

The Independent Review of Children's Social Care: NCB's Vision for Change

A vision

The Independent Review of Children's Social care is a once in a generation opportunity to transform the children's social care system.

Our vision is a society where babies get the best start in life through high-quality universal services and targeted early help; where inclusive schools value children's wellbeing alongside academic progress; and where young people are enabled to make a confident transition to adulthood, safe from violence on our streets and criminal exploitation. For our most vulnerable children, it is right that the state plays a more active role in this, including taking on parental responsibility where families cannot.

Delivering bold and ambitious change requires cross-government commitment, enabling local leaders to work together with a shared purpose. The voices of children, families and communities must be at the heart of this integrated system. And it means tackling the growing levels of poverty and social inequality that prevent so many children from fulfilling their potential.

Our challenge to The Independent Review of Children's Social Care is to focus on what will really transform children's lives for the better. The Case for Change gives us hope that this will be what the Review grapples with in its next phase.

1. There are significant inequalities in which families are involved with children's social care

We know that where a child lives, and who their parents are, can predict the probability of whether or not they are likely to be involved with children's social care. The Review rightly demonstrates the link between the socioeconomic circumstances of families and social care involvement, and we agree that we should recognise these as child welfare inequalities¹.

It is clear that the social care system does not exist in a vacuum. Any plan for improving outcomes for vulnerable children can only succeed if it is part of a wider children and young people's strategy that addresses rising inequality. The Independent Review of Children's Social Care cannot do this alone: we need a new vision for childhood.

Along with socioeconomic inequality, there are a number of other intersecting factors which mediate interactions between children, families and the social care system. These include race and ethnicity, Special Educational Needs or a Disability (SEND), and whether parents

¹ Bywaters and the Child Welfare Inequalities Team. (2020). The Child Welfare Inequalities Project: Final Report. Available: <https://mk0nuffieldfounpg9ee.kinstacdn.com/wp-content/uploads/2019/11/CWIP-Overview-Final-V4.pdf>

have experienced being in care themselves. Work by Webb (2020) and others has highlighted how 'supply side' factors, including social work practice itself, influences which families are subject to social care interventions and the inequalities across ethnic groups.²

A study from the Nuffield Foundation identified significant numbers of women who have been subject to recurrent care proceedings and had spent periods time either in care or in informal caring arrangements away from their parents (40% looked after and 14% informal arrangements).³ The whole cohort of mothers subject to recurrent care proceedings were also more likely to have a first child before the age of 20 and have experienced abuse during childhood. The findings highlight the importance of increasing support for parents following the removal of a child and for increasing the availability of trauma informed support.

Children's needs do not respect service boundaries or departmental budgets. Funding one part of the system without a clear vision for what we want to achieve will not deliver value for money or provide sustainable improvement to outcomes. The government will need to be strategic in allocating spending, joining up the dots between poverty, mental health and interactions with children's social care. The system is under extreme financial pressure and the cuts to early help services are the most drastic, with recent findings showing that in the most deprived neighbourhoods spending has been cut by over 80%.⁴

For the strategy to be effective, it must be backed by significant investment to reverse the impact of a decade of cuts, and have the voices of children, young people, parents and carers at its heart. Listening to these perspectives at every stage of the process – from design and development to service delivery – will allow for a social care system designed to meet the needs of infants, children, young people and families.

Recommendations

- HM government should develop a cross-government infant, children and young people's strategy that considers the needs of all children, young people, and families from conception to age 25 that focuses on a coherent and shared set of outcomes.
- HM government should improve join up between adult and children's social care, including making sufficient services available for supporting adults with mental health problems and drug and alcohol misuse.
- The Department for Education should place a duty on local authorities to collect demographic data of parents in contact with children's social care, including family income and occupation, the parents' own history of social care in childhood, ethnicity, gender, and level of educational achievement.

² Webb, C., Bywaters, P., Scourfield, J., Davidson, G., & Bunting, L. (2020). Cuts both ways: Ethnicity, poverty, and the social gradient in child welfare interventions. *Children and Youth Services Review*, 117, 105299.

³ Broadhurst and Harwin. (2018). Vulnerable birth mothers and recurrent care proceedings. Nuffield Foundation. Available: <https://mk0nuffieldfounpg9ee.kinstacdn.com/wp-content/uploads/2019/11/a7pppykncjiwcpiovgbi6a2prkglcc7v.pdf>

⁴ Children's Services Funding Alliance (2021) Children and young people's services: Spending 2010-11 to 2019-20. Pro Bono Economics.

