

Title: Revision of the Framework for the Assessment of Children in Need and their Families IA No: Lead department or agency: Department for Education Other departments or agencies: Department of Health, Home Office, Department for Communities and Local Government, Ministry of Justice, Youth Justice Board.	Impact Assessment (IA)		
	Date: 16/03/2012		
	Stage: Consultation		
	Source of intervention: Domestic		
	Type of measure: Other		
Contact for enquiries: Jonathan Bacon (020 77838 154)			

Summary: Intervention and Options **RPC Opinion: GREEN**

Cost of Preferred (or more likely) Option			
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANCB on 2009 prices)	In scope of One-In, Measure qualifies as One-Out?
£19m	£9.9m	-£0.8m	Yes
			OUT

What is the problem under consideration? Why is government intervention necessary?
Professor Eileen Munro's review of child protection, 'A child-centred system', published June 2011, found that a radical reduction in statutory guidance on conducting assessments of the needs of children and young people is needed. Government accepted this recommendation and committed to revise the statutory timescales for initial and core assessments with timely, professional judgements. This will place greater emphasis on the value of direct work with children and allow for greater professional judgement. The Government will be undertaking a full formal 12 week consultation from June 2012, with final publication in the autumn.


What are the policy objectives and the intended effects?
Revision of the Assessment Framework will reduce the level of centrally-issued guidance, giving professionals greater space and freedom to exercise their own professional judgment within locally set parameters based on the timeliness of assessments for individual children. This approach will allow local authorities and partners to develop innovative approaches to safeguarding and enhance their ability to respond to the varied needs of individual children, young people and families. The overarching objective is to create the conditions for sustained, long term reform which enables and inspires professionals to do their best for vulnerable children and their families.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)
Option 1: to undertake a revision in line with the recommendation from the Munro Review.
The recommendation to revise the guidance is supported by evidence from an extensive review of Child Protection, which drew on the expertise of professionals from all sectors of the child protection system, including the views of children and young people. The revision is necessary in order to support professionals to move away from a compliance culture in which professionals focus on adherence to the guidance in its entirety, to a 'learning culture' which focuses on the needs of the child and in which professionals exercise their professional judgement to improve outcomes for children and young people in need of safeguarding. The extent and detail of the revision will be consulted on as part of a full, 12 week consultation
Option 2 : to retain the current statutory guidance.

Will the policy be reviewed? It will be reviewed. If applicable, set review date: 07/2013

Does implementation go beyond minimum EU requirements?			N/A		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	Micro No	< 20 Yes	Small Yes	Medium No	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: N/A		Non-traded: N/A

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:  Date: 7/6/12

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 2011	PV Base Year 2011	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £9m	High: £30m	Best Estimate: £19

COSTS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£2m	1	£0m	£1m
High	£4m		£0m	£4m
Best Estimate	£3m		£0m	£3m

Description and scale of key monetised costs by 'main affected groups'

Transition costs to the main users of the guidance. These are opportunity costs, not a financial cost. These fall primarily to local authority staff and social workers. We cannot be sure of the exact impact of the change but have attempted to model the transition costs based on estimates of reading and digesting the new guidance.

Other key non-monetised costs by 'main affected groups'

We cannot estimate the potential costs of innovation at this stage since we do not know to what degree local authorities and professionals will choose to develop new practices. We will seek more information in the consultation and hope to give a monetised estimate at the next stage of IA.

BENEFITS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	£0m	1	£2m	£13m
High	£0m		£4m	£22m
Best Estimate	£0m		£3m	£22m

Description and scale of key monetised benefits by 'main affected groups'

We do not anticipate any one-off benefits. We have estimated ongoing benefits for reduced burdens to all users as they will no longer feel required to adhere to such a large volume of guidance, and will have a clearer sense of what is statutory and what is just practice guidance. We cannot be sure of the exact impact so have tried to reflect the proportional impact on different groups with estimates of time saved. We will seek to improve these estimates at the next stage of IA.

Other key non-monetised benefits by 'main affected groups'

There will be benefits from enabling greater local innovation and professional judgement. However, we cannot attempt to monetise this as the benefits are unquantifiable (i.e. that children in need of protection will receive a more personalised service which better serves their needs), and we do not know the full extent of the impacts that the proposed changes will produce (i.e. some LAs will overhaul their system and some will continue with current practice).

