



Open Report on behalf of Heather Sandy, Executive Director – Children’s Services

Report to:	Children and Young People Scrutiny Committee
Date:	21 April 2023
Subject:	Care Review

Summary:

This report is intended to provide an overview of the Government’s response to the care review and to highlight the three associated consultations that are currently live. In addition, there is some commentary on Lincolnshire's current position in relation to the proposals.

Actions Required:

The Committee is invited to review and comment on the overview of the Government’s proposed response to the care review and the opportunity to feed into the three consultations by 11 May 2023.

1. Background

The Care Review was commissioned by the Government as a “once-in-a-generation opportunity to reform systems and services” for children and families. After 15 months of work, the Care Review (led by Josh MacAlister) was published in May 2022 and offered an ambitious plan to revise children’s social care, including a set of over 80 recommendations across seven areas. The report suggests that these are to be implemented by 2027.

The Government’s response to this was published on 2 February 2023 and consists of three documents: Children’s Social Care Reform Implementation Plan, National Framework, and Social Work Agency Social Care. The strategy sets out a vision to rebalance children’s social care away from costly crisis intervention to more meaningful and effective early support.

It sets out actions that seek to:

- Address urgent issues facing children and families now.
- Lay the foundations for whole system reform.
- Set national direction for change.

The plan is to reform in phases, investing £200m over the next two years. After two years the Department for Education (DfE) will refresh this strategy, scaling up new approaches

they have tested through pathfinder local authorities and pilots and bringing forward legislation (subject to parliamentary time).

Children’s Social Care Reform Implementation Plan: Stable Homes, Built on Love: Implementation, Strategy and Consultation

This plan has six pillars as detailed below. Under each pillar there is a summary of where Lincolnshire is currently at in relation to what is proposed.

Pillar 1: Family Help provides the right support at the right time so that children can thrive with their families.

- £45m for up to 12 ‘Families First for Children’ family help pathfinders (three in 2023 and up to nine in 2024), co-designing and delivering end to end service reform, with three elements: local, multi-disciplinary family help services, child protection lead practitioners, and a focus on family networks and kinship care.
- Development of knowledge and skills statements for family help workers.
- Consult on enabling a broader range of practitioners to ‘case hold’ children in need cases.
- Work to join up family help funding and strategy across government.
- Law Commission to review children’s social care legislation for disabled children with a view to simplifying and streamlining.
- Reference to building culturally competent practice and better responding to the needs of families facing material deprivation.

Lincolnshire’s current position

Lincolnshire already has a strong Early Help service which is co-located alongside social care, Future4Me (F4Me) and the 0-19 Health Service in localities. They are skilled and knowledgeable workers who are able to access the Lincolnshire Safeguarding Children Partnership (LSCP) and Children’s Services learning and development offer. A knowledge and skill statement would be useful to bring consistency to the role across the country. Consideration has been given to Early Help holding children in need cases as they are already lead practitioners for children and families who’s needs could be defined as child in need. Our Special Educational Needs (SEND) and Children with Disability Teams are well regarded, and we would welcome any measures that would simplify and streamline legislation in this area. There has been a recent focus on anti-racist practice with January practice lead sessions focussing on this. Training has been rolled out over this year. Cultural competence training would be the next step on this journey, so Lincolnshire is well placed to embrace this.

Pillar 2: A decisive multi-agency child protection system.

- ‘Families First for Children’ pathfinders will test a new child protection lead practitioner role which will co-work with Family Help teams when safeguarding issues are identified.
- Consult on new National Multi-Agency Child Protection Standards in 2023 as part of the planned update to Working Together 2018.
- Report to go to Parliament setting out ways to improve information sharing between safeguarding partners, including exploration of the use of a single consistent child identifier.
- Strengthen leadership across multi-agency partnerships via amends to Working Together 2018 guidance, improved accountability, and an increased role for education

in local safeguarding arrangements and, consult on education's role as a safeguarding partner. Following a consultation, areas will be funded to implement the agreed reforms, with Pathfinder areas being early adopters.

- Act on delays and improve parental engagement in the family courts.

Lincolnshire's current position

Good partnership working across all agencies, supported by Lincolnshire Safeguarding Children Partnership (LSCP) is in place. Education providers within Lincolnshire already play a significant role in meeting the needs of Lincolnshire children so we would welcome any formal recognition of this role. We have well developed Multi-Agency Child Exploitation (MACE) arrangements which co-ordinate the response to children who are being exploited both in supporting and safeguarding the children and young people and endeavouring to identify and disrupt adults and locations who are responsible.

