

STATES OF JERSEY

Health, Social Security and Housing The Coordination of Services for Vulnerable Children Sub-Panel

WEDNESDAY, 22nd APRIL 2009

Panel:

Senator A. Breckon (Chairman)
Deputy G.P. Southern of St. Helier
Deputy R.G. Le Hérisier of St. Saviour
Deputy T.M. Pitman of St. Helier

Witnesses:

Senator J.L. Perchard (The Minister for Health and Social Services)
Mr. T. Le Sueur (Service Manager for Children's Services)
Ms. M. Baudain (Directorate Manager of Social Services)

Senator A. Breckon (Chairman):

Welcome, and thank you for coming at fairly short notice. As you know, because of yesterday, we have had to shuffle round a bit. I think everybody probably knows the procedure for scrutiny hearings but we are recording it. It is not for entrapment or anything like that. It is just for our own benefit really. It is a matter of putting things on the record and you will receive a copy of that for anything to be corrected, really just to look over. Anyway, my name is Alan Breckon and I am the chairman of this panel. The title of the panel is the Coordination of Services for Vulnerable Children. So it is not about *Williamson*, it is probably bigger than that. I should say this is a sub-panel. We did deliberate in the panel about what we would look at because, as you know being involved with the service, it is a massive area. So we were not doing nothing; we did have something on the agenda. With me on the panel is Deputy Geoff Southern, who is the deputy chairman, Deputy Roy Le Hérisier and Deputy

Trevor Pitman. So that is our introductions for the benefit of the tape. Jim, I wonder if you could introduce yourself and the others.

Senator J.L. Perchard (The Minister for Health and Social Services):

Yes, of course. Good morning, ladies and gentlemen. Yes, I am Senator James Perchard. To my right is the Directorate Manager of Social Services, Marnie Baudain, and the Service Manager for Children's Services to my left, Tony Le Sueur. Apologies from Deputy Martin who, as you will know, is recovering from a minor operation, not "cosmetic". But she would have been here otherwise and is regrettably unavailable.

Senator A. Breckon:

With questions, I mean the questions can be answered by any of your officers or yourself. There is nothing that is addressed specifically at anybody really and, although it is a formal hearing, it is relaxed in the sense of if you want to add something or interrupt. Then at the end, if there is anything we may have missed that you wish to say, then you will be given that opportunity as well.

Senator J.L. Perchard:

Yes. I would suggest, while I have had a lot to do, as you know, with the drafting of this document, Marnie and Tony would be better equipped to talk to the detail. So I hope that they will.

Senator A. Breckon:

Yes. Perhaps to lead us in really, maybe you could fill us in on the detail of where we are with developments, towards some of the changes that have been recommended, not just by *Williamson* but things that have developed over the years. If anybody wants to sort of lead in with that and then questions would arise from that.

Mr. T. Le Sueur (Service Manager for Children's Services):

I think there are probably 2 areas for me. One is the social work services on the Island and how those developed, and clearly those are frontline social workers, frontline support staff dealing and working with children and families in a direct way. Those services need to evolve on the Island but are currently struggling on the back of staffing vacancies, historic abuse inquiries and everything else that has been going on around children's services. So there is a whole raft of developments, some of which is contained in *Williamson*, which need to move forward but are being hampered by the current climate and the current circumstances. The other side of our work is very much the children who are in care and where those children are placed. We have been in a process of developing on the Island fostering and adoption services and that received significant investment in 2006 to 2008. The clear aim of that investment was to reduce the numbers of the young people in residential care on the Island so that we could reconfigure that residential care; because if you go all the way back to the *Kathy Bull Report* it was recognised that these big residential units were not fit for purpose, needed to be reduced in size and needed to be reduced in terms of the numbers of the young people in there. You cannot achieve that overnight even if you had a blank chequebook because it is about looking at those individual youngsters, looking at their needs, looking at where their placements are best being met; moving the ones that can go into family-based placements, foster care or family care, and then

looking at the needs of the ones that do require some form of residential care and look at the type of care that requires. Now, Kathy Bull highlighted all that in her original report. We subsequently got the investment in fostering, as I say, 2006-2008 and *Williamson*, if you like, lays the foundation for the next stage of development. But what is happening (and, again, is it happening because of the delays, is it happening because of the climate in the Island and the historic abuse inquiries and what have you) the numbers of children in residential care have fallen dramatically to a point where we believe we were ready to move forward under *Williamson*. What has happened is that we have hit a lull where we have not been able to move forward and in that lull the numbers of young people in residential care have started to increase again. That is going to be difficult for us now. Even once new investment becomes available that is going to be difficult because we have now got full homes again.

Deputy G.P. Southern of St. Helier:

Can you just expand on the numbers business? Because certainly, in reading the *Williamson* implementation plan, you see this is almost stated as fact; numbers are going down, the fostering and adoption services numbers are increasing and it looked absolutely rock-solid that this was a projection which we could take forward. It seems to me that already ... I mean, we just had a talk and we were talking about La Preference and Brig-y-Don. Certainly they were saying: "Well, our waiting lists are not going down. Our numbers are not going down. We do not see evidence of this trend on which we are basing future policy." Would you just expand on that?

Mr. T. Le Sueur:

Yes. The trends that are quoted in *Williamson* are rock-solid, are fact. Over a 3-period we have seen a reduction in the numbers in residential care from the 40s. We had 43-44 young people in residential care, and they dropped to half that at the point where *Williamson* was written. What we are seeing now is increasing numbers of young people coming back into residential care and, for people like me who have sat within residential environments for an awful long time - probably far too long - there is an old ethos that says: "If you have an empty bed you will fill it." There is a truism to that, that once there is a unit there sitting with empty beds ... frontline staff who are facing crisis situations in families will view the issue of taking that child into care in a different way if they know there is a vacant bed sitting waiting than if they have to look and work with the family out of hours to resolve the family situation so that the child does not come into care. Now, we instinctively know that because professionally that is part of what we do, which was why the programme and the target to reduce the numbers, redesign the services, close the beds that were becoming vacant was a good strategy, but it relied on having the funding available to move to the next stage. We have not and so it has started to come up again. Now, the one thing I would say about that if you look at the demographics of the age of those young people that are creating these high numbers they are 14, 15 and 16 year-olds. The numbers of what we had traditionally in care when we had 40-45 young people in care, which were a whole range of ages from babies, frankly, to these much older young people, that has changed now. The demographics are that we have young people in care, nought to 8, where the department is working in the courts looking at permanence; looking at long-term fostering and looking at adoption. There is then a gap and then you have got high numbers of young people 14, 15 and 16 who are coming into care as a result of breakdowns in family situations where the young

person's behaviour is leading to the family saying: "I cannot cope with this young person any more." So, yes, you are right; we have hit a point where it has started to come up again. Some of the development stuff we need to do, which, again, is outlined in *Williamson*, which is looking at young people 16 to 25; looking at how we support young people through into independence and independent living is the work we need to do and some of the proposals that we have got in terms of redeveloping the old Les Chênes building ... did you go into the old Les Chênes building?