- Local authorities should re-focus on their obligations under the public sector equality duty in regards to exploring the reasons why there are over or underrepresentation of different ethnic groups in the children's social care system.
- The Department for Education should ensure that trauma informed support is made available to parents when a child is placed into care.

2. We're not doing enough to help families

A decade of funding cuts has seen huge reductions in the availability of universal and early help services for infants, children, young people and families. Communities with functioning universal and early help services can provide opportunities for struggling families to access help and support when they need it, without the need for statutory interventions from children's social care.⁵ The government needs to reflect on the growing body of evidence showing the importance of investing in universal and early help services. Any approach to supporting families must consider the difficult circumstances they are parenting in, and take account of the high numbers of children living in poverty in England (31%).⁶

The current availability of early help services for families is inconsistent. It has been 10 years since Eileen Munro recommended a statutory duty for early help, and the government should now take the steps to introduce it. The duty should clearly set out the responsibility for providing early help lies across all services supporting infants, children, young people and families. We need a truly joined up approach across social care, education, health and the police

Domestic abuse is the most common factor recorded in children in need cases and is often a contributing aspect for children becoming looked after. There have been reports that domestic abuse increased significantly during the pandemic.⁷ The passing of the Domestic Abuse Act has recognised children as victims in their own right which has been a significant step to improve the support to children.⁸ Guidance from BASW highlights the importance of social work interventions not placing the responsibility on the parent subjected to domestic abuse, which is usually the mother.⁹ It encourages greater focus on relational social work practice which empowers survivors and their children.

It is also important that access to support through Section 17 is reliably available for all infants, children and young people classified as 'in need.' This is not the time to dismantle a system, but an

⁵ Edwards, Gharbi, Berry and Duschinsky. (2021). Supporting and strengthening families through provision of early help. National Children's Bureau, University of Cambridge and University of Kent. Available:

https://www.ncb.org.uk/sites/default/files/uploads/attachments/20210513_Rapid%20Review_Full%20Report%20-%20FINAL.pdf

⁶ End Child Poverty (2021). Available: <https://www.endchildpoverty.org.uk/>

⁷ Department for Education. (2020) Characteristics of children in need. Available: <https://explore-education-statistics.service.gov.uk/find-statistics/characteristics-of-children-in-need/2020>

⁸ BASW England (March 2021). Domestic Abuse Practice Guidance: for Children and Family Social Workers. Birmingham: BASW. Available:

https://www.basw.co.uk/system/files/resources/181181_basw_england_domestic_abuse_guidance_v5.pdf

⁹ [Ibid](#)

opportunity to identify areas of strength and build on those, embedding prevention, accountability and long-term investment. This would require sufficient funding and resources to be provided to local authorities to enable them to offer consistent support across the country. Any recommendations in this area must align with the SEND review.

There is a need for increased support to be made available when a child stops being looked after, as it is often a time when entitlements to statutory support ends. The majority of children who stop being looked after return to the care of parent (s).¹⁰ A large scale study of a local authority in England identified that 25% of children who returned from care re-entered the care system within two years.¹¹ Positive reunification was associated with families who lived in less deprived areas and who were placed with their parent (s) under a care order, meaning they would continue to be supported by children's social care. These findings suggest that increased support should be made available to families following reunification, both to meet their socioeconomic needs and with parenting.

Recommendations

- HM Government should introduce a legal duty on local authorities and statutory safeguarding partners to provide early help to children and families. This should encompass a broad definition of early help, including support to alleviate the impact of poverty.
- HM Treasury should increase its funding in order to support implementation of this new duty, factoring in a local authority's level of deprivation and current rates of interventions.
- The impact of these measures should be rigorously evaluated over a number of years. In particular, this evaluation should focus on large linked data sets that assess children and family's journeys through children's social care and explore the outcomes for children and families of different social care interventions and support over time.
- The Department for Education should increase the available support for families when a child is removed from their care and following family reunification.
- The Department for Education should take steps to address regional inequalities in Education, Health and Care Plans and access to short breaks.
- HM Treasury should ensure local authorities are given enough funding to enable them to meet their statutory duties under the Children Act 1989. Children must be put at the heart of this year's spending review, with a focus on those services that have seen the biggest reductions and a credible plan for dealing with rising inequality.

