

**Name of meeting:** Children’s Scrutiny

**Date:** 20<sup>th</sup> March 2023

**Title of report:** Stable Homes Built on Love

**Purpose of report:** To provide an update on the Government’s response in February 2023 to the McCallister, National Care Review which was published in May 2022

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.</b>	<b>Not Applicable</b>
<b>Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)</u>?</b>	<b>No</b>  <b>Private Report/Private Appendix – No</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>No</b>  This is still in the consultation phase
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director for Finance?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Mel Meggs, Strategic Director</b>  <b>3<sup>rd</sup> March 2023</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Cllr Kendrick</b>

**Electoral wards affected:**

**Ward councillors consulted:**

**Public or private:**

**Has GDPR been considered?**

## 1. Summary

1.1 On 2 February 2023, the Department for Education issued its response to the Independent Review of Children’s Social Care, the Child Safeguarding Practice Review Panel’s inquiry into the murders of Star Hobson and Arthur Labinjo-Hughes and the Competition and Markets Authority’s study of the children’s social care market, in three consultation documents:

- An overarching strategy, [Stable Homes, Built on Love](#).
- [A report proposing reforms to agency social work](#).
- [A proposed national framework](#), setting standards and outcomes for children’s services.

1.2 The consultations close on 11th May, 2023 and the outcome will inform future planning within Childrens Services at both a Local and National level.

## 2. Information required to take a decision.

2.1 In response to the McCallister report of 2022 the Department of Education set out an initial response for a addressing a range of issues that impact on children’s Social Care Services. The following are the key areas they have covered as part of the consultation period.

2.2 **Funding:** The DfE has committed £200m in funding over two years. This is below what was recommended by the Care Review which called for £2.6bn over five years, with £1bn spent over the first two years. Although the £200m is welcomed it is acknowledged that this would on take the Review so far forward and further financial commitment would be required to fully embrace the changes recommended.

2.3 **Social Work Training and Development:** An early career framework will be established, replacing the ASYE (Assessed Year in Practice), as recommended by the review. Practitioners will be supported to develop, and be assessed against, the “skills and knowledge needed to support and protect vulnerable children”, and, in years three to five, to develop into “expert practitioners”. This will be tested by a group of early adopter councils with a view to full implementation in 2026.

2.4 **Social work recruitment:** The DfE will “explore ways to support the recruitment of up to 500 additional child and family social worker apprentices” to help tackle staff shortages, though it has not provided details on how this will happen and given the current National shortages of Social Workers, although welcomed in not seen to be immediate enough in addressing that issue.

2.5 **Agency social work:** The DfE has proposed bringing in national rules to reduce the cost and use of agency social workers in children’s services. This would include capping the rates local authorities pay so that agency staff receive the equivalent of permanent workers doing the same role, once benefits have been taken into account. This is proposed for the financial Year 2024 following further consultation and the Association of Directors have stated that this is not soon enough as Local Authorities are grappling with high levels of vacancies on a day-to-day basis.

