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**Title of meeting: Cabinet**

**Subject: Children's Social Care**

**Date of meeting: 27 July 2021**

**Report by: Alison Jeffery**

**Wards affected: All**

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**1. Requested by: Cllr Horton**

**2. Purpose**

This paper provides information about the interim report of the national independent review of children's social care, published in June. It notes the broad stance on that report which it is proposed should be taken in a detailed response from the Lead Member for Children, Families and Education. It then updates Cabinet on progress and next steps with our own local strategy for even better, more affordable social care and early help for children, young people and families.

**3. Information Requested**

**Independent Review of Children's Social Care**

1. The Government announced in January 2021 the establishment of an independent review of children's social care, in pursuance of a commitment in its 2019 Manifesto. The review has a wide ranging remit; information about the background to the review and the evidence it has taken can be seen on the review website at <https://childrensocialcare.independent-review.uk/>. The Chief Principal Social Worker for England, Isabelle Trowler, has promoted the review as a "once in a generation" opportunity to improve support for vulnerable children and families.
2. The review is led by Josh McAlister, a former teacher who established the social work charity Front Line to promote entry to social work by high attaining graduates. An interim report titled "The Case for Change" was published by the review on 17

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June and can be accessed at the link above. A summary of the report prepared by the Association of Directors of Children's Services is attached as Annex A.

3. An important part of the background to the review in recent years has been the rapidly rising cost of children's social care to local councils, driven by a significant increase in the number of children becoming looked after. "The Case for Change" notes the significant increase in "statutory" spend on children in the child protection system as opposed to "non-statutory" spend, providing "early help" to families. Overall total spend has increased from £10.1b in 2012/2013 to £10.5b in 2019/2020; within that total statutory spend has increased from £6.6b to £8.2b whereas non statutory spend has declined from £3.5b to £2.3b. The review calls for the balance to be redressed through significant additional investment in non-statutory spend and real help for families. For several years now a case has been made by local Government that there is a £2b funding gap in children's services. The independent review interim reports states that:

"There is no situation in the current system where we will not need to spend more - the choice is whether this investment is spent on reform which achieves long term stability and better outcomes or propping up an increasingly expensive and inadequate system."

4. The key criticisms of the current system made in the interim report are firstly that families are not given sufficient, meaningful support to avoid children needing to be taken into care, and secondly that the children who do become looked after are not helped to develop the network of loving relationships which will sustain them into adulthood and beyond but instead become dependent on an often changing group of professionals. The report also argues that the market for residential care for children is broken with market cartels requiring councils to pay very high prices for care of variable quality. In Portsmouth we have worked on all three of these crucial issues and made progress as explained in more detail in paragraphs 8ff below.
5. There is room for debate around some of the more colourful statements in the report about current arrangements and on the significance of stronger social work alone in tackling the impact of poverty for families. Most importantly, there is a crucial question on which views are sought. This is the question of whether there is an inherent tension in a single service - children's social care - trying both to help families and to protect children.
6. While not stating this explicitly the interim report appears to try to establish a platform for possible structural change in which the two objectives are perhaps pursued by separately organised services. We believe that this would be a profound mistake. In Portsmouth we have been committed for several years to "restorative practice" through which we work **with** families providing **both** support **and**

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challenge through strong relationships. A service which only provided support could easily slip into working "for" families, without building their own capacity for behaviour change. Equally a service which focussed only on child protection investigations and decisions would quickly become one which did "to" families, mistrusted and punitive. Social workers do not work completely alone and through our Family Safeguarding model their work is complemented by expert guidance, and some direct work, by adult service specialists in mental health, domestic abuse and substance misuse. Our model blends meaningful support with clear challenge as part of a trusting relationship and has had significant impact over the last 18 months, even during a pandemic, in keeping families together. It would be immensely damaging if nationally driven structural change led to an unpicking of the integrated, coordinated support for families which our workforce has worked hard to develop. We propose that the council's response focuses on explaining this point and argues for an approach which builds instead on the significant advances which have already been made nationally and locally, including in Portsmouth, through investment in and championing of the Family Safeguarding model together with a commitment to embedding restorative practice.

7. The remainder of this report provides an update on the progress made so far, and future plans, for strengthening children's social care and early help in Portsmouth in a way which ensures financial sustainability as well as better outcomes for children.