Partners have limited, read only, access to our data base Mosaic, but the use of a single identifier across all partner agencies will only serve to strengthen information sharing. There is a proactive and well embedded Lincolnshire Family Justice Board which champions legal proceedings and challenges barriers, such as delay and practice issues.

Pillar 3: Unlocking the potential of family networks.

This pillar aims to create a culture of family first by:

- Using the 'Families First for Children' pathfinders, test how to implement family group decision making and Family Network Support Packages. Seven family help pilot areas will be identified to test Family Network Support Packages.
- Publish a national kinship care strategy by the end of 2023. This will include issues such as educational entitlements, training, and local authority practice plus related reforms e.g., financial allowances.
- Invest £9m in a training and support offer for all kinship carers (those with a legal order and informal arrangements) by the end of this Parliament.
- Explore the case for mandating a financial allowance for all Special Guardianship Orders (SGOs) and Child Arrangement Orders (CAOs).

Lincolnshire's current position

Lincolnshire has embedded "family seeing" as a cornerstone of practice and we are proud of the work we have done in working with families and their family networks. We have high numbers placed with kinship carers compared to both regionally and nationally, and kinship carers in Lincolnshire receive the same support as local authority foster carers. In 2020/21 Lincolnshire was granted 63 SGOs. Over 8% of Lincolnshire's children in care were made subject to an SGO at the conclusion of care proceedings. Lincolnshire's kinship carers can access the same training and support as mainstream foster carers, although additional support is always welcome. Lincolnshire offers financial allowances to SGO carers and would welcome more financial support in this area.

Pillar 4: Putting love, relationships, and a stable home at the heart of being a child in care.

- £27m over two years for a fostering recruitment and retention programme to be initially trialled in the North East region.
- National minimum allowance for fostering to increase by 12.43%.

- Continuing reforms to supported accommodation; registration in 2023, inspection in 2024.
- Two Regional Care Cooperatives (RCC) pathfinders to plan, commission and deliver care places.
- DfE to commission an external organisation to support local authorities with forecasting, procurement and market shaping efforts.
- Support improvements in the quality of leadership and management in the children's homes sector leadership programme, KSS, focus on Continuing Professional Development (CPD), considering professional registration of the residential childcare workforce.
- Implement an opt out independent advocacy; this will not replace Independent Reviewing Officers (IROs) or Regulation 44 visitors.
- Introduce financial oversight regime for the largest providers, thereby increasing transparency and reducing risks of sudden exit.
- Expert group to review standards of care, regulation and guidance and consult on legislative changes.
- £30m over two years to fund well evidenced interventions in family finding, befriending and mentoring programmes.
- Consult on strengthening and extending corporate parenting principles to a wider set of relevant bodies in Autumn 2023.
- Create opportunities for children in care and care leavers to achieve their potential with a focus on education, training and employment via Virtual School heads, Pupil Premium Plus, an uplift to the apprenticeship bursary and a refresh of the care leaver covenant.
- Universal offer of wrap around support and accommodation for all care leavers via an uplift in the leaving care allowance and strengthening Staying Put / Staying Close, with entitlements up to age 23.
- Focus on the mental and physical health of care leavers and addressing health disparities to increase life expectancy by building understanding and skills of social workers plus other professionals.
- Update existing guidance on promoting the health and wellbeing of children in care and extend it to cover care leavers up to age 25.
- Consult on extending the mandatory reporting of deaths or serious incidents involving children to include the deaths of care leavers.

Lincolnshire's current position

Lincolnshire has a well-established fostering service that recruits and supports foster carers in Lincolnshire, although would welcome any additional funding and national publicity to raise the profile of foster carers. Our two in-house supported accommodation homes have from the outset had Regulation 44 visits as required in mainstream homes. The visit to the supported accommodation is currently undertaken quarterly as good practice, so we are well placed to increase this to a more frequent schedule if this is what the new regulations require. Lincolnshire has always had a number of residential homes and is in the process of increasing capacity with Robin House opening in 2023 and Riverhead in 2024. There is an offer in place to the staff in residential homes, which is flexible and comprehensive to meet the needs of the children and staff. We would welcome any recognition, extension of the training offer and standardisation through KSS for the residential workforce. Lincolnshire already commissions Voiceability to provide an opt-out advocacy service and this would continue under the proposed changes. Lincolnshire has a corporate parenting framework

with strong links in place but welcomes any additional extension to this across partner agencies. Our virtual school is well placed to support any additional opportunities that may be created through this implementation plan and welcomes any increased provision of universal services to care leavers.

