the reasons for some decisions when returning to their records later in life. This also mirrors the concerns raised by the recent HM Inspectorate of Probation report, which found that it was often difficult to see why many looked after children were placed away from their home area.<sup>30</sup>
28. The rationale for matching children with specific care placements was not clearly recorded in approximately half of the cases tracked by inspectors, which made it difficult to track the reasons for decisions. Careful and systematic matching was more likely when seeking foster placements, with teams generally making use of existing and well-established matching protocols. They did not do this for placements in children's homes; reasons for decisions in these cases were reached and recorded through a series of meetings or a panel. When matching was effective, with a thorough and systematic analysis of how carers could meet a child's assessed needs, the likelihood of positive outcomes for children increased considerably.
29. Evidence from a small number of cases showed that moves to new placements but within the same organisation (for example, a move from one set of foster carers to another, both approved by the same agency) were particularly vulnerable to insufficient scrutiny by social workers, managers and commissioners, despite a significant distance involved and considerable changes to the nature of the care provided. These moves typically occurred in crisis and were made in response to a lack of placement choice. They led to gaps in schooling and delays in ensuring that all the care and support resources

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<sup>29</sup> The Children Act 1989 Guidance and Regulations, volume 2: Care planning, placement and case review, Department for Education, 2010; updated February 2014;

[www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00185-2010](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00185-2010).

<sup>30</sup> *Looked after children: an inspection of the work of youth offending teams with children and young people who are looked after and placed away from home*, HM Inspectorate of Probation, 2012; [www.hmcpso.gov.uk/cjji/inspections/inspection\\_no/594/](http://www.hmcpso.gov.uk/cjji/inspections/inspection_no/594/).



needed were in place when a child moved. Care planning regulations and guidance state that a move to any new placement, even within the same fostering or residential care organisation, is a significant change and should be followed up by a review which should make recommendations about how continuity should be maintained for the child.

30. These serious gaps in help for children were more likely to occur in cases where there had been an unplanned end to a previous placement. In a small number of cases, there was a distinct lack of urgency, resulting in further delay for children who had already experienced significant unexpected disruption in their lives. There was not always evidence that timely meetings (sometimes known as 'placement agreement meetings') had been held, either prior to a move or as soon as possible following an emergency move, so that roles and responsibilities could be clarified and action taken to address a child's needs. Where there is an absence of a timely placement plan and unclear day-to-day arrangements, the responsible local authority will be in breach of their statutory duty to a looked after child. Widespread practice of this sort would generate a judgement of inadequate help, care and protection for looked after children in the new Ofsted inspection framework.

#### **Case example – inadequate care**

T, aged 13, had significant emotional needs but arrangements to meet those needs were not yet fully in place, nearly two years after moving with her existing foster carers to live over 100 miles from her home area. It took 18 months for T to receive the required CAMHS support.

The virtual school for looked after children where T lived did not work with children who were the responsibility of other local authorities.

There was a lack of support for the young person and her carer; social work visits had been infrequent and she had no access to independent advocacy.

## **Risk management**

31. Professionals were usually able to articulate the risks faced by children and young people, and demonstrated good understanding of those risks. Too often, however, there was no evidence of a coherent and coordinated risk management plan that was developed and updated by all relevant parties and used to protect children and young people.
32. In several cases, poor sharing of information at the beginning of a placement contributed to poor consideration of potential risks. Important written information (including consent for emergency medical treatment) was not always provided on time. When a child moved to new carers there was not always a formal planning meeting to consider risks fully. Casework was generally crisis-led.



33. Despite the fact that they were generally more likely to display challenging behaviour and have more complex needs, the risks faced by young people living in children's homes were less likely to be managed well than those encountered by children living in foster care, or other family type placements. The risk management plan was often initiated, developed and held by the children's home itself rather than by the placing local authority that was responsible for the child's safety and welfare. More effective plans to manage risk were well developed and set out clearly how the risks would be managed, and the consequences of not being able to keep children safe. The same plans were regularly updated and understood by all key parties, including young people and their families, and were clearly aligned with other plans, such as pathway plans for independence.
34. In a small number of cases, the lack of proper consideration of risks faced by children clearly contributed to delayed support for children and further placement breakdowns. These cases tended to be characterised by an overall lack of robust planning and support for children, including weak permanence planning, as well as inadequate management of specific and immediate risks to children.

