



National Audit Office

Report

by the Comptroller
and Auditor General

Department for Education

Children in need of help or protection

Key facts

391,000

children under the age of 18 in England needing help or protection, from local authorities, on 31 March 2015

635,600

referrals for children to receive help or protection during 2014-15

£1.8bn

spent on children's social work (including local authority functions in relation to child protection) by authorities in 2014-15, up 11% since 2012-13

2011	Professor Munro's review on improving the child protection system published
124%	rise in the number of enquiries per 10,000 children, where local authorities believe a child may be suffering, or likely to suffer, significant harm, over the last 10 years
23%	of local authorities with help and protection services that Ofsted judges as Good as at 25 August 2016
32%	of local authorities for which there is no Ofsted judgement within the last three years
26 out of 152	local authorities in which the Department for Education is currently intervening because Ofsted has judged services Inadequate as at 20 September 2016
No correlation	found between a local authority's Ofsted inspection score, the number of children in need and how much is spent per child in need
2020	the year by which the Department for Education has committed to transform the quality of the child protection system

Summary

1 The law defines children in need as children who are aged under 18 and need local authority services:

- to achieve or maintain a reasonable standard of health or development;
- to prevent significant or further harm; or
- because they are disabled.

2 In 2014-15, local authorities recorded 635,600 referrals (requests for services to be provided by children's social care) because of concerns about a child's welfare. Referrals can come from the children themselves, as well as teachers, GPs, the police, health visitors, family members or members of the public.¹

3 When a local authority receives a referral, working with local partners, it assesses a child's need for services. If an authority suspects a child is at risk of significant harm, it may need to do more to protect the child, including putting in place a child protection plan. In 2014-15, 62,200 children became the subject of a plan. Over the past 10 years, the rate of children under 18 starting on plans has risen by 94%.²

4 Local authorities have statutory duties for safeguarding and promoting the welfare of individual children in their area and are directly responsible for improving local services. Authorities work with agencies such as the police and health services to meet these duties and are accountable to their local communities and councillors for their performance. Although the Department for Education (the Department) is not legally responsible for improving local services, it is responsible for the legal and policy frameworks within which local authorities operate. The Department also publishes data and research; sets the framework against which Ofsted inspects each authority's services; and intervenes where an authority fails to deliver services to an acceptable standard.

5 The Department for Communities and Local Government provides most funding for children's services. In 2014-15, local authorities reported they had spent £1.8 billion on children's social work (including local authority functions in relation to child protection) in England, an 11% increase on 2012-13.

¹ HM Government, *Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children*, March 2015.

² The way that the Department for Education collects data on child protection has changed, so data may not be directly comparable (see Figures 4 and 6).

6 In 2010, the Department considered that the child protection system in England was not working as well as it should. It commissioned the *Munro Review of child protection*.³ This report recommended major reform of children's social work. The government has recognised, however, that help and protection for children still needs to improve further. In July 2016, the Department published *Putting children first*, setting out its vision for children's social care by 2020.⁴

Scope of this report

7 This report examines the Department's progress in improving the system to help and protect children. We look at the system from the point where someone contacts a local authority with concerns about a child to the point where the authority makes a child the subject of a child protection plan. The report examines:

- the demand for help and protection for children (Part One);
- how the system is working in practice (Part Two); and
- how the Department aims to improve the system (Part Three).

Key findings

Help and protection for children

8 The demand for help or protection is rising. As at 31 March 2015, 391,000 children in England, were assessed as being in need of help or protection. In 2013-14 there were 2.3 million initial contacts (up 65% since 2007/08). Over the last 10 years there has been a marked rise in serious cases requiring children to be protected from harm as:⁵

- the rate of enquiries made by local authorities when they believe a child may be suffering, or likely to suffer, significant harm increased by 124%; and
- the rate of children starting on child protection plans rose by 94% (paragraphs 1.10, 1.12, 1.14, 2.21 and Figure 6).

9 Average spending on a child in need has increased slightly in the past three years. Local authorities report how much they spend on children's social work, including on their child protection functions. In 2014-15, local authorities reported spending £1.8 billion on children's social work, 11% more in real terms than in 2012-13. This spending was equivalent to £2,300 per child in need, compared with around £2,200 per child in 2012-13 and 2013-14 (paragraph 1.6 and Figure 2).

