

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 2

18 SEPTEMBER 2017

### JOINT REPORT OF THE CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING and THE CORPORATE DIRECTOR, EDUCATION AND FAMILY SUPPORT

#### EARLY HELP AND SOCIAL CARE

##### 1. Purpose of Report

- 1.1 To update Members on how the Early Help and Children's Social Care teams are working together to improve outcomes for looked after children and to share with Members the analysis of the looked after children population which informs the approach being taken.

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The report links to the following priorities in the Corporate Plan:

- Helping people to be more self-reliant;
- Smarter use of resources.

##### 3. Background

- 3.1 The definition of a looked after child or children in care is found in the Social Services and Well-being (Wales) Act 2014. A child is looked after by a Local Authority if a court has granted a care order to place a child in care, or because a local authority has cared for the child for more than 24 hours.
- 3.2 Research indicates that wellbeing outcomes for children who have been looked after, are not as good as those for other children. Children and young people who have been exposed to very poor parenting, neglect and/or abuse require not just care but also support in coming to terms with their experiences. It is also known that the difficulties and negative behaviours experienced by looked after children and young people may be repeated when they become parents themselves.
- 3.3 The provision of support services at the earliest opportunity is essential to ensure children, young people and their families receive the correct level and type of service intervention to prevent family breakdown. Such intervention can also 'turn around' children's lives to reduce the likely repetition of harmful behaviour amongst future generations. Research suggests that some variation in the numbers and rates of looked after children across Local Authorities can be explained by differences in the demographic and socio-economic profile of each Local Authority.
- 3.4 This is especially the case in relation to population size, deprivation and the proportion of households that are lone parent families. Other aspects affecting the numbers and rates of looked after children relate to factors more within the control

of the Local Authority and their partners – especially the way that local areas lead, organise and deploy their services for vulnerable children and families.

- 3.5 In January 2015, the Director of Wellbeing assumed line management responsibility for Children’s Social Care and assumed the new title of Director of Social Services and Wellbeing. The Early Help and Prevention Services remained under the Director of Education and Family Support but Directors acknowledged the importance of bringing the services together and ensuring close working relationships. They recognised the necessity for a single overarching strategy which is now in place.

#### **4. Current Situation/Proposal**

##### **Routes into accommodation**

- 4.1 Children’s services aim to have placements for children made in a planned manner but this is not always possible due to the nature and the reasons for accommodation and placement breakdowns. Sometimes children can be accommodated in an emergency by the Police using Police Powers of Protection (PPO). Alternatively, placements can sometimes happen by agreement with parents.
- 4.2 Social Workers are required to attend a multi-disciplinary Accommodation and Permanence Panel, which is held on a weekly basis, for all planned and emergency placements. This process supports the principle that requests for accommodation should be made only where all other care planning arrangements have been explored and considered inappropriate or not viable.
- 4.3 In cases where children cannot be returned to their families after a brief period of being looked after on a voluntary basis, the Local Authority is required to apply for a Care Order to share parental responsibility with the parents. Current case law indicates that if a child is accommodated with the parents’ consent then a Care Order application should be made no later than 12 weeks after the child was accommodated. In order for families to enter the Public Law Order process, Social Workers and their Managers attend Legal Gateway meetings. These are chaired by the relevant Safeguarding Group Manager and also in attendance is a senior childcare legal representative. If the decision to issue care proceedings is initiated and there is a plan for a placement to be provided or to continue, the Social Worker must ensure that they have the agreement of the Accommodation and Permanence Panel.

##### **Looked after children (LAC) Population**

- 4.4 As at the 14<sup>th</sup> August 2017, Bridgend County Borough Council (BCBC) were “Looking After” 391 children. The breakdown of the legal placement type for these children and young people is outlined below:
1. Care Order (CO) S.31 Children Act 1989 – The Local Authority shares parental responsibility (PR) for children and has placed them in a regulated placement. A regulated placement is with approved foster carers which can include family members who have been approved as foster carers as they require the ongoing support of the Local Authority to manage the placement.