### **Progress and impact of the local strategy to date**

8. In early Autumn 2018 Ofsted inspected children's social care and early help in Portsmouth and rated it "Good" across the board. This successful outcome reflected both hard work to develop and maintain high standards of social care practice and significant strategic development in particular the creation of a strong targeted early help offer to families through a service which integrated Solent NHS Trust community public health services (health visiting and school nursing) with city council targeted family support. Another element in our success was the embedding of restorative practice across the service, ensuring families are given both high support and high challenge through trusting relationships with a lead practitioner supported by a "team around the worker" of specialist experts.
9. Following that inspection there was a period of further strategic development with extensive participation by staff and foster carers, exploring how best to strengthen prevention at all levels of need, in order both to improve outcomes for children and to secure a financially sustainable service. An independent consultancy, Peopletoo, was then hired early in 2019 to review the strategy developed by the Directorate and partners. Peopletoo found that the service was already "lean" compared to

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services in other areas and also confirmed that the strategy, a further development of the 2016 Stronger Futures strategy, was appropriate while ambitious.

10. The approach to achieving financial sustainability centred on the care budget, reducing the number of children in care, the number of days in care and the costs of care. The aim was to do this not by taking risks over the threshold of intervention but instead by being even more effective at keeping families together wherever possible and promoting stable secure relationships for all children, including those who need foster care or adoption, avoiding the need for expensive residential care placements. Essentially the strategy was to try to provide all children with the love, security and stability which the independent care review rightly argues must be the key objective of all children's social care and early help services.

11. Key elements of the improvement and financial sustainability strategy included:

- a) Sustaining investment in our integrated council and Solent NHS Early Help service and continuing to develop a locality model of integration introduced in 2016
- b) Maximising income from the national Troubled Families Programme to maintain investment in early help and to help fund service innovation and transformation
- c) Introducing the Family Safeguarding Model of Practice to reduce care proceedings and improve reunification of children in care back to their families where safe to do so
- d) Implementing the Mockingbird Family model of foster care
- e) Continuing to support deeper implementation of restorative approaches both within the service and the wider system, notably schools and academies through the city wide Portsmouth Education Partnership established in 2016.
- f) Continuing to lobby for improvements in the National Transfer Scheme for Unaccompanied Minors

12. To address an increase in the numbers of looked after children from 2017, partly reflecting an improved line of sight through stronger identification of need, the council also agreed a significant baseline addition to the children's services budget from the national Social Care Grant.

13. Despite the pressures on families of the pandemic, progress has continued across all areas of the Strategy. Key headlines include:

- Investment has been sustained in the **Integrated Prevention and Early Help Service** including through Troubled Families funding. A required saving of £100,000 from the Public Health grant because of reductions in that grant has been achieved without reducing front line capacity.