Deputy G.P. Southern:

No, we did not, no.

Mr. T. Le Sueur:

All right. Well, the old Les Chênes building, the old granite building, the plans for that is to make that into bedsit accommodation for 15, 16, 17-year-olds and that is very much what we will do, we will do the same thing; if that building was available tomorrow, properly converted and available tomorrow, 6 of the young people that you saw in Heathfield and La Preference would instantly go into that unit and some of the young people that you may have seen at Brig-y-Don are headed into family placements. So we will create the space again to be able to make the changes by doing that. But, again, we are only going to have a window of opportunity because if we do not have the money and we cannot move forward with the redesign at the right time, we will hit the same problem again. We will bounce and numbers will start going up again.

Senator J.L. Perchard:

Can I just add a little to that? It will be interesting to see what the panel concludes with regards to the debate about institutional care. I notice, incredibly, in the U.K. (United Kingdom) in the last sort of 72 hours they are saying governments should intervene earlier and institutional care is not as bad as it used to be made out to be. Very interesting. So, as often happens with these sort of sensitive and complex areas, it may go full circle. But my gut feeling was that La Preference and Heathfield should be closed as quickly as possible and replaced with modern, relevant therapeutic environments for young people where they really can have an opportunity to turn their lives round. They are eerie Dickensian buildings, those 2, and I think the quicker we can close them and move on to something more relevant the better. But I will be very interested to see how the panel ...

Deputy G.P. Southern:

I would not describe La Preference as Dickensian. It was a wonderful atmosphere we walked into.

Senator J.L. Perchard:

Yes? Well, I look forward to your conclusions.

Ms. M. Baudain (Directorate Manager of Social Services):

If I could perhaps add something. It is very interesting that there is this recent report that has emerged in the U.K. because I do not think ...

Senator A. Breckon:

That came out on the 20th.

Ms. M. Baudain:

Yes. I do not think for a minute that the proposal to reconsider the role of residential care for children is aiming at larger units like La Preference and Heathfield. The thinking underpinning that proposal is very much in line with what has been proposed in *Williamson*, which is smaller therapeutically-based units that are designed to meet the specific needs of specific groups of children, so that there are a number of differentiated smaller units for these children for whom family placement either is not appropriate or is not possible. So I think that if that report ... it has not been out for broad consultation yet but if it is supported I think that Jersey would find itself in line with the thinking because of the *Williamson* proposals.

Deputy R.G. Le Hérissier of St. Saviour:

Just following up on Mr. Le Sueur's evidence, you mentioned breakdown of family in the teenage years as being a precipitating factor but I think you also mentioned earlier in your evidence about children were returning, the inference being that they were returning and they were expected, I suppose, not to return. The fostering policy, which was announced a few years ago and was obviously meant help empty the children's homes, how has that worked?

Mr. T. Le Sueur:

It has worked very well but, again, it has worked in stages and I guess you could argue it always was going to. We needed to look at the high numbers that we had in residential care. We needed to look at the young people that were fosterable, and not every young person is going to be able to cope in a foster or a family home. The big

area that needed significant development was adoption because in Jersey ... for the 3-year period 2001 to 2003, Jersey managed to adopt one child in a 3-year period. In the last 3 years we have adopted 22 young people.

Deputy R.G. Le Hérisier:

That is up to date?

Mr. T. Le Sueur:

Yes. Now, those young people, we needed the new legislation. We needed the Children (Jersey) Law 2002, which was brought in in 2005, which allowed us to put in place orders that freed the children from their birth family to allow us to place them for adoption. We have got that. We have used that. That has been successful. We have moved existing foster carers into more permanent foster carers so that they have taken some of these long-term children and we had to recruit and replace behind so that we do not diminish the stock of foster carers who can take children in crisis situations, either short-term or longer term placements. We need both because in situations where you have got, for instance, an 8 to 10 year-old child, where we are clear that the parents cannot cope with that child and will not cope with that child, you do not want to break the links between that child and those parents. You want to maintain them and develop them and build them. So adoption would never be appropriate for those young people. So we need foster carers who are prepared to take that child at 8 or 10 years old and have that child until that child moves to independence, by which time you hope that the child has 2 families - they have their birth family and they have the foster carers who have looked after them for a significant period of time. So that has worked but, again, Jersey has inherent

problems and it is no surprise to anybody in this room that Jersey is a very expensive place to live. Both partners in most relationships work and have to work. That works against fostering and adoption because one of the notions is somebody at home to be able to support. So we have got some very inherent problems we have got to deal with. Housing is a very difficult issue and when we are recruiting people to foster, very often they want to foster but their home is not big enough to be able to do that. If they have got the wherewithal, the funding, to build a bigger house, great, and they do that. But most families do not. We do get good support from the Housing Department but the Housing Department are working with a limited stock. So when we are saying: "Here is a couple, 3-bedded house, want to foster but would need a fourth bedroom; can you prioritise them," the answer is often yes but it is prioritising them within a pool of already very pressured need for a 4-bedroom house. So it takes time.

Deputy R.G. Le Hérisier:

Mr. Le Sueur, how many of the children coming back are coming back because of what you would term unsuccessful fostering experiences?

Mr. T. Le Sueur:

Unsuccessful?

Deputy R.G. Le Hérisier:

Fostering experiences.

Mr. T. Le Sueur:

Not many, actually.

Deputy R.G. Le Hérissier:

Not many?