2. Interim Care Orders (ICO) – The Local Authority shares PR for children and has placed them in a regulated placement for the duration of care proceedings, the final care plan for the child has not yet been agreed by the Court.
3. Voluntary accommodation S76 Social Services and Wellbeing Act (SSWBA) – children have been voluntarily accommodated with the consent of their parents into the care of the Local Authority often whilst assessments are undertaken or via the Public Law Outline (PLO) process where parents retain PR. There is often a clause that should the parents seek to remove the children from S.76 care then the Local Authority will seek immediate legal action as the child would be at risk of significant harm.
4. Regulation 26 of the Care Planning Placement and Case Review Regulations (Wales 2015) – immediate or emergency placement of children with relatives or family friends under a temporary approval agreement. These placements are overseen and managed within the Local Authority often whilst a full unified assessment is undertaken of those family members/friends as part of care proceedings.
5. Placement with Parents (PWP) Regulation 16 of the Care Planning and Case Review Regulations (Wales) 2015 – Children who are accommodated under a full care order but placed with their parents upon the conclusion of care proceedings.
6. S.38(6) placements, Children Act 1989 – The Court makes an interim care or supervision order and directs, as it considers appropriate, that the child be assessed. This can include the child being assessed whilst placed 1) with parent/s in a residential placement; 2) with family members and 3) in a residential placement alone for a period of assessment.
7. Remanded into custody - All children and young people who are remanded into custody become looked after children as they are placed into the care of the Local Authority.
8. Placed for adoption – Placed with prospective adoptive parents prior to the application and granting of an Adoption Order. Once an Adoption Order is granted children cease to be looked after children.

4.5 Table 1 sets out the numbers of children and their legal status;  
Table 2 shows an analysis of LAC placements and annual equivalent costs.

**Table 1– LAC legal status as at 31st July 2017**

Legal status	Total
Interim care order	20
Full care order	287
Placement order	66
Section 76 /20 (Voluntary)	21
<b>Grand Total</b>	<b>394</b>

**Table 2– analysis of LAC numbers and annual equivalent costs March to end of July 2017**

Number of Placements / Annual Equivalent Cost as at:	31/03/2017		30/04/2017		31/05/2017		30/06/2017		31/07/2017		
Placement type	Annual LAC No.	Annual Equivalent Cost £'000	Annual LAC No.	Annual Equivalent Cost £'000	Annual LAC No.	Annual Equivalent Cost £'000	Annual LAC No.	Annual Equivalent Cost £'000	Annual LAC No.	Annual Equivalent Cost £'000	Average Annual Cost per placement £'000
Placed For adoption	26	£130	25	£125	22	£110	25	£125	28	£140	£5
In-house fostering	212	£3,816	221	£3,978	223	£4,014	220	£3,960	221	£3,978	£18
Independent Fostering	89	£4,183	81	£3,807	83	£3,901	80	£3,760	76	£3,572	£47
Out of County residential	7	£1,120	6	£960	6	£960	7	£1,120	7	£1,120	£160
Secure unit	0	£0	0	£0	0	£0	0	£0	0	£0	£270
in-house residential	9	£946	9	£946	9	£946	10	£946	11	£946	£86
Placed with person with parental responsibility / other	47	£0	44	£0	44	£0	44	£0	49	£0	£0
Other: Medical / Family Centres	0	£0	0	£0	1	£0	2	£0	2	£0	£0
	<b>390</b>	<b>£10,195</b>	<b>386</b>	<b>£9,816</b>	<b>388</b>	<b>£9,931</b>	<b>388</b>	<b>£9,911</b>	<b>394</b>	<b>£9,756</b>	

The above table shows how LAC numbers can change on a monthly basis. It also shows that although LAC numbers have increased from 390 in March to 394 in July, the annual equivalent costs of this increased number is less and has reduced from £10.2m to £9.75m. This is mainly due to a reduction in the number of high cost placements i.e. independent fostering placements.

