Children's social care in England

Summary

On 17 January 2019 there will be a Backbench Business debate on children’s social care in England. This will take place in the main Commons Chamber.

This Commons Library debate pack provides an overview of the legal and policy framework for children’s social care in England, and the key challenges facing local authority children’s social care services.

It provides a selection of news articles and sector comment on the topic, together with parliamentary material and links to independent research and reports.
1. Children’s social care

Children’s social care services are generally situated within or alongside broader children’s services. The Department for Education (DfE) research report *Children’s services: spending and delivery* (July 2016) provided the following explanation of the types of children’s services that local authorities provide:

Local councils describe their children’s services by using a four-tier model, which may be represented as a pyramid or continuum of needs.

**Tier 1**: Universal services such as schools, and health visiting.

**Tier 2**: Targeted services for children and families beginning to experience, or at risk of, difficulties; for example school counselling, parenting programmes, and support for teenage parents.

**Tier 3**: Specialist services for children and families with multiple needs such as intensive family support, and services for children with disabilities.

**Tier 4**: Specialist services for children and families with severe and complex needs, including child protection services, and looked after children.¹

Children’s social care services sit within tiers 3 and 4 of this framework:

**Non statutory services**: **Tier 1** and **tier 2** services for cases with a lower level of need than children in need and looked after children.

**Statutory services**: **Tier 3** and **tier 4** services for children in need, and looked after children, as established in the Children Act 1989.²

Social care services may include:

- services for looked after children³, including fostering and residential care
- court liaison and advisory services
- adoption
- child protection
- family support
- services for children with disabilities

Local authorities work with other bodies such as the police, health and education services, and private and voluntary care providers, to meet their statutory duties.

The Department for Education (DfE) is responsible for the legal and policy frameworks within which children’s social care services operate.

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² Ibid., p9
³ Under the *Children Act 1989*, a child is legally defined as ‘looked after’ by a local authority if he or she is provided with accommodation for a continuous period for more than 24 hours, or is subject to a care order.
The Ministry of Housing, Communities and Local Government (MHCLG) provides funding to local authorities for children’s services.

1.1 The legal context

All decisions should be driven by the well-being of the child. This is one of the core principles of the children’s social care system in England.

The way that agencies and organisations should work together to safeguard and promote the welfare of children is set out in Department for Education (DfE) statutory guidance: Working together to safeguard children (last updated 1 August 2018).

The document summarises the legislative framework as follows:

Whilst it is parents and carers who have primary care for their children, local authorities, working with partner organisations and agencies, have specific duties to safeguard and promote the welfare of all children in their area. The Children Acts of 1989 and 2004 set out specific duties: section 17 of the Children Act 1989 puts a duty on the local authority to provide services to children in need in their area, regardless of where they are found; section 47 of the same Act requires local authorities to undertake enquiries if they believe a child has suffered or is likely to suffer significant harm. The Director of Children’s Services and Lead Member for Children’s Services in local authorities are the key points of professional and political accountability, with responsibility for the effective delivery of these functions.

These duties placed on the local authority can only be discharged with the full co-operation of other partners, many of whom have individual duties when carrying out their functions under section 11 of the Children Act 2004 (see chapter 2). Under section 10 of the same Act, the local authority is under a duty to make arrangements to promote co-operation between itself and organisations and agencies to improve the wellbeing of local children (see chapter 1). This co-operation should exist and be effective at all levels of an organisation, from strategic level through to operational delivery.

The Children Act 2004, as amended by the Children and Social Work Act 2017, strengthens this already important relationship by placing new duties on key agencies in a local area. Specifically the police, clinical commissioning groups and the local authority are under a duty to make arrangements to work together, and with other partners locally, to safeguard and promote the welfare of all children in their area.

Everyone who comes into contact with children and families has a role to play.

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment
- preventing impairment of children’s health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
taking action to enable all children to have the best outcomes

Children in Need

‘Child in Need’ is a broad definition spanning a wide range of children and adolescents, in need of varying types of support and intervention. A child is defined as ‘in need’ under section 17 of the Children Act 1989, where:

- they are unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for them of services by a local authority;
- their health or development is likely to be significantly impaired, or further impaired, without the provision for them of such services; or
- they are disabled.  

Children in need make up a small minority of all children. At 31 March 2016, an estimated 3% of all children were in need of help and protection, and around 6% of all children were in need at some point throughout the year.

Children in need of help and protection are assessed and supported through children’s social care services and include:

- children on Child in Need Plans
- children on Child Protection Plans
- looked after children
- young carers
- disabled children

The DfE figure below provides an overview of statutory thresholds for children in need:

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4 Department for Education, *Working together to safeguard children*, last updated 1 August 2018, pp6-7
5 Section 17(10) of *Children Act 1989*
6 Department for Education, *Children in need of help and protection - data and analysis*, 16 March 2018, Section 2.1 p8
7 Ibid.
The Commons Library briefing paper CBP-7730: Local authority support for children in need (England) (October 2016) provides further information on the assessment process and the services available to children in need and their families in England.

1.2 The policy context

In 2010, the Department for Education (DfE) commissioned the Munro Review of child protection, which recommended major reform of children’s social work when it was published in May 2011. It proposed 15 recommendations designed to create “a better balance between essential rules, principles, and professional expertise” and ensure that children’s services could be more “child-centred” and less bureaucratic.\(^8\)

In July 2016, the DfE published Putting children first, setting out its vision for children’s social care by 2020.\(^9\) It built on a previous policy paper: Children’s social care reform: a vision for change (January 2016).

The Government’s strategy involves reform in the three key areas:

- **people and leadership** – bringing the best into the profession and giving them the right knowledge and skills for the challenging but hugely rewarding work ahead, and developing leaders equipped to nurture practice excellence
- **practice and systems** – creating the right environment for excellent practice and innovation to flourish, learning from the very best practice, and learning from when things go wrong

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• governance and accountability – making sure that what we are doing is working, and developing innovative new organisational models with the potential to radically improve services.10

The reform programme includes: developing the social work profession through assessment and accreditation; supporting innovation; establishing a new What Works Centre; and exploring new governance and accountability arrangements. The DfE has published a ‘roadmap’ for how it intends to transform children’s social care services, with a timeframe for delivery of the reforms.11

The national assessment and accreditation system is intended to introduce a new practice-focused methodology to establish the knowledge and skills that child and family social workers need for statutory child and family social work. The Government’s consultation outcome – Confidence in practice: child and family social work assessment and accreditation system (8 December 2017) – provides further information on the proposed reforms.