- 2.6 **Social Worker Pay:** The DfE has rejected the Care Review recommendation for national pay scales for social workers on the grounds that this risked destabilising the local government pay system for insufficient benefit. But it has said that it wants greater transparency in what councils pay social workers in children’s services and wants to see existing inequalities in pay for particular roles reduced. In the Yorkshire and Humber Region work is being undertaken to understand the differences between pay scales and job roles. This sits alongside a Memorandum of Co-operation in relation to Agency Social Workers and agreed capped payments.
- 2.7 **Social Worker Registration:** The DfE has also rejected a Care Review proposal for all registered social workers, including managers and academics, to spend 100 hours in direct work each year to remain close to practice. It said it did not want to risk children facing more changes of practitioner or managers being drawn away from supervision.
- 2.8 **Family Help:** The DfE have confirmed that out of the £200m a figure of £45m will be allocated for up to 12 ‘families first for children pathfinder’ areas to trial the care review proposal to introduce multidisciplinary family help services, to provide “non-judgmental”, joined-up support for families affected by issues such as domestic abuse or poor mental health. This will bring together existing targeted early help and child in need services. As part of this, the DfE will consult on removing the requirement for social workers to lead Child in Need cases. This would require a change in Legislation Which would take away the Statutory requirements currently set against Child in Need under Sec 17 of the Children Act.
- 2.9 **Child Protection:** It has been proposed that child protection lead practitioners, who will have received “advanced specialist training”, will be appointed to lead safeguarding cases in the pathfinder areas, as called for by the Care Review. As recommended by the care review, they will co-work such cases with family help teams. In addition, the pathfinders will test the National Panel’s proposal to set up multi-agency teams consisting of Social Workers, Police Officers and Health professionals to carry out Child Protection work. The DfE will also consult on new multi-agency child protection standards as part of a review of *Working Together to Safeguard Children* in 2023.
- 2.10 **Independent Reviewing Officers and Child Protection Conference Chairs:** The DfE has rejected the care review’s proposal to abolish the independent reviewing officer role. Instead, it has proposed to review and strengthen it. The strategy did not reference the care review’s separate proposal to abolish the Child Protection Conference chair role. It is likely that this will be considered as part of the review of *Working Together to Safeguard Children* which is to be presented in Autumn 2023.
- 2.11 **Involving Family Networks:** The 12 pathfinders will test using family group decision-making, such as family group conferences, at an early stage to support parents minimise risks to children. In addition, seven areas will test providing family support network packages providing resources to help families care for children and avoid them going into care. This is an area of practice already well embedded within the work we do here in Kirklees which supports many children to remain either within their family or wider family networks. However as a learning

organisation we will take a keen interest in the findings of the pathfinder areas with a view to enhancing the good practice already in place.

- 2.12 **Kinship care:** A Kinship Care Strategy will be published in 2023 while £9m will be spent on improving training and support for kinship carers. The government will also explore the case for the care review's recommendations of a financial allowance and the extension of legal aid for those who become special guardians or responsible for children through child arrangements orders. Again, we are well positioned in Kirklees with regards to both the financial and practical support we afford our Kinship Carers. We will however consider the Strategy and any implications it might have and address them accordingly.
- 2.13 **Foster Care:** Of the £200m set aside for this work it has been agreed that £27m will be spent on a Carer Recruitment and Retention programme over the next two years focused on shortage areas, such as sibling groups, teenagers, unaccompanied children, parent and child placements and children who have suffered complex trauma. The Care Review called for the recruitment of 9,000 carers over three years. In addition, Foster Carers will receive an above-inflation rise in minimum allowances to deal with rising costs. This proposal aligns with the work currently being undertaken in Kirklees in respect of our whole Sufficiency Strategy.
- 2.14 **Commissioning Care Placements:** The DfE has backed the Care Review's proposal to transfer responsibility for the commissioning of care placements from individual councils to regional groupings of authorities, Regional Care Co-operatives (RCCs), which will initially be tested in two pathfinder areas before being rolled out. It has also accepted the Competition and Market Authorities (CMA's) proposal to commission a national body to provide help for authorities/RCCs in forecasting demand and procurement. It said these measures would address the insufficiency of placements for children in care, improve outcomes and tackle the excess profit-making identified by the CMA among the largest providers. It is unclear with regards to the timing of these findings and in the meantime, we will continue to work on our Sufficiency Strategy whilst keeping a watch on developments in this area.
- 2.15 **Financial Oversight of Providers:** The National body will also introduce a financial oversight regime for the largest children's home providers and independent fostering agencies (IFAs), similar to that for adult social care, to reduce the risks of providers exiting the market suddenly. This will be welcomed by all Local Authorities as this has been one of the biggest sufficiency challenges over the last few Years.
- 2.16 **Relationships for Children in Care and Care Leavers:** The DfE have made the commitment of £30m which will be spent on family finding, befriending and mentoring programmes for looked-after children and care leavers, to help them find and maintain relationships, as the Care Review recommended.
- 2.17 **Support for Care Leavers:** The suggested grant made available to children leaving care will increase from £2,000 to £3,000, while the bursary for those undertaking apprenticeships will rise from £1,000 to £3,000, broadly in line with care review recommendations.