¹⁰ Neil, Gitsels and Thoburn. (2019). Returning children home from care: What can be learned from local authority data? *Child & Family Social Work* Volume 25, Issue 3 p. 548-556. Available: <https://onlinelibrary.wiley.com/doi/full/10.1111/cfs.12724>

¹¹ Ibid

3. There is insufficient national coordination and accountability is confused

The outcomes of the Independent Review of Children's Social Care will only lead to effective lasting change with an improved overall strategic approach to supporting infants, children and young people across social care, education and health. Their needs are at risk of being overlooked in the Health and Care Bill, which was introduced to Parliament in July 2021. Children's social care and adult social sit in different government departments which can create confusion about which legislation and policy initiatives apply to children when they are not explicitly mentioned within health and social care.

There are persistent challenges in the children's health system, including unwarranted variation; lack of join-up between health, education and social care; insufficient workforce and service capacity; gaps and confusion around data sharing; and challenges in providing targeted care for vulnerable children and those with special educational needs and disabilities (SEND). The creation of Integrated Care Systems can help overcome some of these challenges, but only if there is an explicit and sustained focus on children and young people at national level. This is currently lacking.

Integration at a local level must be supported by join-up at a national level. There are a number of different proposed reforms and policy developments related to children currently being undertaken by Government and it is essential they are connected to any reforms to the children's social care system. These national policy initiatives include

- The Early Years Healthy Development Review, headed by Dame Andrea Leadsom;
- The SEND Review; and
- The establishment of the Office for Health Promotion and closure of Public Health England.

The Better Care Fund requires Integrated Care Boards (formerly CCGs) and local authorities to make joint plans and pool budgets for the purposes of integrated care, providing a context in which they can work together as partners towards shared objectives. However, there is no equivalent for children's health and social care. Unless there is financial support for implementation which is specifically allocated for children's services, integration may not happen regardless of the legislation.

The Health and Care Bill provides an opportunity for the Government to support its own policy agenda across health, public health, SEND, children's social care and education. Much of the existing data sharing legislation refers only to adults, which has resulted in significant barriers and misperceptions around information collection and sharing for children. Key agencies responsible for delivering support to children are also left out of data sharing permissions in legislation. There are also significant gaps in data related to children's health and care, in part due to the absence of a national dataset on children's use of social care.

Recommendations

- HM government should rename the Department for Education the Department for Education and Children's Social Care.
- A pooled budget should be established to integrate children's health and social care services, similar to the Better Care Fund for adult health and social care services.
- The Health and Care Bill should make clear that it is permissible to share data for health, care and education purposes.
- The new powers proposed for the Secretary of State to mandate standards for data and to require data from adult social care providers should also cover the children's system. These extended powers must therefore also be given to the Secretary of State for Education, responsible for children's care.

4. Multi-agency arrangements do not take a multidisciplinary approach to working with children and families

Multi-agency safeguarding partnerships are relatively new arrangements established by the Children and Social Work Act 2017. They themselves operate within a "bewildering and ever-growing map of local multi-agency arrangements" and the complexity of working across multiple geographical footprints has been a major challenge in their early stages. Leadership and collective accountability across the three partners remain significant areas for development (see Wood Review, Department for Education, 2021).

The Health and Care Bill proposes to abolish Clinical Commissioning Groups and transfer the legal responsibilities for safeguarding partnerships to Integrated Care Boards. These operate across a much larger footprint than CCGs. The bill also creates Integrated Care Partnerships which are designed to drive integration between local authorities and the NHS. These changes provide an opportunity to embed the work of safeguarding partnerships within these new NHS and local government structures, as well as the challenge of keeping a focus on vulnerable children during the re-organisation.

Multi-agency challenges in the social care system are mirrored by challenges in the provision of services for children and young people with SEND, which are also under review. The SEND system suffers from a lack of common objectives across education, health, and social care services, competing priorities, and a lack of strategic leadership. Failure to align the work of the SEND Review and the Independent Review of Children's Social Care may result in further complexity, rather than greater clarity, for local systems.

Recommendations

- Leadership and accountability for protecting and promoting the welfare of infants, children and young people should be clearly established for Integrated Care Boards and Integrated Care Partnerships.
- The SEND Review and the Independent Review of Children's Social Care should seek to align their recommendations on multi-agency working; national government should set out a single set of joint outcomes that local systems are tasked with delivering against.

- Relevant inspectorates should be tasked with scoping out the potential for joint inspection arrangements for multi-agency safeguarding partnerships; the inspectorates should identify synergies with, and learning from, the joint area inspections of SEND carried out by Ofsted and CQC.