The Children’s Social Care Innovation Programme was launched by the DfE in 2014 to test innovative ways of supporting vulnerable children and young people. The programme objectives are to:

• Improve life chances for children receiving help from the social care system.
• Create stronger incentives and mechanisms for innovation, experimentation and replication of successful new approaches.
• Drive better value for money across children’s social care.

The Programme has a budget of £200m for 2014-20. Information about the individual projects, as well as insights gained from the Programme as a whole, are available on the Innovation Programme Projects and Insights webpage.

Alongside the Innovation programme, DfE is working with the best leaders and practitioners in children’s social care through the Partners in Practice programme. This programme aims to support wider improvement across the children’s social care system through understanding and sharing what works in improving outcomes for vulnerable children and young people.

The DfE published a children’s social care statutory guidance myth busting guide in August 2018 with the aim of clarifying what local authorities are permitted to do within existing guidance and legislation. The guide was designed to clarify the legal framework in order to promote new ways of working that were thought to be prohibited. However, the document drew criticism from campaigners, with an open letter from 50 social work organisations and academics in September 2018 claiming it was in conflict with existing laws and guidance on seven points, which could lead to local authorities breaking the law if

10 Department for Education, Putting children first: Delivering our vision for excellent children’s social care, July 2016, p5
11 Letter from the Permanent Secretary of the DfE to the Chair of the Public Accounts Committee, 18 September 2017
they followed the guide.\textsuperscript{12} Community Care magazine reported on 11 January 2019 that the charity Article 39 has threatened the DfE with legal action if it does not withdraw the guide.\textsuperscript{13}

The DfE has commissioned a \textbf{What Works Centre for Children’s Social Care} to foster a culture of evidence-informed practice. The Centre will be established as an independent organisation by 2020, but will publish early research during its development. The What Works Centre is being set up in close collaboration with the sector:

We are working in close consultation with leaders, practitioners, children, young people, families and researchers across the sector to:

- Identify gaps in the evidence, and create new evidence through trials and evaluations
- Collate, synthesise and review existing evidence
- Develop, test and publish tools and services that support the greater use of evidence and inform the design of the future Centre
- Champion the application of robust standards of evidence in children’s social care research.\textsuperscript{14}

The Government has established a \textbf{National Stability Forum for Children’s Social Care} to provide leadership across the sector and drive forward the Government’s vision for children’s social care.\textsuperscript{15}

The Government has also implemented a number of sector specific reviews, notably on fostering. For further information see the DfE’s response to the Education Select Committee’s \textit{Fostering} report and the independent \textit{Foster Care in England} report: \textbf{Fostering Better Outcomes} (July 2018).

The Association of Directors of Children’s Services (ADCS) has published a detailed \textit{children’s services policy timeline} from 2007 onwards that illustrates the key events and changes that impact on safeguarding children and young people in England.

\textsuperscript{12} ‘Minister defends children’s services ’myth busting’ guide following criticism it could cause harm’, \textit{Community Care}, 12 September 2018

\textsuperscript{13} ‘DfE threatened with judicial review over children’s social care ‘myth-busting’ document’, \textit{Community Care}, 11 January 2019

\textsuperscript{14} What Works Centre for Children’s Social Care website [Accessed 3 January 2019]

\textsuperscript{15} Department for Education, \textit{Fostering Better Outcomes: The Government response to the Education Select Committee into fostering and Foster Care in England}, CM9662, July 2018, p43
2. Challenges facing children’s social care

In recent years a number of reports, from a range of stakeholders, have highlighted ongoing concerns with children’s social care services. For example:

- **Care Crisis Review** - A sector-led seven month review of the rise in applications for care orders and the number of children in care. The final report - *Care Crisis Review: Options for Change (June 2018)* - provided an in-depth analysis of the current state of children’s social care and set out 20 options for change. These include “immediate steps that could be taken to move away from an undue focus on processes and performance indicators, to one where practitioners are able to stay focused on securing the right outcomes for each child”. This report was debated in Parliament and the Commons Library produced a corresponding summary for the debate.


- The Education Select Committee’s 2016-17 inquiry into fostering called on the Government to conduct a review of the whole children’s care system: “… We believe that the Government should conduct a fundamental review of the whole care system to address wider issues and ensuring that the care system is fulfilling its purpose”. A report by Action for Children and National Children’s Bureau - *Turning the Tide* (November 2017) – analysed the funding pressures on children and young people’s services.

- A position paper from the Association of Directors of Children’s Services (ADCS) - *A Country That Works For All Children* (October 2017) explored the impact of different initiatives and policies on children’s lives and outcomes, and “calls for a marshalling of resources across the various government departments, a reaffirmation of the value of preventative services and the establishment of a cross-government review to understand better the reasons for, and links between, rising levels of child poverty and demand for children’s statutory services”.

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The Public Accounts Select Committee’s 2016–17 inquiry into Child protection concluded that:

The Department seemed to us worryingly complacent that nothing can be done to improve [Children’s] services more quickly. The Department’s newly stated ambition to improve services by 2020 is welcome but the Department lacks a credible plan for how and by when it will make a difference and ensure that local authorities are intervening effectively to make a difference to these children’s lives…18

The Government response was published in March 2017.

The National Audit Office published a critical report - Children in need of help or protection – in October 2016 which made a number of recommendations to improve children’s services. The head of the National Audit Office, Amyas Morse, said:

Six years have passed since the Department recognised that children’s services were not good enough. It is extremely disappointing that, after all its efforts, far too many children’s services are still not good enough. To achieve its new goal of improving the quality of all services by 2020 the Department will need to inject more energy, pace and determination in delivering on its responsibilities.19

The key issues raised by these reports include:

- Increasing demand for children’s social care;
- Funding pressures;
- Varying thresholds for social care;
- Poor and inadequate services in some areas;
- Workforce challenges – in particular, recruitment and retention of social workers;
- Poor outcomes for children in need.