- 2.18 **Care Experience:** The DfE has rejected the care review’s call for care experience to become a protected characteristic under equality law, which would have required public bodies to tackle inequalities facing those with care experience and prohibit businesses and employers from discriminating against them. The department said it had heard significant concerns that self-declaration of care experience would increase stigma and that other measures in the strategy – including extending corporate parenting requirements to bodies other than local authorities – would have more impact.
- 2.19 **National Standards and Outcomes:** The DfE will consult on a children’s Social Care National Framework, as proposed by the Review, setting expected outcomes for children and families that should be achieved by all Local Authorities. The proposed outcomes would be for children and families to stay together and get the support they need, for children to be supported by their family network and to be safe in and out of home and for children in care and care leavers to have stable, loving homes. These will be underpinned by two “enablers”: that the workforce is equipped and effective and leaders drive conditions for effective practice. Ofsted inspections will be aligned to the national framework.

### **3 Implications for the Council**

#### **3.1 Working with People**

The DfE have placed emphasis on working with children, young people and their families. They reiterate the need to hear the voices of children, young people and families when shaping our services as well as when we respond to their need for support. This is in line with our Restorative approach to practice that has seen a shift towards working with and alongside individuals rather than ‘doing unto’.

#### **3.2 Working with Partners**

If we are to take the required changes forward effectively engaging partners at an early stage will be key to this. We have over the last few Years strengthen our partnership working and this stands us in good stead to begin discussing and planning how we might move towards establishing multi agency teams alongside the requirement to further improve outcomes for children and young people.

#### **3.3 Place Based Working**

Kirklees is a Local Authority with a diverse population and communities whose needs vary widely. We already have practitioners who work in the local communities, but the Care Review brings about the opportunity for practitioners to be more closely aligned within Teams. The Teams should be configured to reflect the needs of the local community recognising that one size does not fit all.

#### **3.4 Climate Change and Air Quality**

There are no direct implications for climate change and air quality.

### **3.4 Improving outcomes for children**

The whole emphasis of the National Care Review and the response from the DfE is improving outcomes for children. Maximising resources across the partnership in developing multi agency Teams, alongside the role that schools play in supporting children and their families and the wider community will be crucial in ensuring that children have the best start in life. Further to this children, young people and their families will receive timely early support should they need it with a view to address concerns as they arise and avoiding crisis.

### **3.5 Financial Implications for the people living or working in Kirklees**

It is noted that the Government has made initial investment of £200 m to effect these changes, albeit this is not in line with the amount identified by the Review author. The Review and DfE does not have a negative financial implication for people living and working in Kirklees. However, it is uncertain at this time if there are going to be any additional financial implications for the Local Authority and this will require close monitoring as the implementation of the final recommendations are known and progressed.

### **3.6 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions**

As part of the Implementation Plan an Integrated Impact Assessment will be completed.

## **4 Consultation**

Consultation on the final recommendations will commence once they have been received. The Kirklees Safeguarding Partnership will be a good forum to commence the consultation with Partners. Further work will be required within other forums such as the Corporate Parenting Board, Ambition Board and Health and Wellbeing Board.

## **5 Engagement**

This will require engagement at all levels and across all areas if we are to be successful in implementing the final recommendations. The detail of the required engagement should sit within the implementation plan.

## **6 Next steps and timelines**

There are some key responses required from the DfE consultation and subsequent actions. It is anticipated these will be available beyond the closure of the consultation in May 2023

**7 Officer recommendations and reasons**

That Scrutiny Members accept this update and advise on any further actions required.

**8 Cabinet Portfolio Holder's recommendations**

Not applicable

**9 Contact officer**

Elaine McShane, Service Director, Family Support and Child Protection