- 4.6 A Residential Remodelling project is currently underway, the remit of which is to review the Council's residential provisions for looked after children and propose ways in which the service can better meet the needs of the young people it supports and achieve financial savings. One of the workstreams underpinning this project has been tasked with identifying children who are placed out-of-county and could be supported to move back to Bridgend once the proposed model is in place. The team have identified six children in out-of-county residential placements that will have their care plans reviewed with the aim of facilitating a move to in-county provision with a wrap-around package of care.
- 4.7 Additionally, the Residential Remodelling project has identified a need to recruit specialist transitional carers that can support the Council's residential provision by providing an intensive, therapeutic step-down placement to young people leaving the residential homes. These intensive placements will be temporary, with the aim of enabling the young person move-on to a long-term fostering placement and preventing multiple placement breakdowns. Three internal foster carers have been identified as suitable for up-skilling to become a Transitional Carer and the Council will aim to recruit three additional carers following Cabinet approval. The proposal will be submitted to Cabinet in January 2018 and it is envisaged that training and recruitment will be completed by July 2018.
- 4.8 The remodelling project is also reviewing the foster carer marketing and recruitment strategy.

### **Monitoring of placements and care planning**

- 4.9 The Local Authority is required to carry out a first review of a child's care and support plan within 20 working days of the date on which the child becomes looked

after. The second review **must** be carried out no more than three months from the first review. Subsequent reviews **must** be carried out no more than six months after the previous review. The responsibility to change/amend the child's care and support plan is the responsibility of the Safeguarding Social Worker and Manager and it is this plan which is reviewed at the looked after children's review. The review is chaired by an Independent Reviewing Officer.

- 4.10 The Accommodation and Permanence Panel is chaired by the Group Manager for Regulated Services and is made up of representatives from the Fostering Team, Early Help, Looked After Children Health Nurse, Education and the Placement and Commissioning Officer. In addition to the primary function of considering placement requests, the panel will also undertake a range of functions in relation to the management of the LAC placement arrangements. These will include monitoring of assessment placements, considering children where drift has been identified, making permanent placement decisions and considering requests for therapeutic intervention. At the end of every panel the number of children who became looked after as of Monday that week are recorded as is all children and young people who cease to be looked after. Reasons why are recorded to ensure all agencies have been notified under the "Towards a Stable Life and Brighter Future" statutory guidance.
- 4.11 As described in paragraph 4.3, Legal Gateway meetings plan and monitor the Public Law Outline process for entrance to accommodation but also the legal change of care plan for exiting the LAC system via revocation or discharge of orders. There is a legal tracker in place which is managed jointly by the childcare legal representative and Group Manager (chair); this is reviewed at each Legal Gateway meeting for accuracy and to prevent drift.
- 4.12 Within Bridgend Foster Care service, there is a weekly meeting which monitors every 'live' referral for all children requiring or moving placements and update on the progress of any searches, approaches and providers or move on dates.
- 4.13 Monthly meetings are held between the Group Manager for Regulated Services, Group Manager for Disability Case Management and Transition, the Commissioning and Placement Officer and the Team Manager for the Just Ask 16+ (JAP) team. This reviews every 17 year old open to the JAP and their current Pathway plan, given the age and independent nature of these young people, their evolving plans are carefully tracked and monitored as they are liable to short-notice change.
- 4.14 In line with the "Towards a Stable Life and Brighter Future" guidance, the Out of Authority Panel is a multidisciplinary panel that is chaired by the Head of Children's Social Care on a monthly basis with representation from Education, Looked After children Health Nurse, Adult Services, Placements and Commissioning Officer and the Group Manager for Regulated Services.

The purpose of the panel is to:

- determine that there is no placement in the area capable of meeting the child's needs, or that an out of area placement is more consistent with the child's well-being;
- satisfy themselves that the child's health and educational needs will be met in the proposed placement;

- agree arrangements for meeting the child's health and educational needs, and who will be responsible for what;
- agree funding for the placement;
- review existing out of county placements on a no less than 3 monthly basis.

