

To: Andrew Ogden Director of Law and Performance Management

I wish to call in the decision made by the lead member for Learning and School Effectiveness and the Lead Member for Children and Families on 23 February 2006 at County Hall. Item 33 Parental contribution towards the costs of local authority.

I am agreeable for the normal practice to suspend the normal practice a meeting taking place within ten days of the decision to call the matter in to the next meeting of the Scrutiny Committee which is scheduled for 23 March 2006, but will be guided on this matter by the Director of Law and Performance.

I have discussed my intention to call in with Cllr Brian Gadd.

I have the support of Cllrs Kathryn Field, Pat Ost, and Jay Kramer

I am not satisfied that a full enquiry has been undertaken to support the decision and no hard data was presented at the meeting on 23 February 2006 to respond to the questions I asked.

I propose that the two arguments put forward to the lead member fail in both ethical and financial terms.

3.1 First I would want to be assured that there is a free and just process for any family, especially where the parents are working, are given advice and help before any decision is taken to put their child in care. I would want to be assured that whatever steps that can be taken to support such parents are taken. I am concerned that families which are under stress and where parents may be struggling to pay mortgages and other essential costs are not unduly penalised.

3.2 I have been informed by officers that there are two categories of families which will be effected by this decision. The first are families with profoundly disabled older children. The example given by the officer related to a child orphaned. I presume therefore the parental contribution would fall to next of kin. Do members of the extended family realise their obligations to relatives? At what point do social workers warn these family members of a financial burden that may fall upon them in the event of the death of a parent?

3.3 The second group of families described to the Lead Member are those who have profound difficulties handling troublesome teenagers. The officer would categorise the charge therefore as having a punitive impact on the family. I cannot understand what might happen if a parent refuses to pay a charge. Is the child to be thrown out on the streets? We have a duty of care for all our citizens and I would rather the child safeguarded than be left of a situation which only extends their vulnerability.

I turn now to the financial aspect of the policy.

3.4 The Children Act 1989 provides a legal basis for charging parents and others with parental responsibility towards the costs for care. I understand that this policy was only implemented for a year because the costs for administration far outweighed the income generated.

3.5 I was concerned at the Lead member meeting, that the officer could not specify the amounts to be charged to a family. Costs of children in care vary enormously. If parents had the income to pay the full amount it would not be anticipated they would seek a care order UNLESS there were other mitigating circumstances. On the other hand, who judges what a proportional charge should be to parents? I am not satisfied that this decision should be left to a social worker/

We were not presented with any evidence that would result in a more satisfactory outcome than when the policy was introduced some fifteen years ago.

We were not given any evidence from representations from parents, carers or others, who would be affected by this decision.

I therefore request that a Scrutiny Committee should consider this policy; the ethical and financial costs and the possible legal cost the county may be involved with where parents refuse or cannot pay the charges.

Councillor Rosalyn St.Pierre
28 February 2006

Having considered the request, I would confirm that Andrew Ogden, as Monitoring Officer, is satisfied that the request for the call-in complies with the procedures for call-in as set out in the Constitution.

Jonathan Ruddock –West
Assistant Director of Law and Performance
2nd March 2006