The following sections of the briefing paper provide an overview of the key issues.

2.1 Demand for social care

The chart below shows the number of children in need since 2010. The number was at its lowest in 2012 at 369,410 and is currently at its highest - as at 31 March 2018 there were 404,710 children in need in England.

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19 National Audit Office webpage Children in need of help or protection [Accessed 3 January 2019]
If a local authority identifies there is reasonable cause to suspect a child is suffering, or is likely to suffer significant harm, it will carry out an assessment under section 47 of the *Children Act 1989* to determine if it needs to take steps to safeguard and promote the welfare of the child. If concerns are substantiated and the child is judged to be at continuing risk of harm then an initial child protection conference should be convened within 15 working days.

The chart below shows that Section 47 enquiries and child protection conferences have increased year on year since 2010. Between 2010 and 2018 the number of Section 47 enquiries increased by 122% from 89,300 in 2010 to 198,090 in 2018. Over the same period the number of child protection conferences increased by 81% from 43,900 to 79,470.
At the initial child protection conference, the decision will be made as to whether the child needs to become the subject of a child protection plan. The number of children who became subject to a child protection plan has also increased year on year since 2010. In the year ending 31 March 2018 a total of 53,790 children in England had a child protection plan in place.

The number of children looked after has also increased in recent years. As at 31 March 2018 there were a total of 75,240 looked after children in England, a +17% increase on the 2010 figure of 64,470. The table below shows that the majority of looked after children are in foster placements, followed by secure units and children’s homes.

### Why is demand increasing nationally?
A range of factors have been attributed as contributing to the increase in demand for children’s social care services including:

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Source: DFE Children in Need Statistics

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Source: DFE Looked After Children Statistics

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Source: DFE Looked After Children Statistics

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greater awareness and referrals in the wake of high profile cases such as those involving sexual exploitation in Rotherham.

- increasing numbers of children who are vulnerable or at risk from female genital mutilation, gang violence, child sexual exploitation, radicalisation, and increasing numbers of unaccompanied children seeking asylum.

- perceived increases in child poverty and cuts to early intervention services, leading to more children being at risk from mental illness, substance abuse and domestic violence.

- better identification, rather than an actual increase in the number of children at risk.20

The Association of Directors of Children’s Services (ADCS) has collected qualitative and quantitative data from local authorities in six phases spanning 2007/8 to 2017/18 to evidence and better understand changes in demand for, and provision of, children’s social care. Phase 6 of the research project – published in November 2018 - draws on survey responses from 92% (140) of all local authorities in England and existing data. The Phase 6 report concluded that the increase in demand across all aspects of children’s social care arises from:

- Wider societal determinants linked to poverty
- New and greater risks to children and young people such as County Lines and other contextual safeguarding risks
- An increased number of Unaccompanied Asylum Seeking Children
- More care leavers as a result of the increase in the number of children looked after and extended care leaver duties to age 25
- A growth in the overall child population
- Additional new duties from legislation and policy.21

The report notes that:

These wider societal determinants, such as poverty driven by the cumulative impacts of welfare reform, insecure work and lack of affordable housing, lead to an increased risk of strained, poor-quality family relationship, which in turn increases the risk of poor-quality parenting, parental mental ill-health and emotional distress. The cumulative impacts of these factors affect children’s wellbeing, which in turn affect their outcomes and life chances. If these factors are not addressed, and taking into account the projected continued growth in population, then we can expect the number of children and families who require support to continue to grow, unabated.22

The ADCS’s policy paper – A Country That Works For All Children - published in October 2017, outlined concerns about the impacts of austerity measures on children’s social care services:

Local authorities are ambitious about improving children’s life chances but a series of conflicting national policy initiatives - particularly in relation to welfare reform - coupled with dramatic

21 ADCS, ADCS Safeguarding Pressures Research Phase 6, November 2018, p119
22 Ibid., p120
reductions in public sector funding, are increasingly affecting our ability to improve outcomes.

[...]

Whilst councils across the country have safeguarded spending on child protection services to protect the most vulnerable, the unintended consequence of the government’s austerity programme has been to drive up demand for these services as more and more families find themselves at the point of crisis. The Child Poverty Action Group suggests the annual cost of tackling child poverty in the U.K. is £29 billion, this sum dwarfs the estimated £2 billion funding gap in children’s services (LGA, 2017).

ADCS members are concerned that our ability to address the growing pressures in the child protection system and wider children’s services, including schools, via the provision of early help and support to families is being eroded by austerity. The Children Acts of 1989 and 2004 aimed to improve services for children by promoting early help and multi-agency working to bring about positive outcomes for children, young people and their families but these preventative duties have never been sufficiently funded. We are not, nor should we be, a blue light service.

The All Party Parliamentary Group (APPG) for Children 2016-17 Inquiry into children’s social care services in England also highlighted the impact of funding pressures on the number of children being taken into care:

Inevitably, the available resource is being spent disproportionately on children most at risk of harm. Unfortunately, the Inquiry heard that across the country, there is insufficient resource for universal services, early help for families, and even statutory support for children classified as “in need”. Strikingly, in a survey conducted for the Inquiry, 89 per cent of directors of children’s social services reported finding it increasingly challenging to fulfil their statutory duties under Section 17 of the Children Act 1989.

And:

The Inquiry heard repeatedly that increasing resource is being directed towards children who have already suffered abuse or neglect, or those at high risk of harm. Correspondingly, fewer resources are allocated for early intervention and prevention, including support for families. The result is a shift towards late intervention, where needs have often escalated significantly before any support is put in place. This often results in more children being taken into care, and ultimately in poorer outcomes for children and families.

In preparation for the forthcoming Spending Review, the Government is working with the sector to “develop a sharper and more granular picture of demand for children’s services”.