Key assumptions/sensitivities/risks

Discount rate (%)

There is a risk of negative impact on children if central government is less prescriptive. However, statutory safeguarding processes will remain in place, the Ofsted inspection framework provides an accountability mechanism, current practice guidance will remain available for a transition period and the changes to guidance is one part of wider reforms to the child protection system such as social work reform to encourage local innovation, professional judgement and a learning culture.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of OIOO?	Measure qualifies as
Costs: £0.1m	Benefits: £1.3m	Net: £0.8m	Yes	OUT

Evidence Base (for summary sheets)

Background

The *Framework for the Assessment of Children in Need and their Families* (the Framework for Assessment) is a conceptual framework providing a map for practitioners to use when conducting assessments of children referred to social services. The Framework for Assessment and its associated guidance is over 230 pages long and has been in force since 2000. The Framework for Assessment is a statutory document issued under section 7 of the Local Authority Social Services Act 1970 and requires local authorities to act under the general guidance of the Secretary of State. The Assessment Framework does not apply solely to child safeguarding, but applies to assessments of the needs of children and families in relation to a range of social services, such as section 17 assessments of children in need, and other statutory guidance issued under section 7 of the Local Authority Social Services Act 1970 (including on looked after children, adoption, fostering).

It is a document with guidance that is underpinned by statute (statutory guidance) and other non-statutory, practice guidance. The former consists of statutory guidance issued by the Secretary of State which requires local authorities to act in accordance with it and to which other bodies and professional must have regard (i.e. they should follow it but can depart from it if they have good reason to do so). The non-statutory element sets out good or best practice which professionals may choose to follow.

There is evidence that the development of both types of guidance by central Government blurs the distinction between what is statutory and what is best practice at a particular point in time. This can be seen to hinder professionals' ability to exercise their own professional judgement to respond effectively to the wide range of needs and circumstances with which they are faced when dealing with vulnerable children and young people. This was highlighted by Professor Munro in her final report of her review of the child protection system, *A child-centred system*, in which she recommended that the Government should revise both the statutory guidance *Working Together to Safeguard Children* and *The Framework for the Assessment of Children in Need and their Families* and their associated policies. Her intention was that such a revision will create space in the system which in turn will give greater emphasis to the value of direct work with children and families and an increase in the use of professional judgement when assessing the needs of children, young people and families. The revision of the *Working Together to Safeguard Children* (2010) guidance is considered under a separate Impact Assessment.

The Government agreed with this recommendation, and believes that there needs to be a better balance between central prescription and professional judgement. The aim of this work is to distinguish the rules that are essential from guidance that informs professional judgement, so that professionals can move from a compliance culture to one of learning. This supports Professor Munro's findings, and is set out in greater detail in the 'Rationale for Intervention' section, below.

Professor Munro also recommended that nationally prescribed timescales for initial and core assessments should be replaced with locally driven timely, professional judgements to give professionals more autonomy to decide how to approach assessments of Children in Need. The Government has been working with eight local authorities who have been trialling more flexible approaches to assessment. While their findings to date are encouraging, they also point to areas where further learning is needed. We believe this change should be supported by, practical, sector-led experience, so we are continuing to work with the trial areas and have extended the trials in all eight until 30 September 2012 to provide this learning. In addition, we expect to consult on timescales and timeliness as part of the broader consultation on the *Assessment Framework*, to inform the broader revisions to statutory guidance.

A commitment was made to work in partnership with local government and leaders of children's services, the College of Social Work, the Association of Chief Police Officers, health service organisations' leaders, education and early years sectors, children's organisations in the voluntary and community sector, the inspectorates and others to revise the Framework for Assessment. There is active dialogue on the proposed revisions with all of these organisations as well as with officials in other Government departments. A full, formal 12 week consultation will take place on the proposed changes to both the Framework for Assessment and the Working Together guidance.

Rationale for intervention

Over recent years a substantial increase in central prescription through statutory guidance has taken place in the child protection system, with a consequential decrease in the scope for individual judgement and local innovation. This is demonstrated by the fact that the Framework for Assessment and its associated practice guidance is over 230 pages long.

