

#### **Research Briefing**

20 June 2023

By David Foster

# Government proposals for children's social care reform



- Introduction
- 2 Independent reviews of children's social care
- Government consultation and implementation strategy 3
- 4 Reaction and developments since February 2023

#### **Contributing Authors**

Shadi Danechi, statistics, sections 1.2 and 1.3, Social and General Statistics

#### **Image Credits**

After school play by Nella2010. Licensed under CC BY 2.0 / image cropped.

#### Disclaimer

The Commons Library does not intend the information in our research publications and briefings to address the specific circumstances of any particular individual. We have published it to support the work of MPs. You should not rely upon it as legal or professional advice, or as a substitute for it. We do not accept any liability whatsoever for any errors, omissions or misstatements contained herein. You should consult a suitably qualified professional if you require specific advice or information. Read our briefing <u>'Legal help: where to go and how to pay</u>' for further information about sources of legal advice and help. This information is provided subject to the conditions of the Open Parliament Licence.

#### Sources and subscriptions for MPs and staff

We try to use sources in our research that everyone can access, but sometimes only information that exists behind a paywall or via a subscription is available. We provide access to many online subscriptions to MPs and parliamentary staff, please contact <u>hoclibraryonline@parliament.uk</u> or visit <u>commonslibrary.parliament.uk/resources</u> for more information.

#### Feedback

Every effort is made to ensure that the information contained in these publicly available briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated to reflect subsequent changes.

If you have any comments on our briefings please email <u>papers@parliament.uk</u>. Please note that authors are not always able to engage in discussions with members of the public who express opinions about the content of our research, although we will carefully consider and correct any factual errors.

You can read our feedback and complaints policy and our editorial policy at <u>commonslibrary.parliament.uk</u>. If you have general questions about the work of the House of Commons email <u>hcenquiries@parliament.uk</u>.

# Contents

Summary				
1	Introduction	8		
1.1	Local authority duties	8		
1.2	Demand for children's social care	9		
	Rate of children in need	9		
1.3	Funding for children's social care	10		
	Local authority expenditure	10		
1.4	ADASS report on provision of children's services	12		
2	Independent reviews of children's social care	14		
2.1	Independent Review of Children's Social Care	14		
	Background	14		
	Final report recommendations	15		
2.2	Competition and Markets Authority report	20		
	Recommendations	21		
2.3	Safeguarding Practice Review Panel report	22		
3	Government consultation and implementation strategy	23		
3.1	Initial Government response	23		
3.2	Government consultation and implementation strategy	24		
	Family Help	24		
	Child protection	26		
	Family networks	27		
	Children in care and care leavers	28		
	Children's social care workforce	31		
	Sector improvement and data	33		
4	Reaction and developments since February 2023	35		
4.1	Debate in Parliament	35		

	House of Commons debate	35
	House of Lords debate	36
4.2	Other commentary	37
	Local Government Association	37
	Association of Directors of Children's Services	37
	British Association of Social Workers	38
	Others	38
4.3	Lords Committee report	40
4.4	One-year update	41

# Summary

On 2 February 2023, the Government published an implementation strategy and consultation on reforming children's social care in England: <u>Stable</u> <u>Homes, Built on Love.</u>

The strategy is based on, and forms the Government's response to, three independent reports published in 2022:

- The <u>final report of the Independent Review of Children's Social Care</u>, published in May 2022.
- The final report of the Competition and Markets Authority's market study into the children's social care market, published in March 2022.
- The Child Safeguarding Practice Review Panel <u>review into the deaths of</u> <u>Star Hobson and Arthur Labinjo-Hughes</u>, published in May 2022.

# Government proposals for "whole system reform"

The strategy says children's social care in England needs to be rebalanced "away from costly crisis intervention to more meaningful and effective help for families." It says the Government will reform in phases:

- Over the next two years, the Government will invest £200 million "addressing urgent issues" and "laying the foundations for whole system reform."
- After two years, the Government will focus on "embedding reform everywhere." It will scale up the approaches tested and bring forward new legislation, subject to parliamentary time.

### 'Families First for Children Pathfinder'

The strategy sets out that the Government will provide over £45 million to launch a 'Families First for Children Pathfinder' programme in up to 12 local areas in England over the next two years. The first wave of pathfinders, in three areas, will be launched in September 2023. The pathfinders will test:

• A new Family Help service, which will provide "intensive multidisciplinary support" to families facing significant challenges in a "nonstigmatising way". It will, the strategy said, simplify how support is provided by becoming "a single service that removes the distinction between 'targeted early help' and children in need".

- Changes to front-line child protection practice, including some child protection functions being led by a group of multi-agency staff from local authorities, police and health working as a team on a day-to-day basis.
- How to implement family group decision making, such as family group conferences, at an early stage.

### **Other proposals**

The Government's other proposals range across children's social care and include:

- Providing £9 million for training and support, accessible to all kinship carers by the end of the Parliament. The Government says it will also publish a kinship care strategy by the end of 2023.
- Testing the use of regional care cooperatives (regional groupings of local authorities) to plan, commission and deliver care places in two regional pilots.
- Developing a financial oversight regime covering the largest providers or children's homes and fostering agencies.
- Providing £27 million for a fostering recruitment and retention programme.
- Establishing an early career framework for social workers, to "give child and family social workers two years of consistent, high-quality support and development."
- Establishing a children's social care national framework, setting out the outcomes children's social care should deliver, by the end of 2023. A children's social care dashboard will also be set up. A <u>consultation on the proposed national framework and dashboard</u> was published alongside the strategy.

Alongside the strategy, the Government also published a <u>consultation on</u> whether to set national rules on the use of agency social workers, including potential price caps.

# Response to the Government's proposals

Aspects of the Government's reform proposals received a broad welcome, but some stakeholders raised <u>concerns that the proposals amounted to a</u> <u>"piecemeal approach"</u> rather than the required whole-system reset. In response, the <u>Government said it is taking a "test and learn" approach</u> and the strategy marks "the start of the journey."

The consultation on the strategy, and the associated consultations on agency social workers and a children's social care national framework, closed on 11 May 2023. The <u>Government has said it will respond in September 2023</u>.

# 1 Introduction

Children's social care is a devolved policy responsibility. This briefing refers to the position in England.

## 1.1 Local authority duties

Local authorities in England have a range of duties relating to safeguarding the welfare of children and promoting their wellbeing. These include:

- A general duty to safeguard and promote the welfare of children in need in their area by providing appropriate services.<sup>1</sup> More detailed information is provided in the Library briefing, <u>Local authority support for</u> <u>children in need (England)</u>.<sup>2</sup>
- A duty to provide accommodation to children in need in certain circumstances.<sup>3</sup>
- A duty to make enquiries to decide whether action is needed to safeguard a child where the authority suspects they are suffering, or are at risk of suffering, significant harm.<sup>4</sup>
- A power in certain circumstances to apply to the court for an order placing a child in the care of the local authority.<sup>5</sup>
- A duty to safeguard and promote the welfare of looked after children.<sup>6</sup>

Statutory guidance published by the government provides more detail, including:

- HM Government, Working Together to Safeguard Children.<sup>2</sup>
- Department for Education, <u>Children Act 1989: care planning, placement</u> and case review.<sup>8</sup>

<sup>&</sup>lt;sup>1</sup> Children Act 1989, section 17.

<sup>&</sup>lt;sup>2</sup> Commons Library briefing CBP-7730, Local authority support for children in need (England).

<sup>&</sup>lt;sup>3</sup> Children Act 1989, section 20.

<sup>&</sup>lt;sup>4</sup> Children Act 1989, section 47.

<sup>&</sup>lt;sup>5</sup> Children Act 1989, section 31.

<sup>&</sup>lt;sup>6</sup> Children Act 1989, section 22.

<sup>&</sup>lt;sup>7</sup> HM Government, HM Government, <u>Working Together to Safeguard Children</u>, July 2018.

<sup>&</sup>lt;sup>8</sup> Department for Education, <u>Children Act 1989: care planning, placement and case review</u>, July 2021.

Among other things, the Working Together guidance says providing early help "is more effective in promoting the welfare of children than reacting later."<sup>9</sup> Early help services should, it adds, form part of a continuum of support to respond to the different levels of needs of individual children and their families:

Where a child's need is relatively low level, individual services and universal services may be able to take swift action. Where there are more complex needs, help may be provided under section 17 of the Children Act 1989 (children in need). Where there are child protection concerns (reasonable cause to suspect a child is suffering or likely to suffer significant harm) local authority social care services must make enquiries and decide if any action must be taken under section 47 of the Children Act 1989.<sup>10</sup>

## Demand for children's social care

There is no single objective measure of the number of children who need or might benefit from support or intervention. Data on levels of local authority activity in response to social care referrals can be used as a measure of demand. However, this activity is also determined by local thresholds and the scale of any need not identified through referrals is unknown.

Department for Education data which can be used as measures for demand of children's social care include:

- The number of children in need (increased 7.6% since 2010 to 404,310 in 2022),
- The number of children on child protection plans (increased 30.2% since 2010 to 50,920 in 2022)<sup>11</sup>
- The number of looked after children (increased 27.5% since 2010 to 82,170 in 2022).<sup>12</sup>

However, these measures do not take into account changes in the overall number of children over time.

### Rate of children in need

In March 2022, there were around 404,000 children in England defined as children in need. This was the second highest number recorded since 2010 (the peak was in 2018 with around 405,000 children in need).<sup>13</sup>

<sup>&</sup>lt;sup>9</sup> HM Government, <u>Working Together to Safeguard Children</u>, July 2018, p13.

