

A review of the comparability of statistics of children looked after by local authorities in the different countries of the United Kingdom

1. The UK Statistics Authority has stated a requirement for the Department for Education (DfE), the Welsh Assembly Government, the Scottish Government and the Department of Health, Social Services and Public Safety in Northern Ireland (DHSSPS) to document clearly the differences between each administration's CLA statistics and scope out the feasibility and need for a comparable data subset.
2. This note primarily addresses the first part of this requirement and describes the differences between the statistics collected and published by each administration. A table showing statistics from each country is also attached as Annex 2.
3. There are two aspects to the differences between the published statistics in the different countries of the UK:
 - Legislative differences that may result in some children being counted as "looked after" in one country who would not be counted as looked after in the other countries of the UK
 - Differences in the data items collected and published by the different administrations.

Legal framework for children looked after by local authorities in the UK: What constitutes a "looked after child"?

4. A "looked after child" is defined as follows:
 - In England and Wales, "looked after child" has the meaning in section 22(1) of the Children Act 1989, extended to include a child accommodated by a local authority under section 20 of that Act.
 - In Northern Ireland, "looked after child" means a child accommodated for 24 hours or longer under Part 4 of the Children (Northern Ireland) Order 1995.

- In Scotland, “looked after child” means a child who is:- (a) provided with accommodation under section 25 of the Children (Scotland) Act 1995, (b) subject to a supervision requirement from a Children’s Hearing, or (c) subject to an order, authorisation or warrant according to which the local authority has responsibilities under Chapter 2, 3, or 4 of Part II of the Children (Scotland) Act 1995.
5. Relevant extracts from legislation are attached in Annex 1. The principal difference between the legislation for England and Wales and that for Scotland is the inclusion, for Scotland, of children looked after at home covered by section 70 (1) of the Children (Scotland) Act 1995, where the child or young person is subject to a Supervision Requirement with no condition of residence through the Children’s Hearing system. The child or young person continues to live in their normal place of residence (i.e. often the family home). However, there are a small number of looked after children placed at home with parents in England and Wales, so simply excluding children looked after at home in Scotland might not result in comparable figures.
 6. The Children (Northern Ireland) Order was made on 15 March 1995. The Order deals with the care, upbringing and protection of children, including disabled children. It reforms, consolidates and harmonises most of the public and private law relating to children in a single coherent statutory framework along the lines of the Children Act 1989 in England and Wales.
 7. The data collections in each country are returned by local authorities. The local authority has the legal responsibility towards the children and is therefore the prime source for the legal status. The SSDA903 collection in England and Wales adheres closely to the definition of looked after children provided in law. In a small number of instances where there is scope for confusion, guidance on how to interpret the term 'looked after' for statistical purposes is given. This is to achieve consistency in data so that there is comparability between local authorities' figures.

Data collections

8. In England and Wales there are similar data collections. For children who were looked after during the year, the information relates to their placement, legal status, adoption from care (where appropriate), and education achievements (if applicable). For those who have recently left care, the information required relates to their activity and accommodation on their 19th birthday.
9. Data is collected on all children who had an open looked after episode within the collection period, every episode which was open at some point in the collection period, every placement that took place during these episodes and every legal reason for which a child was being looked after.

Wales

10. The data collections in Wales are known as the SSDA903 (looked after children), AD1 (Adoptions from care), OC1 (educational attainments of care leavers) and OC3 (19 year old care leavers). From 2010 additional information on looked after children will be available from the Children in Need Census (Wales).

England

11. In England the scope of the SSDA903 covers all of these subjects, as well as information on outcomes for looked after children, which from 2009 included details of their health, offending and substance misuse. Looked after children are included in the scope of the Children in Need Census in England (however the data items collected differ from those collected in Wales).

Scotland

12. In Scotland data is collected on all children who had an open looked after episode within the collection period, every episode which was open at some point in the collection period, every placement that took place during these episodes and every legal reason for which a child was being looked after. Data is also collected on all young persons who are eligible to aftercare services as at 31 March (including those who are eligible but for whom no aftercare support is being received for whatever reason).
13. Data is also collected on those children who were aged less than 18 years on 31st March who are looked after in a current planned series of short term placements. This covers children who are placed for respite away from their homes (including overnight stays).

Northern Ireland

14. In Northern Ireland data is collected using Children Order statistical returns. Data relates to all children who had an open looked after episode within the collection period, every episode which was open at some point in the collection period, every placement that took place during these episodes and every legal reason for which a child was being looked after. Data is also collected on children that left care aged 16+ during the year (OC1), children in care for 12 months or longer at the end of the year (OC2), care leavers that became 19 during the year (OC3) and children adopted from care during the year (AD1).