Evidence submitted to Professor Munro's Review suggested that the current statutory guidance 'has become too long to be practically useful' and that the current form of the guidance makes it difficult for practitioners to differentiate practice guidance from statutory regulation that must be followed. Professor Munro noted that too

great a degree of central prescription can be dangerous, because guidance becomes 'hard to use' and 'prevent[s] workers from moving quickly enough to seize opportunities' (Munro: 3.13). Overall, this encourages a practice which is focused on compliance with the guidance as a whole, rather than on understanding the core principles that underpin it and judging how best to apply them in practice, taking account of the specifics of the young person's circumstances and needs. Evidence to the review suggested that in its current form, the Framework for Assessment makes it difficult for practitioners to differentiate practice guidance from statutory regulation that must be followed.

In addition, Professor Munro noted that there is a risk that the current statutory guidance has contributed to the deprofessionalisation of child protection, as those working in the field feel increasingly obliged to do things 'by the book' rather than use their professional judgement about children's needs. Overall, this encourages a practice which is focused on compliance, rather than on understanding the core principles that underpin it and the individual needs of the child or young person. This culture of compliance gives little space for professionals to exercise their own judgement and apply principles in the most effective way. This makes it difficult for professionals to take a child-centred approach to cases. A failure to do so can have an adverse impact on outcomes for children and young people. This is highlighted by evidence provided to the Munro Review by the Children's Commissioner, which 'reveals the distress children feel at receiving an impersonal service where insufficient time is given to helping them understand what is happening to them'.

The Framework for Assessment underpins the way in which assessments are conducted across a range of social services and issued under section 7 of the Local Authority Social Services Act 1970, such as looked after children, adoption and fostering. It is therefore necessary for the statutory guidance to be retained in the form of the Framework for Assessment to ensure that these wider assessment processes are conducted in a robust and effective way in keeping with the provisions of this Act.

The full Framework for Assessment and related guidance has become linked with specific theories, recording forms and processes, which have subsequently become the subject of performance targets. This means that they are sometimes driving practice in dysfunctional ways by allowing processes to drive behaviours. For example, evidence to the review indicated that 'professionals too often feel they must complete a form before a child is eligible to receive support, instead of responding to obvious or urgent needs while carrying out the assessment process' (Munro final report: 3.8).

However, it would not be possible to remove the Framework for Assessment in its entirety. It contains the statutory guidance which underpins how assessments of children should be conducted and developed throughout the whole safeguarding system. It is important for the welfare of children that this framework is retained on a statutory basis. It is imperative for good outcomes for children that individuals responsible for conducting assessments are aware of their legal obligations. By removing the guidance, individuals and agencies would not be aware of these legal obligations, posing a significant risk to the effective working of the child protection system.

The Framework for Assessment is of fundamental importance to a wide range of professionals working in child protection who use it as the basis for conducting assessments, including safeguarding and promoting the welfare of children. This includes professionals working in youth justice, health and police as well as those in social care. The fundamentals of the guidance need to be retained and clarified to support professionals from all agencies working in child protection.

The proposed revision to remove the non-statutory practice guidance and to clarify and make sharper the statutory framework is a radical change to the current form of the guidance. Given this, it is important that a full consultation is carried out, and that the final guidance framework is informed by views from all parts of the child protection system.

Policy objective

- To reduce the level of centrally-issued guidance, giving professionals greater space and freedom to exercise their own professional judgement within locally set parameters based on timeliness of assessment for individual children;
- To create space for local authorities and partners to develop innovative approaches to safeguarding and enhance their ability to respond to the varied needs of individual children, young people and families; and
- To create the conditions for sustained, long term reform which enables and inspires professionals to do their best for vulnerable children and their families.

Description of options considered (including do nothing)

There are two options which can be considered:

1. Revision of the Framework for Assessment (preferred option)

Any revision of the guidance would constitute a regulatory option as it is a statutory document.

This option would achieve the necessary improvements to the guidance to address the issues highlighted in Professor Munro's Review. It would radically reduce the guidance from its current form to contain only statutory guidance: the 'must-dos' and enable greater professional judgement when assessing the needs of children, young people and families.

The exact changes to the guidance will be decided post-consultation, depending on the responses which are received and informed by the ongoing work and evidence merging from the eight trial authorities who are testing a more flexible approach to assessment. The nature of the proposal in the consultation has been informed by the work of the trial authorities as well as taking account of the material received from the call for evidence for the Munro review. On this basis we are proposing the following changes for the consultation:

- i. Remove and replace statutory guidance as well as removing practice guidance that has been developed over time to advise professionals on how to implement the guidance;
- ii. clarify and sharpen the existing statutory framework in the light of emerging evidence;
- iii. propose changes to the statutory timescales for assessment – based on emerging evidence and practice; and
- iv. add specific guidance on managing individual cases where there are concerns about a child's safety and welfare.