3 E Munro, *The Munro Review of Child Protection: Final Report – a child-centred system*, Cm 8062, Department for Education, May 2011.

4 Department for Education, *Putting children first: Delivering our vision for excellent children's social care*, July 2016.

5 See footnote 2.

10 Average spending on each child in need varies widely across England and is not related to quality. Average reported spending on children's social work in 2014-15 ranged from an estimated spend of £340 per child in need in one authority to £4,970 per child in need in another. Neither the Department nor authorities understand why spending varies and the Department has been concerned about the quality of the spending data that local authorities report for some time. Our own analysis found no relationship between local authorities' reported spending on each child in need and the quality of service (paragraphs 1.6, 2.6 and Figure 9).

How the system for helping and protecting children is working in practice

11 Nationally the quality of help and protection for children is unsatisfactory and inconsistent, suggesting systemic rather than just local failure. Ofsted has only judged services to help or protect children as Good in 23% of the 103 local authorities it has inspected since 2013. It has judged 20% of local authorities Inadequate. We found, in addition, that in the year ending 31 March 2015, there was wide variation in the effectiveness of work between local authorities as illustrated by two proxy measures. The rates of:⁶

- re-referrals to children's social care during the year varied from 6% to 46%; and
- children with repeat child protection plans varied from 3% to 44% (paragraphs 1.15, 2.24, 2.30 and Figures 7 and 11).

12 Children in different parts of the country do not get the same access to help or protection. Local thresholds for help and protection services should ensure all children get access to the right help or protection at the right time. We found that thresholds were not always well understood or applied by local partners. In Ofsted's view some local thresholds were set too high or low leading to inappropriate referrals or children left at risk. We also found in the year ending 31 March 2015 there was variation between local authorities in the rates of:⁷

- referrals accepted, from 226 to 1,863 per 10,000 children; and
- children in need, from 291 to 1,501 per 10,000 children.

In addition, children living in deprived areas are 11 times more likely to have a child protection plan than children living in the most affluent areas of England (paragraphs 1.8, 1.11, 2.6, 2.23 and Figure 5).

⁶ City of London and Isles of Scilly are excluded due to small numbers.

⁷ See footnote 6.

13 High caseloads, vacancies and use of agency workers are related to the quality of services. Social workers work in pressured circumstances that can sometimes lead to low morale, high vacancy and turnover rates, and a reliance on temporary staff. Ofsted has found local authorities it judges Good tend to be the ones that give their social workers manageable caseloads. In 2014-15:

- 16% of children's social workers were agency staff. In authorities judged Good, the average was 7%, in authorities judged Inadequate it was 22%.
- 17% of children's social worker posts were vacant. In authorities judged Good, the average was 11%, in authorities judged Inadequate it was 22% (paragraph 2.10).

14 Arrangements for developing, identifying and sharing good practice are piecemeal. Many local authorities demonstrate good practice, however, social workers and others do not find it easy to find out what works. Local authorities judged Good by Ofsted provide support to those judged as Inadequate. However, given only 24 out of 103 local authorities inspected so far are judged to be Good, spreading good practice is a challenge. The Department accepts the system for sharing good practice is weak. It has introduced an Innovation Programme and Partners in Practice initiative to develop new models of social work. There are also other ways of sharing good practice including benchmarking tools; local authority level practice sharing and peer review; and Ofsted's inspection reports and 'getting to good' seminars. The Department plans to create a 'What Works Centre' for social work (paragraphs 2.14 to 2.18 and Figure 10).

15 There is little information on outcomes for children who are, or have been, in need of services. The Department measures volumes and timeliness of processes, but has no data on outcomes for children in need, except for educational outcomes. The Department and local authorities therefore do not understand which approaches provide the most effective help and protection. The Department's data shows a big gap between the educational outcomes of children in need and all children. In 2014-15, 15% of children in need attained five or more A*-C grades at GCSE (including English and mathematics), compared to 54% of all children (paragraphs 2.30 to 2.33).

How the Department aims to improve the system

16 The Department sees its role as setting the goals and framework within which local authorities help and support children. The Department issues statutory guidance, which clearly sets out duties on local authorities to provide help or protection services and requires Ofsted to assess authorities against these standards. But the Department says that direct responsibility for improving services lies with local authorities themselves. The Department told us it has no responsibility to enforce change, beyond formal intervention in a failing local authority when Ofsted judges services to be Inadequate because of widespread or serious failures, which leave children being harmed, or at risk of harm (paragraph 1.2 and Figure 1).