Mr. T. Le Sueur:

I mean, I think the history ... again, it depends whether you are talking currently or historically. Historically, Jersey had very high numbers of foster carers but the assessment and support of those carers was very poor and some of the quality of those carers was very poor. Some of what we are seeing the reaction to today is as a consequence of that, because people are saying: "I did not have a good experience." If you look at the system today, one of the investments was a huge investment in a very thorough assessment process which makes sure that when somebody is approved they have the wherewithal to deal with the young people that are placed with them and there is a support mechanism in place for both the child and the carers. That means when they take a child they are supported both ways. So we do have fostering breakdowns. I can never maintain we do not. The part of, again, the Jersey-ism of that is probably that we need places. So when a foster carer says: "You know what, we can take another child," we are inclined to go with that if we believe we can, and sometimes by giving them an extra child you put the placement of the original child or children under pressure because they are now dealing with a number that is going to cause them problems. We need to learn from those situations.

Deputy T.M. Pitman of St. Helier: *(I think this was Senator Perchard speaking???)*

Can I just say something on that? It is relevant to Roy's question. This is interlinked with the previous topic that we were talking about, residential homes. Let us just focus on Brig-y-Don, which I hear you visited and I was delighted you had because we have worked very hard to try and secure the future of Brig-y-Don over the last 18 months, under terribly difficult changing circumstances, and those circumstances are around the success of fostering and adoption. The little orphan in ladybird pyjamas is easily fostered or adopted. It is the awkward squad, the 14-year-old who wants to fight and swear and throw food and punch and drink, they are the ones that are not so easy to set to fostering and adoption and that is why our residential homes have to change and become more therapeutic and more relevant to the customer or the client. As I say, the pretty little orphan with pigtails, no problem. The fostering and adoption works easily for those and that is why, in our residential environments, we need to reflect this.

Deputy G.P. Southern:

I have got a couple of questions I want to follow up; one for you, Jim, or whatever. You described overall the fostering initiatives as successful and then went on to talk about long-term, short-term and the continuing source of fostering. Have you been successful on all those 3 fronts? I mean, certainly the overall numbers of 22 in a 3-year period compared to one would suggest it was overall, looking at it in some ... I mean, is there a pinch-point? Are you coming to the point of where are we getting these further fosterers from: "That was great but, oops, we are stuck for fresh fosterers"?

Mr. T. Le Sueur:

Again, the quality of the campaigns these days are very professional and very out there and very in people's faces and those campaigns produce inquiries and still do. We are about to start another one. It will get inquiries. I will bet money that over a 2-week period we will get 100 interested inquiries. That is not 100 foster carers. One hundred interested inquiries might lead to 20 applications. Twenty applications may lead to 10 approved carers. So the attrition rate of people interested is high.

Deputy G.P. Southern:

The question was, have you come to a pinch-point? Is it getting difficult to find those fresh ...

Mr. T. Le Sueur:

No, I do not think it is any more difficult today than it was.

Deputy G.P. Southern:

No, I am seeing people nodding on one side and ...

Ms. M. Baudain:

I was nodding because I think that was a very relevant question and it is a question that we asked ourselves, you know, as we entered this programme of investment in adoption and fostering. Well, the first question was, are there people out there; even at the beginning of this process. It appears from each of those recruitment campaigns that there are still people out there. We might discover differently when this campaign is rolled out but there is no evidence at this stage that there is a really big drop off.

But that is exactly the concern that we were expressing right at the beginning and that is why I was nodding.

Mr. T. Le Sueur:

There is always a risk.

Senator J.L. Perchard:

Yes. I think there is a pinch-point. That is probably why I was nodding when Tony was ... and I would like to see more investment in supporting foster carers to enable them to do their jobs, because it is tough sometimes.

Deputy G.P. Southern:

Certainly. It is one of the points of what I am going to call the *Sherman Report*; that in fact you can lay in support there in terms of personnel until your cows come home. If your basic financial structure is not in there, i.e. they can afford to take another kid, it is not going to work and it costs ...

Senator J.L. Perchard:

A bit of respite and a bit of counselling. You know, sometimes it gets tough, as we all know, and just more support in supporting foster carers. We did have and still have sort of plans for moving services out of La Chasse and creating a Foster and Adoption Centre, and having ... we did talk about perhaps a Greenfields site. I do not know. We are not exactly sure where we could do it but where foster parents could be trained and supported and we could have a better liaison and relationship with our foster parents; so a bit of a centre.

Mr. T. Le Sueur:

You are absolutely right about carers with time to care and properly supported in financial terms, et cetera. What does that mean in Jersey? I would suggest it means something different in Jersey to what has been discussed in there (in the report) even, because Jersey sits at another level up and we have tried ... we have got investment money to develop professional fostering. Now, very few people ... most people will recognise the title. They will say: "Oh, yes, professional foster carers," but when you say: "Can you tell me what that is?" most people struggle because are you talking about an employee of the States? If you are, they have to conform to the employment law and should not be working 24/7 and should not be this and should not be that. So we hit a whole set of problems with recruiting them. If they are a voluntary foster carer who operates under the same system, how do we pay them then? Because as soon as you give them more money than an allowance for looking after the child (as soon as you give them a grant, a bursary, a honorarium, dare I say a salary), you then move into the employment law. What they will say, their big issue - and it is true in England - is where is their pension entitlement and how do they support that? Where is their social security payments? Because if one partner becomes a foster carer on a full-time basis they are technically self-employed, so they have to make social security contributions. So we give them a fostering allowance for looking after the child. They then have to spend that allowance to pay social security, to pay additional rent, to pay ... So one of the very difficult pinch-points, as you described it, is resolving some of those issues to the satisfaction of the people who would want to do it. That is (1). (2), and it is a very current issue, is clearly, with all the issues of historic abuse coming forward, those people are feeling very vulnerable out there in

terms of their safeguards in caring for other people's children. Now, my staff feel it but we are professionals. Part of what we do is that and we need to understand that and we should understand that. These are foster carers. These are members of the community saying: "We will look after the Island's children for the Island." But when something happens, do you know what, everybody goes: "You are on your own." Our systems ... you know, if they have to get lawyers they have to pay for them. If they get prosecuted, even if it is a malicious persecution, they have to pay for it. Some of those issues we have got to resolve and people were not worried about those sorts of things 5 years ago because it was unheard of. Today in Jersey those are very real issues, they are very real concerns and the acid test to your question is going to be our campaign over the next month when that impact is going to lead to people saying: "You know what, I am not even going to ask the questions." We will see, because I think it is an interesting problem.