Professor Munro presented evidence in her report, *A child centred system*, to support the view that a radical revision and reduction in the degree of centrally prescribed guidance is required to foster new local innovative approaches to conducting assessments to safeguard children. Government has been trialling a more flexible approach to assessment to test Professor Munro's analysis, working with eight local authorities who are testing more flexible approaches to assessment. These trials are informing revisions to the Assessment Framework. Emerging evidence from the trials has been encouraging, and suggests that this more flexible approach to assessment can have positive benefits on practice. To further explore the impact of these changes, especially for children and young people, the trials have been extended until 30 September 2012.

This option would radically reduce the degree of non-statutory, centrally-issued guidance and would be seen to incentivise a learning culture, local innovation, and the use of professional judgment. This in turn will improve outcomes for children and young people by enabling practitioners to develop a more personalised, child-centred approach to supporting children. Encouraging sectors to lead the development of practice guidance will also mean that it is informed by their research and local evidence bases. This supports the Government's wider agenda of localism and sector-led policy-making.

These changes are purely indicative at this stage, and are subject to change as a result of the consultation. This Impact Assessment will also be revised to reflect further changes, and to incorporate evidence collected from the consultation.

This is the recommended option, and is the basis of the draft guidance which has been developed for consultation.

Costs and Benefits

While we have attempted to give an estimate of the likely monetised costs and benefits as a result of the proposed changes to the Framework for Assessment guidance, it has not been possible to give an exact representation of the likely impacts. This is because we do not have adequate data at this time to make well-evidenced assumptions, and not all costs or benefits are quantifiable. It is not possible to complete this task with a high degree of accuracy since we cannot know how LAs will react to the proposed changes. It may be that LAs choose to keep their current systems in place, regardless of the fact that they no longer form part of centrally-prescribed practice guidance, or some LAs may use the revision to guidance as a prompt to overhaul their own systems, which could take a substantial amount of time to complete. There may also be LAs who have undertaken substantial overhauls already, in recognition of the fact that the practice guidance elements which we are proposing to remove from the Framework for Assessment have an advisory and not statutory function. It has therefore not been possible to exactly estimate the impacts of these proposed changes.

However, what we have endeavoured to do is to give an estimate of the likely impacts to each party that are proportionate. e.g. we have assumed that LAs would spend the most time reading and digesting the new guidance

but would also receive the greatest benefit. In comparison social workers may received large benefits as a result of the changes but may not face as many of the costs which are likely to fall on LAs in their monitoring role. We have therefore used a range of estimates to try and encompass this wide variety of changes, and have also assumed some proportionality in these estimates. We will endeavour to collect more information from the consultation by asking LAs and social workers what they think they will do as a result of the changes, before the next stage of the IA.

The potential one-off costs as a result of the proposed changes are estimated to be between £2m-£4m. These are opportunity costs, not financial costs.

These are estimated to fall on LAs and social workers. These are the professions who would primarily use the Framework for Assessment in conducting assessments of children referred to social services. However as discussed above we have not been able to use robust estimates of the time costs of reading and digesting the guidance for these professionals, and have provided indicative figures in order to give a scale of the likely costs and benefits which we hope to update and improve after the consultation. However, as also discussed above, these estimates attempt to be proportional to reflect the differing involvement of these different professionals with the Framework for Assessment.

Even though the estimates of time are indicative we have endeavoured to use appropriate wage estimates and figures on the numbers of different professionals to increase the robustness of the time costs. The following table shows how the estimates have been constructed, using an estimate of the time taken to read and digest the new guidance, wage estimates and the number of staff in each sector (or, in some cases, the number of organisations). The estimates are discussed in more detail below. An upper and lower estimate has been made for each group by varying the time and wage assumptions.

		Time (hours)	Wage (£)	No. of staff	Total cost
Local authority	Lower	21	12	152	£46,000
	Upper	70	26	152	£335,000
Social workers	Lower	3.5	17	20,800	£1,500,000
	Upper	7	21	20,800	£3,700,000
Total	Lower				£1,600,000
	Upper				£4,000,000

There were no ongoing monetised costs identified, but a number of ongoing non-monetised costs. We will endeavour to find out more information in the consultation in order to attempt to monetise these costs in the next stage IA. There are likely to be non-monetised costs of innovation triggered by the changes to guidance. This could be in the form of extra administrative hours to amend guidance and procedures or could be LA managerial staff meeting to discuss how they will change their procedures. We cannot know the extent of the changes that will ensue from the proposed changes. However, we can confidently say that LA staff would not undertake these changes without there being at least equivalent benefits to them of making the changes.