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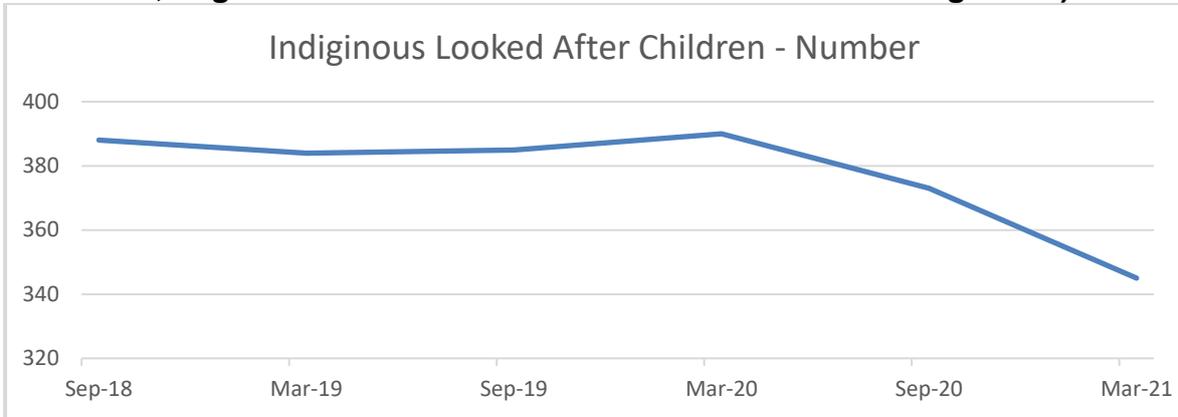
- Phase 2 of the **Troubled Families** programme started slowly in Portsmouth for the first two years, but the final 3 years saw us catch up and secure the vast majority of the funding available for Payments by Results funding. Two 'roll-over' years for the national programme (pending the Comprehensive Spending Reviews) have seen us achieve 100% claims in year one and on target for 100% in year 2
- The **Family Safeguarding Model** (integrating children's social workers with adults specialists in domestic abuse, mental health and substance misuse funded through a permanent £0.5m uplift in the CFE budget) is progressing well in Portsmouth. This has been despite our doing this with a quarter of the investment used in other LA areas that received dedicated national funding. Quarterly reports received by the Family Practice Board indicate highly effective whole-family work with children on the edge of care and significant cost-avoidance. A recent Peer review by the national lead LA for Family Safeguarding (Hertfordshire) was extremely positive.
- Implementation of the **Mockingbird Model** of care was slightly delayed during the pandemic for infection control reasons but has now begun with our first 'constellation' of foster carers. Feedback from looked after children, foster carers and also birth families has been extremely positive with the model seen as providing a much more natural community of support for children, helping them to build and maintain relationships both with new friends and with their birth families and networks.
- Continued engagement with the Home Office on the **National Transfer Scheme** for unaccompanied asylum seekers (UAMs) including a difficult but necessary period of standing back from full delivery of statutory requirements, has borne fruit with the number of UAMS in Portsmouth now at safe levels.

### 14. Key Indicators of success include the following:

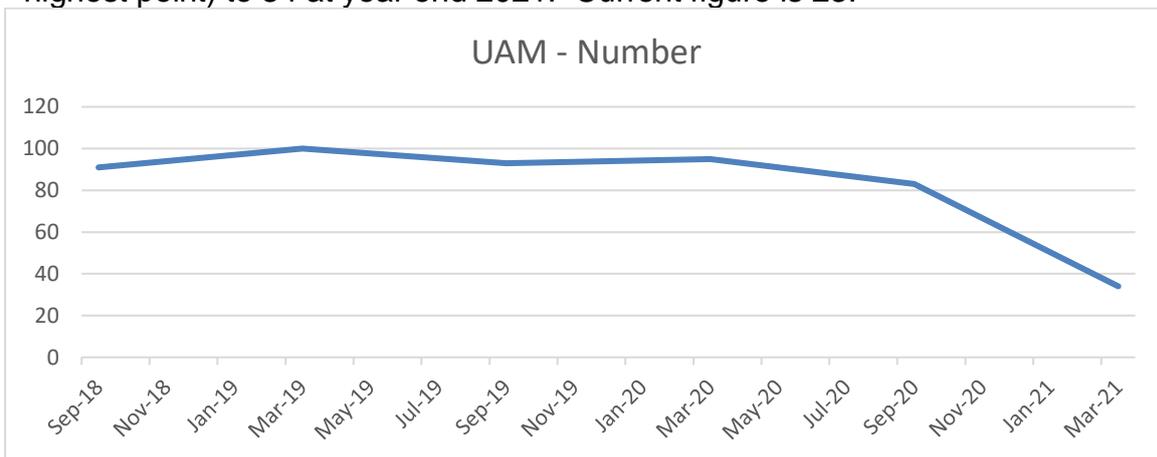
The number of children in care from Portsmouth has reduced over the past two years to 345 in March 2021. The Financial Sustainability Strategy modelling had an aspiration to achieve 323 children in care (excluding UAMs) by March 2023. So we are well on track.