## Education and health support

35. Children placed out of area were less likely to receive effective educational and health support than if they were living within their home area, or nearby. The further a child was living from his or her home area, the less effective that support became.
36. The legal responsibility to ensure that children receive the right education, as well as other support to meet their needs, lies firmly with the placing local authority, wherever the children may be living.<sup>31</sup> Accompanying statutory guidance states:

The authority must therefore give particular attention to the educational implications of any decision about the welfare of [looked after children]. The duty...applies to all children looked after by an authority, wherever they are placed.<sup>32</sup>

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<sup>31</sup> See sections 22(3) (a) and 22 (3A) of the 1989 Act. Section 22 (3A) was inserted by section 52 of the Children Act 2004; [www.legislation.gov.uk/ukpga/1989/41/section/22](http://www.legislation.gov.uk/ukpga/1989/41/section/22).

<sup>32</sup> *Promoting the achievement of looked-after children* (statutory guidance for local authorities), Department for Children, Schools and Families, 2010, p 4; [www.gov.uk/government/publications/promoting-the-achievement-of-looked-after-children](http://www.gov.uk/government/publications/promoting-the-achievement-of-looked-after-children).

37. Virtual schools are not required to provide support to all looked after children placed by other local authorities in their area.<sup>33</sup> Virtual schools from the originating local authority often sought and received cooperation and support from host virtual schools, but this was by no means standard practice. Help was too dependent on the good will and capacity of the area where the child was living.
38. In most areas, the virtual school worked hard to provide support and guidance for children's education. When plans concerned children who had a statement of special educational need (SEN), staff from SEN teams worked well with social workers and other colleagues to plan and provide good schooling and to monitor educational progress.
39. Inspectors encountered several examples of children achieving well in their education since moving out of area. Children told of the progress that they had made at school and how they felt that living outside their home area had helped them to settle and make progress.

'The support is brilliant. I am doing very well, much better than in [home authority]. And we have PE nearly every day!'

'I was not in education when I was living in London but now I'm living here, I'm doing great. I'm working towards getting qualifications for my English, Maths and my Music.'

'I get really good support. I have learnt about the Romans and play tennis. I go to after school club and enjoy gardening club. I like my teacher.'

40. Some children, however, experienced serious gaps in their education following their move out of area. As one young person reported:

'It's hard because I'm not in the same borough so I can't receive the same help.'

41. Delay in ensuring suitable provision was most likely to occur following an unplanned move, but there was also an insufficiently sharp focus on children's educational needs prior to some planned moves. In several cases, the social worker visited potential placements on their own and assessed the suitability of the education component of the proposed care package without full consultation with education specialists. For example, a young person who had missed several years of school had begun to engage in education on-site at his new children's home; but there was no evidence that an education specialist

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<sup>33</sup> Virtual schools work with looked after children as if they were in a single school, liaising with the schools they attend, tracking the progress they make and supporting them to achieve as well as possible.

from his home area had been involved in overseeing and assessing the quality or suitability of the teaching there, or the progress of the children.

42. When the current statutory guidance on promoting health for looked after children was published in 2009,<sup>34</sup> it cited Ofsted's findings that children who live outside their home area often miss out on critical health services.<sup>35</sup> Findings from this inspection suggest that little, if any, progress has been made since 2009. In nearly a third of tracked cases, children experienced difficulties in receiving appropriate health provision, most commonly from local Child and Adolescent Mental Health Services (CAMHS). Reasons provided for these serious deficits included a lack of local capacity, poor liaison between different local authorities and clinical commissioning groups (such as notification of moves), and lengthy disputes about funding. Delay in accessing support contributed to further instability for children, including unplanned endings to placements because their emotional needs could not be met without specialist support and intervention.
43. The 'responsible commissioner' arrangements clearly state that the responsibility for meeting and funding secondary healthcare lies with the 'originating' area. The varying cost of CAMHS provision across health boundaries was regularly reported as contributing to lengthy delays in service provision, as agencies sought to resolve funding disagreements or struggled to provide much-needed services due to an existing lack of capacity even for local children. This must be addressed urgently by all local authorities because the evidence available to this inspection shows that children's needs are seriously jeopardised where they cannot access the CAMHS support they need.
44. A designated nurse for looked after children said of this lack of consistency across health boundaries:
 

'It's the biggest single problem. It causes real delay and damage for children.'
45. In many cases and in most local authorities, health professionals and local authority colleagues tried hard to broker services in the area where a child was moving. The originating area would regularly provide ongoing and effective support until any difficulties in securing the right provision more locally were resolved. However, as with educational support, the further the child was living from home, the less likely it was that direct support from 'home' services could be offered or sustained.

