

# RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY FROM EXECUTIVE/COUNCIL/COMMITTEE DELEGATED POWERS OUTLINED IN THE CONSTITUTION



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	Strategic Director Children and Education
<b>DELEGATED BY:</b>	Executive Board Executive (Date of delegation)
<b>IN CONSULTATION WITH:</b>	Chief Officer Chief Officer
<b>PORTFOLIO AREA:</b>	Children, Young People and Education

**SUBJECT: Discretionary Payment to a Foster Carer Part 1**

## 1. DECISION

This report is a record of a decision to offer reimbursement to long-standing foster carers following significant damage to their property by a young person in their care.

## 2. REASON FOR DECISION

Approved foster carers, as directed by the foster carer agreement, had insured their property for building and contents, however they did not have adequate insurance and the policy was covered for far less than the damage equated too. As such, although they made attempts to claim on their insurance, they were not offered enough compensation.

The Local Authority submitted a request to its own to seek claim for the damage but given the insurance already in place, it was not possible to consider this claim.

## 3. BACKGROUND

The foster carers are valued foster carers who care for hard to place children and young people with significant behaviours that are challenging. Despite the damage caused by the young person to their property, they have continued to care for the young person. The care they offer is of a high standard, with placements of children and young people that other foster carers would be unlikely to accept due to the challenge and risk. The foster carers have remained committed to fostering for Blackburn with Darwen for many years and this is a valuable partnership for the department.

The carers accept responsibility for not having adequate insurance and have now ensured that their insurance is reflective of their contents. They do however feel that as valued foster carers, we should be supportive of them in this situation.

Discussions have taken place with the Strategy Director of Children's Services, the Strategic Director of Finance and Resources, the Deputy Director – Legal and Governance and the Executive Member for Children's Services.

The consensus is that in view of the payment of enhanced Foster Allowances, which reflect the nature of the young people in their care, that the foster carers should fund a proportion of the costs and that the Council will provide some level of reimbursement by way of an ex gratia payment.

The proposal is that the Council reimburses the foster carers with 50% of the costs (£12,859). When added to the Insurance payment of £1,680 the total funds received by the foster carers is £14,539.

#### **4. KEY ISSUES AND RISKS**

The option not to continue with this foster carer arrangement was considered but discounted given the value that the carers bring to support our children and young people. This is both in terms of the specialist skills they provide and the high placement costs that are averted.

The financial impact of the foster carers leaving the authority is estimated at approximately c£16,000 per week being the likely fees chargeable by an Independent Foster Carer.

#### **5. FINANCIAL IMPLICATIONS**

The approved ex gratia payment will be paid from the Fostering budget.. This will be an additional cost pressure against the budget.

However, the financial impact of the foster carers leaving the authority is estimated to be significantly higher, with a likely weekly cost of approximately c£16,000 from an Independent Foster Carer should the young people with these Foster Carers have to be moved.

#### **6. LEGAL IMPLICATIONS**

The current Foster Carer Agreement requires review to consider the fostering household's Insurance Policy around malicious damage, but also to request that foster carers insure their property for the correct cover. This will subsequently be reviewed annually by the Supervising Social Worker.

A Blackburn with Darwen policy is currently being developed with regards to Foster Carer Allowances, which will include discretionary payments and embed clear governance arrangements through a Payment Panel process, chaired by the Head of Service.

#### **7. RESOURCE IMPLICATIONS**

The foster carers have made their position clear that they would be unable to continue to foster for Blackburn with Darwen if there was no reimbursement possible, meaning that this valuable arrangement would not be available for the hard to place children and young people in Blackburn with Darwen.

There are three young people in placement at this time. One young person has a history of therapeutic and residential placement at a relatively early age, followed by fostering placement breakdown. The average cost for residential to support their needs is £3718.00 per week.

The other young person would require Supported Living framework as he is 16. The average cost is £1k per week.

For the young person who committed arson, seeking a new placement will be challenging due to his behaviours. The current placement costs would average £11,235 per week.

#### **8. OPTIONS CONSIDERED AND REJECTED**

The option not to continue with this foster carer arrangement was considered but overturned given the value that the carers bring to support our children and young people. This is both in terms of the specialist skills they provide and the high placement costs that are averted.

The financial impact of the foster carers leaving the authority is approximately £15,953 per week.

#### **9. CONSULTATIONS**

Internal discussions have taken place with the Interim Director of Children's Services, the Strategic Director of Finance, the Strategic Head of Service for Legal and the Executive Member for Children's Services.

#### **10. DECLARATION OF INTEREST**

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
<b>CONTACT OFFICER:</b>	<b>Suzanne Kinder, Head of Corporate Parenting &amp; Permanence</b>
<b>DATE:</b>	29.03.23
<b>BACKGROUND DOCUMENTS:</b>	None