Benefits:

We do not estimate that there will be any one-off benefits as a result of the proposed changes. However, we estimate that there are likely to be non-monetised benefits to all professionals who operate under the Framework for Assessment since they will no longer feel obliged to strictly adhere to the current prescriptive guidance, and will as a result be able to exercise greater professional judgement. This will have benefits in terms of increasing their ability to better react to the individual needs of the children they have to work with; again, these benefits cannot be monetised.

There are also likely to be non-monetised benefits for local authorities. We cannot estimate the full benefits since we do not yet know the extent of the changes that LAs may make as a result of the proposed changes to guidance, but we can assume that by slimming down the guidance and allowing for local innovation there are likely to be increased efficiencies and cost savings in the future. These monetised benefits are therefore likely to be an underestimate for some LAs as they may lead to radically new and improved systems. Since we cannot know this, and some LAs may only make minimal changes, we have simply attempted to estimate the reduction in burdens in reading and compliance time.

We estimate the ongoing benefits to be between £2m and £4m a year

Again these estimates are made from indicative figures that attempt to give the scale of the likely costs and benefits as we do not have adequate data to suggest approximate time saved as a result of the proposed changes. However, we have used ASHE data and appropriate workforce data to attempt to increase the robustness of these estimates. These are set out in the table below. Again, the benefits have been estimated using estimates for time,

wages and number of staff (or in some cases, organisations) and an upper and lower estimate has been given. The assumptions and evidence used in these estimates are detailed below.

		Time (hours)	Wage (£)	No. of staff	Total cost
Local authority	Lower	3.5	12	152	£8,000
	Upper	21	26	152	£100,000
Social workers	Lower	3.5	17	20,800	£1,500,000
	Upper	7	21	20,800	£3,700,000
Total	Lower				£1,500,000
	Upper				£3,800,000

There are also a number of on-going non-monetised benefits here. We estimate that there could potentially be large benefits as a result of local innovation changes. Since we do not know the extent of the changes that LAs may be prompted to make on the back of the revised framework we have not attempted to monetise here. However these benefits could potentially be large since the changes to the framework may prompt LAs to completely overhaul their current systems which could lead to efficiencies, cost reductions and potentially child lives saved in the future which have substantial benefits to the child and to society.

Therefore as a summary we estimate that option 1, the preferred option is likely to give the following estimated costs and benefits as well as the non-monetised costs and benefits discussed above:

COSTS	lower	Upper
One-off costs	£2m	£4m
On-going costs	£0m	£0m
Total over 10 years	£2m	£4m
PV over 10 years	£1m	£4m

BENEFITS	lower	Upper
One-off benefits	£0m	£0m
On-going benefits	£2m	£4m
Total over 10 years	£15m	£38m
PV over 10 years	£13m	£32m

This gives an NPV of between £9m-£30m with a best estimate of £19m.

2. Do nothing – retain the current guidance.

The Government could retain the statutory guidance in its current form and communicate with the sector that it does not have to follow centrally-issued, prescriptive practice guidance that is stifling local innovation.

A number of local areas have started to undertake reviews of local policies and procedures to safeguard and promote the welfare of children. In light of these reviews, new ways of working have been developed that place the child at the heart of the local system and which aim to reduce unnecessary bureaucracy. Central government could retain the current statutory guidance and seek to encourage more local areas to undertake similar exercises.

There is compelling evidence, however, that a radical revision and reduction in the degree of centrally prescribed guidance is required to foster new local innovative approaches to conducting assessments to safeguard children, such as that set out by Professor Munro in her recent review.

The Government is in favour of such a revision, and has publically committed to:

'work[ing] in partnership with local government and leaders of children's services, the College of Social Work, the Association of Chief Police Officers, health service organisations' leaders, education and early years sectors, children's organisations in the voluntary and community sector, the inspectorates and others to revise *The Framework for the Assessment of Children in Need and their Families*'.

Costs – none

This option represents the current baseline and therefore would have **no additional costs** to LAs and social workers.

Benefits – none

This option represents the current baseline and therefore would have **no additional benefit or offer potential savings** to LAs and social workers.