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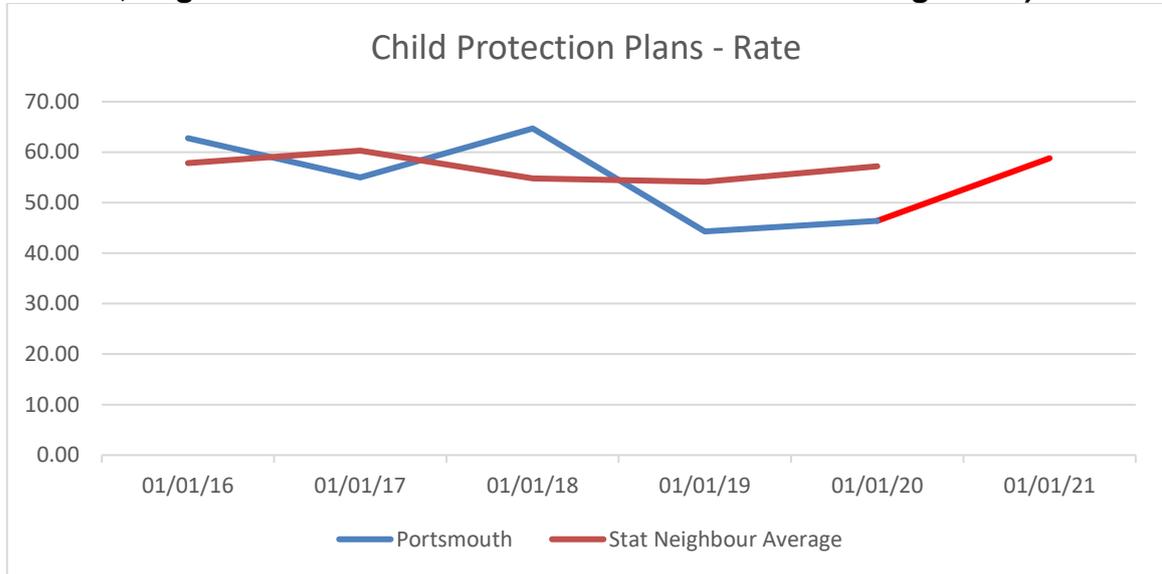
The number of UAM children has reduced from a high of 100 (in fact 108 at its highest point) to 34 at year end 2021. Current figure is 23.



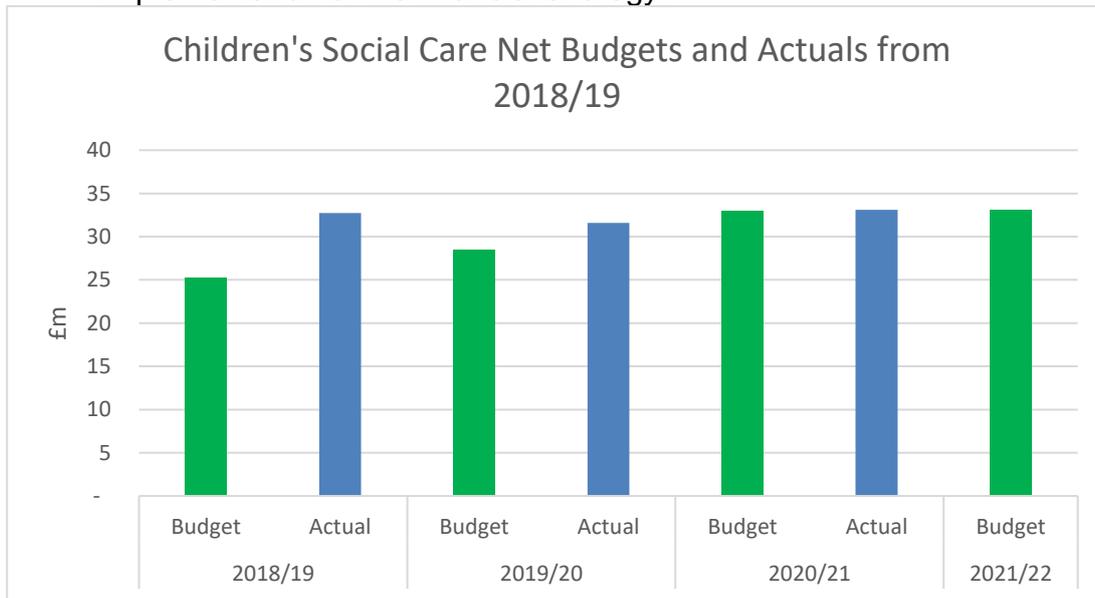
Pre-Covid, we were seeing the impact of sustained investment and improved working of early help services on our rate of Child Protection Plans, coming below statistical neighbour average for the first two years of our strategy. However, the impact of the lockdowns on child protection can be seen in the red section where the numbers of child protection pans climbs (to 259 plans). This order of increase has been replicated nationally.