Senator A. Breckon:

Can I lead you on to another area, which is how you work with, let us call it, the voluntary sector, because, in essence, you know, people coming up for fostering and adoption are volunteering in a way. But how do you work with let us call them agencies like, say, the N.S.P.C.C. (National Society for the Prevention of Cruelty to Children) and people like that; whether you have any formal agreements with them, service level agreements, agencies who you fund, Milli's and things like that, agencies known to you. What is the relationship and the working situation with those?

Mr. T. Le Sueur:

Clearly there are key agencies. N.S.P.C.C. we worked with from the start. We worked with N.S.P.C.C. before they came to the Island, we worked with N.S.P.C.C. as they came to the Island and we work with N.S.P.C.C. today. But they are a big U.K. organisation and they self-fund. Milli's is an issue because it has come up in *Williamson*. They are a contact centre. They are a resource that the Island desperately needs and frankly cannot afford to lose but we are running dangers of losing them because they are charitably funded and they are putting their time and energies into raising money to keep themselves going when they need to be doing the doing. So we put a proposal that it should be grant funded. But we have a whole range ... Health and Social Services generally has a whole range of charitable groups that we grant fund but there are an awful lot of them out there. So we would work with what we consider to be the key ones but that does not mean that there is not another one starting tomorrow or another one goes into financial problems and needs some support and then it comes back.

Ms. M. Baudain:

Yes, there are some very key organisations that Health and Social Services does have service level agreements with and funds to quite a considerable level. For example, the Women's Refuge; that is a very important relationship with the children's service. These tended to be established some years ago and I think that the problem that Tony might be touching upon is, you know, there are many changes. We have already discussed many changes in child care and what is considered appropriate ways of responding to the needs of vulnerable children and when finances are tight, when flexibility is tight, it is not very easy to keep up with those changes. So, for example, Milli's Contact Centre has become immensely important. The service it can provide,

you know, more and more important over recent years and we have not been able to keep pace in terms of supporting this sort of new requirement that has emerged. That is the difficulty really. N.S.P.C.C. does not receive funding from Health and Social Services but it has very focused fundraising activities, specifically to support the Pathway Centre and there are excellent working relationships between Pathways, Children's Service, Education. There is a multi-agency group that works with Pathways, for example. But certainly under *Williamson* there was a ... you know, what we identified as ... well, what Andrew Williamson identified and what we tried to ... the thinking we tried to develop was around the better coordination of these voluntary and charitable activities because it seems clear to us that if these various resources work more effectively together, we can ... you know, and to the same objectives, agreed objectives, then we can get better value from all of them and we can better support each other in creating something that is rather more seamless, because the really important role that these organisations tend to play is at what I can perhaps call the softer end of when families are first in difficulties and it has not become critical and it has not necessarily become a situation into which the Children's Service needs to intervene with its statutory role. Investing in those areas is absolutely crucial in order to avoid escalation and difficulties. So coordination and support across that area is considered by us to be a crucial element in *Williamson*.

Senator A. Breckon:

I wonder if I could just develop something on that, I will come to that in a minute, with what is the liaison and cooperation with education, and I want to add to that, Home Affairs, something for you to think about while we look at education. Home Affairs, on a referral, perhaps from a child that comes to the end of a sentence. I say a

child, sometimes we have drawn a line at 16, 18, 21, where you are, you might like to define that, and also a child that might come to the attention of the police. We just want to know where the liaison is there with referral to you. But first of all in the education thing, suppose on this morning some youngster turns up at school unwashed, no lunch, and there is an issue there which a teacher picks up, what would be the process for dealing with that and referring it to the authority? Who is the authority there?

Mr. T. Le Sueur:

This is about what we decided were some of the thresholds of need, and what are we talking about there? It goes back to what Marnie was saying about softer end and harder end. Mine is a statutory social work agency, it is social services, it is what you see on the news, it is the front line child protection services. The problem with that is when you have the situation you just described, a child comes into school unkempt, no sandwich, whatever, is that child protection or is that a welfare issue for the child where the child and the family need some support in addressing that issue? Most of the schools today have people in the schools, the secondary schools have whole teams of individuals: counsellors; welfare officers; education welfare officers; school counsellors; attendance officers, that deal with the very issues that you are talking about. They will refer through to my service at the point where they believe a threshold has been passed in which the child is at risk, and at risk because they are being abused, at risk because they are being neglected, and neglected in a real sense of the word, because if my agency stands in to do something about that we have to meet legal tests of what is neglect and what is not. Significant harm: again, legal test of what is significant harm and what is not. So they will have thresholds after which

they will refer to my service. Referral to my service may be for support and advice and guidance: “Yes, you are doing the right thing. Yes, you need to talk to the parents. Yes, can you do that? Please come back to us if XYZ.” Or it can be: “Given the information you have just given me, I believe a child is at risk now and we will act now.” We make that determination. So there are those mechanisms in place between Education, between ourselves, but they are set around very clear roles remits and when you move that into the Home Affairs criminal justice field, again there are other agencies, there is the Youth Action Team, which is social workers, probation officers, police officers, Youth Service, Child and Adolescent Mental Health Service, all involved in that service. They are the ones who pick up referrals of young people at the court, because they attend court, so they are aware of every child that goes in court, they are aware of every child that has a sentence coming out of court, and they make the links through in terms of joining up all the different parts of this.

Senator A. Breckon:

Are you drawing a line at 18 with them?

Mr. T. Le Sueur:

For my service the line is at 18, yes, currently.

Senator A. Breckon:

What about children coming out of a custodial sentence, doing what as they come back into the community?

Mr. T. Le Sueur:

That is either a Youth Action Team that will pick up those young people, or it is a formal probation arrangement, because probation have some set arrangements, so there are 2 options as they come out. But you are right, the transition points between a child and an adult, at 17 years, 11 months and 30 days, you are a child, the next day you are an adult and the whole world changes; that is true to an awful lot of services. The only transition we have past 18 in formal statutory services are care leavers, where a child has been in long-term care and has left care and is moving on, we have responsibilities then until 21 to support those young people, and in the youth justice field where they had a young person who maybe was still involved with services, but it is more likely that will be probation, because probation have both the children's and the adult's side to their services.

Deputy T.M. Pitman:

I would just like to turn it back a bit if I could to where you started and the issue of staff. Just reading the recent House of Commons report, there is a quote, which says: "Success can only be achieved by recruiting enough of the right people, giving them access to the right training, paying them enough, and backing them up with practical supports." I know you would agree with all those sentiments. Staff recruitment and the maintenance of morale, where are we with that at present, given that we know it has been a really difficult period?

