Executive Summary

In December 2013 the Cabinet Member approved the Children Looked After and Care Leavers’ Strategy (2014 – 2017) (decision reference CH20 (13/14)). The Strategy was produced in order to fulfil the County Council’s responsibility as a ‘Corporate Parent’ with the intention of ensuring that children who are looked after by the authority are happy, healthy, and safe and have the opportunity to achieve their full potential by providing effective support, with special attention to those judged most vulnerable.

Following local and national developments regarding Child Sexual Exploitation (CSE) practice and the recent guidance on Female Genital Mutilation (FGM), it is recommended that addendums on both issues should be added to the existing Children Looked After and Care Leavers Strategy. The new updates take account of measures the County Council is taking to prevent and tackle CSE and FGM and the proposed addendums are included as Appendix 1 and Appendix 2 to this report.

Recommendations

The Cabinet Member for Children – Start of Life is recommended to approve the addendums to the Children Looked After and Care Leavers’ Strategy (2014 – 2017) as set out in Appendices 1 and 2.

1. Background and Context

1.1 In December 2013 the Cabinet Member approved the Children Looked After and Care Leavers’ Strategy (2014 – 2017) (decision reference CH20 (13/14)).

1.2 The Strategy was produced in order to fulfil the County Council’s responsibility as a ‘Corporate Parent’ with the intention of ensuring that children who are looked after by the authority are happy, healthy, and safe and have the opportunity to achieve their full potential by providing effective support, with special attention to those judged most vulnerable.

1.3 Following national developments related to preventing and tackling Child Sexual Exploitation (CSE), in March 2015 the Government published the
Tackling Child Sexual Exploitation report in which the importance of local areas protecting vulnerable children, including children who are in the care of local authorities, was highlighted. It was reported that there should be better protection and safeguarding for children placed in care. There was also guidance issue by OFSTED in November 2014 in a report entitled: The sexual exploitation of children: it couldn’t happen here, could it? (OFSTED, 2014). Research by the national charity Barnardos has found that nearly one-third of children who are sexually exploited in England are Looked-After.

1.4 In February 2014, government ministers signed a joint declaration regarding female genital mutilation (FGM) to demonstrate on-going commitment to end this form of abuse, which includes part-funding a new study into the prevalence of FGM in England and Wales. Working Together to Safeguard Children 2015 identifies the need for consideration of support for children who have been or may be subject to FGM. There has been national multi-agency guidance issued by the Royal College of Nursing and HM Government (in 2013 and 2014 respectively).

1.5 As a result, it has therefore become necessary to provide addendums to the Children Looked After and Care Leavers’ Strategy (2014 – 2017) which outlines the current plans to protect young people in care and Care Leavers from CSE and FGM.

1.6 Addendum (1) regarding CSE.

The Strategy should also be cross referenced with Pan Sussex Child Sexual Exploitation Strategy (2013-14), published by the West Sussex Safeguarding Children’s Board and with any policy and procedure on trafficking and children missing, absent and at risk of sexual harm. The West Sussex Strategy for Children Looked After and Care Leavers (CSE addendum) focuses on three main areas: - 1) Disruption and Prevention 2) Protection and 3) Support. There are some particularly vulnerable groups of Children Looked After or Care Leavers. These are: Young people who go missing; young people placed out of the area (especially in residential); and Unaccompanied Asylum Seeking Minors (UASCs). There are a number of inter-related risk factors for all Children Looked After and Care Leavers. These are outlined within the addendum.

1.7 Addendum (2) regarding FGM.

The Addendum should also be cross referenced to any policy and procedure on children trafficking and forced marriage and children missing absent and at risk of sexual harm. This strategy identifies that is an issue that causes significant harm to young people, some of whom may be in care or Care Leavers. It proposes a number of recommendations that should be adopted to protect children and young people. It demonstrates a commitment by Children’s Service s and its partners to tackle FGM and provide support and services as needed.
2. **Consultation**

2.1 Consultation has taken place internally with officers in the Children’s Social Care Service, the Young People’s Service, Safeguarding, Finance and Legal.

2.2 The Start of Life Partnership Board was briefed on the need to amend the Strategy with regards to CSE at its meeting on 14 May 2015 as part of a discussion relating to preventing and tackling CSE. The Partnership Board endorsed the need for the inclusion of CSE in the Strategy.

2.3 The Children’s Services Preparation for Ofsted group, a cross-party meeting of Members chaired by the Cabinet Member for Children – Start of Life, endorsed the need for the addendum on CSE (1) at a meeting on 10 June 2015. At that meeting the group requested an addendum on FGM also be added to the Update to the Children Looked After and Care Leavers Strategy 2014 – 2017.

2.4 The Children & Young People’s Services Select Committee was briefed on the need to add the addendums to the Strategy at their meeting on 17 July 2015 as part of an update on CSE, and also considered the addendums themselves. The Select Committee endorsed the addendums to be added to the Strategy.