### **Placement Support and Stability**

- 4.15 In order to support Foster Carers and residential staff to safely care and maintain placements, multi-agency partnership working is critical. This is particularly the case for those children/young people with the most complex needs who have a history of absconding, challenging behaviour and placement breakdown.
- 4.16 When a foster placement is at risk of breakdown, a Placement Stability meeting will be convened. These must be held before any agreement is given to cease a placement. This is chaired by a Senior Practitioner or Manager within Bridgend Foster Care for in-house placements. In the case of Independent Fostering Agencies the agency will host and wherever possible, a member of the Placements Commissioning Team will attend along with the case managing Safeguarding Social Worker. The purpose of these meetings is to establish what is leading to the placement breaking down, and what additional support/resources can complement the placement in order to maintain and sustain it. If no additional services can be identified then the meeting can agree that notice can be served. Notice is 28 days from the date of the meeting, providing the child has been in placement for 28 days. This practice is mirrored in terms of a notice placement with the in-house foster placements.

### **Prevention**

- 4.17 In April 2015, a significant restructure of Integrated Working and Family Support Services was implemented. This re-structure was predicated on the need to support children, young people and families in a more joined-up way with a greater focus on preventative services to avoid escalation into statutory services. Prior to the re-structure there were significant barriers for families in accessing services due to threshold constraints and lack of consistency with the assessment of needs.
- 4.18 A change programme ran alongside the re-structure which resulted in:
- one front door\one referral form for Early Help Services;
  - a common assessment;
  - co-located multi-disciplinary locality teams (co-located with safeguarding);
  - a greater emphasis on staff development and evidence based interventions;
  - improved multi-agency working.
- 4.19 The joint Early Help and Permanence Strategy describes the services available to children, young people and their families within Bridgend. Such services support and enable where possible children and young people to safely remain in the care of their family and/or safely return to their family or an alternative carer. Where this is not possible the Strategy describes the alternative care arrangements that are provided and commissioned for LAC to improve their outcomes by affording them the opportunities available to all children.
- 4.20 Children's Services across both Directorates within BCBC are driving a 'whole system' approach to supporting looked after children and keeping families together.

Together with the Early Help and Permanence Strategy, they form a multi-agency approach to improving outcomes for children, young people and their families.

- 4.21 Early Help refers to a way of working which will ensure that children, young people and families who are at risk or vulnerable to poor outcomes are identified early and that their needs are effectively assessed and met by agencies working together. The aim being to prevent their escalation rather than to respond only when the difficulty has become so acute as to demand intervention from statutory services.
- 4.22 The Early Help Hubs (EHH), Children with eligible Care and Support Needs, Child Protection (CP), and LAC systems are all multi-agency and multi-disciplinary processes which differ only in terms of their threshold focus.
- 4.23 The co-location of the EHH in the three localities, i.e. North, West and East in addition to the central hub based at the Civic Centre, enables timely case discussions and information sharing which inform decisions regarding the need to step up or step down interventions with families.
- 4.24 We have already made a number of changes to the way in which we approach this area of our work and the benefits of this are already evident including:
- one referral pathway to early help services which has resulted in reduced duplication and confusion for referrers;
  - co-location of a range of family intervention workers who support the team around the family and team around the school approach of working;
  - an agreed step up and step down process for cases between Safeguarding and Early Help Services, resulting in a significant increase in the number of cases stepping down to early help;
  - mentoring and support for Early Help and Safeguarding staff from consultant social workers within the Integrated Family Support Service.

This said there is still work to do in terms of managing the impact that these changes have had on the service. For example we have experienced:

- a 180% increase in the number of family referrals to early help ( 399 in 2014/15, 751 in 2015/16 and 2106 in 2016/17);
  - a 200% increase in the number of completed family assessments (228 in 2014/15, 681 in 2015/16 and 674 in 2016/17);
  - the reliance on predominantly annual grant monies to fund early help services (70% plus is funded from grant) and the re-commissioning of some these resources (Families First) by April 2018;
  - the increased demand for the service;
  - the desire to close or step down 50% of Care and Support cases from Children's Social Care;
  - the increased complexity of cases now open to Early Help.
- 4.25 One of the Early Help services (Connecting Families) has a specific focus to target families a) where the children and young people are at risk of becoming accommodated (*Edge of Care families*), b) rehabilitate children and young people home and c) provide Family Support services. Connecting Families also offers a rapid response service and group work with service users. This is a highly effective

service with the edge of care remit evidencing an 85% success rate between April 2014 to March 2017, i.e. avoided 218 children becoming accommodated.