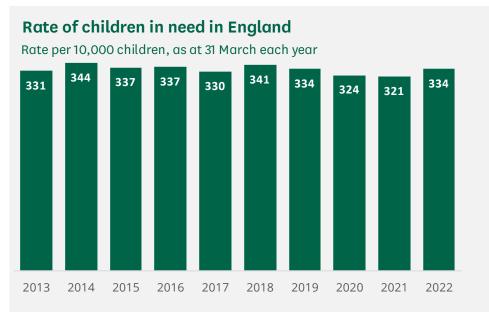
<sup>&</sup>lt;sup>10</sup> HM Government, <u>Working Together to Safeguard Children</u>, July 2018, p16.

<sup>&</sup>lt;sup>11</sup> Department for Education, <u>Characteristics of children in need: various years</u>

<sup>&</sup>lt;sup>12</sup> Department for Education, <u>Children looked after in England including adoptions</u>, 17 November 2022.

<sup>&</sup>lt;sup>13</sup> Department for Education, <u>Characteristics of children in need: various years</u>

However, over this period there have also been increases in the overall number of children in England. After adjusting for this, in 2022 the rate of children in need (per 10,000 children) was around 334 which is a slight increase compared with the previous two years. In the last ten years the rate of children in need has not changed materially. The chart below shows these trends in more detail.



Source: Department for Education, Characteristics of children in need: various years

# Funding for children's social care

There is no national government budget for children's social care in England. It is instead mostly financed through local government revenue. This revenue comes from central government funding from the local government finance settlement and locally raised revenue from business rates, council tax and income from fees and charges. Individual local authorities then determine how much is allocated to social care.

In recent years, the Government has provided additional ring-fenced funding to local authorities for children's social care. This includes £3.85 billion allocated for financial year 2023/24 through the Social Care Grant, ringfenced for both adult and children's social care.<sup>14</sup>

### Local authority expenditure

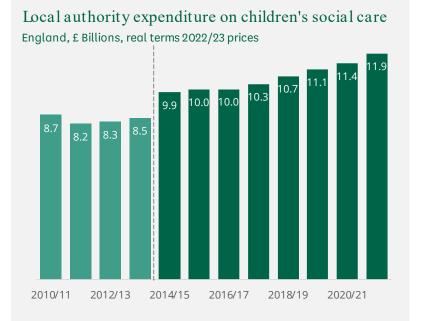
In financial year 2014/15 expenditure on 'services to young people' was reclassified to 'children and families social care services' expenditure. As a

<sup>&</sup>lt;sup>14</sup> DLUHC, <u>Social Care Grant allocations 2023 to 2024</u>, 19 December 2022.

result, expenditure on children and families social care cannot be tracked back to 2010/11 on a consistent basis.

The table below shows two separate time series, but both suggest expenditure on children's social care has been protected by local authorities, during a period in which government funding for local authorities has fallen in real terms.<sup>15</sup>

Local authority expenditure on children's social care England £ billions							
		Real Terms	Real terms				
	Cash	(2022/23 prices)	Annual % change				
2010/11	6.65	8.66					
2011/12	6.42	8.21	-5.2%				
2012/13	6.61	8.31	+1.2%				
2013/14	6.92	8.51	+2.5%				
Break in series: figures from 2014/15 not comparable with earlier years							
2014/15	8.09	9.85					
2015/16	8.30	10.03	+1.8%				
2016/17	8.48	10.03	+0.0%				
2017/18	8.84	10.30	+2.6%				
2018/19	9.38	10.73	+4.1%				
2019/20	9.93	11.07	+3.2%				
2020/21	10.50	11.39	+2.9%				
2021/22	11.27	11.91	+4.5%				



Sources: Department for Levelling up, Housing and Communities, <u>Local authority revenue</u> <u>expenditure and financing England: 2021 to 2022 final outturn, updated 23 March 2023</u> (Table 1a); HM Treasury, <u>GDP Deflator March 2023</u>, 16 March 2023

<sup>15</sup> National Audit Office, <u>Financial sustainability of local authorities 2018</u>, 8 March 2018

#### Variation in spending across different local authorities

In the 2022/23 financial year, average expenditure per child was £909 in England (for those aged 0 to 18 based on <u>Office for National Statistics (ONS)</u> estimates for June 2021). <sup>16</sup> However, there is considerable variation in children's service spending across local authorities in England.

The local authority with the highest expenditure on this measure was Islington which spent £2,408 per child, followed by Blackpool (£2,235 per child), and Kensington and Chelsea (£1,869 per child). Slough spent the lowest per head at just £50, the next lowest spenders on this basis were North Yorkshire (£458 per child), and Essex (£577 per child).<sup>17</sup>

Variations in spend per head are likely due to several factors, including the number of children supported in specialist placements and residential settings (which tend to be more costly). Area based cost pressures and competing demands with other non-ringfenced funding areas will additionally impact on expenditure.

Research has also suggested that inconsistent local authority financial returns make it difficult to compare the cost of delivering services in different areas.<sup>18</sup> It should be noted that variations in the population of those aged 0 to 18 will inevitably influence rates of spending. Spending per head figures could be artificially inflated or deflated according to whether an area has a low or high population of 0 to 18-year-olds.

### 1.4

# ADASS report on provision of children's services

Since 2007, the Association of Directors of Children's Services (ADCS) has published reports detailing trends in the demand for, and provision of, children's social care. The most recent report, <u>Safeguarding Pressures Phase</u> <u>8</u>, was published in December 2022 and covered the period from 1 April 2020 to 31 March 2022. It was based on data from 125 local authorities, covering 83% of England's child population.<sup>19</sup> Its findings included:

<sup>&</sup>lt;sup>16</sup> Department for Levelling up, Housing and Communities, <u>Local authority revenue expenditure and</u> <u>financing England: 2021 to 2022 individual local authority data - outturn</u>, updated 23 March 2023 (Ro3 data tables); ONS, <u>Estimates of the population for the UK</u>, <u>England</u>, <u>Wales</u>, <u>Scotland and Northern</u> <u>Ireland: 2021</u>, 21 December 2022.

<sup>&</sup>lt;sup>17</sup> City of London local authority excluded as has less than 1,000 people aged 0 to 18 years (mid-year 2021 estimate). Department for Levelling up, Housing and Communities, <u>Local authority revenue</u> expenditure and financing England: 2021 to 2022 individual local authority data - outturn, updated 23 March 2023 (Ro3 data tables); ONS, <u>Estimates of the population for the UK, England, Wales, Scotland and Northern Ireland: 2021</u>, 21 December 2022.

<sup>&</sup>lt;sup>18</sup> Local Government Association, <u>Making Sense</u>, Newton Europe, July 2018

<sup>&</sup>lt;sup>19</sup> ADCS, <u>Safeguarding Pressures Phase 8</u>, December 2022.

- There was an overall increase in safeguarding activity, despite an initial reduction in referrals linked to Covid-19 lockdowns.
- More children not previously known to social care services were presenting at a later stage, with greater levels of need and higher risks. As a result, more children were immediately becoming the subject of child protection plans or care proceedings.
- Early help services continued, and were being further developed, despite funding pressures within local authorities.
- There continued to be a shift to older children (aged 16 and 17 years) receiving social care services.
- The local context which children's services operated varied significantly, with levels of deprivation, geography, government funding and services transformation programmes, all contributing factors.
- Local authorities were facing greater challenges in providing suitable placements for children at affordable prices. This was one of the biggest concerns for nearly all children's services leaders.
- Securing a sufficient, skilled workforce was widely reported as one of the key current challenges.
- Children's services funding had been largely protected, but the continued impact of budget constraints and future funding uncertainty cannot be underestimated.
- The top funding pressures cited included placement costs for children in care, agency social workers, and increased demand and complexity of needs.

The report concluded that children are being safeguarded and services continue to be provided through early help and children's social care in a timely manner, despite increases in demand. It added, however, that children's social care is feeling the effect of pressures in other service areas:

The ripple effect of pressures in other service areas, such as health and education, are being felt and there was an overwhelming feeling that the support available from [local authority] children's services has become the last resort for some children and their families whose escalating needs should have been identified earlier and met via effective universal services. This pattern will further increase without urgent attention from national government via a whole systems approach.<sup>20</sup>

<sup>&</sup>lt;sup>20</sup> Association of Directors of Children's Services, <u>Safeguarding Pressures Phase 8: Executive Summary</u>, December 2022, pp1-7.

2

9.1

Independent reviews of children's social care

As set out in section 3, in February 2023 the Government published an implementation strategy and consultation on children's social care reform: <u>Stable Homes, Built on Love</u>.<sup>21</sup> This was a response to, and based on the recommendations of, three independent reviews published in 2022:

- The <u>final report of the Independent Review of Children's Social Care</u>, published in May 2022.<sup>22</sup>
- The final report of the Competition and Markets Authority's market study into the children's social care market, published in March 2022.<sup>23</sup>
- The Child Safeguarding Practice Review Panel <u>review into the deaths of</u> <u>Star Hobson and Arthur Labinjo-Hughes</u>, published in May 2022.<sup>24</sup>

This section provides an overview of these three reports.

## Independent Review of Children's Social Care

### Background

In its 2019 general election manifesto, the Conservative Party said it would "review the care system to make sure that all care placements and settings are providing children and young adults with the support they need."<sup>25</sup>

The <u>Government launched the independent review on 15 January 2021</u> and announced it would be led by Josh MacAlister, the founder and chief executive of the children's social work charity, Frontline.<sup>26</sup> Further information

<sup>&</sup>lt;sup>21</sup> Department for Education, <u>Stable Homes, Built on Love: Implementation Strategy and Consultation</u>, February 2023.