Mr. T. Le Sueur:

Again, I hate to sit here and say I am optimistic, because I know tomorrow I might not be. We have had a tough time, we have had large numbers of vacancies across my service. We have never had ... if you go back in the history, when there were 10

childcare officers who were the senior social workers in their day, a lot of those were probably recruited at one time and remained for an awful long time. Over the last 10 years, certainly the experiences of developing services, so more posts, and more need for people coming into it. As we sit here today, half our staff are locally born staff, and half our staff come into the Island. That is not a bad position for the Social Services Department because the nature of the work is such that unless you have people coming in who are used to what is current practice and best practice in the U.K. and they are bringing it back to Jersey, then Jersey frankly will lose out. So we are on a 50:50 cut, we are seeing more young people, local young people, who are coming out of colleges and we are certainly recruiting some of those. The difficulty again is in a small department there is a limit to how many newly qualified social workers we can support alongside the need for experienced social workers, and that is a difficulty for the service at the moment. We have just had a recruitment campaign, we have appointed 4 new staff from that, 3 locally born coming back to the Island, one coming from the U.K., and they should be in post by the end of May. Once they are in post we will only have one vacancy, which is in a specialist area, and we are recruiting to that at the moment. So the situation is better than it has been, but, as I say, it does not take much to wreck ...

Deputy T.M. Pitman:

But are you confident that you will get to where you want to be? One of the interesting parts of our visits yesterday, Greenfields, if you had a magic wand, he would have liked to see a fair increase in staff. How realistic is that? Because that is the key to everything, is it not?

Mr. T. Le Sueur:

Yes. Again, the concept of, if you can reduce the numbers of children in care, if you can restyle the units and if you can maintain the existing staff to work with smaller numbers of young people, you achieve what that manager is talking about. So if you are talking of a 10-bedded unit today, which has a staffing complement of let us say 16 staff, if that 10-bedded unit tomorrow becomes a 3 or 4-bedded unit, those 3 or 4 children still have 16 staff. 16 staff with 3 or 4 children could do a hell of a lot more than they can do with 10 or 12 children. That is where we believe that increase is going to come from, but to get to it you have to remodel these services, or you have to find access to a big pot of money to deal with the issues in the interim to get you through to the end, by which time it reduces. It is a balancing act.

Deputy G.P. Southern:

But then the 2 things coming out there, again, and one thing that is coming out there then, if you are going to have smaller, more specialised units, then fine, but unless your numbers are going down you still have a cost, because you need more of them. So that workforce has to be in more than one place perhaps, but it still has to be there. Then secondly, the timescale certainly, in talking about the new structure that will come out of *Williamson*, the timescales and the recruitment demand there was very demanding, highly demanding, I mean looking at it, it is almost unrealistic: "Hang on, you are not going to find that level of senior social worker overnight, You have to be advertising now and maybe you will get one in 2 years' time." It is a very difficult timescale that has been put into *Williamson*, has it not?

Mr. T. Le Sueur:

Yes, but that was a first draft of an implementation plan, which said: “Here are the resources ...” We had *Williamson*, we then did an implementation plan, which said: “This is what this means in real terms, in terms of resources required”, and then the last bit was: “When can you do any of that?” You are right, you are absolutely right, you look back on it now and say: “That is daft, you were never going to ...” Even if somebody had said, day one: “Here is the money”, you were never going to deliver it. By the time we came to the phasing document, which I am sure you have had copies of, that had been reviewed and that was being stretched now over a 4-year period. That is far more realistic; it is still very challenging. If we had, again, you opened your back pocket, give me your money now, I would still struggle to recruit into that sort of programme. But that is far more realistic than the original thing.

Senator J.L. Perchard:

Just for a point of clarification, Deputy Pitman asked about, as a result of your visit yesterday to Greenfields, Children’s Services and Social Services are only a third partner in the Children’s Executive, which have responsibility for Greenfields Youth Action, and *Williamson* did recognise that there was perhaps a problem there; that ownership of the Children’s Executive perhaps should be somewhere, rather than spread over 3 departments, and just in case ... I am sure that had not escaped you, but just to ...

Deputy R.G. Le Hérisier:

Yes, thank you. Well that was one of the issues perhaps we should have raised at the beginning. To ask you all a very open question about *Williamson*, did you agree with the essential thrust of the *Williamson Report*? In terms of rearranging political

accountability, in terms of the underlying philosophy towards childcare, the balance between community and residential services, all the issues that are embodied within that report, did you agree with it? If not, what areas did you not agree with?

Ms. M. Baudain:

That is quite a broad question. Thinking about specifically political accountability and effective coordination across services, and those agencies, whether in the public or the voluntary sector, who need to contribute to this, yes, I did very much agree with the thrust of the *Williamson* report, because the concept of the corporate parent and the Children's Executive that had been introduced as a result of the Kathy Bull report, as one of the people who sat on the Children's Executive for the period of its existence, it did not work as effectively as it could and should have done. It was in some ways, at the Children's Executive level, quite a good beginning because it did bring together senior officers from Education, from Probation, from the Youth Service, from our own services, and some decision making, some exploration of developments, could be undertaken. But what happened was a sort of a mishmash through to the sort of chief officer and political level, because there were 3 Chief Officers and 3 Ministers who were responsible, and it was very difficult to pull all the thinking together and to move forward on that. One of the proposals in the *Williamson Implementation Plan* is almost to take the seed of the Children's Executive and make it bigger. You will recall that there is reference to the creation of a Children Board with a clear remit of delivering a Children and Young People's Plan for the Island, and my personal opinion is that is what has been missing for some time. Because the cart was sort of before the horse with the Children's Executive in that there was not really a very clear agreed plan, who was going to deliver it, exactly

what it comprised, in what timescales, for all of those people involved to work to. Now, the concept of developing a Children and Young People's Plan for the Island, which clearly identifies what the objectives are and who is going to deliver on them, to me can then make sense of the creation of a Children Board, which is a slightly wider animal than the Children's Executive because they have a clear role and remit and there is clear accountability for each of the actions. So I would not say that the Children's Executive was a complete failure, it was part of the process I think that we perhaps had to go through to clarify what we now need, but I am very supportive of that recommendation in *Williamson*.