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The chart below shows the stability of the net expenditure as a result of the implementation of the financial strategy.



**Further planned improvement**

- There is a greater degree of uncertainty about demand for children's early help, safeguarding and care services as a result of the pandemic. The impact of lockdowns on child harm, mental health and the emotional and financial resilience of families will continue to work its way through over the coming months and years. The 2020-21 rise

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in child protection plans, and of children at Child in Need level, may be with us for some time.

16. However, the fundamentals of our approach to deliver both financial sustainability and high quality support for children and families remain clear. Developmental and improvement work will continue on:

- The quality of practice in the **Integrated Early Help Service** including responding to the new Healthy Child Programme, improving joint work with maternity services, the digital offer and parenting support
- Maximising income from the Troubled Families (now known as the **Supporting Families Programme** - subject to national investment. This programme brings around £1million a year into the city, providing funding for a core part of the city's Early Help offer.
- Implementing the findings of the Peer Review into **Family Safeguarding Model** including close joint work with Probation on domestic abuse and adult offender management
- Developing additional constellations of carers under the **Mockingbird Family** model of care
- Continuing to **drive restorative and trauma informed practice** through a new learning and development hub, bringing together workforce development leads across the council, NHS and Police under the auspices of the Safeguarding Partnership.

17. Our next areas of focus (some delayed by, but some informed by, the pandemic) include:

- a) The **'Deal with Parents'** being constructed under the auspices of the Children's Trust Plan by the Portsmouth Parent Board. This will seek to provide clear messaging to parents and from parents about their critical responsibilities for children's wellbeing, as well as a promise from public services to help where needed.
- b) Developing clearer expectation and support for **system-wide early help**. Building on learning from the pandemic and the Family Safeguarding Peer Review, we will be simplifying processes and enhancing professional support for colleagues in health services, early year's settings and schools to meet family needs at an earlier

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point. This will be enhanced by the use of real-time child level data to identify early concerns and enable appropriate and proportionate responses to need.

- c) Related to this, we are developing a **revised strategy with schools** to reduce school exclusions, school absence and reduced timetables to enhance education as a protective factor for vulnerable children. This will include a continued drive to embed restorative approaches within schools designed to build positive communities in which all children feel a strong sense of belonging.
- d) Joint commissioning of a **new specialist residential offer** for our most vulnerable children in care in partnership with Kent, West Sussex [and Southampton]. Other local authorities are being engaged to join the project to increase commissioning leverage over the market. A market Notification has been put out to providers and the market seems strong enough to develop something unique in the South of England that meets the needs of our 10 most vulnerable children whose current placement costs are extremely high.
- e) A renewed and re-energised focus on **reunification** of children in care back with their families where safe to do so.
- f) We know that recruitment and retention of high quality social workers continues to be a national issue for children's social care. To support our workforce locally we have appointed a **Principal Social Worker**. This role is critical in driving innovation, and leading the delivery and development of excellent social work practice as set out in our recently launched Workforce Strategy.
- g) Developing a more integrated **multi-agency Looked After Children service** across the council and Solent NHS to improve outcomes for Looked After Children including improvements in placement stability, education outcomes and health outcomes. Helping looked after children to develop and maintain a network of loving relationships, as advocated compellingly by the independent care review, will be at the heart of this work.

### **Risks**

18. The strategy outlined above has been developed through careful analysis and planning. Nonetheless, we need to be aware of some key risks that will need managing and mitigation activity over the coming months and years. Risks include:

- a) Demand for child protection plans has increased during Covid due to the harm children have experience during lockdown. There is a risk that this rise will translate into upward pressure in LAC numbers over the coming months

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- b) Recruitment of social workers is highly competitive at the moment; while we work hard to recruit and retain good staff there is always a risk in this area, which then impacts on our ability to provide strong support to families.
- c) System-wide early help requires changed practice within schools. We see mixed practice across our schools and getting every school and early years provider to the same standard - with differing investment in pastoral support - will be a challenge.
- d) Co-commissioning with partner local authorities has a mixed history across England and the successful of jointly commissioning residential care between a number of local authorities will require careful partnership management
- e) The comprehensive spending review and the impact on funding for Children's Social Care and the Council.