Pillar 5: A valued, supported and highly skilled social worker for every child who needs one.

- Social Work England (SWE) to inspect all initial education routes by July 2025, commission research on the role of practice educators and take a greater role in overseeing them.
- Development of a five-year Early Career Framework (ECF) for social workers, starting with early adopters in Spring 2023 to design, develop and test ECF delivery mechanisms.
- Boosting social worker recruitment and retention, including an additional 500 child and family social work apprentices, reviewing student social work bursaries and education support grants, and exploring international recruitment.
- National Workload Action Group to identify unnecessary workload drivers.
- Reduce the cost and reliance on agency social workers (separate consultation).

Lincolnshire's current position

Lincolnshire has a robust and proactive Learning and Development offer alongside the LSCP training offer. There is a rolling programme to recruit to 15 supernumerary social work apprentice roles every year, one for every frontline team. Apprentices and newly qualified staff are well supported through provision of practice educators, group supervision, ASYE (Assessed and Supported Year in Employment) programme and a comprehensive wellbeing offer. We welcome any action to reduce workloads and address the disparity between agency workers and local authority social workers in relation to salary.

Pillar 6: A system that continuously learns and improves and makes better use of evidence and data.

- Introduce a Children's Social Care National Framework, supported by a data dashboard by the end of 2023 with implementation by the end of 2024 (separate consultation).
- Publish a data strategy by the end of 2023 setting out plans for transforming data in children's social care and establish a Data and Digital Expert Forum.
- Align inspection with the National Framework. Ofsted to rebalance how it looks at practice, so it acts as a lever for improvement.
- Development of a suite of practice guides; this work will be overseen by the National Practice Group.
- Enhancing the DfE's intervention role and offer via a clearer interventions policy and escalation pathway, new focus on 'getting to good' in Requires Improvement (RI) rated Local Authorities (LAs).
- Before the next Spending Review, DfE, in consultation with the Department for Levelling Up, Housing and Communities (DLUHC), will aim to update, publish, and consult on a new formula for children's services funding.

Lincolnshire's current position

Lincolnshire Children's Services has a comprehensive performance framework and prides itself of being a learning authority.

Pathfinders and Pilots

The DFE has yet to announce which local authorities will be involved in the pathfinder and pilot projects. Lincolnshire Children's Services has expressed an interest in the Early Career Framework and is awaiting further communication from the DFE about this.

In addition, we have expressed an interest in bidding for the social work apprentice additional funding. Official detailed bids for this are scheduled for March.

Children's Social Care National Framework Consultation

The consultation on the national framework was issued at the same time as the Stable Homes, Built on Love: Implementation Strategy and Consultation. The national framework endeavours to bring together, in one place, the purpose of children's social care, principles for practice, and the outcomes that should be achieved. This is so that there is a shared understanding of the expectations for all those who are working to ensure that children, young people, and families, whatever their circumstances, can thrive. The national framework also includes dashboard indicators.

The framework includes:

- The purpose of Children's Social Care (CSC).
- Principles underpinning leadership.
- Outcomes to be achieved plus enablers and how leaders and practitioners should hear the voices of children, young people and the families they support.
- The indicators that will form the CSC dashboard.

The purpose of CSC is defined as follows:

"Children's social care exists to support children, young people and families, to protect children and young people by intervening decisively when they are at risk of harm and to provide care for those who need it so that they grow up and thrive with safety, stability and love."

Principles underpinning the framework

A series of principles underpin the framework drawn from legislation, guidance and the UN Convention on the Rights of the Child:

- Children's welfare is paramount, and their wishes and feelings are sought, heard and responded to.
- CSC works in partnership with families.
- Children are raised by their families, in family networks, or in family environments wherever possible.
- Practice engages with partner agencies at every stage of support to identify and meet the needs of children, young people and families.
- Practice and services are poverty aware and anti-discriminatory.

Outcomes and enablers

There are four outcomes which lay the foundations that enable children to thrive:

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.

There are two system level enablers that help CSC to achieve these outcomes:

1. The workforce is equipped and effective.
2. Leaders drive conditions for effective practice.

Plus, there are wider outcomes that public services should aspire to e.g., good education and good mental and physical health.

