



Reply to	Sue Bone
Telephone	0117 90 37964
Minicom	
Fax	
E-mail	sue.bone@bristol.gov.uk
Our ref	FOIs 1482, 1481 and 1476 LS Palmer
Your ref	
Date	14 February 2011

Dear LS Palmer

In relation to your recent requests for information please see response below, plus an additional attachment. All responses have been highlighted in bold below each of your questions asked.

1482

1. Since 1 April 2009 how many applications for a Care Order have been made by the Local Authority?

196, from April 09 to 31st December 2010

We switched over from a retrospective to a contemporaneous monitoring system from January 2010.

We have not completed stats for 2009 yet and the ones from 2010 are incomplete, so I could only give you outcomes on cases that have ended.

Of the 196 applications made from April 2009 to December 2010, 81 have concluded. Of those there may have been different outcomes for each child within the same family and therefore application, we have therefore given outcomes for each child rather than outcome for each application.

Children & Young People's Services

Performance Team
The Council House
College Green, Bristol
BS1 5TR

Helen Adams
Service Manager,
Performance

Website
www.bristol.gov.uk

2. At the date of replying, how many children are in the care of the Local Authority under:

- a. A S31 Order
- b. A S20 Order

See data attached

3. How many of the applications for a Care Order made since 1 April 2009 have resulted in:

- a. A Supervision Order

14

- b. A Care Order - Permanent Foster Care/Care Home

64

- c. An Adoption Order.

Legal services are unable to confirm how many adoption orders were made as they are not involved once a placement order is made. As a result we estimate it would take longer than 18 hours to locate this information from various teams. As a result section 12 of the Act applies. However, we can instead confirm that 34 placement orders have been obtained. We have not included Residence orders.

- d. A Special Guardianship Order - placed with family

14

- e. No Order

9

One case transferred to another authority before completion and in 2 cases the outcomes are not known from the records available.

We are not able to say by looking at our records how many residential assessments were undertaken as this would take more than 18 hours (section 12 applies).

4. In relation to 3b, 3c and 3d how many of the parents had:

- a. Been convicted of a criminal offence against their children

We do not hold this information.

- b. Had the benefit of a residential family assessment

This would take in excess of 18hrs to collate (section 12 applies).

5. In relation to 3c how many applications for freeing orders were made?

We do not have freeing orders anymore, but in terms of placement orders, see 3 above.

6. In relation to question 1. how many of the parents had made an official complaint against children's services prior to the commencement of care proceedings?

This would take in excess of 18hrs to collate (section 12 applies).

1481

1. In relation to the years from 2003 to 2010 Please could you provide your accounts in respect of

A. children's Services –

This would take in excess of 18hrs to collate (section 12 applies).

B. Legal Services

Legal trading Account - Gross Budget.

2003/4	3,389,077
2004/5	3,855,871
2005/6	3,986,491
2006/7	4,080,357
2007/8	4,167,219
2008/9	4,288,228
2009/10	4,412,990
2010/11	4,430,805

This is funded by recharging the Directorates requesting the work, and small amounts of external work.

2. Since 2003, Regarding abuse/neglect of children by staff(employed and agency) of children's services, please could you provide a year by year breakdown of how many applications/referrals you have made to:

a. GSCC

0

b. The Criminal Court/Crown Prosecution

0

c. Independent Safeguarding Authority (or Equivalent).

2010 – 3

3. Since 2003, Regarding abuse and neglect of children by clients of children and Family services, please could you provide a year by year breakdown of how many applications/referrals you have made to.

a. The Family Court

November 2002 - 31st October 2003: 76 applications for care/supervision orders to the Family courts

November 2003 - 31st December 2004: 85 applications

2005: 70 applications

2006: 63 applications

2007: 97 applications

2008: 66 applications

2009: 120 applications

2010: 105 applications

b. The Criminal Court/Crown Prosecution

0

c. The Independent Safeguarding Authority (or Equivalent)

This would take in excess of 18hrs to collate (section 12 applies).

1476

The standard letter from the Department of Education states:

"The law is clear: children should live with their parents wherever possible and, when necessary, families should be given extra support to help keep them together. In most cases, support from the local authority enables any concerns to be addressed and children remain with their families."

S17 of the Children Act places a duty on Children's Services to assist families in need.

Please could you provide a year by year breakdown since 2003 of how much of your budget has been allocated for assisting families in need and give general information as to what that budget is spent on.