### **Conclusion**

19. The interim report of the independent review of children's social care in England rightly asks challenging questions of councils in relation to their leadership of services which have a powerful impact on the lives of vulnerable families. Like many councils, we believe in Portsmouth we are making good progress already in transforming services and improving the lives of children and families. Both nationally and locally we need to continue to invest in early intervention and in effective support and challenge for families, particularly through the successful Family Safeguarding approach which draws on the expertise and time of key adult service practitioners working alongside children's social workers. We also need to develop new forms of alternative care which focus on the development of the long term relationships which are so crucial for all children and young people.
20. We believe we do not need nationally driven structural change which could undermine this direction of travel; rather we need support from the Government to build on the innovations of recent years and continue to spend money in the right way, on good services whose impact on families is positive.

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### **APPENDIX**

#### **Association of Directors of Children's Services**

##### **Briefing on the independent review of children's social care – the case for change Highlights and key messages from the report**

The Review finds that children and families are: "...not yet getting a good enough deal," but notes that this is not a criticism of the many dedicated professionals working to improve the lives of children and families. "In the majority of cases, families become involved with children's social care because they are parenting in conditions of adversity, rather than because they have, or are likely to, cause significant harm to their child."

The Review finds that **decision making and risk assessment** related to harms is too inconsistent and often isn't good enough in relation to child protection. Too much energy is spent on assessing and investigating families instead of providing support, which is described as costly and intrusive. There is a high level of anxiety when making decisions, both social workers and organisations continue to feel very vulnerable to public, regulatory and government scrutiny if things do go wrong.

The report notes several times that **social workers** spend less than a third of their time working directly with children and families. Too often they don't have the freedom to follow their judgement of what is in the best interests of children and families. The Review finds that too many LAs have disempowering, complicated processes to make decisions and allocate resources.

Evidence shows contributory causal relationship between income, maltreatment and state intervention: "We have now reached the point where the weight of evidence showing a relationship between poverty, child abuse, neglect and state intervention in family life is strong enough to warrant widespread acceptance... this should lead us away from framing these differences as 'variations' in social care interventions and be framed as **welfare inequalities**." A parallel is drawn with the now widely accepted view of education inequalities.

On **policy and practice responses**, the Review finds: "... teens who experience criminal exploitation have been particularly failed," noting different parts of the children's social care, justice and health systems are responding differently to the same children and young people, resulting in gaps, confusion and worse outcomes. Similarly, there has been a long term failure to support parents who have had child/ren removed, this has led to: "... unacceptable entrenched and multi-generational cycles of adversity." With such complex needs, it is unrealistic to expect general family help would ever be enough to stop these parents continuing on the same path.

**Investing in family help matters**, but more money alone is not a silver bullet. The report points to emerging evidence on the impact of early investment in help and support reducing the need for more acute interventions. "The government's focus should be on supporting the resources of families and the wider community... whilst acting decisively and swiftly where children need protection." An agreed definition of early help / family support is needed and a first draft is put forward for feedback.

**Care** must build rather than break relationships and more must be done to keep children safely out of care, although it is recognised that the state will always need to step in and provide care for some. There have been attempts to improve parts of the system but so far they have failed to prioritise loving relationships. So, shared and supported care options

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may have a role. "When children enter care, they are separated from the most significant adults in their lives, even if this is for good reason." More emphasis is needed on building and maintaining relationships as well as life story work. Too often entry into care means a move away from school and friends; every change has a profound impact on child/ren.

On **placements**, greater focus and attention should be paid to identifying kinship carers before entering into proceedings. The report notes that previous reviews of residential (2016, DfE) and foster care (DfE, 2018) have not led to significant changes. Many concerns about independent and semi-independent placements were raised with the Review, particularly in relation to under 16s and UASCs, however, some young people told the Review this was the right option for them.

The Review finds that the **market for care** and LA commissioning is "broken" and there is significant fragility in the system. The Review is concerned about cost, profit and financial health of providers and the impact of the current system on children and young people. A CMA market review is underway.

Care for children who need a **secure placement** reflects short term, siloed thinking across government and urgent action is needed. Better planning, co-ordination and investment, with leadership across health, justice and social care, is needed. We also need to consider the needs of these children and ask whether any home that currently exists is able to meet their needs while still providing a loving environment.