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<sup>34</sup> *Promoting the health and wellbeing of looked-after children* (statutory guidance), Department for Education and Department of Health, 2009, p 22;

[www.education.gov.uk/aboutdfe/statutory/g00224401/guidance-health-wellbeing-children](http://www.education.gov.uk/aboutdfe/statutory/g00224401/guidance-health-wellbeing-children).

<sup>35</sup> *Safeguarding children: The third joint Chief Inspectors' report on arrangements to safeguard children* (080062), Ofsted, 2008; [www.ofsted.gov.uk/resources/080062](http://www.ofsted.gov.uk/resources/080062).

46. Occasionally, the lack of proper multi-agency planning led to serious delays for children. For example, for one young person living in a children’s home more than two hours’ travel away from his home local authority, support from CAMHS had been delayed due to the service in his home local authority closing the case before the host area CAMHS agreed to offer support.

**Good practice example – Shropshire Looked After Children Education and Health Team**

The work of the Looked After Children Education and Health Team in Shropshire is ensuring good transitions and timely access to support for children placed out of area. The multi-agency team, located together and led by the headteacher of the virtual school, offers shared expertise and facilitates an understanding of individual children’s needs, intervention and support. A key worker from the team is allocated for each child living out of area and works closely with the allocated social worker and key professionals where the child is living, to promote continuity of healthcare and education for children.

This team has been successful in engaging and re-engaging children in education and in ensuring access to CAMHS support when necessary. This has promoted placement stability, continuity of support and improved life chances for children.

**Contact with friends and family**

47. A recent children’s views report from the Children Rights Director evidenced that children living away from home were particularly concerned about the risk of losing contact with family and friends.<sup>36</sup> Most children who contributed their views to this inspection placed a similar importance upon contact with their family and friends, and several expressed sadness at not seeing those close to them more often.

‘The worst thing [about living out of area] is not seeing my family. I have run away a couple of times to get back home.’

48. Generally, however, the focus that professionals gave to ensuring that children had regular contact with their immediate family was good. Most children were positive about the arrangements that were in place:

‘Staff are always there to support me and help me to keep contact with my adoptive family.’

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<sup>36</sup> *Living in an out of area placement: a children’s views report*, Office of the Children’s Rights Director, 2012;  
<http://webarchive.nationalarchives.gov.uk/20140204083008/https://www.rights4me.org/home/library/reports/report-living-in-an-out-of-area-placement.aspx>.

'My foster parents are very supportive on how I keep in contact with my family. We all voice our own opinions on what should happen on the next visit and what we should do for the day.'

49. Children usually kept in touch through visits and telephone calls. In a small number of cases, there was imaginative use of technology such as Skype to help children keep in touch with their families.
50. Most parents interviewed said they were well supported to remain in regular contact with their children. A small number told inspectors that they struggled with the expense of visiting their children where they were living and had not been provided with financial help to do so by the local authority. This was due to individual poor practice rather than stated policy. Local authorities resolved these matters when they were brought to their attention by inspectors.
51. The ability to discuss issues or to attend important meetings was sometimes restricted by distance. A small number of parents who lived far from their children were not kept up to date and involved as well as they should have been about plans for their children.
52. There was less emphasis generally on maintaining contact with friends and wider family members. One young person poignantly reflected on the impact of this:
 

'I don't see [extended family] relatives. Don't really remember some of them.'
53. Contact with individuals beyond the child's immediate family was more difficult to sustain at a time of change or upheaval. More could have been done in some cases to ensure that, when it was safe to do so, children remained in touch with people important to them.

## **Contact with professionals**

54. In the great majority of cases, social workers visited children and young people where they lived at least in line with statutory requirements, and in many cases, more often. Children were given the opportunity to speak to their social worker so that they could raise any worries or concerns with them privately.
55. There was evidence that many social work visits were thorough, purposeful and took careful account of children's views. Where social workers had built and maintained good relationships with children through regular and constructive visits (sometimes supplemented by telephone calls and text messages), children's wishes and feelings strongly influenced the plans for their future. In such cases, young people were actively and effectively involved in their review meetings.

56. In one case, the efforts made by social workers to get to know children well and to understand their wishes and feelings fully, despite the long distance involved in visits, led the child's carer to say:

'They have been exceptional. You never feel you're one of a number. You're made to feel you're the only one.'

