

**SURREY COUNTY COUNCIL****CABINET****DATE: 16 JULY 2019****REPORT OF: MRS MARY LEWIS, CABINET MEMBER FOR CHILDREN****LEAD OFFICER: DAVE HILL, EXECUTIVE DIRECTOR FOR CHILDREN, FAMILIES, LIFELONG LEARNING AND CULTURE****SUBJECT: COUNCIL TAX RELIEF FOR SURREY'S CARE LEAVERS****SUMMARY OF ISSUE:**

Care Leavers can and do experience a range of challenges in their lives and, by the nature of having the legal status of a care leaver, it means they have spent time in the care system as a 'looked after child/young person'. This includes unaccompanied asylum seeking children.

One of the challenges that Care Leavers face is finding and paying for accommodation as a young adult, which includes living on their own. Surrey is an expensive place to live including paying for accommodation. Currently in the local authority area of Surrey a small number of district and borough areas are providing council tax relief for care leavers, however this is not a consistent offer or a consistent geographical offer resulting in unfairness.

The Cabinet is being asked to agree in principle to support care leavers by paying the Surrey County Council proportion of Council Tax (around 75% of the total amount of Council Tax), for those care leavers living by themselves (independent living) or sharing with others with some support (semi-independent living).

**RECOMMENDATIONS:**

It is recommended that:

1. Cabinet agrees in principle to provide Council Tax Relief, for the Surrey County Council proportion of Council Tax, for Care Leavers (living in and out of the county) in independent and semi-independent living arrangements from 1 April 2020 from the ages of 18-25 years old (up to their 25<sup>th</sup> birthday).
2. Specifically for Care Leavers from the ages of 18-25 years old (up to their 25<sup>th</sup> birthday), living in independent and semi-independent living arrangements outside of Surrey County Council local authority area; that 75% of their Council Tax is paid for Surrey County Council.
3. Cabinet reviews this each political cycle (i.e. every 4 years), including understanding the impact this has made for Care Leavers, with the first review taking place in 2021 following the County Council elections.

## REASON FOR RECOMMENDATIONS:

Through its Corporate Parenting Responsibilities Surrey County Council (and its partners) has a duty to do the very best for Children in Care and Care Leavers, and provide the necessary care and support so they can achieve their potential. Supporting with the cost of living through Council Tax Relief will help Care Leavers to manage their transition to adulthood and help make their own home affordable, providing stability and a safe place.

## DETAILS:

### *Context about Looked after children and care leavers in Surrey*

1. Currently in Surrey there are around 980 looked after children and around 600 care leavers. These are children and young people that have often experienced long term abuse and neglect and on many occasions have had to live away from their birth parents, who themselves are likely to have poorer life outcomes.
2. On average both nationally and in Surrey, only around 17.5% of looked after children get their attainment 8 score (GCSE results), compared with 55% of all pupils in Surrey. Looked after children's expected progress compared to all of Surrey's pupils is well below average.
3. Looked after children are also more likely to be exploited and go missing; 25% of the children currently identified at risk of being exploited are looked after.
4. In Surrey 73% of care leavers are in education, employment or training. This is good but compared to a Surrey population with very low unemployment and many who go onto further and higher education, this group is still at a disadvantage compared to their Surrey peers.
5. National research tells us that adverse childhood experiences, of the likes these children and young people have faced, increase the chances of poorer mental and physical health both in childhood and adulthood. It is up to us as Corporate Parents to help change that path.

### *The proposal*

6. It is proposed that Surrey County Council pays for the Surrey County Council's proportion of council tax for care leavers aged 18-25 year old (up to their 25<sup>th</sup> birthday) who are living in 'independent' or 'semi-independent' accommodation.
7. It is proposed that this is for Surrey's Care Leavers whether they live inside the local authority's boundaries or in another local authority area.
8. It is proposed that the full amount of the Surrey County Council proportion of council tax is paid between these ages. The Surrey County Council proportion of council tax is around 75% of the total Council Tax bill.
9. For a Care Leaver living outside of the Surrey County Council local authority area, they will be eligible to claim 75% of their council tax bill.
10. This scheme will be eligible to any Care Leaver that is being supported by our Care Leaving Service, where they are in independent or semi-independent living

arrangements and are responsible to pay council tax. For example if they are a student at university then they are not responsible for Council Tax payments.

11. This proposal will put Surrey County Council in line with many other local authority areas that are proving Council Tax relief for Care Leavers including East Sussex County Council, whose Children's Services are rated Outstanding by Ofsted. Other areas doing this include Nottinghamshire, Birmingham, Brighton and Hove, Walsall, and Hartlepool.

#### CONSULTATION:

12. This scheme has been developed in conjunction with:
- Lead Officers and Councillors in Surrey's District and Borough Councils (some of which **already** provide relief to care leavers)
  - The Children in Care Council, which has representatives of children in care and care leavers
  - The Senior Leadership Team of the Children, Families, Lifelong Learning and Culture Directorate
  - The Corporate Parenting Operational Group, which is made up of the operational leads across partners in Surrey with a responsibility for looked after children and care leavers
  - The Corporate Parenting Board comprises of cross-party Surrey County Councillors, a foster carer representative and a foster carer that also has experience of the care system. This board provides the governance for the outcomes of looked after children and care leavers.