23 Association of Directors of Children’s Services (ADCS), *A Country That Works For All Children*, 11 October 2017, p1
26 WPQ 202747 20 December 2018
The National Audit Office is conducting an enquiry into Managing demand for children’s services. This is due to report in early 2019.

2.2 Funding

Children’s services are funded via the local government finance settlement; the funding is not ring-fenced. Ahead of confirming allocations at the 2019 Spending Review, the Autumn Budget 2018 announced:

- an additional £410 million in 2019/20 for adults and children’s social care; and

- £84 million over 5 years from April 2019 to support up to 20 local authorities to improve their social work practice and decision-making.27

Funding trends

In 2014/15 expenditure on ‘services to young people’ was reclassified to Children and Families Social Care services expenditure. As a result, expenditure on children and families social care cannot be tracked back to 2010/11 on a consistent basis. The table below shows two separate time series, but both suggest that expenditure on children’s social care has been protected, during a period in which Government funding for local authorities has fallen in real terms.28

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Sources:
MHLG: Local authority revenue expenditure and financing data
HMT: GDP Deflator October 2018

Research by Aldaba and the Early Intervention Foundation for the DfE analysed the spend per head on children’s services between 2010/11 and 2015/16, and identified wide variation in spend per head between local authorities for both children in need and looked after children.29 Variations in spend per head may be a result of a number of factors, for

27 WPQ PQ 200076 13 Dec 2018
28 National Audit Office, Financial sustainability of local authorities 2018, 8 March 2018
29 DfE, Children’s services spending update November 2017, November 2017, para 31
example: sudden changes in the number of children supported through the services; efficiencies; and the number of the most expensive types of placements, such as residential care. The National Audit Office reported in 2016 that “Neither the DfE nor authorities understand why spending varies”.  

Preventative services

As children’s social care services are primarily statutory responsibilities, funding pressures in this area tends to lead to use of reserves or spending reductions in other service areas, rather than a reduction in service.  

There is a concern that funding for non-statutory children’s services, in particular for early and preventative interventions such as Sure Start and young people’s services, has been significantly reduced in many areas. The Children’s Commissioner, Anne Longfield, raised concerns about the impacts of cuts to preventative services in a 2018 report on public spending on children:

The work shows, therefore, that spend on children has in fact been overall broadly resilient over the last 20 years, even taking into account the effects of the 2008 recession. Within that overall figure, however, are some worrying trends. Mainstream and acute services such as age 4-16 education and provision for children in care have been protected at the expense of targeted preventative services, removing vital safety nets for some very vulnerable children. The 60% cut in Sure Start and youth services will see an increasing number of vulnerable children fall through the gaps.

England now spends nearly half of its entire children’s services budget on 73,000 children in the care system – leaving the other half for the remaining 11.7 million kids.

Children do not arrive in extreme need overnight and many could be prevented from getting to that point if we helped them sooner in a more effective way. We are, in effect, attempting to manage and contain crisis in children’s lives after allowing it to escalate.

The economic and social costs are unsustainable. The cost to the state will ultimately be greater, but it is the lifetime cost to these children which we should be most troubled by. They only have one childhood, one chance to grow up. Already we see the costs of helping children later in life, or of allowing greater numbers to become marginalised – in the current pressures on family courts, special schools and the care system; in spiralling numbers of school exclusions and the consequent increase in younger and younger children linked to violent street gangs.  

The charity Action for Children has published two research reports that raise concerns that opportunities to intervene early are being missed, and “Some children are stuck in a revolving door into social care, in a

30  National Audit Office, Children in need of help or protection, 12 October 2016, Summary
31  National Audit Office, Financial sustainability of local authorities 2018, 8 March 2018, para. 2.30
cycle of referral and assessment, but only receiving help at crisis point”.

In a parliamentary debate on the Care Crisis Review on 5 September 2018, the Parliamentary Under-Secretary of State for Education, Nadhim Zahawi, outlined Government action on early intervention and rejected calls to ring-fence funding for preventative services:

My hon. Friend the Member for Telford has an interest in early intervention. I assure her that, across Government, we are addressing the root causes of children’s needs early - be it by supporting children with alcohol-dependent parents or in families affected by domestic abuse, preventing young people from being drawn into serious violence, or investing in early years and children’s and young people’s mental health. Our “Working Together to Safeguard Children” statutory guidance is clear that local areas should have a comprehensive range of effective evidence-based services in place to address assessed needs early. The Government have also committed £920 million to the troubled families programme, which aims to achieve significant and sustained improvement for up to 400,000 families with multiple high-cost problems by 2020.

On the point that my hon. Friend on funding for preventive support services, it is for local authorities to determine how to spend their non-ring-fenced income on the services they provide, including services for preventive support measures.

**Funding sustainability**

Commentators are also concerned that the current levels of funding are not sustainable. The Local Government Association’s (LGA) Budget Submission Autumn 2017 asserted that “Children’s social care in particular is becoming the biggest area of financial challenge for social care authorities”. The LGA’s Budget Submission Autumn 2018 estimated that children’s services will face a £1.1 billion funding gap in 2019/20 and a £3 billion funding gap by 2024/25:

The LGA’s Bright Futures campaign has warned for some time that the current situation facing children’s services is unsustainable. Children’s services are being pushed to the brink by growing demand for support and face a funding gap of over £1.1 billion in 2019/20 just to maintain current service levels.

Last year saw the biggest annual increase in children in care since 2010, and councils are now starting more than 500 child protection investigations every day, on average. Councils spent £8.8 billion on children’s social care in 2017/18, an increase of 4.3 per cent (nearly £370 million) on the previous year. This is a higher increase proportionally than any other area of council spending. Looked-after children is the single biggest pressure on children’s social care, and accounts for 47 per cent (£4 billion) of overall spending on children’s services.

Vital care and support for vulnerable children is fast approaching a tipping point, after latest figures showed councils overspent by

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34 HC Deb 5 September 2018 c154W
more than £800 million (10 per cent) on children’s social care in the last year.