57. Elsewhere, a children's home manager welcomed the quality of information provided when the young person first moved there, and the high level of support from the social worker. They visited the young person at least monthly and were in regular contact between visits, either by email, telephone or by text messages. Another foster carer described how a child's social worker 'always gets back to me straightaway' when she sought advice or help. Weekly reports of progress were routinely shared and the social worker visited frequently.
58. In a small number of cases, however, a lack of regular contact meant that social workers had been unable to form effective relationships with young people, who remained disengaged with their reviews and much of the planning for their futures. Sometimes, social work contact tended to concentrate on discussions with staff or carers rather than with children or young people. This meant that reviews and plans were likely to concentrate more closely on the reporting of incidents and events, at the expense of involving young people fully in planning for their futures.
59. Research, good practice and guidance confirm that a positive relationship with a social worker is a strong protective factor for a child.<sup>37</sup> Continuity of involvement from professionals was valued highly by carers and children alike, alongside reliability and a quick response to difficulties or concerns. Unfortunately, this was not achieved for all children. Some carers felt that a high turnover of social work staff and high caseloads had meant that children had not been able to forge a good relationship with their social worker. One young person, who had experienced four rapid changes of social worker, told his carer what she should say when she contacted the local authority:

'Just shout my name and see who answers'.

## Planning for the future

60. Placements out of area presented additional challenges when planning for children's futures, especially in planning for independence.
61. The high cost of some placements, especially in children's homes that included education and therapy on site, unsurprisingly led to regular funding reviews by

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<sup>37</sup> The Children Act 1989 Guidance and Regulations, volume 2: Care planning, placement and case review, Department for Education, 2010; updated February 2014; [www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00185-2010](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00185-2010).

contributing agencies, although professionals worked hard to keep those discussions in the background to avoid unnecessary uncertainty for children and families.

62. Establishing the right support in the future for young people if they wanted to remain in that area was not straightforward for professionals. Inspectors did, however, see examples of some sensitive and tenacious work in planning for young people's independence, including making good links with local housing providers and further education colleges.
63. For some young people, pathway planning for leaving care was not uniformly good. Several plans needed to be updated or were insufficiently specific, leaving young people and others involved in their care unclear about the purpose of the plan and what the future held, including where they would live once they left care. This was exacerbated when young people were not fully engaged in the development of the pathway plan.
64. Most tracked cases included plans for children to remain in their placement until they left care. In several cases, plans were in place for children to stay with their foster carers beyond 18. Several placements that had not originally been planned as permanent long-term options had later been approved as long-term placements after a child had settled there. A small number of cases, however, still required the formal decision of permanence that might have helped a child feel more secure and settled. Sometimes, while focusing on managing immediate and short-term risks, professionals did not retain sufficient focus on securing permanence for children, including plans to return home to their families.
65. Although professionals were generally able to articulate the long-term plans for children, it was not always fully apparent that young people shared that clarity. For some young people, uncertainty remained. One young person, for example, commented:

‘Not really read my care plan but social worker has spoken to me about it – not sure when I’m going home.’

Another said:

‘I will come back to [my home town] when I have finished college and live with my mum. I don’t know what the social worker’s plans are but that is what I am doing. When I am 18, they can’t stop me.’

## Children’s progress

66. Most children whose care was examined by inspectors had made some progress where they were living, although this was not always the case in all areas of their lives. Positive outcomes were slightly more likely for children placed in

foster care than for those living in children's homes. The most positive experiences for children were underpinned by strong assessment and planning, effective matching, high-quality care, robust risk management and good joint multi-agency working.

67. The redefining of a distant placement as one that is outside of the placing authority and outside of any bordering authorities<sup>38</sup> takes account of travel time and pre-existing relationships with neighbouring local authorities and is welcomed.
68. Children who live out of area but in an adjacent authority often benefit from pre-existing close collaboration between agencies, or from continuing services from the home authority, and can reasonably be considered to be living 'locally'. After all, many looked after children living within a large local authority may be living further from their home community than other looked after children from the same area living in a neighbouring authority.
69. Many placements had provided children with much-needed stability in their lives. Some children had lived with the same carers for several years, with plans that they should remain with them until independence. Moving away from their home area had enabled some children to stay safe from abuse or other risks, and this had been a key reason for the move out of area.

One young person told inspectors:

'I didn't want to go [into the city] but my mates kept getting me into trouble. I was in a gang and got arrested. I think it was a good thing that they moved me because I don't get in so much trouble now.'