This is therefore not a recommended option.

Rationale and evidence that justify the level of analysis used in the IA (proportionality approach)

As discussed above we do not currently have robust estimates to help us estimate the likely transition costs and reduction in burdens as a result of the proposed changes to the Framework for Assessment or the change in culture and improvement in outcomes that a reduction in prescription should bring about. We have estimated the approximate transition costs and reductions in burdens in terms of reading time and developing new frameworks that are likely to fall on the professionals that are affected by the Framework for Assessment. We will endeavour to collect more information for the next stage of the IA. We have also attempted to ensure that the estimates are proportional so that those most involved and most heavily affected by the changes to the framework are reflected in the time estimates used.

We have then used as much as possible evidence and robust data sources to find wage estimates and workforce numbers. These estimates and source are listed below:

- Wage estimates: ONS annual survey of hourly earnings (ASHE) 2010. Have used ranges for most estimates to cover the wage of occupations that may be affected within each group. The estimates include an uplift of 21% to account for non-wage labour costs.
- Numbers of LA staff: we have estimated that there will be 1 FTE LA member of staff per LA that would be engaged with the changes for between 3-10 days with a wage range from an admin LA worker to a more senior LA staff member. We have estimated between 0.5 days and 3 days a year for reduction in burdens since we cannot know the full extent of the benefits to LA staff but assume that it could potentially be quite large over the long term.
- Number of social workers: used Children Workforce Development Council (CWDC) (2010) 'the state of young people and children's workforce' estimates that there are approx 20,800 children and families social workers. This evidence also suggests that 39% of the social work sector is independent (private or voluntary) which we have used as an estimate of OIOO costs and benefits. We have estimated between 0.5 and 1 full day to complete this as social workers will be directed by LA changes, but are more involved than other members of staff in these estimates. For the benefits we have estimated between 0.5-1 day as potentially benefits could involve efficiencies but also improvements to ways of working (some of which is also captured in the non-monetised benefits).

Risks and assumptions

There is a risk associated with reducing centrally-issued practice guidance before the system has fostered a learning culture and developed the necessary skills and expertise amongst professionals. This is acknowledged in the Government response to the Munro review: 'Moving away from a culture of compliance by reducing central prescription and placing a greater emphasis on the appropriate exercise of professional judgment represents a fundamental system-wide change. It will take time for the necessary skills and knowledge to develop and for experience of new ways of working to become fully embedded and effective' (page 13). However, this should not prevent us from reforming the guidance, since the benefits that revision would bring cannot be realised otherwise, and we will take steps to mitigate the associated risk. As Munro stated, 'removing prescription without creating a learning system will not secure the desired improvements in the system. On the other hand, delaying the removal of prescription until services show they can take responsibility prevents them from demonstrating it' (*A child-centred system*: 8.28).

The risk of negative impact on current safeguarding procedures will be mitigated in a number of ways. Firstly, the regulatory framework for safeguarding will remain unchanged and in force, and the statutory responsibilities of organisations and professionals will in fact be made clearer by the revised guidance. Secondly, a new Ofsted inspection framework is being developed in parallel to the revised guidance, which will deliver an accountability mechanism to ensure that there is minimal negative impact on safeguarding by the removal of central prescription.

Local evidence also shows that professionals may continue to adhere to centrally prescribed processes and approaches even once these prescriptions are lifted. However, the fact that they are not obliged to do so has brought benefits where there is a need to conduct assessments to a different timescale, and where they have had the flexibility to do so. It can therefore be assumed that many local authorities and professionals may continue to follow the non-statutory processes and approaches which have previously been set out in the Framework for Assessment, but they will have the flexibility to do otherwise. This will be beneficial where local circumstances, or the specific needs of individual cases, require a more innovative or tailored approach.

The work that the Government is undertaking to raise standards in the social work profession is also a crucial part of the aim to encourage local innovation, professional judgement and a learning culture amongst professionals who safeguard and promote the welfare of children and young people. The Government is taking forward work that will strengthen social workers' initial training and the continuing development of their knowledge, skills and abilities. For example the Newly Qualified Social Worker (NQSW) Programme, a 12 months programme for social workers graduating from university that runs in almost every local area has improved the level and quality of support social

workers receive in their first year of work. It includes protected time for them to undertake training and development, a managed caseload and regular supervision.