The Taylor Review (MoJ, 2016) recommended secure schools to replace **youth custodial provision**, which has poor outcomes. The MoJ agrees, yet none have opened and there is no plan to close YOIs: "The alarm has been rung many times and action is long overdue."

On **support**, parents, carers and care experienced adults told the Review that therapeutic support should routinely be provided to children in care rather than be argued and pleaded for (intensive **CAMHS** support may not be required in all situations). **Education** can be transformative, VSH and PP+ funding is having an impact but "we are not consistently aspirational enough for children in care." Huge variation in **care leaver support**, including local offers and access to staying put / staying close was evidenced.

Sadly, a resounding theme in feedback and submissions to the Review concerned the **stigma** care experienced children, young people and adults face.

"There is no situation in the current system where we will not need to spend more...

Children's social care is under significant **financial pressures** and urgent action is needed." The Review notes that the latest MHCLG figures show spend on children's social care is rising faster than any other area of LA spend. This increase is being driven in the most acute end of the system, a cycle that must be broken.

The complexity of the **policy landscape** around children's social care has led to uncoordinated policy initiatives from a range of government. Children's social care needs a clear vision and purpose. The Review is interested in the role communities could play here.

**Multiagency arrangements** and the partners involved have different footprints, priorities and procedures and health are often not closely involved in safeguarding conversations. Partners know their own roles but lack a shared understanding of their collective goal, echoing the findings of the recent Wood Review (DfE, 2021).

Too often **reform initiatives** over the past decade have had limited impact or are too small scale to transform practice across the country. Similarly, there is a systematic

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overconfidence that additional top down duties or changes to legislation will lead to positive change for children and families.

The review heard "time and time again" about the role **inspection** plays in driving behaviour. Are we measuring the things that matter to children and families, does inspection take account 3 of their experiences? We need to be able to measure change and understand whether things are genuinely improving for children and families.

Other areas of interest include disparity in court decision making, SEND support, the need for better facilitation of information sharing for safeguarding purposes, the collection and use of data and metrics for success: "We are over reliant on Ofsted gradings."

In closing, the Review notes that a significant number of the problems diagnosed in the document have been exposed and described again and again with sensible, considered recommendations for change. Yet actually achieving change has been stubbornly difficult.

### **Actions the Review will undertake, have commissioned and/or future areas of focus:**

- Deeper look at ethnicity and intergenerational experience of care going forward
- The tension between protection and support work
- Testing out a definition of family help in the next stage of the Review
- A new approach to work with teens who face risks outside of the home
- Recognition and support for kinship carers is to be looked at in the next stage of work
- The Review has asked WWC CSC and Oxford Uni to look into placement commissioning
- Continue to work closely with the CMA on their market review of care placements
- Engage with the SEND Review on shared areas of interest, particularly support for children and families e.g. respite care
- The Review recognises the stigma children in care and care experienced adults face and wants to hear ideas about how to address this in the next phase of work
- What it will cost to achieve a shift from acute to earlier spending and the benefits of this will be the focus of the next stage of the review
- Central government's willingness to work together to develop policy in a coordinated way.

### **Specific questions posed by the Review for feedback on or before 13 August**

- What do you think the purpose of children's social care should be?
- What is the role of the Children's Social Care system in strengthening communities rather than just providing services?
- How do we address the tension between protection and support in Children's Social Care that families describe? Is a system which undertakes both support for families and child protection impeded in its ability to do both well?
- What do you think about our proposed definition of family help?
- How do we raise the quality of decision making in child protection?

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- How do we fill the accountability gap in order to take effective action to keep teenagers safe?
- What can we do to support and grow kinship care?
- Given the clear evidence, why aren't more programme that support parents at the edge of care and post removal more widely available and what will it take to make this the case?
- If we were creating care today, what would it look like?
- How can care help to build loving lifelong relationships as the norm?
- What changes do we need to make to ensure we have the right homes in the right places with the right support? What role should residential and secure homes have in the future?
- How can we strengthen multi-agency join up both locally and nationally, without losing accountability?
- How do we free up social workers to spend more time in direct practice with children and families and reduce risk aversion?
- How can monitoring and inspection make the most difference to children's and families' experiences and engender greater freedom and responsibility in the workforce?

What will need to be different about this review's recommendations compared to previous reviews so that they create a tipping point for improvement.

.....  
Signed by (Director)

**Appendices:**

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location