<sup>&</sup>lt;sup>22</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022.

<sup>&</sup>lt;sup>23</sup> Competition and Markets Authority, <u>Children's social care market study final report</u>, 10 March 2022.

<sup>&</sup>lt;sup>24</sup> Child Safeguarding Practice Review Panel, <u>National review into the murders of Arthur Labinjo-Hughes and Star Hobson</u>, 26 May 2022.

<sup>&</sup>lt;sup>25</sup> Conservative Party, <u>Get Brexit Done: Unleash Britain's Potential: The Conservative and Unionist Party</u> <u>Manifesto</u>, 2019, p14

<sup>&</sup>lt;sup>26</sup> Department for Education, <u>Education Secretary launches review of children's social care</u>, 15 January 2021; <u>HCWS717</u>, 18 January 2021.

on the scope of the review and its key themes and questions were set out in its terms of reference.<sup>27</sup>

In a <u>Case for Change report</u>, published in June 2021, the review set out its early thinking about what needed to change in the children's social care system. In October 2021, the review published <u>The Case for Change: your</u> <u>feedback</u>, which reflected on feedback received in response to the report.<sup>28</sup>

The review also worked with several organisations to gather additional evidence, covering areas including (but not limited to) the drivers of social care activity and the costs associated with the current social care system. Details of this, and the resulting reports, are available on <u>an archived version of the review's website</u>.<sup>29</sup>

### **Final report recommendations**

The final report of the Independent Review of Children's Social Care was published on 23 May 2022.<sup>30</sup> It argued the children's social care system is "increasingly skewed to crisis intervention, with outcomes for children that continue to be unacceptably poor and costs that continue to rise", and a "radical reset is now unavoidable".<sup>31</sup>

Without such a reset, the report said, there will be nearly 100,000 children in care by 2032 (up from 80,000) and a "flawed system will cost over £15 billion per year (up from £10 billion now)." It added that its recommended changes would mean "30,000 more children living safely and thriving with their families by 2032 compared to the current trajectory."<sup>32</sup>

The report said there is a lack of national direction about the purpose of children's social care and national government involvement is uneven. It recommended the creation of a national children's social care framework "to set the direction and purpose of the system, supported by meaningful indicators that bring transparency and learning." It added the Government should appoint a national practice group to build practice guides setting out the best ways of achieving the national framework's objectives.<sup>33</sup>

The report's other recommendations ranged across the children's social care system, including early help, child protection, kinship care, the care market, and the children's social care workforce.

<sup>&</sup>lt;sup>27</sup> Department for Education, <u>Terms of reference for the independent review of children's social care: a</u> bold and broad approach to support a fundamental review of children's experiences.

<sup>&</sup>lt;sup>28</sup> The Independent Review of Children's Social Care, <u>The Case for Change</u>, last accessed 3 May 2023.

<sup>&</sup>lt;sup>29</sup> The Independent Review of Children's Social Care, <u>Evidence</u>, last accessed 3 May 2023.

<sup>&</sup>lt;sup>30</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022.

<sup>&</sup>lt;sup>31</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p8.

<sup>&</sup>lt;sup>32</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p8.

<sup>&</sup>lt;sup>33</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, pp11-12.

#### **Early help**

The report recommended that a new category of Family Help should replace existing "targeted early help" and "children in need" work.<sup>34</sup> This would, it said, bring "the flexible, non-stigmatising approach at early help to a wider group of families."<sup>35</sup> Multidisciplinary Family Help teams would be based in community settings like schools and family hubs and the service offered would be "tailored to meet neighbourhood needs."<sup>36</sup>

The report additionally recommended:

- Eligibility for Family Help should be set out in sufficient detail nationally to give a more consistent understanding of who should receive it while allowing enough flexibility to respond to local needs.<sup>37</sup>
- The Government should invest around £2 billion to implement the Family Help reforms. Longer-term, funding for Family Help should be ringfenced to ensure investment is sustained.<sup>38</sup>
- The Government should consider legislating to put Family Help teams on a statutory footing.<sup>39</sup>

#### **Child protection**

The report suggested its wider system reforms – including around the workforce (see below) – would improve the system of child protection. It also recommended that all cases involving significant harm to a child should be co-worked by an expert child protection practitioner, who would be responsible for making key decisions. In the future, social workers would need to have passed a five-year early career framework to undertake this role.<sup>40</sup>

To boost parental engagement, the report said parents should have representation and support to help navigate the child protection process, and there should be more transparency about decisions of the family courts.<sup>41</sup>

#### **Kinship care**

The report said kinship carers "are a silent and unheard majority in the children's social care system and they need far greater recognition, and support."<sup>42</sup>

<sup>&</sup>lt;sup>34</sup> Information on the current system of "early help" and "children in need" is provided in chapter 1 of the statutory guidance, <u>Working Together to Safeguard Children</u>.

<sup>&</sup>lt;sup>35</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p35.

<sup>&</sup>lt;sup>36</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p8.

<sup>&</sup>lt;sup>37</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p38.

<sup>&</sup>lt;sup>38</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p56.

<sup>&</sup>lt;sup>39</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p58.

<sup>&</sup>lt;sup>40</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p72.

<sup>&</sup>lt;sup>41</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p9.

<sup>&</sup>lt;sup>42</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p9.

Its recommendations included:

- The Government should introduce legislation making the use of family group decisions mandatory so that "a family led alternative plan for taking care of the child can be considered before a Care Order is presented by the local authority to the court." In some cases this should lead to a 'Family Network Plan' where the family members are supported to care for the child.<sup>43</sup>
- Local authorities should make a financial allowance paid at the same rate as their fostering allowance available for special guardians and kinship carers with a Child Arrangements Order looking after children who would otherwise be in care.<sup>44</sup>
- Legal aid should be provided in a range of circumstances where kinship carers interact with the family courts.<sup>45</sup> From 1 May 2023, legal aid was extended to extended family members applying for Special Guardianship Orders through the courts.<sup>46</sup>
- All new special guardians and kinship carers with a Child Arrangements Order should be given kinship leave matching the entitlement given to adopters.<sup>47</sup>
- The Government should develop a legal definition of kinship care.<sup>48</sup>

#### The care market

The report said the focus when finding homes for children in care must be "putting relationships around them that are loving and lasting. Providing care for children should not be based on profit." It argued that "the current system is a long way from these principles and ambitions being realised."<sup>49</sup>

It recommended that new regional care cooperatives should take on responsibility for the creation and running of all new public sector fostering, residential and secure care in a region, as well as commissioning all not-forprofit and private sector care for children.

The report's other recommendations included:

• A windfall tax should be levied on profits made by the largest children's home providers and independent fostering agencies.<sup>50</sup>

<sup>&</sup>lt;sup>43</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, pp9 and 99.

<sup>&</sup>lt;sup>44</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p106.

<sup>&</sup>lt;sup>45</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p106.

<sup>&</sup>lt;sup>46</sup> Ministry of Justice, <u>Family members taking on vulnerable children to receive better legal support</u>, 1 May 2023.

<sup>&</sup>lt;sup>47</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p107.

<sup>&</sup>lt;sup>48</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p108.

<sup>&</sup>lt;sup>49</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p10.

<sup>&</sup>lt;sup>50</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, pp129-130.

- Ofsted should be given new powers to oversee and intervene in the children's social care market.<sup>51</sup>
- The Department for Education should launch a national foster carer recruitment campaign to recruit 9,000 additional foster carers.<sup>52</sup>
- The current <u>Independent Reviewing Officer</u> and Independent Visitor Roles should be replaced with independent high-quality advocacy for children in care.<sup>53</sup>

#### **Care experience**

The report said the "disadvantage faced by the care experienced community should be the civil rights issue of our time." Children in care, it added, "are powerless, are often invisible and they face some of the greatest inequalities that exist in England today."<sup>54</sup>

The report set "five ambitious missions" to "focus collective effort to achieve dramatic change for this community":

- 1. no young person should leave care without at least two loving relationships, by 2027
- 2. double the proportion of care leavers attending university, and particularly high tariff universities, by 2026
- 3. create at least 3,500 new well-paid jobs and apprenticeships for care leavers each year, by 2026
- 4. reduce care experience homelessness now, before ending it entirely
- 5. to increase the life expectancy of care experienced people, by narrowing health inequalities with the wider population.<sup>55</sup>

Its recommendations included:

- The Government should make care experience a protected characteristic.<sup>56</sup>
- The Government should issue statutory guidance to local authorities setting out the priority that should be afforded to care experienced adults in accessing local services such as social housing.<sup>57</sup>

<sup>&</sup>lt;sup>51</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p130.

<sup>&</sup>lt;sup>52</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p134.

<sup>&</sup>lt;sup>53</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p142.

<sup>&</sup>lt;sup>54</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p145.

<sup>&</sup>lt;sup>55</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p144-145.

<sup>&</sup>lt;sup>56</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, pp145-148.

<sup>&</sup>lt;sup>57</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p148.