#### RISK MANAGEMENT AND IMPLICATIONS:

13. The main two risks associated with this scheme are:

Risk	Mitigation
1. Financial risk of ongoing funding for the scheme: This will cost the County Council more each year as well as potentially changing based on the level that council tax is set and any change in numbers of care leavers.	Through the budget setting process each financial year, which is approved by Cabinet
2. Fair implementation that does not stigmatise care leavers and provides a simple process to ensure care leavers can access the scheme	It is being asked to implement the scheme from 2020/21 allowing the Council to develop a fair, transparent and simple process of implementation that does not stigmatise these young people – including for those living outside of the county and eligible to pay.
3. Financial 'cliff edge' at age 25	The service and in particular the work of personal advisors, will continuously work with care leavers to support their transition to adulthood, which includes financial and budgeting skills. This includes being prepared to take on the cost of Council Tax when Care Leavers reach their 25 <sup>th</sup> birthday.

## FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

14. The estimated cost of the proposal for the next 3 years (2020/21 to 22/23) is as follows:
- **2020/21 - £181,160**
  - **2021/22 - £207,150**
  - **2022/23 - £228,070**

A breakdown of costs for those placed inside and outside of Surrey County Council local authority area in these years, and the assumptions made in preparing the estimated cost, can be found in Annex 1.

## SECTION 151 OFFICER COMMENTARY

15. The Council is facing a very serious financial situation, whereby there are still substantial savings to be delivered to achieve a balanced budget in the current year and a sustainable budget plan for future years. Children, Families, Lifelong Learning and Culture is on a major transformation journey to improve services for children and families. The section 151 officer acknowledges that this initiative is part of the Council's Corporate Parenting responsibilities.
16. For the care leavers living in Surrey, this will be a reduction in the council tax yield. For those where we are paying 75% of the council tax where they live outside Surrey, this will result in a £0.1m increase to expenditure, this will need to be managed from within existing budgets.

## LEGAL IMPLICATIONS – MONITORING OFFICER

17. The duties for providing care and support for looked after children and care leavers are stipulated in the Children Act 1989 as amended by the Children and Social Work Act 2017.
18. The Children and Social Work Act 2017 specifically outlines that care leavers are entitled to support from the local authority, where needed, up until the age of 25 years old. There is a requirement to publish a Local Offer for care leavers, providing information about services which the Local Authority offers that may assist care leavers in, or preparing for adulthood and independent living. This proposal assists Surrey County Council to fulfil and deliver on its statutory responsibilities.
19. There is no specific legal duty to provide Council Tax relief for care leavers. The legislation outlined above clearly outlines the duty of care and legal responsibilities to support and care for looked after children. This proposal supports the intentions outlined in this legislation.

## EQUALITIES AND DIVERSITY

20. Looked after children and care leavers are some of the most vulnerable residents in our society and can experience some of the worst outcomes as children and moving into adulthood. They are not one of the protected groups outlined in the Equality Act 2010.
21. A full Equalities Impact Assessment was not deemed necessary as this proposal is designed to have a positive impact on a cohort of young adults (care leavers) where

only age (due to legislation) has been used as a criteria to accessibility, in a positive way.

22. This proposal will impact positively on care leavers as the removal of this payment will improve their ability to manage their finances and thus reduce barriers that exist. Care leavers with protected characteristics will be entitled to this exemption alongside all other care leavers. Care leavers should be prioritised and referenced as a protected or vulnerable group.

#### **CORPORATE PARENTING/LOOKED AFTER CHILDREN IMPLICATIONS**

23. This proposal has a direct implication for care leavers currently in and moving into independent and semi-independent living arrangements (as outlined above).
24. The Corporate Parenting Principles outlined in the Children and Social Work Act 2017 set out seven principles that local authorities must have regard to when exercising their functions in relation to looked after children and young people, as follows:
- to act in the best interests, and promote the physical and mental health and well-being, of those children and young people
  - to encourage those children and young people to express their views, wishes and feelings
  - to take into account the views, wishes and feelings of those children and young people
  - to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
  - to promote high aspirations, and seek to secure the best outcomes, for those children and young people
  - for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
  - to prepare those children and young people for adulthood and independent living.
25. This proposal is actively seeking to promote these principles

#### **WHAT HAPPENS NEXT:**

26. If Cabinet approves this proposal the next steps are:
- a. Work with all Surrey's District and Borough Councils and the Surrey Police and Crime Commissioner to deliver full Council Tax Relief for children leaving care across the whole county (December 2019)
  - b. Work with the relevant Surrey County Council departments and District and Borough Councils to implement the scheme for 2020/21 (by December 2019)
  - c. Communicate with children and young people, and key staff and carers that support looked after children and care leavers about this scheme, including placing proposal on the Care Leavers local offer webpages (December 2019)
  - d. Come back to Cabinet in 2021 (as part of the budget setting process) to review the impact for 2020/21 and agree the scheme for 2021/22. (January 2021)

**Contact Officer:**

Andrew Evans, Policy, Planning and Projects Officer, 01372833992

**Consulted:**

- Lead Officers and Councillors in Surrey's District and Borough Councils
- The Children in Care Council
- The Senior Leadership Team of the Children, Families, Lifelong Learning and Culture Directorate
- The Corporate Parenting Operational Group
- The Corporate Parenting Board.

**Annexes:**

- Annex – Council Tax Relief for Surrey Care Leavers in Independent and Semi-Independent Living – SCC Costs

**Sources/background papers:**

- Children Act 1989
  - Children and Social Work Act 2017
  - Applying corporate parenting principles to looked-after children and care leavers: Statutory guidance for local authorities, Department for Education, February 2018
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