The scope of published statistics

15. The scope of statistics published in the different countries is shown in the tables. The meaning of published here includes statistical documents, Excel tables and online tabulation systems.

Children looked after at 31 st March			
Wales	England	Scotland	Northern Ireland
Excluding those in short-term placements. - age, gender, ethnicity - legal status - placement type - Key Stage attainments in previous year	Excluding those in short-term placements. - age, gender, ethnicity, category of need - legal status - placement type - Unaccompanied Asylum seeking status - Mother status - distance between home and placement - emotional behaviour	Excluding those in short-term placements. - age, gender, ethnicity - disability status - legal status - accommodation type - number of placements and length of time looked after - with/without care plan	Including those in short-term placements. - age, gender - legal status - placement type - duration in care

Children starting to be looked after during the year			
Wales	England	Scotland	Northern Ireland
First period in year only. Excluding those in short-term placements. - category of need	First period in year only. Excluding those in short-term placements. - age, gender, ethnicity, category of need - legal status - placement type	All episodes of starting to be looked after – a child may be counted more than once. - age, gender, ethnicity - disability status - legal status	All admissions to care. - gender - placement type - legal status

Children ceasing to be looked after during the year			
Wales	England	Scotland	Northern Ireland
Last period in year only. Excluding those in short-term placements - destination - educational attainments of 16 year olds - adoptions (number, legal status, gender and ethnicity of adopters, length of stages of the process)	Last period in year only. Excluding those in short-term placements - age, gender, ethnicity - category of need - reason episode ceased - placement type - legal status - average duration - educational attainments of those aged 16 and over - adoptions (number, legal status and gender of adopters, length of stages of the process)	All episodes of ceasing to be looked after, so a child may be counted more than once - age, gender, ethnicity - disability status - length of time looked after - destination on discharge - presence of pathway plan	All discharges. - age, gender, religion - duration of care - educational attainments of those aged 16 and over - adoptions (length of stages of the process)

Care leavers on 19 th birthday			
Wales	England	Scotland	Northern Ireland
Care leavers on 19 th birthday - accommodation - activity	Care leavers on 19 th birthday - accommodation - activity	Young people ceasing to be looked after who were beyond minimum school leaving age -age at time of ceasing to be looked after - destination on discharge Final accommodation type	Care leavers on 19 th birthday - accommodation - activity - age, gender, religion, disability - duration of care

Number of days of care provided during the year			
Wales	England	Scotland	Northern Ireland
	- placement type		

Young people eligible for aftercare services on 31 st March			
Wales	England	Scotland	Northern Ireland
		Young people eligible for aftercare services on 31 st March - age, gender, ethnicity - disability status - accommodation type - economic activity - episodes of homelessness since becoming eligible for aftercare services	

Children looked after under a series of short term placements			
Wales	England	Scotland	Northern Ireland
Children looked after under a series of short term placements during the year - placement type - category of need	Children looked after under a series of short term placements during the year - age, gender - placement type - category of need	All children with a current planned series of short term placements at 31 st March - age, gender Type of placement	Children looked after under a series of short term placements during the year - gender - placement type

England and Wales: Section 22(1) of the Children Act 1989

22 General duty of local authority in relation to children looked after by them

(1) In this Act, any reference to a child who is looked after by a local authority is a reference to a child who is –

- (a) in their care; or
- (b) provided with accommodation by the authority in the exercise of any functions (in particular those under this Act) which stand referred to their social services committee under the [1970 c. 42.] Local Authority Social Services Act 1970.

(2) In subsection (1) “accommodation” means accommodation which is provided for a continuous period of more than 24 hours.

Northern Ireland: Part 4 of the Children (Northern Ireland) Order 1995

Interpretation

25. – (1) In this Order any reference to a child who is looked after by an authority is a reference to a child who is –

- (a) in the care of the authority; or
- (b) provided with accommodation by the authority.

(2) In paragraph (1)(b) “accommodation” means accommodation which is provided for a continuous period of more than 24 hours.

(3) Paragraph (1) is subject to Article 2(8).

Scotland: Part 2 of the Children (Scotland) Act 1995

17 Duty of local authority to child looked after by them

(6) Any reference in this Chapter of this Part to a child who is “looked after” by a local authority, is to a child –

- (a) for whom they are providing accommodation under section 25 of this Act;
- (b) who is subject to a supervision requirement and in respect of whom they are the relevant local authority;
- (c) who is subject to an order made, or authorisation or warrant granted, by virtue of Chapter 2, 3 or 4 of this Part of this Act, being an order, authorisation or warrant in accordance with which they have responsibilities as respects the child; or
- (d) who is subject to an order in accordance with which, by virtue of regulations made under section 33(1) of this Act, they have such responsibilities.