3. **Proposal**

3.1 The Cabinet Member for Children – Start of Life is recommended to approve the addendums to Children Looked After and Care Leavers’ Strategy (2014 – 2017) as set out in Appendices 1 and 2.

3.2 The key elements of the addendum 1 to the Strategy are that Children Looked After and Care Leavers can be particularly vulnerable to CSE. National research has shown that many local authorities need to improve their strategic approach and actions to tackle CSE. West Sussex and its partners have responded by ensuring that there is an effective strategy to tackle CSE for children in care, care leavers (and children who are placed in care in West Sussex by host local authorities). This is a whole service approach. There will be an action plan to support the strategy.

3.3 Addendum 2 acknowledges the commitment to protecting children from FGM and outlines recent practice guidance.

4. **Other Options considered**

4.1 The County Council is committed to safeguarding children, preventing and tackling CSE, and the protection of Children Looked After and Care Leavers on this matter. The only other option is not to have a strategy and to offer services to Children Looked After as we would any other child in the community. However to take this approach would fail to recognise that Children Looked After are particularly vulnerable to CSE and as a result the County Council could be seen as failing in its duty as a
corporate parent. This failure could lead to a judgment of ‘inadequate’ within an OFSTED inspection.

4.2 Recommendation 3 in Professor Jay’s report in respect of Rotherham was:

“Managers should develop a more strategic approach to protecting looked after children who are sexually exploited. This must include the use of out-of-area placements. The Borough should work with other authorities to minimise the risks of sexual exploitation to all children, including those living in placements where they may become exposed to CSE. The strategy should include improved arrangements for supporting children in out-of-area placements when they require leaving care services”.

4.3 The addition of this addendum to the Children Looked After & Care Leavers Strategy will set the framework for the County Council to meet this recommendation.

4.4 Failure to add an explicit reference to FGM within the Children Looked After & Care Leavers Strategy would mean that the County Council was not compliant with national guidelines and expectations. It would mean that the County Council is less likely to ensure the safety and well-being of young people who are in care and at risk of FGM. This could also mean that the Children’s Service is judged as ‘inadequate’ within an OFSTED inspection.

5. **Resource Implications and Value for Money**

5.1 An addition of £0.2m has been included in the 2015/16 budget to ensure that appropriate provision is in place to address issues highlighted by the Rotherham report and OFSTED report ‘Sexual Exploitation of Children: It couldn’t happen here, could it?’, referred to above. These reports, among others, have significantly raised the profile of CSE and alongside this the requirement of local authorities to ensure that there are systems and services in place to address the needs of children.

5.2 The 2015/16 budget report to County Council in February highlighted that the growing focus on CSE may result in increased pressures in this area and the need for further investment going forward. Work is on-going to review the current level of provision and to identify whether any further additional investment is required to ensure that the Council is able to respond appropriately. These changes to the Strategy do not require additional funding to implement.

5.3 There has recently been an increase in the number of children looked after by the County Council, which is placing an upward pressure on the Children - Start of Life portfolio budget. The reasons behind children being taken into care are frequently complex and again work is on-going to understand the impact that the increased awareness of CSE in having on the number of children looked after
6. **Impact of the proposal**

6.1 An **Equality Impact Report** was undertaken for Decision CH20(13/14) Children Looked After and Care Leavers Strategy 2014 – 2017 and is available to view on the County Council’s website.

6.2 **Crime and Disorder Act Implications** – the provision of services for Children Looked After and Care Leavers within this Strategy, and the amendments to include preventing and tackling child sexual exploitation, are likely to result in a decrease in anti-social behaviour and criminal activity.

6.3 **Human Rights** – The United Nations convention on the Rights of the Child recognises that children and young people have the right that their views and opinions should be taken seriously in matters that affect them (UN Convention, 1989, Article 12). There is likely to be a positive impact on the Human Rights of Young people as a result of the changes to the Strategy (refer to Objective 2) which aims for Children and Young People to participate more fully in decision making.

7. **Risk Management Implications**

A failure to update the Strategy with regards to preventing and tackling CSE and FGM would place the County Council at risk of failing in its corporate duty to protect young people in care or care leavers. This will have a detrimental effect on outcomes for this group. They are less likely to be ‘happy, healthy and safe’. Children who are sexually exploited are less likely to achieve their full potential and to have a successful transition into adulthood and thrive as adults. A failure to address this challenge is also likely to result in a poor inspection rating by OFSTED.

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**Appendices**

- **Appendix 1** Addendum to Children Looked After and Care Leaver’s Strategy 2014 to 2017 regarding Child Sexual Exploitation (2015-2017)
- **Appendix 2** West Sussex Children’s Female Genital Mutilation (FGM) - Addendum (2) for Children Looked After and Care Leavers (July, 2015 to 2017)
Background Papers