70. Elsewhere, a young person described the ongoing efforts that carers made to protect him; he was at risk of running away and exposing himself to continued risks:

'I have done well at school and done exams. I live near [the coast] and like the beach. Staff follow me [when I have] free time because I make poor choices.'

71. Children who contributed to the inspection believed that the quality of the relationship with their carers was a critical factor in determining positive outcomes, emphasising the importance of good assessment and staff who are capable of helping children with complex needs. Inspectors saw several examples of carers going above and beyond expectations to support young

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<sup>38</sup> Consultation on safeguarding for looked after children: changes to the Care Planning, Placement and Case Review (England) Regulations 2010: government response, Department for Education, 2014;

[www.gov.uk/government/consultations/improving-safeguarding-for-looked-after-children-changes-to-the-care-planning-placement-and-case-review-england-regulations-2010](http://www.gov.uk/government/consultations/improving-safeguarding-for-looked-after-children-changes-to-the-care-planning-placement-and-case-review-england-regulations-2010).



people, especially in promoting continued education and maintaining family contact.

72. Other children, however, had less positive outcomes. Overall, the further a child lived away from their home local authority, the less likely they were to benefit from timely education and health provision. In one case, for example, poor assessments contributed to unmet needs and insufficient support for the children and carers, and an eventual abrupt end to a placement. In another case, the progress that a child had made was hindered by the distance travelled for therapy, resulting in some missed schooling, and by a lack of long-term planning for the future. Elsewhere, a young person's latest move after many previous placements had led to him living a long way from his home area. He had only intermittent contact with relatives, limited education and a distinctly uncertain future.

## Meeting the sufficiency duty

73. Local authorities have a statutory duty to ensure that there is sufficient accommodation to meet the needs of looked after children in their community. This duty is supported by statutory guidance that makes it clear 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.<sup>39</sup> The guidance emphasises that 'having the right placement in the right place, at the right time' is crucial in improving placement stability, which leads to better outcomes for looked after children. A whole-system approach should be taken, including ensuring that the necessary support services such as education and health are in place to support looked after children.
74. All local authorities visited faced significant challenges in ensuring that there were sufficient high-quality local placements to meet the individual needs of looked after children. These challenges were exacerbated by increasing numbers of looked after children in several local authorities, resulting in a continued reliance on placements out of area.
75. The high cost of property locally and regionally in some areas meant that children's homes providers were less likely to establish provision in, or near, some local authorities. This contributed to a disproportionately high number of children in residential care living at a distance from their home areas in those areas with fewer registered children's homes. Similarly, the pool of potential foster carers who owned properties large enough to look after an additional

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<sup>39</sup> *Sufficiency: securing sufficient accommodation for looked after children* (statutory guidance), Department for Children, Schools and Families, 2010; [www.education.gov.uk/aboutdfe/statutory/g00222838/secure-accomm-looked-after](http://www.education.gov.uk/aboutdfe/statutory/g00222838/secure-accomm-looked-after).

child was reduced by the high cost of property. Such challenges are likely to remain long term and significant for many local authorities.

76. Foster carer recruitment strategies were generally focused on finding placements for children whose needs were more complex, such as older teenagers and sibling groups. Although inspectors did see examples of good-quality plans to recruit carers that had led to an increase in placement choice, not all strategies reflected the identified gaps and specified action designed to meet those enduring demands.

**Good practice example – improving access to housing for foster carers in Camden**

The cost of property in Camden is prohibitive for most providers looking to set up children’s homes. Potential foster carers often do not have the size of property, with spare bedrooms, that will enable them to care for looked after children.

Following close work between officers from housing and social work, supported by elected members, 10 council-managed properties can be ring-fenced for foster carers and adopters as part of the housing allocations policy. This may be increased or reduced in future, as demand stipulates.

**Looked after children from other local authorities living in the area**

77. Local authority plans for all looked after children living in their area, including those originating from other areas, were severely compromised by poor information-sharing, including insufficient or no application of the statutory notifications system. Several sought to make sure that their information about children in their area was accurate by writing to all other councils asking for updated data, but this was reliant on a universally efficient response and had limited impact. Local education and health services, especially via virtual schools or hospital attendance, were a regular source of information when children came to their attention, but this was often out of date and ultimately unreliable.
78. In three local authorities visited by inspectors there were high numbers of looked after children from other local authorities – higher than the number of local looked after children, making them net ‘importers’. In a small number of local authorities, the number of children originating from elsewhere rose above several hundred and placed considerable strain upon local services. This high number of children was partly caused by a proliferation of private and voluntary children’s homes, which often accommodated children from regions where such provision was scarce.
79. Local authorities who were significant net ‘importers’ typically responded to the needs of other local authorities’ looked after children living in their area more effectively than those who were net ‘exporters’, but this was not true in all

cases. For example, specialist nurses for looked after children, and other health professionals in some areas, routinely supported looked after children placed in the area by other local authorities, but this practice was not always reciprocated.