5. There is more to do to recruit, retain and support a high quality workforce

Urgent steps need to be taken to address the crisis in the children's social care workforce. The high numbers experiencing burnout and exiting the profession after just a few years must be addressed or the system will continue to struggle. The mental health and wellbeing of the workforce needs to be prioritised because the nature of the work requires being exposed to stressful and traumatic experiences. They must also carry a very high level of responsibility when managing risk, and live with the knowledge that public scrutiny may fall upon them if they make mistakes. More needs to be done to change the public narrative of social work and bring it on an equal footing with other professions, such as teaching.

At present, many social workers are required to be experts across the full spectrum of different issues facing infants, children, young people and families. There is a need for social workers and social work teams to have access to specialist expertise across these areas. For example, refugee and migrant children's teams and teams to support children with SEND. This should be developed strategically across individual local authorities based on the demographics of their local areas in order to respond to the needs of different communities.

Recommendations

- Provide social workers with regular clinical therapeutic supervision.
- Local authorities should put strategies in place to retain members of staff, including by offering specialist training and salary incentives.
- Local authorities should respond to the needs of their local area by commissioning specialist expertise to support social work teams, including refugee and migrant children's teams and SEND.

6. Professionals and parents trying to safeguard teenagers facing harm outside of the home, are being failed by a system that was not designed for the task

The system is not working for many young people experiencing harm outside of the home. This includes young people with insecure immigration status who may never have had a "home" in England, and whose needs are often not met by a children's social care system that was not built for the task.

We need a joined-up approach across different agencies which considers the links between children who are excluded from school, race and ethnicity, have SEND and who may end up attending Pupil Referral Units (PRUs). Often, these children have been known to services for

some time and have experienced trauma in their childhoods (Office of the Children's Commissioner, 2021).¹² We need more early intervention with children in schools, to provide help at the earliest possible moment in their lives to prevent them being pushed to the edges of society. The current review into behaviour in schools must not result in more children being excluded from mainstream schooling.

Partnership between schools, children's social care and parents is fundamental in supporting young people at risk outside of the home. Often their parents may have specific vulnerabilities which make parenting more difficult, such as having a disability themselves or significant mental health problems.

The backdrop of rising numbers of looked after young people falls against cuts to the availability of universal services such as youth clubs and other activities.¹³ For young people, we need to be able to offer them a range of different kinds of support in addition to improving the availability of support offered through CAMHS. This includes more outreach work from people who have lived experience of the issues affecting different cohorts of young people and who can act as role models. This could be an important aspect of any targeted work with young people at risk of being exploited outside of the home.

The specific needs and experiences of young people with insecure immigration status should be embedded into any plans for improving children's social care for teenagers. Young people who arrived as unaccompanied children have often experienced very traumatic events in their home countries and on their way to England. They are also at an increased risk of contextual safeguarding issues. There may also have developed a mistrust of services offered through their local authority if they have been through the age assessment process, as research has found this can be traumatising – especially if they were wrongly assessed as an adult.¹⁴

Recommendations

- Outreach and mentoring programmes should be provided to young people who are at risk of contextual safeguarding issues within their local areas.
- HM Treasury should ensure sufficient funding is made for youth clubs and activities for young people to access in their communities.
- Schools, colleges and PRUs should ensure that young people are provided with all the information they need about accessing apprenticeships and traineeships.

¹² Office of the Children's Commissioner (2021) Still not safe. Available: <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2021/02/cco-still-not-safe.pdf>

¹³ Edwards, Gharbi, Berry and Duschinsky. (2021). Supporting and strengthening families through provision of early help. National Children's Bureau, University of Cambridge and University of Kent. Available: https://www.ncb.org.uk/sites/default/files/uploads/attachments/20210513_Rapid%20Review_Full%20Report%20-%20FINAL.pdf

¹⁴ Gien-Wilson, Hodes and Herlihy. (2017). A review of adolescent autobiographical memory and the implications for assessment of unaccompanied minors' refugee determinations. *Clinical Child Psychology and Psychiatry*. Page 1-14. Available: <http://www.csel.org.uk/assets/images/resources/a-review-of-adolescent-autobiographical-memory-and-the-implications-for-assessment-of-unaccompanied-minors-refugee-determinations/given-wilson-hodes-herlihy-2017.pdf>

- The NHS long-term plan states that over the coming decade the goal is to ensure that 100% of children and young people who need specialist mental health care can access it.
 - The commitments in the NHS long-term plan should be fast tracked, and mental health support for children and young people in care and care leavers should be provided as standard, in partnership with local authorities, schools, the voluntary sector and the NHS.

