

# Education and Children's Social Care Overview and Scrutiny Committee



Date of meeting:	14 September 2022
Title of Report:	<b>Briefing – The independent review of children’s social care – Josh MacAlister</b>
Lead Member:	Councillor Charlotte Carlyle (Cabinet Member for Education, Skills and Children and Young People)
Lead Strategic Director:	Sharon Muldoon (Director for Childrens Services)
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Your Reference:	<a href="#">Click here to enter text.</a>
Key Decision:	No
Confidentiality:	Part I - Official

## Purpose of Report

To provide a summary of key issues identified in Josh MacAlister’s Independent review of children’s social care published at the end of May 2022 following a 14 month review period. Alongside providing an overview in this briefing document, the service has been asked to report on three key areas for this Scrutiny Committee:

- Placement Sufficiency and Commissioning,
- Recruitment and Retention and
- Care Leavers.

It is anticipated that other key areas of focus will be considered at future Scrutiny Committees.

## Recommendations and Reasons

This is for information.

## Alternative options considered and rejected

not applicable

## Relevance to the Corporate Plan and/or the Plymouth Plan

Caring for people and communities and our work to support Children and Families to feel safe in the city.

## Implications for the Medium Term Financial Plan and Resource Implications:

A response from central Government is awaited at the end of 2022 in respect of legislative and financial implications of this review. A date is not yet confirmed when a response will be released.

## Financial Risks

As above, we await a response from central Government

**Carbon Footprint (Environmental) Implications:**

No immediate issues for consideration at this committee.

**Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:**

*\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

No immediate issues for consideration at this Scrutiny Committee

**Background/Introduction**

“There have been many attempts at reform of children’s social care since the landmark 1989 Children Act and though each has brought about incremental progress, we are left with a high stack of legislation, systems, structure, and services that make it hard to imagine something fundamentally different and better. Rather than add to this stack, we must now build stronger foundations.” (Josh MacAlister, May 2022)

Josh McAlister’s Independent Review of Children’s Social Care findings provides a significant opportunity to transform the way children’s social care is delivered and practice. He recommends a 5 year strategic plan. In total there are more than 70 key recommendations arising from this report, two thirds of these include recommendations for central government, requiring various legislative changes and significant funding. The report recommends the publication of a White Paper, setting out this response, which is expected by the end of 2022.

The review focuses on advocating a social care approach that is focused on relationships, keeping more families safe at home, is multi-disciplinary in nature and uses social work skills in a more targeted way.

The review recommends significant financial investment to realise the reforms recommended, in total £2.6 billion over the next four years.

This briefing sets out the seven themes in the review and its key recommendations. While we await a central government response, Plymouth City Council has been considering what can be progressed and three key issues will be considered by committee on 14<sup>th</sup> September 2022 (placement sufficiency, recruitment and retention and care leavers).

The review recommends a National Children’s Social Care Framework, designed to provide  
Overall there are seven key areas the review focused on following significant national consultation and research. This briefing will look at each of these areas in turn.

\*This briefing cannot do justice to all of the recommendations in the report, rather it gives an overview with reflections about the significance and impact in Plymouth.

**I. A revolution in Family Help**

The review recommends the development of a new umbrella of ‘Family Help’, a term given to the proposal to combine work currently undertaken at targeted early help and children in need provision (section 17, Children’s Act 1989). This proposal is aimed at maximising help for families at the earliest point, by joining up services and minimising complication and duplication. This will require legislative

change before it can be fully implemented given the statutory expectations for social workers providing child in need services.

The aim of this change would be to reduce the number of handovers between professionals supporting families and offering a non-stigmatising approach at early help to a wider group of families. Eligibility should be set out in sufficient detail nationally to support a more consistent understanding of who should receive Family Help. Whilst giving enough flexibility to allow professional judgement to determine local needs. It is recommended that this support should be delivered by multi-disciplinary, embedded in neighbourhoods, drawing on community based assets, where professionals from domestic abuse, mental health and social work services would work together. It is recommended that 'Family Help Teams' should be designed in a way that enables families and practitioners to have a conversation about their concerns rather than relying on mechanical referrals. Children, Young People and Families Services have been making changes to the way our points of first contact have been operating in order to ensure that opportunities for conversations are maximised. We have been reviewing our 'front door' services where families and professionals have their first contact with a statutory service to ensure this approach is fully embedded.

In Plymouth, we have commenced work to develop Family Hubs in the city; due in April 2023. We are one of the 75 local authorities (nationally) being allocated funding to support this development. We are looking implement changes that support opportunities to co-locate professionals in Family Hubs in key locations in the city.

Scrutiny Committee may want a fuller report on our work towards implementation of Family Hubs.

## **2. A just and decisive child protection system**

Some key recommendations are proposed for improving child protection practices, tackling extra familial harms and family engagement at child protection and family support.