Please could you further provide a year by year breakdown of how much of your budget is allocated to families subject to 'care proceedings'.

In response to your 2 questions above regarding budgets figures since 2003:

It is not possible to provide this information within 18hrs (section 12 applies). Bristol City Council uses the S17 budget to support families where children are identified to be in need in order to safeguard and promote the welfare of children. Such support is flexible and responsive to need.

Please confirm you abide by the following laws:

1. All families subject to care proceedings have had the benefit of a Residential Family Assessment before the child's permanent removal in accordance with L (A Child) and H (A Child) [2007] EWCA Civ 213 which held:

"before removing children from their natural families and placing them for adoption with strangers the court should be astute to ensure that the case had been fully investigated and that all the relevant evidence necessary for the decision was in Place, Art 6 of the ECHR required it.....There would of course be cases in which a s38(6) assessment would be a waste of public funds: parents who had inflicted injuries on their child but had failed to acknowledge their responsibility or a woman who did not accept that a paedophile partner was a risk to the child"

Bristol City Council abides by the Children Act 1989. It is a matter for the court to make the decision about whether a family has access to a Residential Family Assessment when a child is subject to court proceedings.

2. All parents who are guilty of abusing/neglecting their children to the extent that nothing short of removal from the parents will protect the children from SIGNIFICANT HARM have been convicted of a criminal offence for abuse/neglect and have been referred to the Independent Safeguarding Authority.

Please provide a positive or negative affirmation in relation to the following statements:

The criminal process is separate to the civil process. Responsibility for a prosecution for a criminal offence lies with the police and this is processed independently of the civil process.

3. That since removal of children from the parents no child in the care of the Local Authority has:

- a. Suffered sexual abuse
- b. Suffered physical abuse.
- c. Suffered emotional abuse.

(In this respect data referring to convictions/complaints of misconduct of social workers/foster carers/care workers and statistics relating to child suicides/children running away would provide the relevant assertion as to whether or not children were suffering 'in care')

We do not have a data base that would access this information readily. We would need to look at all records of children in the care of the Local Authority which would take in excess of 18hrs (section 12 applies).

4. That since removal of the children from the parents no child in the care of the Local Authority has been used for medical testing or registered on any program by the NIHR, MRCN or any other medical research program without the explicit consent from the biological parent.

We do not have a data base that would access this information readily. This would take in excess of 18hrs (section 12 applies).

5. That since removal of the children from the parents the children have been raised in the same faith they would have been raised in if they had not been removed from their parents.

We do not have a data base that would access this specific information readily. This would take in excess of 18hrs (section 12 applies).

6. That no child has been returned to the care of the local authority post adoption.

We do not have a data base that would access this information readily. This would take in excess of 18 hrs (section 12 applies).

7. That no child in the care of the Local Authority has been criminalised, ie gained a criminal record having not previously had a criminal record while in the care of their biological parents.

We do not have a database that would access this information readily. This would take in excess of 18hrs (section 12 applies).

Please note that a number of your requests are for information that is not currently held statistically and would require us to search through a huge amount of records in order to compile such information/statistics. In these circumstances we have relied upon section 12 of the Freedom of Information Act, as it is estimated that to locate and provide this data, would take far longer than the 18 hour appropriate limit. We have also chosen to deal with and respond to all three of your requests with just one large response and therefore I have collated this from the responses to the relevant colleagues. We are able to aggregate the time it has taken to respond to these requests and as a result, we can confirm that we have spent in excess of 18 hours in providing the above information. As a result, we are only prepared to clarify answers given and will not spend any further time on any subsequent requests relating to this matter, received in the near future.

This response should answer your request in full, however if you are not satisfied with this response or wish to lodge an appeal against any exemptions that may have been applied, you can do so by writing to the Data Protection Officer at Bristol City Council Legal Services, The Council House, College Green, Bristol, or xxx@xxxxxxxx.xxx.x Details of the complaints procedure can be found at <http://www.bristol.gov.uk/complaints>.

If, after you have exhausted the council's complaints procedure, you are still not satisfied with the response you have received you have the right to complain to the Information Commissioner, details of your right to complain can be found at <http://www.ico.gov.uk/complaints.aspx>

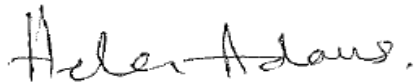
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Yours sincerely

A handwritten signature in black ink that reads "Helen Adams." The signature is written in a cursive style with a trailing dot at the end.

Helen Adams

Performance Manager

Children & Young People's Services