80. Recent concerns about child sexual exploitation and missing children had resulted in a closer examination of the risks faced by looked after children, including those from other areas, by most local authorities and by LSCBs. This had led to some very effective cross-agency initiatives to respond to the needs of some of the most vulnerable looked after children. While these initiatives were to be welcomed, they were generally issue-led and reactive rather than being driven or informed by a collective overview of the needs of all looked after children in the area.

## Commissioning

81. Generally, the commissioning of independent placements for looked after children was underdeveloped. The findings reflected the views expressed in the recent report from the Association of Directors of Children's Services that commissioning in the sector tends to focus on placements rather than children's outcomes, and is not based on a firm enough understanding of the quality of care offered by providers.<sup>40</sup>
82. Placements were typically commissioned under single pre-placement agreements ('spot-purchasing'). Most 'preferred provider' frameworks, usually operated by local authorities as part of a regional consortium, applied only to independent fostering agencies, rather than to providers of residential care. In most local authorities, decisions to place children in children's homes were based on organisational knowledge and experience of the care that a home had previously provided, although other factors, such as the most recent Ofsted inspection report and pre-placement visits by professionals, were also taken into consideration.
83. All local authorities operated a policy that that they would not place children in independent provision that had been judged as less than adequate. Most only placed children regularly with good or outstanding providers.
84. Resource teams, including commissioners and contracts officers, worked with social work teams in most authorities to identify a suitable placement following requests for out-of-area provision, although the effectiveness of the relationships between these teams varied. For example, feedback from contract monitoring visits to independent provision – which ranged considerably in frequency and effectiveness – was not always fully shared with social workers,

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<sup>40</sup> *What is care for: alternative models of care for adolescents* (position statement), Association of Directors of Children's Services, 2013; [www.adcs.org.uk/news/whatiscarefor.html](http://www.adcs.org.uk/news/whatiscarefor.html).

who were often not fully aware of the most recent Ofsted report about a provider and any consequent implications for children.

**Good practice example – commissioning independent placements, West Sussex**

West Sussex operates a joint framework agreement with Brighton and Hove for establishing placements with independent sector fostering and residential providers. Both residential and fostering providers receive all referrals, as the placement decision is based on the ability of the provider to meet the needs and identified outcomes for the child, rather than on service type. Providers respond on the basis of how they will meet children’s needs, and these responses are evaluated by social workers within the team. Placement decisions are based on which provider is best able to meet the needs of the child. Cost is only a factor in the event of a tie.

This process ensures that a focus on children’s needs is central in decision-making. The process improves clarity regarding the expectations of providers, and encourages innovation and flexibility among providers to offer services suited to varying needs.

Since the implementation of the framework, there has been a 50% reduction in the use of residential placements, as fostering providers have been able to offer services to children who would previously have been referred only to residential providers. This has resulted in better matches for children and young people in independent placements, as well as a cost saving to the local authority.

**The views of providers**

- 85. Inspectors spoke to independent providers based in local authority areas. Overall, their engagement with local authorities and their partners was patchy. Most provider representatives welcomed opportunities to meet with local authorities. In most areas, regular provider forums were held, but there was a mixed view of their effectiveness. Some providers felt that the agendas for these meetings were too often local-authority-led and missed opportunities to develop a shared agenda.
- 86. There was little evidence at a strategic level of effective engagement with the independent sector in service planning for looked after children, such as joint work to address their current and future placement needs. Joint training was available, particularly through LSCBs, but providers in several areas felt that these opportunities were limited.
- 87. There was a common concern expressed by independent providers that some local authorities did not understand the true cost of placements. One provider described the financial pressures they felt they regularly experienced with local authorities:

'We agree the cost for a placement, which is set as low as we can go; the next question is almost immediately: "Can we have a discount?'"