 A new lifelong guardianship order should be created, allowing a care experienced person and an adult who loves them to form a lifelong legal bond.<sup>58</sup>

#### The social care workforce

The report said professional development for social workers should be "vastly improved with training and development which provides progression through a five-year early career framework linked to national pay scales." It added that this would "provide a desirable career pathway to remain in practice, specialise and be rewarded through higher pay that reflects expertise."<sup>59</sup>

The report also highlighted a need to "identify and remove the barriers which needlessly divert social workers from spending time with children and families." This, it said, needs to include "action on improving case management systems, reducing repetitive administrative tasks which do not add value and embedding multidisciplinary teams at the heart of local communities who can deliver, not just commission, the help that is needed."<sup>60</sup>

The report's other recommendations included:

- The Government should introduce new national rules on the use of social work agencies.<sup>61</sup>
- The Government should produce a knowledge and skills statement for family support workers; appoint Social Work England to set standards and regulate residential children's home managers; and fund a new leadership programme that could train up to 700 new managers in the next five years.<sup>62</sup>

#### Implementation and funding

The report said its recommendations should be "delivered at pace and with determination through a single five-year reform programme." It recommended a reform board should be established to drive the programme, which should report quarterly on progress.

Achieving whole system reform, the report said, would require £2.6 billion of new spending over four years, comprising £46 million in year one, £987 million in year two, £1.257 billion in year three and £233 million in year four.<sup>63</sup>

The report also recommended the Government should establish a national data and technology taskforce to coordinate local authority and national action to achieve progress on the use of data and technology. It said the taskforce should support three priority areas: "to achieve frictionless data

<sup>&</sup>lt;sup>58</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p156.

<sup>&</sup>lt;sup>59</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, pp184-186.

<sup>&</sup>lt;sup>60</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p11.

<sup>&</sup>lt;sup>61</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p191.

<sup>&</sup>lt;sup>62</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p191.

<sup>&</sup>lt;sup>63</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p12.

sharing by 2027, drastically reduce the time social workers spend on case recording and improve the use and collection of data locally."64

### 1 Independent Inquiry into Child Sexual Abuse

Another major report relevant to children's social care was the final report of the Independent Inquiry into Child Sexual Abuse, which was published on 20 October 2022.<sup>65</sup> The Government published its response to the report on 22 May 2023.66

One of the report's central recommendations was for the introduction of a mandatory duty to report child sexual abuse. The Government has committed to implementing this, subject to consultation, and launched a call for evidence on 22 May 2023.<sup>67</sup> Further information is available in the Library briefing: Duties to report child abuse in England.68

#### Competition and Markets Authority report 2.2

In March 2021, the Competition and Markets Authority (CMA) launched a market study to examine "the lack of availability and increasing costs in children's social care provision, including children's homes and fostering." The study covered England, Scotland and Wales.<sup>69</sup>

After publishing an interim report in October 2021, the CMA published its final report on 10 March 2022.<sup>70</sup> The report concluded that "there are significant problems in how the placements market is functioning, particularly in England and Wales", including:

A lack of placements means children are "not consistently getting access to care and accommodation that meets their needs."

<sup>&</sup>lt;sup>64</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p222 and 244.

<sup>65</sup> Independent Inquiry into Child Sexual Abuse, The Report of the Independent Inquiry into Child Sexual Abuse, October 2022.

Home Office, Response to the final report of the Independent Inquiry into Child Sexual Abuse, 22 May 66 2023.

<sup>&</sup>lt;sup>67</sup> Home Office, <u>New measures to tackle child sexual abuse</u>, 3 April 2023; Home Office, <u>Mandatory</u> reporting of child sexual abuse, 22 May 2023.

<sup>&</sup>lt;sup>68</sup> Commons Library briefing CBP-6793, <u>Duties to report child abuse in England</u>.

<sup>&</sup>lt;sup>69</sup> Competition and Markets Authority, <u>CMA launches study of children's social care provision</u>, 12 March 2021.

Competition and Markets Authority, Children's social care market study interim report, 22 October 2022; Competition and Markets Authority, Children's social care market study: final report, 10 March 2022.

- The largest providers "are making materially higher profits, and charging materially higher prices" than would be expected if the market were functioning effectively.
- Some of the largest providers are carrying very high levels of debt, creating a risk that failure could disrupt placements for children.<sup>71</sup>

### Recommendations

The report said it was clear the market "will not improve without focused policy reform" and made recommendations setting out the broad types of reform needed. It said the detail of how to implement the reforms would be for individual governments to determine.<sup>72</sup>

The recommendations fell into three main categories:

- To improve commissioning by addressing the weak position of local authority commissioners when purchasing placements. The report recommended the Government should ensure there is a set of bodies to carry out collective market shaping and procurement activities, with each local authority required to participate in one.<sup>73</sup>
- To create capacity in the market. The report recommended the Government should review the regulation impacting on the placements market and should commission an annual state of the sector review.<sup>74</sup>
- To reduce the risk of children being negatively impacted by provider failure by improving market resilience. The report recommended the Government introduce a market oversight regime so that the risk of failure of the most difficult to replace providers is actively monitored. It said this could operate along similar lines to the Care Quality Commission's role in relation to adult social care.<sup>75</sup>

The report noted that some respondents had argued it was inappropriate to have for-profit providers operating in children's social care. The report said it regarded this as an issue "on which it is primarily for elected governments to take a view."<sup>76</sup> It added that evidence from regulatory inspections did not

<sup>&</sup>lt;sup>71</sup> Competition and Markets Authority, <u>Children's social care market study final report: England Summary</u>, 10 March 2022, para 4.

<sup>&</sup>lt;sup>72</sup> Competition and Markets Authority, <u>Children's social care market study final report: England Summary</u>, 10 March 2022, para 6.

<sup>&</sup>lt;sup>73</sup> Competition and Markets Authority, <u>Children's social care market study final report: England Summary</u>, 10 March 2022, paras 31-58.

<sup>&</sup>lt;sup>74</sup> Competition and Markets Authority, <u>Children's social care market study final report: England Summary</u>, 10 March 2022, paras 59-73.

<sup>&</sup>lt;sup>75</sup> Competition and Markets Authority, <u>Children's social care market study final report: England Summary</u>, 10 March 2022, paras 74-85.

<sup>&</sup>lt;sup>76</sup> Competition and Markets Authority, <u>Children's social care market study final report: England Summary</u>, 10 March 2022, para 26.

indicate that private provision is lower quality, on average, than local authority provision.

In addition, it said, the cost to local authorities of providing their own children's home placements is no lower than procuring placements from private providers. However, the report said there is evidence that local authorities could provide some fostering placements more cheaply than purchasing them from independent fostering agencies.77

#### Safeguarding Practice Review Panel report 2.3

On 26 May 2022, the Child Safeguarding Practice Review Panel published the report of its review into the murders of Arthur Labinio-Hughes and Star Hobson.<sup>78</sup> The report argued it was clear the issues affecting practice in Arthur and Star's cases were not local but national, and highlighted two important factors about child protection in England:

- Multi-agency arrangements for protecting children are more fractured and fragmented than they should be. The report suggested this sometimes prevents professionals from having a clear picture of what is happening to a child and their family, as their story is often held by multiple people in multiple places.
- There has been insufficient attention to, and investment in, securing the specialist multi-agency expertise required for undertaking investigations and responses to significant harm from abuse and neglect.<sup>79</sup>

The report recommended multi-agency child protection units – integrated and co-located multi-agency teams staffed by experienced child protection professionals - should be established in every local authority area. It added that this "will see the key child protection agencies of the police, health and social care working together seamlessly as a single team."80

The Panel said its other recommendations, outlined in chapter 13 of the report, were aimed at enabling the new multi-agency child protection units to deliver excellent practice.<sup>81</sup>

Competition and Markets Authority, Children's social care market study final report: England Summary, 10 March 2022, paras 27-28.

<sup>&</sup>lt;sup>78</sup> The Child Safeguarding Practice Review Panel, <u>Child Protection in England: National review into the</u> murders of Arthur Labinio-Hughes and Star Hobson, 26 May 2022.

<sup>&</sup>lt;sup>79</sup> The Child Safeguarding Practice Review Panel, <u>Child Protection in England: National review into the</u> murders of Arthur Labinjo-Hughes and Star Hobson, 26 May 2022, pp9-10 and 98.

<sup>&</sup>lt;sup>80</sup> The Child Safeguarding Practice Review Panel, Child Protection in England: National review into the murders of Arthur Labinjo-Hughes and Star Hobson, 26 May 2022, p11.

The Child Safeguarding Practice Review Panel, Child Protection in England: National review into the murders of Arthur Labinjo-Hughes and Star Hobson, 26 May 2022, p11 and pp98-118.

# Government consultation and implementation strategy

# 3.1 Initial Government response

3

The then Children's Minister, <u>Will Quince, provided an initial response</u> to the Independent Review of Children's Social Care and the Competition and Markets Authority's (CMA) report in an oral statement on 23 May 2022. The Government would, he said, publish a full response and implementation strategy by the end of 2022.<sup>82</sup>

The Minister said he would establish a national implementation board to advise on the implementation of reforms.<sup>83</sup> Membership of the board was confirmed on 31 October 2022.<sup>84</sup>

The statement also said the Government would:

- Develop a national children's social care framework and would set out further detail later in 2022.
- Set out plans to refocus the support social workers get early on.
- Follow the review's recommendation for a data and technology taskforce (see above) by introducing a new digital and data solutions fund "to help local authorities improve delivery for children and families through technology."
- Prioritise working with local authorities to recruit more foster carers, building towards a national recruitment campaign.<sup>85</sup>

Further information was provided in a press release published by the Department for Education: <u>Fundamental shift in children's social care set</u> out.<sup>86</sup>

An <u>initial response to the Child Safeguarding Practice Review Panel's report</u> was provided by the then Education Secretary, Nadhim Zahawi, in a written ministerial statement on 26 May 2022.<sup>87</sup> He said the Government would

<sup>&</sup>lt;sup>82</sup> <u>HC Deb 23 May 2022, c32</u>.