Mr. T. Le Sueur:

Yes. Well, I agree with Marnie, I think the difficulty always is, if somebody comes from outside, they inevitably bring with them the experience of what is current in the U.K. and what is perceived to be best practice in the U.K. and they bring it into Jersey and they say: "Well, if you do this, this is going to work." That always has inherent dangers. I think the key thing for me with *Williamson* was that he did listen to the issues of Jersey and why this might not work in Jersey. For instance, if he had taken the English model, he would have proposed a Children's Trust, he would have proposed an Ombudsman, he would have proposed this, he would have proposed that, which are very key and buzzy in the U.K. at the moment, but have not delivered an awful lot. If you look in any specific areas, those sort of setups, yes, they exist, but can they demonstrate an area in which that area has solved problems? No, they cannot, there are models. So I think he did listen to some of the local perspective on some of those things. I think what he suggested is the building blocks of something that could work for Jersey, but it is still going to require huge commitment from the

top level down. This is something that Marnie alluded to, it is fine at a certain officer level to say: “Well, everybody knows everybody. Everybody works together. Everybody can deliver.” Frankly, if you do not have that same support going up, and coming from the very highest levels, it becomes very difficult. One of the things that the Children’s Executive maybe never resolved was it did not put in place the mechanism by which that whole setup was going to work effectively. It said: “If you put 3 Ministers and 4 Chief Executives together this will solve it.” Not unless you give it some very clear structure about how those 3 Ministers and 4 Chief Executives are going to be able to work together to do, how they are going to deal with budgetary issues across 3 Ministries, how they ... there was a lot missing in there. I think what *Williamson* offers is the building blocks to develop something, it puts in place resources, consultancy from N.S.P.C.C., governance officers, professional officers, that will be able to put in place the infrastructure that is going to make some of this stuff work in the future. If I have a personal criticism of the *Bull Report* and everything that went with it, when it was clear that the funding was not available to initiate all of it, the practitioners - and I was one of them, so I hold my hand up - went for the frontline staff and said: “Give us the social workers. Give us the residential officers. Give us the ...” We sacrificed all the posts that might have made it work, so the executive officers that would have put in place policy and procedure, the people that would have supported the meetings being held and making decisions, the decision-making process, we lost all that. It would be a crime, in my book, if we do that again with *Williamson*, because the temptation is to strip out of *Williamson* the stuff that looks “wow-wee” and go to the front, and believe you me, I sit at the front, I want social workers. If you said to me, what do I want out of *Williamson*, I want the

social workers because that is my bread and butter. But I absolutely recognise that, if we do not put the infrastructure into place, none of this is going to work.

Senator J.L. Perchard:

I have an answer to Roy's question briefly as well. I thought *Williamson* identified a problem of the Children's Executive failure and proposed a solution, the problem being cross-departmental work and multi-agency working failure, and he said that quite clearly I think and his recommendation was to focus all this in the hands of Health and Social Services. My criticism of his report, probably because there is no silver bullet, is to help us with this cross-departmental work, and Tony says we have the building blocks, perhaps we have, but the multi-agency cross-departmental work is still a challenge; it is still a massive challenge in order to ensure that we do not leave gaps in service, and that is something I do not know quite ... we have the blocks maybe to build it, but it is going to take some determination.

Deputy G.P. Southern:

Can I just focus some of what we are talking about on a very specific issue and put it to you as to ask what the solutions might be. We have talked about working with voluntary bodies and charitable bodies, we talked about re-organising the structure of the delivery of looked-after children, we talked about a numbers issue and we talked about funding. For example, when we were at Brig Y Don yesterday they said: "We have a crisis. We traditionally have looked after the nice little kids with the pigtails, we are not skilled up to take very reluctant and often violent teenagers, and if we do, we will just ruin what we do. In addition, we are part-funded at present by social services, but tremendous demand on our charitable fundraising, which is squeezed.

We have been told we have to take kids that we cannot cope with. Now there are 2 kids there and they are terrorised.” How do we solve that problem? How do you get over that? For example, they are saying: “Brig Y Don could be closed in August.”

Senator J.L. Perchard:

We thought we had negotiated a solution and a way forward with Brig Y Don, and I have to say there has been a little bit of misinformation put out by them in the last week about referrals, but I was satisfied that we had carved out the future for Brig Y Don and where they fitted into the service provision for vulnerable children. I am a bit disappointed there has been a sort of step-back, but I think we can recover it, there are meetings ... is it Friday or Monday, Marnie, with them?

Ms. M. Baudain:

Yes.

Deputy R .Le Hérissier:

What was the deal you negotiated?

Senator J.L. Perchard:

This is one I have worked quite hard on personally. I have taken this one very personally because Brig Y Don has a wonderful rich history of providing for vulnerable children and I think we wanted to work with them to protect their future, despite the fact that the circumstances around, as we touched on earlier, are changing. What was the deal, Roy? The deal was that we would refurbish Brig Y Don into a 6-bedroom unit at our cost; they would receive a peppercorn rent from us for that; their

staff would be transferred to Health and Social Services and skilled up and made so that they had the skills, or the Brig Y Don Children's Home could provide the skills in whatever capacity to support the more difficult clients and residents. Have I missed anything? Basically that is about it.

Ms. M. Baudain:

I think what I would say is, my personal view is that it is inappropriate to focus upon the changes at Brig Y Don, because what we have said earlier is that our residential care is the wrong shape for the future. That means that Heathfield is wrong, La Preference is wrong, and Brig Y Don is wrong. So Brig Y Don has not been identified for special treatment because we have always worked across the patch with Brig Y Don and traditionally, as has been mentioned, they have had the younger children whose circumstances are not quite as complex as the children who end up at La Preference and Heathfield. We need to work across the whole patch, we cannot design something that is right for Brig Y Don ...

Deputy G.P. Southern:

Will those kids not exist in the system in the future?

Mr. T. Le Sueur:

The younger children that they have in that unit, and there is a family group of 3 and there is 2 girls, will not exist in the future in that way, no.

Deputy G.P. Southern:

So there will not be kids of that sort coming into this ... where will they be? When families break up where will they be?

Mr. T. Le Sueur:

They will go into foster care.

Deputy G.P. Southern:

Straight into foster care?

Senator J.L. Perchard:

Midnight on Saturday night; we have foster carers that are able to receive a child midnight on a Saturday night. That is a part of the evolving service chain.