This shows councils across the country are working incredibly hard to protect services for the most vulnerable in our communities despite significant and ongoing government funding cuts, and they continue to provide essential help and support for thousands of children and families every day. The reality is that councils cannot keep providing this standard of support without being forced to take difficult decisions and cut back on early intervention services which help to prevent children entering the care system in the first place.

[...]

The Government urgently needs to:

• **Commit to fully funding the £1.1 billion funding gap in children’s services in 2019/20 so that councils can manage the rising demand for help**, while also providing the additional resources they need to support families before problems escalate to the point where a child might need to come into care.36

2.3 Provision of social care services

Formal assessment of local authority delivery of children’s social care is the responsibility of the independent inspectorate, Ofsted. Information about **How Ofsted inspects children’s social care** is available on the Ofsted website.

Up until the end of 2017 inspections were carried out under the single inspection framework (SIF). The SIF has an overall effectiveness judgement. There are three key judgements: help and protection, children looked after, and leadership and management. The SIF also has two sub judgements: adoption and care leavers. From 2018, Ofsted has used a new framework for the **inspection of local authority children’s services (ILACS)** which is intended to support the earlier identification of risk and success.37 The ILACS system comprises the following:

• standard inspections (usually for local authorities judged requires improvement to be good)
• short inspections (for local authorities judged good or outstanding)
• focused visits
• monitoring visits
• activity outside inspection.

The **Ofsted Annual Report 2017/18: education, children’s services and skills** reports that “Nationally, the overall effectiveness of local authorities’ children’s services continues to improve. When looking at the latest national picture compared with the picture after each local authority’s first SIF inspection, the proportion judged good or

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36 Local Government Association, *LGA Autumn Budget Submission to HM Treasury*, September 2018, pp11-12

37 For further information see: ‘A new inspection system’, Ofsted blog, 9 November 2017
outstanding has improved from 36% to 42%. There has been a decrease in the proportion judged inadequate, from 22% to 13%.”

However, the report notes that whilst children’s services are improving overall, this is not the case everywhere:

Some LAs that fail in a relatively small number of judgement areas have the capacity, with the right level of support and challenge, to turn things around relatively quickly. Then there are those LAs that require longer and more significant intervention, but still achieve impressive improvement. Finally, there are those LAs in which the weaknesses are so great and the infrastructure insufficient that the inadequacy is far more entrenched. These are the LAs that take the longest time to improve and help fuel the public perception of poor performing LAs.

Ofsted monitors inadequate local authorities and then re-inspects them. Two thirds of inadequate local authorities improved at their re-inspection. Seven authorities were judged to still be inadequate at their re-inspection. Common features of local authorities that struggle to improve from inadequate are:

- a failure to address longstanding weakness and their general pace of improvement.
- insufficient staff and managers, including failures to recruit and retain them and the resultant high caseloads.
- the quality of social work practice, including failures to identify risk and delay in both protecting and achieving permanent alternatives for children.
- a lack of purposeful management oversight of practice.

Social care providers in England have also continued to improve over the years. In 2017/18 84% of the almost 3,000 social care providers were judged good or outstanding by Ofsted. 14% require improvement to be good and 2% were inadequate. Ofsted continues to be concerned about the performance of secure training centres, none of which were judged to be good or outstanding.

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39 Ibid., para 225
40 Ibid., para 230
41 Ibid., p93
In a parliamentary debate on Children’s Services on 12 December 2017 the Minister for Children and Families outlined Government action to improve the standard of children’s social care:

We have strengthened our approach to intervention in cases where councils are failing to provide adequate services for children in need of help and protection, looked-after children or care leavers. That programme of intervention is yielding real results. Some 36 local authorities have been lifted out of failure since 2010 and we are seeing a positive impact from the independent children’s social care trusts that we have set up in Doncaster and Slough. We also have great examples of local authorities, such as Leicester City and West Berkshire, that have turned their services around at an impressive pace, underlining what can be achieved with a relentless focus on improvement along with the right help and support. I am of course pleased with such results, but I am not complacent—we will continue to act swiftly in cases of failure and to act decisively to ensure improvement is happening everywhere in the system.

We have identified £20 million to be invested in improvement support to help create a system of sector-led improvement, founded on systematic and effective self-assessment and peer challenge. We have enjoyed real success in working with sector partners on that. Together, we are testing a system of regional improvement alliances that will, in time, spread to the whole country and enable a robust system of support and challenge between local authorities, supported by key partners such as Ofsted and my Department.

We are expanding our partners in practice programme. Our PiPs, as they are familiarly referred to, are excellent local authorities whose children’s services are secure and whose leadership is strong. For a few years now, the partners have been pioneering excellent practice and working systematically to spread it across the system. They are a model of good practice, not seen from a distance but working hand-in-hand alongside teams in other authorities that want to learn and improve their own practice...

Variations in service provision

The All Party Parliamentary Group (APPG) for Children’s 2017 inquiry into children’s social care drew attention to the issue of variations in service provision and outcomes for children:

Alongside evidence of the funding challenge facing local authorities, the Inquiry heard evidence of substantial variations in local policies and in outcomes for children. Perhaps most strikingly, the proportion of children in local authority care ranges from just 22 per 10,000 to 164 per 10,000. Moreover, this and similar variations are only partially explained by differences in deprivation.

The APPG’s follow-up report - Storing Up Trouble: a postcode lottery of children’s social care (July 2018) - found evidence that children with similar needs, and those facing similar risks, were receiving different levels of intervention and support depending on where they live:

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42 HC Deb 12 December 2017 c116WH
The level of need a child has to reach in order to access support was found to vary across the country. Inconsistency appears to be particularly stark in relation to the provision of early help and wider preventative services.

More than 80 per cent of Directors of Children’s Services, surveyed as part of the Inquiry, said that there were variations in thresholds for accessing early help. Almost three quarters reported variable thresholds for ‘children in need’ support, and almost two thirds said there was variation in thresholds for making a child subject to a child protection plan.