## The role of independent reviewing officers (IROs)

88. When reviewing and monitoring care plans, IROs did not routinely tackle the distinct and particular issues that arose for children living away from their home area. Overall, the level of IRO challenge lacked rigour, and this finding echoed recent concerns about their overall effectiveness nationally.<sup>41,42</sup> In too many cases, inspectors found that IROs did not sufficiently challenge drift and delay in children's lives.
89. In one case, for example, a 'paper' review was held in the office about a child in an emergency placement a long way from home. A further statutory review would be held that directly involved the young person and the carers, 'when plans became clearer'. This was clearly inadequate. The absence of a clear plan or any immediate review opportunity was likely to lead to further delay and further upset for a child who did not know what was happening for them. In another case, the absence of an adequate pathway plan was not adequately challenged by the IRO. Elsewhere, delays in accessing CAMHS provision, or the poor quality of education, were not always robustly addressed.
90. In some cases, IROs should have pushed more strongly for consideration of an independent visitor for children who had little family contact. In one case, it had been agreed that an independent visitor would not be offered to a child as 'there were already a lot of professionals involved', displaying an apparent lack of understanding of the purpose of independent advocacy. More positively, evidence was seen in several tracked cases of well-established independent visiting services helping children and young people.
91. Although IROs consistently met with children living out of area immediately before or after statutory reviews, inspectors encountered evidence in only a very small number of cases where IROs made additional contact with children between reviews. IROs acknowledged that the distance between the children and their home local authority might cause considerable isolation from family and friends for children, but young people, especially those who lived far from home, generally required stronger independent advocacy than was commonly provided by their IROs.

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<sup>41</sup> *Independent reviewing officers: taking up the challenge?* (130113), Ofsted, 2013; [www.ofsted.gov.uk/resources/130113](http://www.ofsted.gov.uk/resources/130113).

<sup>42</sup> H Jelacic, D Hart, I La Valle with R Fauth, C Gill and C Shaw, *The role of independent reviewing officers (IROs) in England: findings from a national survey*, National Children's Bureau, 2013; [www.ncb.org.uk/search-results?q=IROs](http://www.ncb.org.uk/search-results?q=IROs).

## Corporate parenting of children living out of area

92. The level of attention paid by senior corporate parents, including elected members, to the needs of children living out of area was generally low. In 2013, approximately 8,000 looked after children were living outside their home local authority area and more than 20 miles from their home community.<sup>43</sup> A sharper focus on their needs is required from those who are responsible for their care.
93. There was considerable evidence of active corporate parenting boards with good multi-agency and elected member involvement, which meant that the boards regularly addressed issues pertinent to all looked after children (including those living out of area). However, only a small number of the boards explicitly addressed the specific and distinct issues that might be faced by children who lived outside the council boundary.
94. Most local authorities did not routinely collect separate data on the progress of children living out of area. Those that did rarely analysed the information to inform service planning. When one local authority did so, they were able to compare outcomes for children living out of area with those for children living within the authority. The numbers of children were small, making broad conclusions difficult, but the process allowed them to consider the impact that distance from their home areas may have on children.
95. Most high-level strategic documents seen by inspectors, such as the local Joint Strategic Needs Assessment or the Children and Young People's Plan, did not identify out of area placements as a priority area, although most permanence policies (or similar documents) stated a commitment to enabling children to live close to home whenever possible. Inspectors did not encounter evidence of IRO reports addressing issues specifically relating to children living out of area.
96. There was very little evidence of elected members visiting children where they lived out of area, although a small number of local authorities reported that there were plans in place to do so. There was a notable contrast between the close attention paid to looked after children living in local authority children's homes (for example, through Regulation 33 visits) and those living in homes that were run independently.
97. Children who lived at a distance from their home community were often disenfranchised from meaningful involvement in the shaping of services for looked after children. Very few local authorities had enabled children who lived out of area to be involved in the Children in Care Council and, where this had occurred, it was with limited success. Local authorities were unable to provide significant examples of how the views of children living out of area had

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<sup>43</sup> *Children looked after in England, including adoption*, Department for Education, 2013; [www.gov.uk/government/publications/children-looked-after-in-england-including-adoption](http://www.gov.uk/government/publications/children-looked-after-in-england-including-adoption).

influenced service planning. Most young people who replied to Ofsted's questionnaire were either unaware of the existence of the Children in Care Council, or unsure.

98. Only a small number of pledges to looked after children made explicit, separate reference to issues of distance, such as a commitment to providing local placements, or to ensuring that children who lived out of area were not disadvantaged in any way. Indeed, some benefits available to looked after children living locally, such as concessionary access to leisure facilities, were not available to children living out of area, leaving a substantial number of children further disadvantaged.