Mr. T. Le Sueur:

The compromise, if the phone rings now and I have that family of 3, and they need to come into care now, no issues, has to be taken into care. I will look for the best possible placement for those 3 children. I am not interested whether it is available, whether it is an issue of Brig Y Don, whether it is ... I need the best possible bed for those children that I can provide now. When those 3 young children, if they go into foster care, and they could have gone into foster care, they would have gone into separate foster placements. That would have separated a sibling group of 3 children. At that point the decision was that it was more important to keep the 3 children together and place them into a residential unit than place them into foster homes where they would be separated, because the trauma of coming into care was such that we believed ...

Deputy G.P. Southern:

My question is: and that will not happen in the future, so there is no role for Brig Y Don, or a very small role?

Mr. T. Le Sueur:

No, increasingly, because if you look at the numbers of children that we have received into care, let us say we took 100 young people into care last year, 2 or 3 of them went to Brig Y Don, so what happened to the other 97? I will tell you what happened to the other 97. The other 97 predominantly went into foster placements, there were others that went into Heathfield and La Preference, of course there were, so the residentials took a significant number, but the vast bulk of those, 70 per cent of them, went into foster care.

Deputy G.P. Southern:

Brig Y Don only has kids that are there permanently, surely they are part of it, part of the placement system, are they not?

Mr. T. Le Sueur:

No. They are part of it, they currently ...

Deputy G.P. Southern:

They would take a 6 year-old in and start that process that says: "The most appropriate is in fostering and we are looking at where is the most appropriate placement", and they are used to doing that.

Mr. T. Le Sueur:

Yes, they are.

Deputy G.P. Southern:

So there is a risk. It was put very strongly to us yesterday the risk you may lose Brig Y Don's services altogether, they will just simply up sticks and say: "We will find another way of distributing our funds that will not be a children's home, we will be funding something else."

Senator J.L. Perchard:

We have had a terrible dilemma with this, Deputy Southern, it has been a real pressure point as to what our service is about. There is a suggestion, there has been a suggestion that we had to accommodate Brig Y Don in their historical capacity, and our service had to be built around to ensure that there was a viable future for Brig Y Don, and we did not see it like that. We are purchasing a service from Brig Y Don, and they need to supply the service.

Deputy G.P. Southern:

Do not see it as you building your service around Brig Y Don, I say, is Brig Y Don delivering a good service for the clients to which it has expertise with? Will that service be needed in the future? Now, if you are saying no, then fine.

Senator J.L. Perchard:

That is what we are saying.

Deputy G.P. Southern:

Fine, but, to be honest, I cannot believe you if you say that sort of service will not be needed and that the only thing ... are you saying then it is appropriate to mix very violent teenagers with much younger kids?

Mr. T. Le Sueur:

No, but that is the whole basis of what we want to create, because we want to create smaller units that will deal with need at the point of entry, so if the need is for a young person who has violent tendencies because they are disturbed within that, we want a small unit that does not put that young person in with those that are established. You focus in Brig Y Don --Heathfield has long-term established residents who have another child admitted at the drop of a hat who blows the whole thing sky high by the nature of their circumstances. All children in our residential units experience that.

Deputy G.P. Southern:

That is your residential unit; that is not a charitable unit.

Mr. T. Le Sueur:

No, but we want to move away from that, so we want smaller units that deal with specific issues at the point of entry and make thorough assessments of what is required for that child in order to support them: is it fostering; is it residential care; is it what, professional fostering; is it something else?

Deputy G.P. Southern:

That decision does not take place overnight, at which point you already need a place for a child while you consider the way forward.

Senator J.L. Perchard:

But we do have emergency foster places, we have foster parents who can receive a child at midnight on a Saturday, we have emergency foster care.

Deputy R .G. Le Hérissier:

One of the alternatives put forward, I understand, for Brig Y Don, was that they would indeed buy into your revamped adoption/fostering service and provide a centre. Was there any mileage in that proposal?

Mr. T. Le Sueur:

The problem with that proposal was they wanted to link residential beds to the fostering and adoption support initiatives, and those 2 things do not fit in that way. If you have a centre, which is designed to deal with training of foster carers, support to foster carers, meetings, training environments, that is not the same environment into which you would receive young people into care. The problem with that mix was that it was not going to work on that site, and as soon as it could not work on that site then that was not possible. Now, if they become the fostering and adoption support centre, we do not need the residential staff, and the problem was: “Is Brig Y Don a building, or is Brig Y Don the staff within the building?” These are 2 very different things. We have had to try and reconcile a use for the building, which we could have offered several uses for the building, but they wanted to put their staff with the building and doing something, and the only option for that was providing residential care, because

they are residential childcare officers, they cannot do something else; that is what they are employed as and that is what ...

Senator J.L. Perchard:

In regards to Brig Y Don we had an agreement with them and P.17, which the States decided to not debate, and put back until June, P.17 clearly provided the funding to support the agreement with Brig Y Don. I think, in fairness to my officers, I think the reaction you probably received yesterday was a frustration, because we had worked so hard to get to this agreement, and I was confident that we would be able to provide phase 1, which included the Brig Y Don monies, this year, and it has been put back, and I think the reaction you had yesterday was one of frustration, the fact that everything --

Deputy G.P. Southern:

I wish you luck with the other thing, the negotiations ...

Senator J.L. Perchard:

Well I had worked hard on ...

Deputy G.P. Southern:

I do not think on Friday or Monday, whenever it is, it is going to be an easy job.

Deputy T.M. Pitman:

Time really is of the essence with Brig Y Don, which is what we picked up. Is the department really willing to risk losing what is there now? Because it almost seems that is the point we are at, is that fair to say?

Senator J.L. Perchard:

You will notice I lodged P.17 for debate on 31st March and the States decided that we needed to look at the bigger picture rather than just phase 1 of *Williamson*, it was a tactic to get immediate money for Brig Y Don and these therapeutic ... you will become aware shortly of some other immediate funding pressures, and P.17 was pulled or delayed until 30th June as a result of a States decision. No, Deputy, we recognise it, but ... and hence I lodged this proposition for immediate funding, which the States was suspicious about.