17 In 2010, the Department recognised that child protection services were not good enough. Following the 2011 Munro review of how to improve the system for child protection, commissioned by the Department in 2010, the Department accepted most of Munro's recommendations. In 2012, it began to publish and collect more information to help local authorities assess their performance. The Department also launched a programme to reform social work, revised statutory guidance, established the first two children's social care trusts and provided over £100 million funding for the Innovation Programme. However, in response to Munro's review the Department did not set out what a reformed system would achieve for children (paragraphs 3.2 to 3.5 and Figure 12).

18 The Department's initiatives have not yet resulted in good outcomes. Ofsted inspection results for services to help or protect children are not yet showing a marked improvement. Although the new inspection framework since November 2013 is more challenging, only 23% of all authorities inspected so far have received a Good judgement. For the 32 local authorities inspected before and after the introduction of the new framework, the judgement for 16 had improved, 13 had remained the same and three had declined (paragraphs 3.6 and 3.7).

19 In July 2016, the Department published its plans to transform all children's services by 2020. The Department knows the quality of work with children and families is still inconsistent despite its efforts. In 2016, the Department set a goal that all vulnerable children, no matter where they live, should receive the same high quality care and support by 2020. The Department acknowledges its role in supporting local accountability by improving transparency but has no formal role in improving services (paragraphs 1.2, 3.9 to 3.11 and Figure 13).

20 The Department's interventions to improve failed local services for children are neither risk-based nor early enough. The Department only intervenes when Ofsted has already found services to have failed local children. It does not plan to use performance information to anticipate risks of failure, even though Ofsted's inspection programme means judgements on 32% of authorities are at least three years old. Neither the Department nor the 23% of authorities judged Good yet have the capacity and capability to intervene effectively on a wider scale (paragraphs 2.3, 3.28, 3.29 and Figure 15).

21 The Department could learn lessons from other parts of government about transforming a service successfully. The Department faces significant challenges in transforming children's services, not least how to integrate this with a concurrent transformation of its wider operations by the end of 2017. Much transformation is going on across government that could provide lessons for the Department's reform of children's services. It is critical that the Department learns from practice and mistakes elsewhere. For example, the Youth Justice Board's improvements to the youth justice system led to a reduction in recorded youth crime (paragraphs 3.33, 3.34 and Figure 18).

Conclusion

22 In 2010, the Department commissioned the Munro review because it considered children's services were not good enough. Six years later, far too many children's services are still not Good: quality is generally significantly below par and does not correlate to spending levels, access to help or support is not equal across the country, and interventions to improve failed services have been ad hoc. This represents poor progress. The foundations of a cycle of improvement would involve understanding what works, timely measurement of the quality of protection activity across areas, pointing out poor performance and an effective response that improves services quickly. None of these are yet in place to the extent necessary to improve the services quickly enough.

23 While the Department is not solely responsible for improving the widespread failings of the system it is the only body that can oversee and push systemic change. However, even taking into account the challenge of reforming services delivered through local authorities, and the time needed to achieve systemic improvements, so far the outcomes have been disappointing. To achieve its new goal of improving the quality of all services by 2020 the Department will need to step forward and show a sense of urgency and determination in delivering on their responsibilities.

Recommendations

24 The Department should:

- a** Set out how and by when it will have the capacity and capability to transform children's services by 2020.
- b** Set out how it reconciles the variability introduced by local thresholds for help and protection with its goal of all children having equal access to high-quality services.
- c** In consultation with Ofsted, set out how it can secure more timely assurances on the quality of services offered across all local authorities.
- d** Develop its intervention regime so that it uses lead indicators, such as re-referral rates, repeat child protection plans and social worker vacancy and agency staff rates, to anticipate and act on failing services before they fail.
- e** Develop better indicators to monitor the lives and outcomes for children and families who are, or have been, in contact with the child protection system, and hold local authorities to account for their performance.
- f** Build on its work to improve cost information on services, particularly local authorities' financial returns so that cost-effectiveness can underpin decisions on practice.