Analysis of Local Safeguarding Children’s Board (LSCB) ‘threshold documents’ found some significant disparities in how local areas were addressing need, particularly in response to children who are self harming, families with housing problems and even children experiencing physical abuse. These findings suggest that children with similar needs, and those facing similar risks, are receiving different levels of intervention and support depending on where they live.44

The APPG recommended urged the Department for Education to urgently respond to the “emerging evidence about variation in thresholds and their application across children’s social care departments, and the implications for children and families”.45

The National Audit Office 2016 study – Children in need of help or protection – found that in the year ending 31 March 2015 there were very wide variations between local authorities in the rates of referrals accepted, re-referrals, children in need and repeat child protection plans.46

2.4 The social care workforce

There is evidence that local authorities face difficulties in recruiting and retaining qualified social workers, with a consequent reliance on agency staff. The Association of Directors of Children’s Services (ADCS) summarises the current position as follows:

DFE reports that there were 28,500 children and family social workers (excluding agency workers) at 30 September 2017, an increase of around 3% on the previous year. Of these, 51% were case-holders at the time of the data collection. 5,340 agency workers were also working as children and family social workers at 30 September 2017 which is similar to the number at 30 September 2016 (5,330).

Changes over the past three years and differences between authorities are apparent. Social worker vacancies had increased from 15% in September 2014 to 17% in September 2017, ranging from 1% to 53% between authorities. Agency staff rates have remained fairly stable at 16%, but individual authorities report rates ranging from 1% to 49%. It is important to note that this national DfE data collection and data presented here is a

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44 The APPG for Children, Storing Up Trouble: a postcode lottery of children’s social care, July 2018, p4
45 The APPG for Children, Storing Up Trouble: a postcode lottery of children’s social care, July 2018, p4
46 National Audit Office, Children in need of help or protection, 12 October 2016, Summary
The turnover rate – the annual number of children’s social workers who leave as a percentage of the total number of children’s social workers – has been consistently high, reaching 17% in 2014/15, although this has since improved slightly, and declined to 14% in 2017/18. The average time spent in the profession is less than eight years, compared with 16 for a nurse and 25 for a doctor.

2.5 Outcomes for children in need

It is widely acknowledged both that the majority of looked after children experience more positive outcomes than they would have if there were not taken into care and that children in care often experience better outcomes than those in the wider group of “children in need”. However, children in care and those leaving care face a variety of lower outcomes compared to their peers:

Understanding the routes to and causes of these outcomes is challenging. In particular, it is an area of contention as to whether these outcomes are a necessary result of the circumstances that children in the care system have experienced, or whether the care system could and should do more to alleviate and mitigate these impacts. A recent report by the Social Market Foundation - Looked-after Children: The Silent Crisis (August 2018) provides further analysis of this issue and recommends a range of actions to ensure improvement.

In March 2018 the Government launched a Review of support for children in need and called for evidence to help understand what makes a difference to the educational outcomes of children in need, and what works in practice to improve those outcomes.

As part of the review the DfE has released new data and analysis on children in need including:

- the characteristics of children in need
- the overlaps with other areas of disadvantage such as special educational needs
- their experiences through children’s social care and school

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47 ADCS, ADCS Safeguarding Pressures Research Phase 6, November 2018, p88
48 Institute for Government, Performance tracker 2018: children’s social care
49 Department for Education, Education Select Committee Memorandum: Social work reform, undated (Accessed 3 January 2010), para 38
50 Social Market Foundation, Looked-after Children: The Silent Crisis by Matthew Oakley, Guy Miscampbell, Raphael Gregorian, August 2018
their outcomes from the early years, through education and into adulthood

The analysis concluded that “The data shows that while children in need overall have poorer educational outcomes than other children, there is variation in the progress that children make across local areas. Despite children in need being less likely to achieve than their peers overall, some children are able to succeed despite the challenges they face”. 51

The Department has also published Children in need of help and protection: preliminary longitudinal analysis (December 2018) which explores the impact of social care journeys on educational outcomes.

DfE collects and annually publishes information on the educational attainment of looked-after children and outcomes for care leavers aged 19, 20 and 21 years old and uses this information to inform policies.

51 DfE, Review of Children in Need, 16 March 2018
3. Press and news articles

Social care funding and demand for services

Rise in children taken into care pushes 88% of councils over budget, Guardian, 8 January 2019

Labour blames cuts as number of children in care rises again, Guardian, 15 November 2018

Child protection services near crisis as demand rises, BBC News, 6 November 2018

Councils plan £900m of cuts including children’s services and early years, Children and Young People Now, 20 September 2018

Revealed: cash crisis pushing child services to tipping point, Observer, 1 September 2018

Vulnerable children facing ‘catastrophe’ over crisis-hit councils, BBC News, 4 August 2018

Children’s services spending to increase by £542m, Children and Young People Now, 29 June 2018

Care for our children is in crisis. We must give their families more help, Guardian, 21 June 2018

Spending on children and young people’s services cut by nearly £1bn in six years, figures reveal, Guardian, 3 April 2018

Children’s services ‘biggest pressure for councils’, Children and Young People Now, 8 February 2018

Early intervention and thresholds for assistance

Ofsted director warns of ‘enduring harm’ due to early help cuts, Local Government Chronicle, 5 December 2018

Children's services: why spending now will pay off in the future, Guardian, 15 November 2018

Children in crisis as social care struggles, Times, 11 July 2018

A problem-solving court protects our most vulnerable children. It must be supported, Times, 28 June 2018

Why are more social work assessments leading to no further action? Community Care, 26 April 2018

1,000 Sure Start children's centres may have shut since 2010, Guardian, 5 April 2018

Five essential steps to support the next generation of children in care, Guardian, 12 October 2017

Social workers ‘face pressure’ to use section 20 arrangements, report finds, Community Care, 13 July 2017

Children’s policy ‘tipped too far’ towards removing children at point of crisis, says BASW, Community Care, 15 May 2017
Regional variations

Why does Northern Ireland have fewer children in care? Guardian, 19 September 2018

Almost all cuts to social care in England are in the poorest areas. Guardian, 12 September 2018

Country matters: inequalities in children’s social care, Community Care, 11 September 2018

Children in north of England 70% more likely to face care process, study shows, Guardian, 3 July 2017