The review introduces the concept of an expert child protection practitioner who will provide co-working opportunities where there are safeguarding concerns for children. These experts would chair Child Protection Conferences. This expert role is being linked with the proposed 5 year Early Career Framework also set out in the review and we await the government response to this. In Plymouth, we are currently exploring ways to effectively transform our service over the next 18 months and will consider this role as part of these developments. We expect to increase the level of preventative work undertaken by all agencies as well as ensuring that all safeguarding concerns receive a prompt, expert response. Our practice will be focused on offering risk support to effect sustainable and positive change that keeps children with their families wherever it is possible and safe to do so.

Amendments to the Working Together to Safeguard Children (2018), the statutory guidance governing safeguarding practice, are recommended in the review and requires government action. These amendments include, making Education a statutory partner (to join Children's Social Care, Police and Health agencies), providing developed guidance about information sharing for safeguarding purposes. It is also recommended that a Child Community Safety Plan is introduced (and set out in Working Together) in order to respond to extra-familial harm (exploitation) as well as expectations of agencies where extra-familial harm is a concern.

In Plymouth the introduction of an Adolescent Safety Framework to ensure a partnership wide response to extra-familial harm is still being embedded. Key changes to this statutory guidance which governs us all is both timely and welcomed to support continued development within the city.

The review also recommends parental representation and support should be available to all families in child protection. This mirrors advocacy services provided for children.

### **3. Unlocking the potential of family networks**

The review considers the ways in which the care system is unable to respond effectively to the increasing number of children requiring care and ways to draw on family strengths and assets to support children to remain in their own family or their wider network. This is an issue we are keen to develop in Plymouth to support more children to remain within their immediate and/or extended families wherever possible.

The introduction of legislation to provide a new legal definition of Kinship Care is recommended. Alongside this, it is recommended that the use of family group decision-making becomes mandatory before the local authority reaches the point where legal proceedings need to be considered to consider whether a child should continue to live with their family.

A Family Network Plan should be introduced and enabled in law to support and give oversight (by social work) to family led alternatives to care.

The review recommends national requirements for Special Guardianship and Kinship Care arrangements. This includes a legal definition of kinship care that would ensure a consistent approach.

All local authorities should be make a financial allowance available (consistent with fostering rates), to special guardians and kinship carers with a Child Arrangement Order looking after a child who would otherwise be in care. Consideration should be given to kinship leave (which mirrors adoption leave). This would simplify a complex array of arrangements, but has financial implications for each local authority.

### **4. Transforming Care**

The review expressed considerable concern about the current way care is provided and makes a series of recommendations to transform this. The review sets out a series of recommendations to improve this, including the need for a universal set of care standards

A network of up to 20 Regional Care Cooperatives should be set up across England, which will have a regional sufficiency duty for their areas. This is similar in ethos to the Regional Adoption Agency approach. However, these Regional Care Co-operatives would create and run fostering and residential provision on a not for profit basis. This sufficiency duty would replace the local authority sufficiency duty which currently exists. The South West Sufficiency Project, currently led by South Gloucestershire has been undertaking work to scope sufficiency needs and issues for more than a year now and this work will support any transformation of this nature.

The review recommends a windfall tax on the profits of key providers of independent foster care and residential care.

A national campaign to recruit 9,000 new foster carers over the next three years on the basis that this would transform the care provider market, reducing the need for residential care, which is both expensive and often not sufficiently locally delivered. Alongside increased recruitment, a new support structure for foster carers is recommended and increasing delegation (by default) to enable them to make day to day decisions about the children they are caring for.

Transformation of the representation of children's voices. Replacing the existing arrangements (such as Independent Reviewing Officers and Independent Visitors roles) with high quality child advocacy services commissioned by the Children's Commissioner, who should be given powers to refer children's complaints and concerns to court.

*\*please see the separate slide pack which sets out work being undertaken in Plymouth to address placement sufficiency planning, issues and concerns.*

## 5. The Care Experience

The review recommends a broadening of Corporate Parenting responsibilities across a wider range of public sector bodies. It also recommends creating care experience as a protected characteristic. The review also recommends 5 key missions for care experienced young people setting out significant ambitions to support increasing life chances and outcomes significantly. These missions are:

1. No young person should leave care without at least 2 loving relationships. In Plymouth, the local authority is developing and extending Lifelong Links work in the city as part of the ongoing partnership Barnardos Care Journey's. The Lifelong links work is being recommended in the review to form part of the National Children's Social Care Framework. A lifelong guardianship order is also recommended, allowing care experienced young people to form a lifelong bond with an adult who cares for them.
2. Double the proportion of care leavers attending university (particularly high tariff universities) by 2026. This mission includes a call for Virtual School Heads to be held accountable for the educational achievement of children in care and care leavers up to the age of 25 years. It is recommended that this form part of Ofsted's ILACS inspection framework. Pupil Premium funding should be focused on evidence led tutoring and mentoring schemes for children in care and care leavers. The review also recommends a mandatory kitemark scheme for higher education to drive improvements in admissions access and support for those with care experience.
3. Create 3,500 new well-paid jobs for care leavers by 2026. The review recommends that employers should be able to apply for a new government led accreditation scheme which recognises commitment to supporting care leavers into well paid jobs.