<sup>&</sup>lt;sup>83</sup> <u>HC Deb 23 May 2022, c32</u>.

<sup>&</sup>lt;sup>84</sup> Department for Education, <u>Children's Social Care National Implementation Board</u>, 31 October 2022.

<sup>&</sup>lt;sup>85</sup> <u>HC Deb 23 May 2022, c33.</u>

<sup>&</sup>lt;sup>86</sup> Department for Education, <u>Fundamental shift in children's social care set out</u>, 23 May 2022.

<sup>&</sup>lt;sup>87</sup> <u>HC Deb 26 May 2022, cc24-26WS</u>.

consider the report's recommendations, along with those of the independent review, and would respond by the end of 2022.<sup>88</sup>

3.2

# Government consultation and implementation strategy

On 2 February 2023, the Government published its implementation strategy and consultation on children's social care reform, <u>Stable Homes, Built on Love</u> (referred to below as "the strategy").<sup>89</sup> This forms the Government's response to the Independent Review of Children's Social Care, and the reports from the CMA and the Child Safeguarding Practice Review Panel. The consultation closed on 11 May 2023.

The strategy says the Government agrees with the problem analysis and vision for change presented by the three reports and says children's social care needs to be rebalanced "away from costly crisis intervention to more meaningful and effective help for families."<sup>90</sup>

It says the Government will reform in phases:

- Over the next two years, the Government will invest £200 million "addressing urgent issues facing children and families now, laying the foundations for whole system reform and setting national direction for change."
- After two years, the Government will refresh the strategy, scale up the approaches tested and bring forward new legislation, subject to parliamentary time. Activity in the later phases will be about "embedding reform everywhere".<sup>91</sup>

The strategy sets out reforms across six areas, which are briefly summarised below.

### **Family Help**

Noting that "there is too much variation in the amount and quality of help families receive", the strategy says the Government wants "every area in

<sup>88</sup> HC Deb 26 May 2022, c26WS.

<sup>&</sup>lt;sup>89</sup> Department for Education, <u>Children's social care: stable homes, built on love</u>, 2 February 2023.

<sup>&</sup>lt;sup>90</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p16.

<sup>&</sup>lt;sup>91</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp16 and 142.

England to provide families with supportive and welcoming Family Help services, delivered by a skilled multi-disciplinary workforce."<sup>92</sup>

Family Help will provide "intensive multi-disciplinary support" to families facing significant challenges in a non-stigmatising way, and will bring in wider family networks at the earliest opportunity.<sup>93</sup> It will, the strategy says, simplify how support is provided by becoming "a single service that removes the distinction between "targeted early help" and children in need.<sup>94</sup>

Family Help teams will include social workers and family support workers alongside specialist workers able to assist with issues such as mental health and domestic abuse.<sup>95</sup>

Family Help Workers will be practitioners from a range of professional backgrounds who work in the Family Help service as case-holders working with children and families. By summer 2024, the Government will publish a knowledge and skills statement for family help workers, which will set out a common framework of the skills and knowledge required to do the job.<sup>96</sup>

In addition, the Government will consult in spring 2023 on enabling a broader range of practitioners to be case holders by removing the requirement for social workers to lead in child in need cases.<sup>97</sup>

#### **Families First for Children Pathfinder**

The Government will, the strategy says, provide over £45 million to launch a Families First for Children Pathfinder, to implement the new model of Family Help in up to 12 local areas over the next two years. The strategy says this will help the Government learn how best to rollout the reforms nationally and will provide evidence to make changes to national guidance and legislation.<sup>98</sup> This will include whether to place Family Help teams on a statutory footing as recommended by the Care Review.<sup>99</sup>

<sup>&</sup>lt;sup>92</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp16-17.

<sup>&</sup>lt;sup>93</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p17.

<sup>&</sup>lt;sup>94</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, p33.

<sup>&</sup>lt;sup>95</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, pp42 and 46.

<sup>&</sup>lt;sup>96</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, p47.

<sup>&</sup>lt;sup>37</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp17 and 46-47.

Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp17 and 43-45.

<sup>&</sup>lt;sup>99</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p45.

The first wave of pathfinders will be launched in September 2023 in three areas, with up to nine more areas in the second year.<sup>100</sup>

#### Support for disabled children

The strategy notes concerns about the difficulties families face trying to access support for disabled children and makes several commitments "to strengthen and improve" the support provided.<sup>101</sup>

It also says the Government will work with the Law Commission to review the legislation on providing help to disabled children and their families.<sup>102</sup> In April 2023, the Department for Education asked the Law Commission to conduct this review and the commission is considering the request.<sup>103</sup>

### **Child protection**

The strategy says there is too often a "fragmented understanding of what life is like for children and an episodic approach to help and protection."<sup>104</sup> The Government, it says, wants agencies "working together in a much more integrated way, and social workers with the highest levels of knowledge and skills leading child protection work."<sup>105</sup>

The strategy says the Families First for Children Pathfinder (see above) will be used to implement changes to front-line child protection practice. This will include:

- Testing a new child protection lead practitioner role, under which social workers with greater expertise and experience carry out front-line child protection work.<sup>106</sup>
- Specific child protection functions, such as section 47 enquiries and oversight of child protection plans, being led by a group of multi-agency practitioners from local authorities, police and health working as a team on a day-to-day basis. It adds practitioners from across agencies should be able to access this for expert advice when they need it.<sup>107</sup>

<sup>&</sup>lt;sup>100</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>; <u>Children's Social Care Reform 2023</u>, February 2023, p44.

<sup>&</sup>lt;sup>101</sup> Department for Education<u>, Stable Homes</u>, Built on Love: Implementation Strategy and Consultation: Children's Social Care Reform 2023, February 2023, p26.

<sup>&</sup>lt;sup>102</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p17.

Law Commission, <u>Law Commission invited to review legislation on social care for disabled children</u>,
 20 April 2023.

<sup>&</sup>lt;sup>104</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p17.

<sup>&</sup>lt;sup>105</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p17.

<sup>&</sup>lt;sup>106</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p64.

<sup>&</sup>lt;sup>107</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: Implementation <u>Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p64.

In addition, the Government will consult on an update to the Working Together to Safeguard Children statutory guidance in Spring 2023 and will publish an update by the end of the year. As part of this, the Government will consult on new national multi-agency child protection standards, which will "set the principles for how partners work effectively and consistently together to identify and protect children and young people".<sup>108</sup>

The Government will also report to Parliament by summer 2023 setting out ways to improve information sharing between safeguarding partners. The report will include an exploration of the use of a consistent child identifier so that information about children can be linked and shared across organisations. The report will, in part, be informed by two local authority projects funded by the Data and Digital Solutions Fund (see section 3.1 above).<sup>109</sup>

Other proposals on child protection include:

- The update to the Working Together statutory guidance will clarify the roles and responsibilities of the three safeguarding partners (local authorities, health and police). It will also look at how to strengthen the role of education in multi-agency safeguarding arrangements, including whether it should be made a fourth safeguarding partner.<sup>110</sup>
- The Government will focus on tackling delays in the family courts, with the ambition of "getting back to the 26-week requirement for public law proceedings."<sup>111</sup>

### **Family networks**

Family networks, the strategy says, can play an invaluable role in supporting families and can offer an alternative to a child becoming looked after and living with strangers. However, not enough is currently done to involve family networks in decision making for children.<sup>112</sup>

The strategy sets out reforms aimed at "unlock[ing] the potential of family networks" and creating "a culture of "family first" that prioritises family-led solutions."<sup>113</sup>

<sup>&</sup>lt;sup>108</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp18 and 66.

<sup>&</sup>lt;sup>109</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p67.

<sup>&</sup>lt;sup>110</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp18 and 71-72.

Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp18 and 73-74.

<sup>&</sup>lt;sup>112</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p18.

<sup>&</sup>lt;sup>113</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: Implementation <u>Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp18 and 75.

The 12 Families First for Children Pathfinders (see above) will test how to implement family group decision-making, such as family-group conferences, at an early stage. In addition, starting from spring 2023, seven areas will test providing Family Network Support Packages (a re-naming of the care review's suggested Family Network Plans).<sup>114</sup>

#### **Kinship care**

The strategy says kinship care has "not received sufficient national policy attention" and, "even where children are in kinship care arrangements, too little support is given to extended family members who play a caring role for their young relatives."<sup>115</sup>

It says the Government will:

- Provide £9 million for a training and support offer which all kinship carers will be able to access by the end of the Parliament.<sup>116</sup>
- Explore the case for mandating a financial allowance for kinship carers with a Special Guardianship Order or Child Arrangement Order.<sup>117</sup>
- Publish a national kinship care strategy by the end of 2023, which will set out plans to better support children and carers. It will also, the strategy says, allow the Government to update on its exploration of financial allowances.<sup>118</sup>

### Children in care and care leavers

The strategy says the way homes are currently planned, commissioned and provided for children in care is not working, with the result that children "are living far from where they would call home in the wrong type of home for what they need."<sup>119</sup> It adds that when children leave care they "face barriers to having a stable home, a good job, strong relationships and good health."<sup>120</sup>

The strategy says the Government will track progress across six key missions and sets out the actions it will take under each over the next two years.