- 4.26 Another Early Help service, the Integrated Family Support Services (IFSS) is a programme unique to Wales. Its work is described in detail in the Child and Family (Wales) Measure 2010 and associated regulations. IFSS has been available across Wales since 2014. Bridgend currently leads this service on behalf of the Western Bay Local Authority areas.
- 4.27 A Local Authority may refer a family to an Integrated Family Support Team when there are concerns about the welfare of children, such as:
- substance misuse;
  - domestic violence or abuse;
  - history of violent or abusive behaviour;
  - mental health issues.
- 4.28 Families who experience such difficulties might be at risk of having their children placed into care or having their names placed on the Child Protection Register. IFSS work with families to help them to make positive changes, so that any concerns are lessened and children can stay safely at home.
- 4.29 The Early Help and Permanence Strategy identifies a range of joint working activity between the Early Help and Safeguarding Service areas, and sets down actions/milestones. There are a number of activities already embedded into practice that are noted within the next steps of this report (See **Appendix 1**).

### **Achieving Permanence**

- 4.30 Permanence is the long term plan for the child's upbringing and provides an underpinning framework for all Social Work with children and their families from Early Help through to adoption. It ensures a framework of emotional, physical and legal conditions that gives a child a sense of security, continuity, commitment, identity and belonging.
- 4.31 Possible exit routes out of Local Authority Care/Accommodation are as follows:
- a) The young person reaches the age of 18, at which point the Care Order expires.
  - b) The young person reaches the age of 16 and is not subject to a Care Order but is accommodated under S76 of the SSWBA. At this point the young person can sign themselves out of the looked after system. This must be ratified via the LAC review meeting. Sometimes the decision for the young person to cease ~~to~~ being looked after is in relation to a planned move on to another form of placement. Placement in other types of arrangements for LAC who are over the age of 16 will be made because they are the best way to meet the assessed needs and intended outcomes set out in the young person's Care and Support Plan, and in the Pathway Plan (which subsumes the young person's Care and Support Plan at the age of 16yrs). Generally these will be outcomes connected to preparing the young person for leaving care and helping the young person make the transition to more independent adult living. The placement options are likely to include:



- supported lodgings
- supported living accommodation
- independent accommodation with floating support from housing support workers.

- c) A LAC Review of the Care and Support plan whereby the legal status is a Care Order and Placement with Parents Arrangements determines that sufficient progress has been made to enable the Local Authority to no longer need to share Parental Responsibility for the child with the parents, and a decision is then made to either go back to Court to seek to discharge the Care Order and a step down to a 12 month Supervision Order, or to simply discharge the Care Order. Plans for ongoing support are put in place to ensure the child and family remain sufficiently supported during this process. Following such a recommendation being made via a LAC Review, the case must be presented to a Legal Gateway meeting whereby the responsible Group Manager in consultation with the Senior Lawyer, will, if in agreement with the plan, endorse the decision. At the Legal Gateway meeting, timescales are agreed with the legal department for the completion of the necessary Court documentation, to enable an application to be made to the Court as soon as possible.
- d) An Adoption Order is granted.
- e) A person who has Parental Responsibility for a child who has previously consented to voluntary accommodation under S76 of the SSWBA withdraws that consent and requests the child to return home. The Local Authority will need to determine if there are ongoing risks/eligible needs which can be safely met through the provision of services and support without the child remaining looked after, and if not, immediate legal advice is sought with a view to issuing Care Proceedings.
- f) A child who is accommodated under S76 of the SSWBA is successfully rehabilitated to parents.
- g) A child is made subject to a Special Guardianship Order or Child Arrangement Order.

4.32 With regard to monitoring the looked after population and forecasting those children and young people that are anticipated to be likely to cease to be looked after, a database has been developed to achieve this. This allows oversight and brings focus to the cases of children for whom there is a need to drive forward plans so that permanence is achieved in the most timely way possible.

4.33 However, it should be noted that despite being able to forecast those who are anticipated as being likely to cease to be looked after via the database, the accuracy of the forecast is problematic in itself given the complex nature of the families and children that the council work with. These complexities frequently result in the care plans of children changing which then compromises the accuracy of projecting.