Quality of care

DfE threatened with judicial review over children’s social care ‘myth-busting’ document, Community Care, 11 January 2019

Social workers relying too much on experience rather than research to make decisions, Community Care, 18 December 2018

Neglected older children going ‘unseen’ as authorities fail to recognise abuse and trauma, finds report, Independent, 6 July 2018

Thousands of children in care are moved around like ‘pinballs’, Times, 1 June 2018

‘Challenging but fair’: the new inspection regime for children’s services, Guardian, 29 March 2018

Manageable caseloads and supported social workers: how to move on from ‘inadequate’, Community Care, 23 March 2017

Councils struggling to find secure placements for children at risk, Community Care, 10 April 2017

Alternative providers and strategies

Ray Jones: ‘If councils lose accountability for children’s services then families will lose the help they need’, Community Care, 12 December 2018

Private firms are making big money out of children's social services, Guardian, 5 December 2018

Barnardo’s bid to save children’s services, Times, 23 September 2018

Cash-strapped councils turn to algorithms to spot children at risk, Times, 17 September 2018

Can new partnership keep vulnerable children out of care? Guardian, 2 February 2018

Workforce

Funding announced to train 900 new children’s social workers, DfE, 8 January 2019

Majority of social workers looking to leave their job within the next 16 months, says new research, Community Care, 30 October 2018
Cuts causing stress and long-term sickness, social workers tell survey, Community Care, 4 October 2018

Five years of Frontline: the impact, the debate and the future of fast-track social work training, Community Care, 3 October 2018

General

What the looked-after children statistics don’t tell us, Community Care, 3 October 2017

Baby P death 10 years on: the case's lasting impact on child protection, Children and Young People Now, 26 July 2017

Ministers ‘in the dark’ over scale of child vulnerability, BBC News, 4 July 2017

Dear ministers, here is how you fix children's social work, Community Care, 15 June 2017

Britain’s child social care system is quietly being dismantled, Guardian, 6 April 2017
4. Sector comment and reports

General

The Association of Directors of Children’s Services frequently publishes press releases, blogs, consultation submissions and reports on children’s social care. For instance, you can read their contributions on the subject of care, adoption, fostering, residential care, and family justice.

The ADCS has also published a series of research reports on ‘Safeguarding Pressures’ (2010-2018).

The Children’s Society has a published many relevant reports which can be found on their publications website. Major publications include:

- **Crumbling Futures: Why vulnerable 16 and 17 year olds need more support as they move into adulthood**, March 2018
- **Good Childhood Report 2017**

The Children’s Commissioner has published a number of relevant reports, including:

- **Vulnerability report**, Children’s Commissioner, July 2018
- **Stability index**, Children’s Commissioner, June 2018
- **Who Cares? Children’s Commissioner report on public expectations for the care of vulnerable children**, Children’s Commissioner and Ipsos Mori, May 2018. (A question was posed in the Lords regarding this report. In response, Baroness Walmsley deposited a paper in the Libraries of both Houses, outlining the Government’s position on its findings).

**Making Sense: Understanding the drivers of variation in spend on children’s services**, Local Government Association and Newton Europe, June 2018

**Vulnerable children and social care in England: a review of the evidence**, Education Policy Institute, April 2018

**Perceptions of Care**, Become, June 2017

Caroline Lynch and Professor Janet Boddy, **Cooperation or coercion? Children coming into the care system under voluntary arrangements**, Family Rights Group, 2017

Service funding and expenditure

**England’s largest councils set to outline another raft of savings this winter, with £1bn in new reductions needed to balance budgets**, County Council Network, 20 September 2018

**Children in need – defining the problem**, National Children’s Bureau, 6 June 2018

**Making Sense - Understanding the drivers of variation in spend on children’s services**, LGA and Newton, 2018
Councillors warn that rising demand and a lack of resources are leaving children's needs unmet, National Children's Bureau, 30 October 2017

Children's social care at breaking point, council leaders warn, LGA, 9 August 2017

Close the children’s services funding gap, a campaign by the LGA, Barnardo’s, Action for Children, The Children’s Society, and the National Children’s Bureau

Service provision

Matthew Oakley, Guy Miscampbell, Raphael Gregorian, Looked-after Children: The Silent Crisis, Social Market Foundation, August 2018

- The SMF have also brought together data from Ofsted to show how local authorities across the country are performing. Some of this data is presented in an interactive dashboard.

Growing up neglected: a multi-agency response to older children, Ofsted, Care Quality Commission, Her Majesty’s Prison and Probation Service, and HM Inspectorate of Constabulary and Fire & Rescue Services, 6 July 2018. This report is “part of the programme of joint targeted area inspections which examine how well agencies are working together in local areas to help and protect children.

Changes in quality of health and social care services for disabled children and their families, Disabled Children’s Partnership, June 2018

Revolving door part 2: Are we failing children at risk of abuse and neglect? Action for Children, 2018

Children must fall deeper into crisis before getting help, suggests survey of social workers, National Children’s Bureau, 11 September 2017


The Howard League has published a number of reports on ending the criminalisation of children in residential care.

In Care, Out of Trouble, Prison Reform Trust, 2016

- The results of a review “established to examine the reasons for, and how best to tackle, the over representation of children in care, or with experience of care, in the criminal justice system in England and Wales”. Impact reports have subsequently published to show how its recommendations have been taken forward.

Care homes

ICHA “State of the Market” survey, Independent Children Homes Association, 4 February 2018
5. Parliamentary material

The House of Commons Housing, Communities and Local Government Select Committee has opened an inquiry into the Funding and provision of local authorities’ children’s services. It has yet to publish evidence.

5.1 Debates

Children in Need: Adulthood, Westminster Hall debate, HC deb 6 September 2018, volume 646, cc182-204WH

Care Crisis Review, Westminster Hall debate, 05 Sep 2018, volume 646, cc141-158WH

Foster Care, Westminster Hall debate, HC deb 14 Mar 2018, volume 637, cc327-350WH


Vulnerable Children, HL deb 14 Dec 2017, volume 787, cc1674-1708

Children’s Services, Westminster Hall debate, HC deb 12 December 2017, volume 633, cc.112-8 WH

5.2 Parliamentary Questions (PQs)

Funding and demand

Children: Social Services, PQ 204479, 9 January 2019
• A question about expenditure on children’s services from 2010 onwards.