<sup>&</sup>lt;sup>114</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, pp18 and 79; <u>DfE care review response: key</u> <u>points</u>, Community Care, 7 February 2023.

<sup>&</sup>lt;sup>115</sup> Department for Education<u>, Stable Homes</u>, Built on Love: Implementation Strategy and Consultation: Children's Social Care Reform 2023, February 2023, p77.

<sup>&</sup>lt;sup>116</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp19, 75 and 81.

<sup>&</sup>lt;sup>117</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: Implementation Strategy and Consultation: <u>Children's Social Care Reform 2023</u>, February 2023, p81.

<sup>&</sup>lt;sup>118</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp19 and 83-84.

<sup>&</sup>lt;sup>119</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p19.

<sup>&</sup>lt;sup>120</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p19.

# Mission 1: By 2027, every care-experienced child and young person will feel they have strong, loving relationships in place.

The strategy says the Government will:

- Provide £30 million over the next two years to "significantly increase" the number of local authorities with family finding, befriending and mentoring programmes. The strategy explains these programmes "help children in care and care leavers to identify and connect with important people in their lives and create new relationships."<sup>121</sup>
- Assess levels of interest in introducing a way for care-experienced people to legally formalise a lifelong bond with someone such as a former foster carer or family friend.<sup>122</sup>

The Government rejected the Care Review's proposal to abolish the independent reviewing officer role, and instead proposes to review the effectiveness of the role.<sup>123</sup> This recommendation had been the subject of opposition from social work bodies and charities.<sup>124</sup>

# Mission 2: By 2027, we will see an increase in high-quality, stable and loving homes available for every child in care local to where they are from.

The strategy says the Government will:

- Test the use of regional care cooperatives (regional groupings of local authorities) to plan, commission and deliver care places in two regional pathfinders, with a view to rolling out after evaluation.<sup>125</sup>
- Work with Ofsted and the sector to develop plans for a financial oversight regime, which will cover the largest providers of children's homes and fostering agencies.<sup>126</sup>
- Invest £3 million to deliver an initial fostering recruitment and retention programme in the North East. The programme will be expanded from 2023, with an additional £24 million provided.<sup>127</sup> In April 2023, it was

<sup>&</sup>lt;sup>121</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp20 and 94.

<sup>&</sup>lt;sup>122</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p96.

<sup>&</sup>lt;sup>123</sup> Department for Education, <u>Stable Homes, Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, p96; <u>Independent reviewing officer role saved in</u> <u>DfE care review response</u>, Community Care, 2 February 2023.

<sup>&</sup>lt;sup>124</sup> Independent reviewing officer role saved in DfE care review response, Community Care, 2 February 2023.

<sup>&</sup>lt;sup>125</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp19 and 102-106.

<sup>&</sup>lt;sup>126</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp19 and 101.

<sup>&</sup>lt;sup>127</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp19 and 97-98.

reported the Department for Education had issued a tender for a delivery partner to run the programme.<sup>128</sup>

- Develop a programme to support improvements in the quality of leadership and management in the children's homes sector, which will include exploring proposals for professional registration of the residential childcare workforce.<sup>129</sup>
- Set up an expert group to review all existing legislation and regulation and to develop a core set of standards for fostering, children's homes and supported accommodation. The group first met in November 2022. The Government will consult as necessary in autumn 2023, with a view to updating legislation subject to parliamentary time.<sup>130</sup>

# Mission 3: By 2027, we will strengthen and extend corporate parenting responsibilities towards children in care and care leavers across the public sector.

The strategy says the Government will strengthen the principles of corporate parenting towards children in care and care leavers and consider which additional bodies the principles should be extended to. The Government will consult on the plans as necessary in autumn 2023 and bring forward legislation when parliamentary time allows.<sup>131</sup>

It also says the Department for Education will work with other government departments and the private sector to explore how additional support can be provided to care leavers "across all aspects of their lives", including, for example, help with transport costs.<sup>132</sup>

# Mission 4: By 2027, we will see an improvement in the education, employment and training outcomes of children in care and care leavers.

The strategy says the Government will create opportunities for children in care and care leavers to achieve their potential through education, employment and training, using Virtual School Heads and Pupil Premium Plus funding. It adds that the Government will boost the Care Leaver Covenant and the rate of the apprenticeship care leavers' bursary.<sup>133</sup>

<sup>&</sup>lt;sup>128</sup> Children and Young People Now, <u>DfE offers £1m contract to run foster care campaign</u>, 17 April 2023.

<sup>&</sup>lt;sup>129</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp19 and 100.

<sup>&</sup>lt;sup>130</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp20 and 100.

<sup>&</sup>lt;sup>131</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp20 and 106-108.

<sup>&</sup>lt;sup>132</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp20 and 108.

<sup>&</sup>lt;sup>133</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p20.

The Government rejected the Care Review's recommendation that care experience become a protected characteristic, highlighting concerns that self-declaration of care experience could increase stigma.<sup>134</sup>

# Mission 5: By 2027, we will see an increase in the number of care leavers in safe, suitable accommodation and reduce care leaver homelessness.

The strategy says the Government will have a universal offer of wrap-around support and accommodation for all care leavers. It also says the Government will:

- Increase the leaving care allowance from £2,000 to £3,000 from April 2023.
- "Uphold and strengthen" the <u>Staying Put</u> and <u>Staying Close</u> offers, including bringing forward legislation for Staying Close to be a national entitlement.<sup>135</sup>

# Mission 6: We will work closely with health partners to reduce the disparities in the long-term mental and physical outcomes of care-experienced people.<sup>136</sup>

The strategy says the Government will take actions to decrease mental health and physical health disparities and increase life expectancy for children in care and care leavers, including building social workers' understanding and skills to respond to children's mental health needs.<sup>137</sup>

### Children's social care workforce

The strategy says the social care workforce is "under pressure, with rising vacancy rates, increasing use of agency social workers and too few experienced social workers."<sup>138</sup>

It sets out plans for the establishment of an early career framework (ECF) for social workers, as recommended by the Care Review, which will "give child and family social workers two years of consistent, high-quality support and development." The Government will also look at establishing an "expert practitioner" level of the ECF for years three to five. The Government will work with early adopter local authorities from spring 2023 to design the ECF, and

<sup>&</sup>lt;sup>134</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p196.

<sup>&</sup>lt;sup>135</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp20 and 112-113.

<sup>&</sup>lt;sup>136</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p93.

<sup>&</sup>lt;sup>137</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p20.

<sup>&</sup>lt;sup>138</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p20.

will consult on a draft framework from autumn 2023. It will explore how the ECF can be rolled out fully from September 2026.<sup>139</sup>

The strategy also sets out several proposals aimed at improving social worker sufficiency, including:

- Exploring ways to support the recruitment of up to 500 additional child and family social worker apprentices nationally.<sup>140</sup>
- Supporting local authorities to improve the retention of social workers, including by improving working conditions and tackling workload pressures. This will include the creation of a national virtual hub to identify and spread best practice to retain social workers. The Government will also set up a national workload action group which will be asked to identify and address unnecessary workload pressures.<sup>141</sup>
- Reducing the cost and reliance on agency social workers.<sup>142</sup> The Government <u>published a consultation on whether to set national rules on</u> <u>agency usage</u>, including potential price caps, alongside the strategy. The consultation closed on 11 May 2023.<sup>143</sup>

The strategy notes the Care Review's recommendation for national pay scales for social workers but says the Government does not intend to do this. Nationalising child and family social worker pay, it says, "may be destabilising to councils without having the desired effects." It does, however, say the Government will take action to increase transparency on pay.<sup>144</sup>

The Government also rejected a recommendation from the Care Review that all registered social workers should spend 100 hours in direct work each year to remain close to practice.<sup>145</sup> While recognising the importance of leaders and academics staying close to front-line practice, the Government says it wants to ensure any changes "do not expose children and families to more changes of social worker or take mangers away from important tasks such as supervision."<sup>146</sup>

<sup>&</sup>lt;sup>139</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp21 and 121-122.

<sup>&</sup>lt;sup>140</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp21 and 124.

<sup>&</sup>lt;sup>141</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p21 and 124-125.

<sup>&</sup>lt;sup>142</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp21 and 128.

<sup>&</sup>lt;sup>143</sup> Department for Education, <u>Child and family social worker workforce</u>, 2 February 2023. For a summary see, <u>Agency social worker pay to be capped to that of permanent staff</u>, 3 February 2023.

<sup>&</sup>lt;sup>144</sup> Department for Education, <u>Stable Homes, Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, p127; <u>DfE backs early career framework but</u> <u>rejects national pay scales for children's social workers</u>, Community Care, 8 February 2023.

<sup>&</sup>lt;sup>145</sup> The Independent Review of Children's Social Care, <u>Final Report</u>, May 2022, p183.

<sup>&</sup>lt;sup>146</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p123.

### Sector improvement and data

The strategy recognises a need for the Government to provide clearer national direction on what children's social care should deliver. It also says the use of data is less developed than in other public services, such as the NHS.<sup>147</sup>

To provide national direction, the strategy says the Government will establish a Children's Social Care National Framework setting out the outcomes children's social care should deliver. The Framework will be issued as statutory guidance by the end of 2023.<sup>148</sup> Practice guides will also be produced setting out approaches for achieving the outcomes set out within the Framework.<sup>149</sup>

The Government will also establish a children's social care dashboard. By the end of the year, it will set out which indicators will form the dashboard and when these will start to be collected.<sup>150</sup>

### The Government published a <u>consultation on the proposed national</u> <u>framework and dashboard</u> alongside the strategy. The consultation closed on 11 May 2023.<sup>151</sup> It proposes the following four outcomes for children's social

- care:
  - 1. Children, young people and families stay together and get the help they need
  - 2. Children and young people are supported by their family network
  - 3. Children and young people are safe in and outside of their homes
  - 4. Children in care and care leavers have stable, loving homes

It also sets out two "enablers" that help social care achieve these outcomes:

- 5. The workforce is equipped and effective
- 6. Leaders drive conditions for effective practice.<sup>152</sup>

The strategy additionally says the Government will:

<sup>&</sup>lt;sup>147</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp131-132.