7. Children in care and care leavers' need the state to be a "pushy parent"

Section 1 of the Children and Social Work Act 2017 sets out the role of local authorities and the application of corporate parenting principles. The guidance sets out that the responsibility for children in care and care leavers falls to everyone involved in supporting them, and the key message to consider is: 'the critical question that local authorities should ask in adopting such an approach is: 'would this be good enough for my child?'¹⁵ There are seven principles for corporate parenting which set out how children in care and care leavers should be supported, and if they functioned in practice this cohort would be getting a much better deal than the current reality for many care experienced individuals.

We also need to consider the growing cohort of children and young people with insecure immigration status who find themselves caught between the children's social care system of protection and the Home Office's 'hostile environment.'¹⁶ As corporate parents for growing numbers of young people with insecure immigration status, the system needs to ensure their welfare is at the centre. This means to proactively support young people to resolve immigration issues and ensure the workforce has the necessary knowledge required to meet their needs.

NCB hosts the Childhood Bereavement Network who support bereaved children and families.¹⁷ This includes looked after children who entered the social care system following a bereavement. Their call for evidence from professionals highlighted a gap in supporting looked after children and young people who have been bereaved, particularly around life story work which could help them understand their experiences and with processing the bereavement.

NCB's Experts by Experience group of care leavers explained a number of issues with the current system. ¹⁸ This included not being supported with accessing higher education, difficulty accessing

¹⁵ Department for Education. (2018). Applying corporate parenting principles to looked-after children and care leavers. Statutory guidance for local authorities. Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683698/Applying_corporate_parenting_principles_to_looked-after_children_and_care_leavers.pdf

¹⁶ NCB is conducting an evaluation funded by the Paul Hamlyn Foundation of voluntary organisations supporting young people in care and care leavers with insecure immigration status. The final report is due at the end of 2021 and for further information about the research findings please contact Keith Clements, Senior Researcher for NCB, kclements@ncb.org.uk

¹⁷ [The Childhood Bereavement Network](#) (CBN) is the hub for those working with bereaved children, young people and their families across the UK. We underpin our members' work with essential support and representation: bringing them together across localities, disciplines and sectors to improve bereavement care for children. For further information please contact Gail Precious, Senior Development Officer, gprecious@ncb.org.uk

¹⁸ *Living Assessments* is a large five-year research project on children's social care funded by the Wellcome Trust in a partnership between NCB, University of Cambridge and University of Kent. The Living Assessments project's

mental health support and not being given a voice during key moments in their lives. They felt they were not provided with all the information they needed about the possibilities available to them regarding further education or access to apprenticeships. They were also concerned about the lack of support available to them once they were at university or undertaking training.

The group were concerned that foster carers need to be more carefully selected as they had had negative experiences. For example, not being taken out of the house or being told they must move out with very short notice. They were concerned that people become foster carers for financial reasons rather than because they wanted to provide a family for a vulnerable child or young person. The group also suggested that more activities are provided for looked after children which could increase their self-esteem, such as through one to one day trips or activities of their choice.

The group also explained that they did not receive support with their mental health while in care or as a care leaver. They think it should not be up to them to arrange it for themselves because usually it would be expected that a parent would be in that role and arrange access to mental health support services. They also explained that during your early adult years can be a time when trauma and undiagnosed mental health problems can come to the surface, and this often coincides with the end of leaving care support. They compared this to the growing numbers of young adults returning to living with their parents after university. The government need to ensure that children in care and care leavers are given a better deal that compares to what a young person could expect to receive from parents and they should explore why corporate parenting principles are not working practice.

Recommendations

- The government should consult with care leavers about how their corporate parents could better support them across the lifespan. They should explore how corporate parenting principles could be further embedded within local authorities and across relevant agencies.
- Local authorities should provide more support to young people in care throughout their adolescence to develop skills needed to transition to adulthood. This includes through activities to develop self-confidence and self-esteem.
- The Department for Education should introduce a duty for local authorities to record the immigration status of looked after children and young people.
- Local authorities must recognise the need to resolve immigration status should be at the heart of care planning. This includes awareness that it is not just unaccompanied migrant children and young people who have insecure immigration status.

Experts by Experience group of care leavers contributed to the key messages shared in this section of the response.

- Children in care and care leavers should be signposted to sources of advocacy so they can have their voices heard if they receive unsuitable care and support during their time being looked after by the local authority.

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