70 Disposal of referral by children's hearing: supervision requirements, including residence in secure accommodation

(1) Where the children's hearing to whom a child's case has been referred under section 65(1) of this Act are satisfied that compulsory measures of supervision are necessary in respect of the child they may make a requirement under this section (to be known as a "supervision requirement").

71 Duties of local authority with respect to supervision requirements

(1) The relevant local authority shall, as respects a child subject to a supervision requirement, give effect to the requirement.

(2) Where a supervision requirement provides that the child shall reside –

(a) in relevant accommodation; or

(b) in any other accommodation not provided by a local authority,

the relevant local authority shall from time to time investigate whether, while the child is so resident, any conditions imposed by the supervision requirement are being fulfilled; and may take such steps as they consider reasonable if they find that such conditions are not being fulfilled.

(3) In this section, "relevant accommodation" means accommodation provided by the parents or relatives of the child or by any person associated with them or with the child.

Children Looked After by Local Authorities, Year Ending 31 March 2009

		Total Children Looked After					
		Children admitted		Ceased to be looked after		Looked after at 31 March	
		<i>Total per 10,000 resident population</i>		<i>Total per 10,000 resident population</i>		<i>Total per 10,000 resident population</i>	
		Number		Number		Number	
North East		1,450	27	1,500	28	3,250	61
North West		3,670	25	3,530	24	10,600	71
Yorkshire and The Humber		2,450	22	2,330	21	6,710	60
East Midlands		1,740	19	1,620	17	3,920	42
West Midlands		3,110	26	2,950	25	7,630	64
East of England		2,130	17	2,090	17	5,750	47
London		5,120	31	5,290	32	10,690	65
South East		3,590	20	3,400	19	7,650	42
South West		2,110	20	2,020	19	4,700	45
England		25,400	23	24,700	22	60,900	55
Scotland		5,006	48	4,305	41	15,288	146
Wales		1,640	26	1,566	25	4,704	74
Northern Ireland		1,059	24	921	21	2,463	57

Type of Accommodation (Percentages)									
In the Community					Residential Accommodation				Total Looked After Children (=100%)
At home with parents	With friends/relatives	With foster carers	With prospective adopters	Other community	In children's homes	In residential schools	In secure accommodation	Other residential	
5	8	68	6	1	8	1	0	1	3,250
12	16	53	4	2	9	1	0	2	10,600
9	13	58	5	4	8	1	0	2	6,710
5	8	65	6	3	8	1	0	3	3,920
8	12	61	4	2	9	1	0	3	7,630
5	10	64	4	4	9	2	0	2	5,750
3	8	64	3	5	7	2	0	7	10,690
6	10	63	4	4	7	2	0	3	7,650
5	10	66	4	2	7	3	0	3	4,700
7	11	61	4	3	8	2	0	3	60,900
39	20	29	2	0	5	4	1	1	15,288
10	14	63	4	2	4	1	0	2	4,704
19		65	3			13			2,463

Notes:

- Figures exclude children looked after under a current planned series of short term placements
- In Scotland children looked after under a supervision requirement are considered to be in the care of their local authority, whilst in the rest of the UK they are not. Scotland therefore has a much higher number of children who are looked after at home. For this reason, data is not directly comparable with the rest of the UK.
- Age categories of children looked after include up to 21 year olds (and a small number of over 21 year olds). The numbers of over 18 year olds are very small, so population rates are based on 2008 mid-year estimates of the population aged under 18.
- Figures include the number of children starting or ceasing to be looked after (i.e. a child may only be counted once)
- Figures are provisional and may be revised in 2009-10
- 'Other Community' placement type includes all other placements that are in a known community setting, but do not fit into one of the listed categories. 'Other Residential' includes all placements in a known residential setting that do not fit into one of the other listed categories.
- In England and Wales 'Other community' placement type includes independent living and residential employment.
- In England and Wales 'Other residential' placement type includes homes and hostels not subject to children's homes regulations, residential care homes, NHS/Health trust establishments, family centre or mother and baby unit, young offender institution or prison, children missing from their agreed placement.

Scotland: Children Looked After Statistics 2008-09, Scottish Government. Available at: <http://scotland.gov.uk/Publications/2010/02/22133946/0>

England: Children Looked After in England (including adoptions and care leavers) year ending 31 March 2009. Available at: <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000878/index.shtml>

Wales: Adoptions, Outcomes and Placements for Children Looked After by Local Authorities: year ending 31 March 2009. Available at: <http://wales.gov.uk/topics/statistics/headlines/health2009/hdw200908262/?lang=en>

Northern Ireland: Children Order Statistical Tables for Northern Ireland 2008/09. Available at http://www.dhsspsni.gov.uk/index/stats_research/stats-cib-3/statistics_and_research-cib-pub/children_statistics/stats-cib-children_order.htm