<sup>&</sup>lt;sup>148</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp135-136.

<sup>&</sup>lt;sup>149</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp21-22 and 137.

<sup>&</sup>lt;sup>150</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp21-22 and 136.

<sup>&</sup>lt;sup>151</sup> Department for Education, <u>Children's social care national framework and dashboard</u>, February 2023.

<sup>&</sup>lt;sup>152</sup> Department for Education, <u>Children's social care national framework and dashboard</u>, February 2023, p23.

- Publish a data strategy by the end of 2023, which will set out the Government's long-term plan for transforming data in children's social care.<sup>153</sup>
- Work to ensure inspection is aligned with the national framework.<sup>154</sup>
- Improve the evidence base around what works to effectively support "drifting authorities" (those which have received consecutive Requires Improvement judgements). An interventions policy will set out the escalation pathway.<sup>155</sup>
- Aim to update and consult on a new formula for children and young people's services funding provided to local authorities.<sup>156</sup>

<sup>&</sup>lt;sup>153</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love: Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, p22.

<sup>&</sup>lt;sup>154</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp22 and 138.

<sup>&</sup>lt;sup>155</sup> Department for Education, <u>Stable Homes</u>, <u>Built on Love</u>: <u>Implementation Strategy and Consultation</u>: <u>Children's Social Care Reform 2023</u>, February 2023, pp22 and 138-139.

<sup>&</sup>lt;sup>156</sup> Department for Education<u>, Stable Homes, Built on Love: Implementation Strategy and Consultation:</u> <u>Children's Social Care Reform 2023</u>, February 2023, pp22 and 141.

# Reaction and developments since February 2023

## 4.1 Debate in Parliament

4

### House of Commons debate

The Education Secretary, Gillian Keegan, made a <u>statement on the</u> <u>Government's strategy for children's social care</u> on 2 February 2023.<sup>157</sup> The Secretary of State outlined action the Government had already taken, including establishing a national implementation board, setting up a new child protection ministerial group, and launching the data and digital solutions fund (see section 3.1 above).

She said the Government's strategy "sets out a pathway towards fundamental, whole-system reform of children's social care", and was based on "six pillars of action":

We will provide the right support at the right time, so that children thrive within their families and families stay together through our family help offer. We will strengthen our child protection response by getting agencies to work together in a fully integrated way, led by social workers with greater skills and knowledge. We will unlock the potential of kinship care so that, wherever possible, children who cannot stay with their parents are cared for by people who know and love them already. We will reform the care system to make sure we have the right homes for children in the right places. We must be ambitious for children in care and care leavers, and provide them with the right support to help them thrive and achieve their potential into adulthood. We will provide a valued, supported and highly-skilled social worker for every child who needs one, and make sure the whole system continuously learns and improves and makes better use of evidence and data.<sup>158</sup>

The Shadow Children's Minister, Helen Hayes (Lab), said "while some additional funding is welcome, the strategy was "not the radical reset that the [Independent Review of Children's Social Care] demanded and that we need." She questioned how the proposed "piecemeal measures" would provide "transformative change".<sup>159</sup>

Munira Wilson (LD), Education Spokesperson for the Liberal Democrats, also argued that, while the Independent Review of Social Care called for a

<sup>&</sup>lt;sup>157</sup> <u>HC Deb 2 February 2023, cc483-485</u>.

<sup>&</sup>lt;sup>158</sup> <u>HC Deb 2 February 2023, c485</u>.

<sup>&</sup>lt;sup>159</sup> HC Deb 2 February 2023, c486.

fundamental reset, the Government's announcements were "a piecemeal approach" that "barely scratch the surface."<sup>160</sup>

In response, Gillian Keegan emphasised the strategy marks "the start of the journey, to lay the foundations for wider whole-system reform." She added that there were complex issues and the Government needed evidence to see what works.<sup>161</sup>

The Chair of the Education Committee, Robin Walker (Con), welcomed aspects of the strategy, including the proposed early career framework for social workers and the support for kinship carers. However, he urged the Government to use the kinship care strategy to ensure kinship carers have greater legal status.<sup>162</sup>

### House of Lords debate

The statement setting out the Government's strategy was <u>debated in the</u> House of Lords on 8 February 2023.<sup>163</sup>

Baroness Chapman (Lab), then Labour's education spokesperson in the Lords, said the Government's plans are "not the radical reset that we need" and there was "insufficient vision for the direction of children's social care." Baroness Chapman added that the "lack of a sustainable workforce plan" constituted "the gaping hole in the reforms".<sup>164</sup>

Baroness Tyler of Enfield (LD) welcomed several aspects of the Government's plans including the trialling of new family help teams and the proposal to extend corporate parenting responsibilities to more public bodies. However, she said the strategy "does not address the urgency of the crisis that vulnerable children face."<sup>165</sup>

The Parliamentary Under-Secretary of State, Baroness Barran, said the Government's reforms are radical but it has chosen a "test and learn" approach so it can be confident that they will work.<sup>166</sup> Baroness Barran also responded to concerns that the funding committed was less than that recommended by the Independent Review of Children's Social Care:

> I think it is important that we do not compare apples and pears. Josh MacAlister's review was for a five-year period and national implementation, and he recommended £2.6 billion of investment. We have announced, at this point, £200 million over two years, with a focus on pathfinders principally in those 12 areas that I referred to, although there will be two regional care co-

<sup>&</sup>lt;sup>160</sup> <u>HC Deb 2 February 2023, c490</u>.

<sup>&</sup>lt;sup>161</sup> <u>HC Deb 2 February 2023, c487.</u>

<sup>&</sup>lt;sup>162</sup> HC Deb 2 February 2023, c487.

<sup>&</sup>lt;sup>163</sup> <u>HL Deb 8 February 2023, cc1226-1238</u>.

<sup>&</sup>lt;sup>164</sup> <u>HL Deb 8 February 2023, c1229</u>.

<sup>&</sup>lt;sup>165</sup> <u>HL Deb 8 February 2023, c1230</u>.

<sup>&</sup>lt;sup>166</sup> <u>HL Deb 8 February 2023, c1231</u>.

operatives and seven additional specific pathfinders in relation to kinship care. So, we are not comparing the same things there.<sup>167</sup>

She added that if the 12 pathfinders were successful, the Government "will be able to scale up and review the funding that is required at that time."<sup>168</sup>

## 4.2 Other commentary

### **Local Government Association**

The Local Government Association (LGA) said there was "much to welcome in the Government's children's social care reform strategy." It added that "a focus on earlier help, support that builds on the strengths within a child's wider family network, and greater ambition for our children in care and care leavers are all areas where we can make an enormous difference."

The LGA suggested some of the proposed reforms, such as regional care cooperatives "need a far stronger evidence base" and it was pleased the Government was "taking a cautious approach to these." It also said it would "have liked to see more focus on some of the issues that lead to more children and families needing support from children's social care, including financial deprivation and access to children's mental health support."<sup>169</sup>

While welcoming the additional £200 million of funding, the LGA noted it had estimated prior to high levels of inflation that £1.6 billion of extra funding was needed per year to maintain current service levels. It added that much of the extra funding will go to pathfinder areas meaning "children living in the vast majority of the country will not benefit from the additional funding that is desperately needed."<sup>170</sup>

### Association of Directors of Children's Services

The Association of Directors of Children's Services (ADCS) said there was much to welcome in the strategy, including the focus on providing earlier support, and addressing recruitment and retention issues amongst foster carers and social workers. It also supported the Government's decision to take a 'test and learn' approach to implementation.

ACDS said that, while regional care cooperatives "may offer part of the solution" to issues around children's placements, they "are unlikely to achieve

<sup>&</sup>lt;sup>167</sup> <u>HL Deb 8 February 2023, c1233</u>.

<sup>&</sup>lt;sup>168</sup> <u>HL Deb 8 February 2023, c1233</u>.

<sup>&</sup>lt;sup>169</sup> Local Government Association, <u>Children's social care reform: implementation strategy and consultation</u>, 3 February 2023.

<sup>&</sup>lt;sup>170</sup> Local Government Association, <u>Children's social care reform: implementation strategy and</u> <u>consultation</u>, 3 February 2023.

the desired results without a shift away from profiteering in the children's placement market."<sup>171</sup>

It also highlighted the need to get buy in from partners in health, schools and others to achieve real change.<sup>172</sup>

While ACDS welcomed the consultation on agency workers, it said the timeline for implementation was too long. It added that "bold efforts" from the Government were also needed "to tackle the recruitment and retention crisis we all face in public services."

It also noted that the level of funding beyond the next two years was uncertain.<sup>173</sup>

### **British Association of Social Workers**

The British Association of Social Workers (BASW) suggested the Government appeared "to have no clear and funded plan on how to retain social workers... and ensure their working conditions are fit for their role." It said a national recruitment strategy was needed "as well as a national review of their pay, terms, and conditions."<sup>174</sup>

BASW supported aspects of the strategy, including recognition of the role of foster carers, and support for kinship carers.