The CSC data dashboard

The dashboard brings together a set of LA level indicators via a publicly accessible, interactive form with the aim of increasing transparency and supporting learning. It is not intended to measure the performance of LAs and does not set performance targets. The main aim in publishing this new guidance, the National Framework, along with the Dashboard indicators, is to set national direction for practice that affects children, young people, and families. The National Framework clarifies existing duties; no new duties are added. Each chapter of the National Framework explains what leaders and practitioners should do to support the children's social care outcomes and enablers, and how they should listen to the voices of children, young people, and families, ensuring they shape services and decisions that affect their lives. These expectations are a summary of the practice that is expected to support the outcomes, rather than a definitive list of everything that should happen in children's social care.

See Appendix A for a visual summary of the dashboard.

Child and Family Social Worker Workforce Consultation

Following recommendations made in the independent review of children's social care's final report, DfE is consulting on proposals to improve quality and reduce costs associated with the use of agency social workers. The consultation builds upon existing regional Memoranda of Understanding / Cooperation to create a set of national rules. Subject to consultation responses, DfE intends to set out the national rules in September 2023. By spring 2024, LAs and all procurement routes used by LAs to engage agency social workers should comply with the national rules.

DfE expects that social workers who are currently working for a local authority via an agency should be offered the opportunity to transition to permanent or fixed term employment. They will work with the sector to ensure "simple and effective means to complete transition" subject to the outcome of the consultation. The proposal is as follows:

National rules

1. Engage agency workers only via commercial compliant procurement routes.
2. Only engage agency workers within national price caps.
3. Minimum of five years post qualified experience in LA children's social care and completion of ASYE to qualify for agency role.
4. Not engage project teams for social work.
5. Standard references for all candidates that relates to standard of practice for any agency worker.
6. Three months wait for workers leaving substantive roles before taking agency role in same region.
7. Minimum six week notice period for agency social workers.
8. Quarterly data return.

Procurement of social workers

- By spring 2024, all procurement routes used by LAs to engage agency workers should comply with the national rules.
- Compliance will be monitored via regular data collection and local and regional spot checks.
- Agencies that circumvent national rules would be restricted by LAs from accessing new vacancies.

Price caps

- Cap on the rate LAs can pay for an agency social worker.
- Bring agency worker pay in line with substantive worker pay. This will take into account contract differences e.g., holiday pay.
- Create greater national consistency around pay for social workers (substantive and agency) who are carrying out the same role in different LAs or regions.
- Ban on bonuses which take amount of pay a worker earns over the cap.

Post-qualified experience

- Social workers who graduated in or after April 2024 must have a minimum of five years post qualified experience working within LA children's social care and have completed their ASYE before being employed as an agency social worker.
- DfE funding cannot be used to support agency social workers in the attainment of their ASYE.
- International social workers - should this also apply to them?

Project teams

- Project teams no longer engaged for child and family social work.
- Multiple agency workers can be employed but each one contracted individually.

Data and monitoring

The following data to be collected and shared quarterly:

- Agency worker job type and pay rate.
- Substantive worker job type and pay rate.
- Vacancies by job type.
- Use of market and other supplements.
- Substantive worker full time equivalent (FTE).
- Leavers FTE.
- Agency worker FTE.
- Data sharing agreement for data to be shared with DfE and between LAs and regions.

2. Conclusion

All three consultations have a closing date of 11 May 2023. A range of responses are invited, from individuals, local authorities, regional and national groups such as the Association of Directors of Children's Services (ADCS), British Association of Social Workers (BASW), Principal Social Work network. The DfE has offered a few online events in March and April in relation to the national framework and the agency workforce consultations.

Lincolnshire Children’s Services plan to submit a collective response, to which all staff are invited to contribute. There is a communication plan in place and the consultation documents and questions are available on SharePoint so staff can submit their views this way. Several virtual sessions are planned throughout April to go through the three consultations and offer staff the opportunity to contribute to each consultation question. All information will be collated at the end of April and the draft responses shared with Children’s Services Directorate Leadership Team (DLT) on 3 May before being submitted by 11 May.

3. Consultation

a) Risks and Impact Analysis

N/A

4. Appendices

These are listed below and attached at the back of the report	
Appendix A	Children’s Social Care National Framework – One Page Summary

5. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Social Care Reform Implementation Plan: Stable Homes, Built on Love: Implementation, Strategy and Consultation	Children's social care: Stable Homes, Built on Love - GOV.UK (www.gov.uk)
Children's social care national framework and dashboard	Children's social care national framework and dashboard - GOV.UK (www.gov.uk)
Child and family social worker workforce	Child and family social worker workforce - GOV.UK (www.gov.uk)

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