Children: Social Services, PQ 203969, 7 January 2019
• A question about any departmental assessments of trends in the level of demand for children’s services.

Social Services: Children, PQ 202747, 20 Dec 2018
• A question about the link between deprivation and demand for children’s services.

Social Services: Children, PQ 202778, 20 Dec 2018
• A question about the timetable for the distribution of the £84 million in additional funding for children’s social care services announced in the 2018 Budget.

Social Services: Children, PQ 200076, 13 Dec 2018
• A question about the overspend on children’s services in 2017-18 and additional forthcoming investment.

Social Services: Children, PQ 199766, 13 Dec 2018
• A question about the adequacy of funding received by local government for the delivery of children’s services.

Children: Social Services, PQ 187043, 09 Nov 2018
• A question about how the £84 million announced in the Autumn Budget 2018 will be allocated to local authorities.

Social Services: Children, PQ HL9563, 25 Jul 2018
• Lord Ouseley asking the Government “what measures they plan to put in place to prevent vulnerable children being taken into local authority care for their own safety due to underfunded local safeguarding services.”

Children: Social Services, PQ 141026, 14 May 2018
• A question about public spending under section 17 of the Children’s Act 1989.

Alternative models and practices

Social Services: Children, PQ 169385, 11 Sep 2018
• A question about whether funding will be given to support the spread of successful practice discovered in the Children’s Social Care Innovation programme.

Children: Social Services, PQ 165602, 23 Jul 2018
• Emma Lewell-Buck MP asking the Secretary of State “what assessment he has made of the long-term value of innovation projects in respect of local authority children's services departments.”

Children: Social Services, PQ 165601, 23 Jul 2018
• A question about the Partners in Practice programme’s support for the setting up of Trust models or Community Interest Companies.

Social Services: Children, PQ HL3672, 12 Dec 2017
• A question about the effectiveness of social care trusts in improving children’s services.

Quality of services

Social Services: Children, PQ 198190, 11 Dec 2018
• A question about Government support for local leaders to help them deliver high-quality children’s services.

Disability: Children, PQ 194150, 28 Nov 2018
• A question about Government efforts to improve health and social care for disabled children.

Children: Social Services, PQ 188260, 13 Nov 2018
• A question regarding whether there should be a national outcomes framework to benchmark children’s services.

Children: Social Services, PQ163787, 23 Jul 2018
• A question about how the Government incentivises local authorities to provide earlier inventions.
Social Services: Children, PQ 144403, 23 May 2018
• A question about the Government’s response to Crumbling Futures (2018), published by the Children’s Society.

Children: Social Services, PQ 122883, 19 Jan 2018
• A question about the Government response to inspection findings for local children’s services.

Children: Social Services, PQ 113552, 24 Nov 2017
• A question regarding the funding of training for youth workers and social service practitioners in the last five years.

Data and statistics

Children: Social Services, PQ 164480, 24 Jul 2018
• A question about the number of children referred more than once to social services in the same reporting year in the Lewisham area.

Letter dated 25/05/2018 from Matthew Coffee, Chief Operating Officer to Emma Lewell-Buck MP regarding notification and data held on the death of children in children’s homes from 2008-09 to 2017-18, deposited paper DEP2018-0514
• Related to PQs:
  – Children: Care Homes, PQ 141809, 11 May 2018
  – Children: Care Homes, PQ 141808, 11 May 2018
  – Children: Care Homes, PQ 141807, 11 May 2018

Fostering

Foster Care, PQ158701, 04 Jul 2018
• A question about the number and proportion of young people in foster care.

Foster Care, HL8298, 18 Jun 2018
• A question about the “estimated shortfall” in foster carers in England and measures being taken to tackle this issue.
6. Further reading

A selection of further reading is set out below.

**Library publications**

- **Support for care leavers**, Commons Library briefing paper, 29 October 2018
- **Supporting children in need into adulthood**, Commons Library debate pack, 5 September 2018
- **Findings of the Care Crisis Review**, Commons Library debate pack, 4 September 2018
- **The Troubled Families programme**, Commons Library briefing paper, 18 July 2018
- **Social Work Regulation (England)**, Commons Library briefing paper, 22 June 2018
- **Foster care**, Commons Library debate pack, 13 March 2018
- **Vulnerable Children: Work of the Children’s Commissioner**, Lords Library, 8 December 2017
- **Early Intervention**, Commons Library briefing paper, 26 June 2017
- **Local authority support for children in need (England)**, Commons Library briefing paper, 10 October 2016

**Parliamentary publications**

- **Storing Up Trouble: a postcode lottery of children’s social care**, APPG for Children/NCB, July 2018
- **Social Work Reform inquiry**, Education Select Committee (2016-17)
- **Fostering**, Education Select Committee (2016-17)
- **Mental health and wellbeing of looked after children inquiry**, Education Select Committee (2015-16)

**Government publications**

- Gov.uk: **Parenting, childcare and children’s services – Research and statistics**
- **Working together to safeguard children**, DfE, updated August 2018
- **Children’s services omnibus**, DfE, 17 May 2018
- **Corporate parenting, the local offer and personal adviser support**, DfE, updated 26 February 2018
- **Outcomes for children looked after by LAs: 31 March 2017**, DfE
Children looked after in England including adoption: 2016 to 2017, DfE, last updated December 2017

Children's Social Care Innovation Programme: final evaluation report, DfE, November 2017

Children's services in England: repeat referrals, DfE, 20 July 2017

Special guardianship guidance, DfE, updated 26 January 2017


Academic/think tank research


The Rees Centre for Research in Fostering and Education, within the University of Oxford Department of Education, aims to identify what works to improve the outcomes and life chances of children and young people in foster care.

Coventry University is running the Child Welfare Inequalities Project. You can find its research output on their website.

Paul Bywaters et al., Child welfare inequalities in the four nations of the UK, Journal of Social Work, 2018
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