## Conclusion

99. Looked after children live away from their home authority for many reasons. Some need to be out of area to help keep them safe from dangerous influences closer to home. Others need the kind of specialist support that is not available in all local authority areas. Many children require the long-term foster placements that are in all too short supply in many areas. Some looked after children 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.
100. Children who live out of area but in an adjacent authority often benefit from pre-existing close collaboration between agencies, or from continuing services from the home authority. Those placements can reasonably be considered to be 'local'. The nearer a child was living to home, the more likely it was that direct support from 'home' services, especially from education or health professionals, could be offered or sustained.
101. Many placements out of area had provided children with much-needed stability in their lives. Most children and young people who contributed to the review were satisfied with the support they received and with plans for their futures.
102. However, in far too many cases local authorities were failing to pay appropriate attention to the quality of care provided to, and the progress of, some of the most vulnerable children in their care, leaving too many children without the help that they needed.
103. In four of the nine local authorities visited, information was not shared properly with agencies in areas where looked after children were living. In approximately a third of cases tracked, insufficient consideration was given to the quality or appropriateness of placements. The required level of support to meet children's complex needs was not fully in place at the time of placement in nearly half of the cases tracked by inspectors. In a similar number of cases, although most children had regular contact with close family members, not enough consideration was given to how children could keep in touch with all the people that were important to them.

104. Most local authorities were struggling to recruit enough carers to provide the right type of care for a growing looked after children population. For young people who require residential care, there are not enough children's homes in many regions of the country. It is unlikely that these placement shortages will be resolved in the near future and plans by some local authorities to address this remain unfocused.
105. Corporate parents, including LSCBs, generally did not place enough priority on understanding the risks and challenges faced by looked after children living far from home, or how to ensure that children who are unable to live with their families are not further disadvantaged by delayed plans for their future.
106. These are worrying findings, given the longstanding and extremely serious concerns that recent reports and high-profile cases have raised about the risks faced by some children who live away from home.<sup>44,45</sup> The need to improve the care, help and protection for all looked after children, wherever they are living, remains of the utmost relevance and urgency.

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<sup>44</sup> *Report from the joint inquiry into children who go missing from care*, The All Party Parliamentary Group for Runaway and Missing Children and Adults and the All Party Parliamentary Group for Looked After Children and Care leavers, 2012, p 20;

[www.childrenssociety.org.uk/what-we-do/policy-and-lobbying/parliamentary-work/appg-inquiry-children-who-go-missing-or-run-away-c](http://www.childrenssociety.org.uk/what-we-do/policy-and-lobbying/parliamentary-work/appg-inquiry-children-who-go-missing-or-run-away-c).

<sup>45</sup> *Accelerated report on the emerging findings of the OCC's inquiry into child sexual exploitation in gangs and groups, with a special focus on children in care*, Office of the Children's Commissioner, 2012; [www.childrenscommissioner.gov.uk/content/publications/content\\_580](http://www.childrenscommissioner.gov.uk/content/publications/content_580).



## Further information

### Ofsted publication

*Independent reviewing officers: taking up the challenge?* (130113), Ofsted, 2013; [www.ofsted.gov.uk/resources/130113](http://www.ofsted.gov.uk/resources/130113).

### Further reading

*Living in an out of area placement: a children's views report*, Office of the Children's Rights Director, 2012; <http://webarchive.nationalarchives.gov.uk/20140204083008/https://www.rights4me.org/home/library/reports/report-living-in-an-out-of-area-placement.aspx>.

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H Jelacic, D Hart, I La Valle with R Fauth, C Gill and C Shaw, *The role of independent reviewing officers (IROs) in England: findings from a national survey*, NCB, 2013; [www.ncb.org.uk/search-results?q=IROs](http://www.ncb.org.uk/search-results?q=IROs).

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*Looked after children: an inspection of the work of youth offending teams with children and young people who are looked after and placed away from home*, HM Inspectorate of Probation, 2012; [www.hmcp.si.gov.uk/cjji/inspections/inspection\\_no/594/](http://www.hmcp.si.gov.uk/cjji/inspections/inspection_no/594/).

*NICE quality standard for the health and wellbeing of looked-after children and young people*, National Institute for Health and Care Excellence, 2013; <http://publications.nice.org.uk/quality-standard-for-the-health-and-wellbeing-of-looked-after-children-and-young-people-qs31/introduction-and-overview>.

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## **Annex: Local authorities visited**

- Bristol
- Camden
- Derby City
- Dorset
- Middlesbrough
- Shropshire
- Southampton
- Wakefield
- West Sussex