

RESPONSE BY DIRECTOR OF CHILDREN'S SERVICES TO CALL-IN

PARENTAL CONTRIBUTIONS TOWARDS THE COSTS OF LOCAL AUTHORITY CARE FOR THEIR CHILDREN

1. Financial Appraisal

1.1 All actions resulting from the decision to re-instigate the policy on parental contributions to the costs of local authority care are contained within the base budget for Children's Services. It is not envisaged that the policy will result in significant costs or income.

2. Background Information

2.1 The specific matters raised by Councillor St. Pierre are attached as Annex C.

3. Responses

3.1 This policy is not intended to 'penalise' parents but rather to comply fully with the principles of the Children Act 1989 and subsequent legislation, which ensures that parents retain parental responsibility for their children when they become looked after by the local authority and that responsibility includes the financial obligations of parenthood. Admitting a child to the care of the local authority is always a last resort to safeguard a child. Parents under stress are offered a wide range of advice and support by the Council, including financial support under Section 17 of the Children Act 1989 to prevent their children having to come into care.

3.2 The policy will be applied fairly to all admissions to local authority care, except for those circumstances excluded by law and additionally those excluded by the policy of the Council (Annex E). The assessment for parental contributions will only be applied to those with legal parental responsibility. It cannot be applied to family relatives who do not have parental responsibility. Had the policy been applied over the past twelve months, parental contributions would have been sought in just 20 cases out of 150 admissions to care.

3.3 The policy is not intended to be 'punitive' in either principle or application but rather to ensure that those with parental responsibility continue to fulfil their legal duties towards their children, even when they become looked after by the local authority. The policy states clearly that where the authority is satisfied that a person's means are insufficient for it to be reasonably practicable for him to pay the charge, it shall not require him to pay more than he can reasonably afford. The primary aim of bringing a child into the care of the local authority is to safeguard his welfare. Although legal action to recover parental contributions will be considered, there is no question that a child would be discharged from care on the grounds that a parent was unable or unwilling to make a contribution to the costs of local authority care.

3.4 The costs of administering the policy will be contained within the base budget. The policy is not designed to generate income and it is not envisaged that its implementation will result in significant income. The policy is designed to help social workers, in a few critical cases, to ensure that parents understand fully their ongoing legal responsibilities towards their children, including their financial obligations as parents.

3.5 Annex F of this report outlines the proposed framework for assessing parental contributions on net income. The Department is planning to set an upper limit to parental contributions to the care of their child at £400 per month, which is around 15% of the real cost of caring for a child in an ESCC family placement. The costs of residential care and agency placements are significantly higher. This policy does not preclude further voluntary contributions from parents who wish to contribute more fully to the real costs of their child's care. The actual contribution will be based upon a financial assessment of means and the ability to pay in individual circumstances. The financial assessment will be the same as that used for assessing adoption and residence order allowances and will be reviewed annually or by request following a change in circumstances. As with adoption and residence order allowances, the financial assessment and reviews will be undertaken by a designated finance service officer. The allowance is based on net income, less actual housing costs and a personal allowance covering all other living expenses (1.5 times the national income support level). The contribution payable will be assessed at 50% of disposable income, up to the upper limit of £400 per month. The FSO will make a recommendation about the level of contribution to the Head of Locality Children's Services. Parents will have the right to make representations about the assessment or the level of contribution.

4. Conclusion

4.1 Scrutiny Committee is asked to note the responses of the Department to the matters called in and to endorse the decision to re-institute the policy regarding parental contributions to the cost of local authority care as a means of ensuring continuity of parental responsibility and enabling parents to consider other supports to prevent admission to care.

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