The Early Professional Development Programme builds on the NQSW programme and supports the transition from the first year in employment to experienced practitioner in the second and third years of work, by providing a framework that helps social workers operate with greater confidence and autonomy. Alongside this Universities are raising the standards of entrants to social work degrees. The new curriculum framework for the social work degree will be based on the new Professional Capabilities Framework, which sets out what will be expected of social workers at different stages in their career, and will cover specific capabilities for child protection. A new Continuing Professional Development Framework to promote and support all social workers to develop their skills and knowledge to deal with increasingly complex and specialist work is also being set up. These reforms to raise standards in the social work profession need to sit alongside a reduction in prescriptive practice guidance from central Government to allow greater local innovation and freedom for professionals to use their judgment.

The proposed revision should therefore not present a risk to safeguarding; rather, it has the potential to improve outcomes for children and young people by increasing professionals' ability to exercise judgment to respond appropriately to the varied circumstances and needs with which they are faced. However, we are conscious that this is a radical revision of the current guidance, which is why we are planning to conduct a full, 12 week consultation so that any potential risks to safeguarding can be highlighted and addressed.

It must be accepted, however, that an inherent uncertainty will always exist within child protection. As Munro highlighted, 'Mistakes in assessing risk can be either of under-estimating (false negative) or over-estimating (false positive) the danger to the child [final report: 1.11], and that 'trying to reduce one type of error increases the other' [part 1: 1.43]. By working towards a culture in which professionals can develop and exercise judgement, both by reducing the degree of over-standardised, centrally prescribed guidance, and by working with sectors to develop evidence-based practice guidance, we will ensure that this risk is managed more effectively, by helping professionals learn to be 'risk sensible'.

Direct costs and benefits to business calculations (following OIOO methodology)

We have estimated the direct costs and benefits to the private sector for social workers since proportions of these staff work in the private or voluntary sector.

CWDC 'state of the children and young people's workforce (2010) estimated that approx 39% of the social worker workforce was independent, working for the private or voluntary sector and therefore would have OIOO costs and benefits imposed on them estimated at approx £3m one-off costs and £3m per year annual benefit.

Overall, expressed in 2009 prices and using a 2010 present value base year, this gives OIOO costs and benefits as:

	Lower	Upper
One-off costs	£539,000	£1.3m
On-going benefits	£539,000	£1.3m
OIOO benefits over 10 years	£5.4m	£13.3m
NPV	£3m	£10.2m

This gives an approx **best estimate of £6.6m benefit** to private and voluntary sectors over 10 years

New Burdens

A new burdens assessment will be completed against the final version of the guidance ahead of publication, as it is liable to change as a result of evidence collected from the consultation.

Statutory Equalities Duties

An adverse impact is unlikely as a result of the proposed revision. On the contrary, a positive impact is likely as the revision will lead to improved outcomes for protected groups who make up a disproportionate portion of the children and young people affected. There is insufficient evidence, however, for this analysis to be made with as much confidence as is desirable, and we will undertake a fuller analysis of the impact on equalities post-consultation.

Summary and preferred option with description of implementation plan.

Professor Munro's review of child protection, *A child-centred system*, found that the current version of the guidance

The Framework for Assessment of Children in Need and their Families is too lengthy, including too great a volume of non-statutory, practice guidance. It does not clearly distinguish the statutory rules that are essential to safeguard and promote the welfare of children from this non-statutory professional guidance. This is hindering professionals' ability to exercise judgment to respond to the varied needs and circumstances of individual children, encouraging instead a culture of compliance with the guidance as a whole.

We therefore recommend revising the Framework for Assessment, radically reducing the guidance from its current form to contain only statutory guidance: the 'must-dos'. By leaving the statutory guidance in place, the regulatory framework for safeguarding would remain unchanged and in force. The change would be in the removal of practice guidance which will no longer be centrally-issued by Government. Should professional guidance be deemed necessary, this would be developed by the related sectors as part of the sector led improvement work. This would be informed by their research and local evidence bases to give greater opportunity for local innovation.

For such an important and far-reaching revision, we intend to carry out a full 12 week consultation. We intend to do so from June 2012, to allow enough time post-consultation for a thorough analysis and for responses to influence the final guidance in a meaningful way. This will also give us the opportunity to continue to learn from the trial authorities. A Professional Advisory Group which we have established, with representation from across the sector and local government, will play a role in promoting the consultation to their networks, and will advise on the development of the guidance throughout the process.