It also said, however, that the  $\pounds$ 200 million of funding over two years "falls short" of the  $\pounds$ 2.6 billion over four years recommended by the Care Review.<sup>175</sup>

### Others

Josh MacAlister, who led the Independent Review of Children's Social Care, said the Government's strategy "sets out the right direction" but "without a transformative whole system reset, outcomes for children and families will remain stubbornly poor." The Government must, he said, "go further and faster to reach the tipping point." Among other things, he suggested the Government needed to expand the rollout of family help "so that more areas across England can get access to reform and investment."<sup>176</sup>

<sup>&</sup>lt;sup>171</sup> Association of Directors of Children's Services, <u>ADCS response: Children's social care</u> implementation..., 2 February 2023.

<sup>&</sup>lt;sup>172</sup> Association of Directors of Children's Services, <u>ADCS response: Children's social care</u> implementation..., 2 February 2023.

<sup>&</sup>lt;sup>173</sup> Association of Directors of Children's Services, <u>ADCS response: child and family social worker</u> workforce..., 2 February 2023.

<sup>&</sup>lt;sup>174</sup> British Association of Social Workers, <u>BASW Statement on UK Government Strategy for Children's</u> <u>Social Care</u>, 2 February 2023.

<sup>&</sup>lt;sup>175</sup> British Association of Social Workers, <u>BASW Statement on UK Government Strategy for Children's</u> <u>Social Care</u>, 2 February 2023.

 <sup>&</sup>lt;sup>176</sup> Medium, <u>The right direction. Now let's go further and faster to transform Children' Social Care</u>, 1
 February 2023.

The children's charity, Action for Children, welcomed the Government's approach but said "greater investment will be needed to turn the system around." Without significant investment, it added, "the reforms won't deliver the transformational change government envisions." Among other things, Action for Children also suggested the Government should look at the legislation around early intervention "to set clearer expectations about the services local authorities should deliver."<sup>177</sup>

The charity, Family Rights Group, said the Government's strategy "presents a positive vision for a 'family-first' approach to children's social care" and it welcomed the commitment to a kinship care strategy. It added, however, that the "reforms and funding announced...fall alarmingly short of the scale of the crisis that is gripping children's social care."<sup>178</sup>

Children in care and young care leavers' charity, Become, suggested the Government had "set out an ambitious vision to put love and stability at the heart of children's social care, but their proposed implementation plan is lacking the urgent action and investment needed to make this vision a reality." It added that "the proposed small-scale pilots and limited resources will not bring the urgent change needed for children in the care system right now."<sup>179</sup>

The children's charity, Barnardo's, welcomed the Government's proposals "to improve support for children in the social care system" but expressed concern that the committed £200 million in funding "is too little to help address the current crisis in children's social care."<sup>180</sup>

On 23 May 2023, one year after the final review of the Independent Review of Children's Social Care was published, five children's charities – NSPCC, Action for Children, Barnardo's, The Children's Society, and the National Children's Bureau – published analysis suggesting the Government's decision to wait at least two years before implementing the reforms nationally will cost the public finances £1 billion over the next ten years. The analysis said the increased costs are largely the result of more children needing to be in care, "caused by a lack of comprehensive early support during the two-year delay."<sup>181</sup>

Action for Children, <u>Our response to the government's 'Stable Homes, Built on Love' consultation</u>, 10
 May 2023.

<sup>&</sup>lt;sup>178</sup> Family Rights Group<u>. Government's children's social care strategy provides warm words but fails to</u> <u>deliver for children and families</u>, 2 February 2023.

<sup>&</sup>lt;sup>179</sup> Become, <u>Press release: Government's response to the Care Review</u>, 2 February 2023.

<sup>&</sup>lt;sup>180</sup> Barnardo's, <u>Barnardo's responds to the Government's Care Review Strategy</u>, 2 February 2023.

<sup>&</sup>lt;sup>181</sup> NSPCC, <u>Government delay in reforming children's social care in England will cost taxpayers £1</u> <u>billion over 10 years</u>, 23 May 2023.

# 4.3 Lords Committee report

On 25 May 2023, the Lords Public Services Committee published <u>A response to</u> <u>the Children's Social Care Implementation Strategy</u>.<sup>182</sup> The report said "there is much to commend in the [Government's] strategy because in many key areas the direction is right." It added, however, that it "fails to deliver the radical reset that it needed. It lacks scale, ambition, and pace and for several years will have an impact in only a few areas, and then only as a pilot programme." There is also "no guarantee of long-term reform".<sup>183</sup>

The report also emphasised that successful implementation will require cross-departmental cooperation and political buy-in and recommended the Prime Minister's Delivery Unit should have responsibility for driving implementation.<sup>184</sup>

The report's other conclusions and recommendations included:

- The strategy's focus on stable, loving homes ignores the need for radical reform of residential homes. Action needs to be taken to raise standards.<sup>185</sup>
- The level of funding outlined in the strategy is "entirely inadequate and will ensure the Government will fail to achieve its vision for children's social care."<sup>186</sup>
- The approach to 'Family Help' "represents a step in the right direction." However, the decision to trial it in a small number of areas will "delay, well-evidenced reforms". The Government should examine which elements could be rolled out nationally ad provide funding to all local authorities to roll-out these policies.<sup>187</sup>
- The kinship care strategy should ensure sufficient financial support for kinship carers and additional funding should be allocated to local authorities to provide this. Legal definitions of 'kinship care' and 'kinship

 <sup>&</sup>lt;sup>182</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
 May 2023, HL Paper 201 2022-23.

 <sup>&</sup>lt;sup>183</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
 May 2023, HL Paper 201 2022-23, p3.

<sup>&</sup>lt;sup>184</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25 May 2023, HL Paper 201 2022-23, p9.

 <sup>&</sup>lt;sup>185</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
 May 2023, HL Paper 201 2022-23, p10.

 <sup>&</sup>lt;sup>186</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
 May 2023, HL Paper 201 2022-23, p11.

<sup>&</sup>lt;sup>187</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25 May 2023, HL Paper 201 2022-23, p17.

carers' should be set out in primary legislation so that families can access support.  $^{\mbox{\tiny 188}}$ 

- The aim to boost the number of foster carers is undermined by the failure to include targets or metrics in the strategy. The Department for Education should urgently set regional and national targets for foster carer recruitment and retention.<sup>189</sup>
- There is not enough in the strategy on recruiting additional staff. Without more ambitious recruitment targets, "the objectives of the Government's reforms will not be achieved."<sup>190</sup>
- Steps to maximise the amount of time staff spend directly supporting children are welcome. The Government should roll out workforce interventions nationally more rapidly.<sup>191</sup>
- The Committee was not convinced that regional care cooperatives will ensure more care placements and suggested alternative approaches should be explored. Steps should be taken to ensure a regional approach does not result in large providers wielding disproportionate influence. If the Government does decide to proceed with the roll-out of regional care cooperatives, this must be accompanied with a strong accountability regime.<sup>192</sup>

## 4.4 One-year update

On 23 May 2023, the Children's Minister, Claire Coutinho, gave <u>a written</u> <u>ministerial statement providing an update on progress</u> made in implementing the recommendations of the Independent Review of Children's Social Care. She said the Government:

- Has published its proposed national children's social care framework, consulted on it, and intend to issue it as statutory guidance by the end of 2023.
- Has begun the process of writing the framework document for the early career framework for child and family social workers, setting out the knowledge and skills social workers need at different stages. The

- <sup>189</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
  May 2023, HL Paper 201 2022-23, p25.
- <sup>190</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25 May 2023, HL Paper 201 2022-23, p27.
- <sup>191</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
  May 2023, HL Paper 201 2022-23, p28.
- <sup>192</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25 May 2023, HL Paper 201 2022-23, pp33-34.

 <sup>&</sup>lt;sup>188</sup> Public Services Committee, <u>A response to the Children's Social Care Implementation Strategy</u>, 25
 May 2023, HL Paper 201 2022-23, p22.

Government had, she added, recently invited local authorities to express an interest in becoming early adopters of the early career framework this year to help co-design it.

- Is working on plans in the north-east to test targeted regional communications campaigns to recruit foster carers.
- Has introduced a data and digital solutions fund to "help local authorities improve delivery for children and families through technology."
- Has set up a child protection ministerial group and established a national implementation board.

The Minister also noted that consultations on the Government's reform proposals closed in earlier in May 2023. She said a Government response will be published in September.<sup>193</sup>

Also on 23 May 2023, the Housing and Planning Minister, Rachel Maclean, issued a written ministerial statement reminding planning authorities that they should consider whether it is appropriate to include accommodation for children in need of social services care as part of their assessment of the types of housing needed for groups in the community. The statement added that planning authorities should be supportive of applications for all types of accommodation for looked-after children that reflect local needs.<sup>194</sup>

<sup>&</sup>lt;sup>193</sup> HCWS792 [Children's Social Care: Review and Reform], 23 May 2023.

<sup>&</sup>lt;sup>194</sup> HCWS795 [Looked-after Children: Accommodation], 23 May 2023.

### The House of Commons Library is a research and information service based in the UK Parliament. Our impartial analysis, statistical research and resources help MPs and their staff scrutinise legislation, develop policy, and support constituents.

Our published material is available to everyone on commonslibrary.parliament.uk.

Get our latest research delivered straight to your inbox. Subscribe at commonslibrary.parliament.uk/subscribe or scan the code below:





🥑 @commonslibrary