In Plymouth, the joint work with Skills for Plymouth, the Care Leaver Covenant signed by the corporate Management Team and the work of elected members is aimed at achieving this mission. Each directorate has committed to supporting with jobs and apprenticeships for care experienced young people each year, as well as guaranteeing a national living wage if this is an apprenticeship.

4. Reduce care leaver homelessness now, before ending it entirely. There should be a range of priority housing options open to young people (independent housing, Staying Put, Staying Close and supported lodgings). Staying Put and Staying Close should be a legal entitlement to the age of 23 (with an opt-out option for young people).  
A stronger safety net is needed to prevent homelessness. It is recommended that intentional homelessness is removed for care leavers as well as the local connection test for housing eligibility. It is also recommended that a rent guarantor scheme is in place and that the leaving care grant is increased to £2,438 for all young people leaving care. In Plymouth we continue to work closely with housing colleagues and supported lodging providers to ensure maximum resource availability. Availability has been a challenge and the Joint Housing Protocol in place supported by the local authorities Complex Alliance is aimed at supporting effective provision and transition in this key area of work together.
5. Increase life expectancy of care experienced young people, by narrowing health inequalities with the wider population. This mission includes the need to ensure all professionals are appropriately trained in identifying and supporting mental health issues. All local authorities must provide mental and physical health support. The proposed National Children's Social Care Framework should promote the most effective multidisciplinary models of doing this.

The review recommends that Integrated Care Boards (ICB) should publish their plans for improving the mental and physical health of those in care and leaving care and routinely publish progress. There is a call for care leavers to be exempt from NHS prescription charges up to the age of 25. In Plymouth, we have asked the ICB to consider this now.

*\*please see the separate slide pack which sets out work being undertaken in Plymouth to address care experienced young people's planning.*

## **6. Realising the potential of the workforce**

The review acknowledges the recruitment and retention issues impacting on local authorities across the country. The recommendations in this part of the review are focused on long term sustainable change. These include:

A 5 year Early Career Framework for social workers to be in place by 2024. This includes a national approach to support practitioners work directly with families. This framework will set practice guidance and best evidence to support best outcomes for children, young people and families.

The review recommends the introduction of national pay scales that would increase social workers pay as they progress through and beyond the Early Career Framework, serving to equalise issues across local authorities. In Plymouth, we have been progressing our Recruitment and Retention Strategy. While there are financial implications to some of the needed to establish the best mechanism to recruit high quality staffing to this local authority, we are working to introduce measures to retain existing staff (caseload management, supportive ways of working).

There is a need to develop a knowledge and skills statement for family support workers and residential staff, to support minimum professional standards and training/support arrangements required.

There is a call for all social work qualified staff to spend 100 hours in practice

The review calls for the need to 'tackle' social work agencies at a national level, including national rules on agency usage, the need for regional agreements, commercial frameworks (including regional staff banks) and minimum experience required. Increasing numbers of social workers move from the local authority to, leading to increasing instability for families and teams as well as rising staffing costs, impacting on overall budgets to provide children's social care services.

*\*please see the separate slide pack which sets out work being undertaken in Plymouth to address recruitment and retention issues.*

## **7. A system that is relentlessly focused on children and families**

This part of the review focuses on what it would take to re-imagine a children's social care service that is relentlessly focused on children and families.

Central to this is the development of a Children's Social Care Framework by 2024, which would set the objectives and outcomes for children' social care. This national framework should have an agreed scorecard of key and meaningful indicators that would support learning and improvement. There need to be improvements to existing data collection methods. This would ensure the development of a consistent set of metrics with more regular data collection is developed. This will serve to drive transparency and learning in the system. To support this, a National Data and Technology Taskforce is recommended. This Taskforce would support what the review refers to as 'frictionless' data sharing between agencies to support best practice.

At a national level, the National Practice Group and National Reform Board should oversee learning and feedback to support developments in the system.

It is recommended that Ofsted intervene more decisively in inadequate or drifting authorities, along with more transparency about how inspection judgements are made to ensure rigour.

The review calls for the extension of the Director of Children's Services role, including being in charge of overseeing and co-ordination of multi-agency working. This would require amendment to statutory guidance, Working Together to Safeguard Children (2018)

## Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report title							
B	Placement Sufficiency slides							
C	Recruitment and Retention slides							
D	Care Leaver slides							

## Background papers:

\*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7
The independent review of children's social care, Final Report Josh MacAlister (May 2022)							

## Sign off:

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Originating Senior Leadership Team member: Jean Kelly											

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 05/09/2022

Cabinet Member approval: *Councillor Charlotte Carlyle*

Date approved: 05/09/2022