Deputy G.P. Southern:

I am aware that we are at the end of this meeting and we have people waiting to get on with it. Can I just make a point about certainly again the *Shearman Report*, as I am calling it, makes a strong point about listening to children, and to their needs, and in particular about independent reviewing officers and advocacy in particular. Now, I notice one of the victims of P.17, when it was mashed around, was advocacy went by the board. I think that is a vital key that must be put in, and I would have directed it to you, because it is a different question. But would you be pressing your new Minister to make sure that advocacy gets stuck back in the mix and gets its funding as a high priority? I think it is absolutely vital.

Mr. T. Le Sueur:

Okay. The issue with that recommendation, and the reason why it was one of the recommendations that, when we were asked to pare back, it went, there are 2 parts to it. There was a bespoke advocacy service, which we absolutely believe in and that is why it is in there and that is why we were proposing it. There is a second level of advocacy, which is available through a whole host of existing arrangements, and those have been developing. The Jersey Child Protection Committee has been developing a sub-committee for children living away from home. That has been going into children's homes and talking to them. We have developed, under the Jersey Youth Services a Y.E.S.S. (Youth Enquiry Support Service) counselling service, which has been talking to young people that are in care and has been looking at the issues. We have a fostering and adoption panel that has service users on it. When I spoke earlier about recruiting 4 social workers last week, 3 children from care interviewed those social workers, and it is part of what we do now that young people in care are part of that process of looking at who is going to be coming and working for the department and why. So we have a lot of initiatives that have started and are gathering pace that sit alongside what we were proposing. Easy issue, yes, of course I am going to press for it, we put it in, in the first place, it is what we believe in. But we also recognise that in a context of finite resources some of that very good stuff is already happening and is already developing and there is an issue that if we have to prioritise, and it goes to the phasing bit, if we have to phase this, and we were talking 2012, 2013, 2014, some of that stuff might come further down the line because things that are happening now are being effective. Only time will tell that.

Senator A. Breckon:

I am conscious of the time and it looks like the clock is being ... just before we close there is a number of points. There may be some further information that we require following today, and I have in mind something perhaps about the fostering/adoption, the numbers and the outcomes of some of that, but obviously it would be anonymised so it might be ages and gender and that is it, really, just to find out what is happening to the service, and perhaps the same with residential care, to find out what the outcomes are. Also, Marnie, you mentioned the Children's Executive, something that before we started this I said we were doing some preliminary work, perhaps the Children's Executive, the number of times they met and the minutes from that, and the dates and that might be useful to us as a background to find out where that ... from the Kathy Bull report, where it perhaps gelled or it did not, just for background information that would be useful. I did say at the start that at the conclusion anything we may have missed or you think that was important that you would like to say, now is the opportunity of each of you to exercise that or not, as you so wish.

Senator J.L. Perchard:

Well, it is only the question ... I cannot remember the exact title of your review ...

Senator A. Breckon:

Coordination of Services for Vulnerable Children.

Senator J.L. Perchard:

Yes, the definition of a vulnerable child, really, and I am not trying to be awkward, but it is a very, very difficult thing to define. When does a child become vulnerable?

If you can give us some assistance there I would be delighted, because I think all

children are vulnerable, technically. At what point do they become vulnerable and when? This goes back to what I was talking about, cross-departmental multi-agency working, it is not a bad place to start, at what point does the flag go up and how does that trigger a reaction?

Senator A. Breckon:

That is very important I think, because in different situations people are coping and in others they are not, so that is the fine line, and where is the intervention, at what stage? Obviously quality interventions are proven to be effective, but then that is a professional judgment on some people's behalf. Tony, anything else you would like to ...

Mr. T. Le Sueur:

The one thing I would want to just highlight. One of the recommendations is about developing a Jersey Court Advisory Service, and I worry about that as a recommendation because it is quite technical, and that is not easily understood. It is a very technical aspect about what is 'public law' and what is 'private law' and how those 2 are managed and dealt with, and it causes a lot of problems for Jersey, only Jersey might not recognise them. When Andrew Williamson in his report talked about service users coming to him with complaints about service provision, a lot of what was being complained about was that it was about private law hearings where ... again, no news for anybody here, the divorce rate in Jersey is one of the highest in Western Europe, ergo the number of cases that come before a court of couples splitting up and separating with children as an issue is hugely high. When that happens there is a requirement to put a social worker in the middle of that to do a

report, and predictably the report is going to say either it agrees with one side or it agrees with another. If you agree with the left-hand side the right-hand side is going to object. If you agree with the right-hand side the left-hand side ... It is very difficult, it is very controversial, it is very ... it leads to an awful lot of complaints. My service today is required to do those reports alongside the probation service. Now, it would happen nowhere else, in the U.K., CAFCASS (Children and Family Court Advisory and Support Service), the court advisory service, would do that work, and it is right and proper that an independent service does it because when they are doing it, if they raise issues of child protection, if they raise issues of abuse, my service's independence to investigate has gone out the window because we are already involved doing the first report. That cannot be right, it needs to be resolved, it needs to be separated, and that is that proposal. Whether it is in the right place, we can argue about, but that was the ...

Senator A. Breckon:

In *Williamson*?

Mr. T. Le Sueur:

In *Williamson*, yes. But it is there because *Williamson* picked up the issue of people's frustration at not understanding a social worker knocking on the door saying: "I am the court welfare officer", and then tomorrow knocking on the door and saying: "I am a child protection officer." They were saying: "I spoke to you yesterday", and that cannot happen, we have to do something about that. So I would just want to stress that. I am sure others will want to speak to the panel about it, Probation probably do and some others, but ...

Senator A. Breckon:

Thank you. Marnie?

Ms. M. Baudain:

Just very briefly then, I will just pick up on what the Minister said and this notion of how do you define a vulnerable child, and I do not think we ever can define a vulnerable child because that is something that is fluid and changing and a matter of opinion. To me that just emphasises, I suppose, what we are here to do today, which is to ensure a seamless response. If there was one thought that I have provided to the panel is that, probably not the *Williamson Report* itself, but what has fallen out of *Williamson* and some of the other things that have been going on is the development of a sense of community political public responsibility for vulnerable children, as well as the services - Education, Children's Service and everybody else that provides - so that we approach it in a much more coherent and thought through fashion, which would go back to what I was talking about, the Children and Young People's Plan for the Island, because until we embrace that we are not going to achieve seamless services and we are probably not going to achieve the investment that is required in services for those families and children really in difficulties. Seamlessness, I think, is really important.

Senator A. Breckon:

Thanks very much indeed for your time and there could be issues that have been raised where we are back to you through the officer seeking further information.

Thank you.