4.34 In essence the only children that can be predicted with any certainty are those who will reach the age of 18 years.

Below is the forecasted position against the actual position of Bridgend's looked after population:

- 4.35 In April 2017, BCBC were looking after 388 children and 33 children were identified that could potentially cease to be looked after by the end of September 2017. At the time of writing this report, it was estimated that 28 children would cease to be looked after by the end of August 2017. Out of those 28, 17 children actually ceased to be looked after with a further five anticipated by the end of September. In addition, and outside the projections, a further 10 children ceased to be looked after between April – August 2017; resulting overall in 27 children ceasing to be looked after. In those cases where the anticipated discharge was not achieved, it was as a result of the child's care plan changing or the change in timescales for the conclusion of Care or Adoption proceedings which is often out of the control of the Local Authority.

### **Next Steps**

- 4.36 It is acknowledged that there is still much work to be done to reduce the number of looked after children in Bridgend. It has taken some time to influence and embed working practices in terms of working together across Directorates, joining up services from both Social Care and Early Help. In the early stages of working together, there was a reduction in the number of looked after children as there was a specific drive to reevaluate whether children were subject to the most appropriate legal orders and arrangements. When this initial phase was complete, the number of children who were discharged from care plateaued but children still need, and will always need, to become looked after to ensure they are protected from harm and, as such, the looked after numbers will fluctuate.
- 4.37 There is a well-established Early Help and Safeguarding Board which is jointly chaired by the interim Director of Education and Family Support and the Director of Social Services and Wellbeing. Membership includes representatives from Education and Family Support, Children's Social Care, Finance and Abertawe Bro Morgannwg University (ABMU) Health Board. The terms of reference for the Board describes that its main purpose is to ensure a whole system approach to the safe reduction of the number of looked after children and its core tasks are as follows:
- To ensure the ongoing monitoring and oversight of processes, practices and performance in relation to LAC;
  - Effective interrogation of performance and financial data;
  - To oversee effective working relationships between directorates;
  - To monitor progress against a set of agreed outcomes.
- 4.38 As described in paragraph 4.19, there is now a joint strategy to drive the work in this area and it is actively overseen by the Board as described above. The related action plan is attached at **Appendix 1**.
- 4.39 In addition to the aforementioned milestones, the Institute of Public Care has been asked to support the council to undertake a review of the pathways experienced by children and young people who have become looked after in the last year. This will include a review of decision-making, an analysis of practice across their care

pathway and explore with teams how interventions and decision-making might have been more effective.

- 4.40 The Early Help and Safeguarding Board will continue to have oversight of the application of the Early Help and Permanence Strategy in reducing the LAC's population. This combined work should result in the number of children being looked after reducing safely in the future.

## **5. Effect upon Policy Framework and Procedure Rules**

- 5.1 There is no impact on the policy framework and procedure rules.

## **6. Equality Impact Assessment**

- 6.1 There are no equality matters relevant to this report.

## **7. Financial Implications**

- 7.1 There are no financial implications arising directly from this report. However, current LAC costs continue to be a significant budget pressure for the Local Authority. All potential costs identified as a result of action taken to safeguard children and young people will be considered as part of the Medium Term Financial Strategy.

- 7.2 The outturn for the looked after budgets in 2016-17 were over spent by £975,000 which was inclusive of a drawdown of £440,000 from the Looked After Children Earmarked Reserve. Current year forecast as per Cabinet reports for Quarter 1 2017-18 show the overspend projection is estimated £888,000 this is without any drawdown from reserves but demonstrates the improvements that are projected. Also, although there is an overspend projected, it should be noted that the annual equivalent cost of LAC is reducing as can be seen at paragraph 4.5.

- 7.3 Despite the volatile nature of the placements and their associated costs the financial evidence shows a significant reduction, however the reductions in cost have not kept pace of the MTFS reductions and are slower than anticipated. It should be noted there are also some additional grant funding streams that are coming into the service for the current year and should help develop some services including assisting with LAC moving on.

## **8. Recommendation.**

- 8.1 The Committee is requested to note and comment on the developments in the Safeguarding and Early Help services and their "whole system" approach across the Borough of Bridgend in reducing its looked After population.

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**September 2017**

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**10. Background documents:**

None