

Debate Pack

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The independent review of Children's social care

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Summary

A debate on the independent review of Children's social care is taking place on Thursday 24 November.

This debate pack provides background information on the review's recommendations and the Government's response.

1

Background

In its manifesto for the 2019 general election, the Conservative Party said it would “review the care system to make sure that all care placements and settings are providing children and young adults with the support they need.”¹

Following delays as a result of the Covid-19 pandemic, the review was launched on 15 January 2021.² Further information on the review was provided in a [press release published by the Department for Education](#) and in a [written statement on 18 January 2021](#). These set out that:

- The review would be led by Josh MacAlister, the founder and chief executive of the children's social work charity Frontline.
- The review would “look at the whole system of support, safeguarding, protection and care and the children's journey into and out of that system, including relevant aspects of preventive service that are provided to children and families as part of early help.”
- The review “will address major challenges such as the increase in numbers of looked after children, the inconsistencies in children's social care practice, outcomes across the country, and the failure of the system to provide enough stable homes for children.”³

Further information on the scope of the Review and its key themes and questions were set out in the [Review's terms of reference](#).⁴

In a [Case for Change report](#) (PDF), published in June 2021, the Review set out its early thinking about what needs to change in the children's social care system. In October 2021, the Review published [The Case for Change: your feedback](#), which reflected on feedback received in response to the Case for Change report.⁵

¹ Conservative Party, [Get Brexit Done: Unleash Britain's Potential: The Conservative and Unionist Party Manifesto](#), 2019, p14.

² DfE, [Education Secretary launches review of children's social care](#), 15 January 2021; [PQ125246](#), 4 December 2020.

³ DfE, [Education Secretary launches review of children's social care](#), 15 January 2021; [HCWS717](#), 18 January 2021.

⁴ DfE, [Terms of reference for the independent review of children's social care: a bold and broad approach to support a fundamental review of children's experiences](#).

⁵ The Independent Review of Children's Social Care, [The Case for Change](#), last accessed 21 November 2021.

1.1

Final report

The [final report of the Independent Review of Children's Social Care](#) was published on 23 May 2022.⁶ The report argued the current children's social care system is "increasingly skewed to crisis intervention, with outcomes for children that continue to be unacceptably poor and costs that continue to rise." For these reasons, it said, a "radical reset is now unavoidable".⁷

Without such a reset, the report said, there will be nearly 100,000 children in care by 2032 (up from 80,000) and a "flawed system will cost over £15 billion per year (up from £10 billion now)." It added that its recommended changes would mean "30,000 more children living safely and thriving with their families by 2032 compared to the current trajectory."⁸

Recommendations

The report said there is a lack of national direction about the purpose of children's social care and national government involvement is uneven. It recommended the creation of a National Children's Social Care Framework "to set the direction and purpose of the system, supported by meaningful indicators that bring transparency and learning." It added that the Government should appoint a National Practice Group to build practice guides setting out the best ways of achieving the National Framework's objectives.⁹

The report made recommendations across the children's social care system, including early help, child protection, kinship care, the care market and the workforce.

Early help

The report recommended that a new category of "Family Help" should replace existing "targeted early help" and "children in need" work. This would, it said, bring "the flexible, non-stigmatising approach at early help to a wider group of families."¹⁰ Multidisciplinary Family Help teams would be based in community settings like schools and family hubs and the service offered would be "tailored to meet neighbourhood needs."¹¹

⁶ The Independent Review of Children's Social Care, [Final Report](#), May 2022.

⁷ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p8.

⁸ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p8.

⁹ The Independent Review of Children's Social Care, [Final Report](#), May 2022, pp11-12.

¹⁰ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p35.

¹¹ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p8.

The report's other recommendations in this area included:

- Eligibility for Family Help should be set out in a sufficient detail nationally to give a more consistent understanding of who should receive it while allowing enough flexibility to respond to local needs.¹²
- The Government should invest around £2 billion to implement the Family Help reforms. Longer-term, funding for Family Help should be ring-fenced to ensure investment is sustained.¹³
- The Government should consider legislating to put Family Help teams on a statutory footing.¹⁴

Child Protection

The report suggested its wider system reforms - including around the workforce (see below) - would improve the system of child protection. It also recommended that all cases involving significant harm to a child should be co-worked by an Expert Child Protection Practitioner who would be responsible for making key decisions. In the future, social workers would need to have passed a five-year Early Career Framework to undertake this role.¹⁵

The report's other recommendations in this area included around setting clearer expectations on multi-agency working and improving information sharing. It also said "a more tailored and coherent response is needed to harms outside of the home, like county lines, criminal or sexual exploitation or abuse between peers."

To boost parental engagement, the report said parents should have representation and support to help navigate the child protection process, and there should be more transparency about decisions of the family courts.¹⁶

Kinship care

The report noted that there "are already thousands of grandparents, aunts, uncles, brothers and sisters who care for their family members" (kinship carers), but said they "are a silent and unheard majority in the children's social care system and they need far greater recognition, and support."¹⁷

The report's recommendations in this area included:

- The Government should introduce legislation making the use of family group decisions mandatory so that "a family led alternative plan for

¹² The Independent Review of Children's Social Care, [Final Report](#), May 2022, p38.

¹³ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p56.

¹⁴ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p58.

¹⁵ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p72.

¹⁶ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p9.

¹⁷ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p9.

taking care of the child can be considered before a Care Order is presented by the local authority to the court.”¹⁸

- Local authorities should make a financial allowance paid at the same rate as their fostering allowance available for special guardians and kinship carers with a Child Arrangements Order looking after children who would otherwise be in care.¹⁹
- Legal aid should be provided in a range of circumstances where kinship carers interact with the family courts.²⁰ Under changes which came into force in October 2022, legal aid was extended to special guardians in private law cases.²¹
- All new special guardians and kinship carers with a Child Arrangements Order should be given kinship leave matching the entitlement given to adopters.²²
- The Government should develop a legal definition of kinship care.²³

The Care Market

The report said that, when finding a home for a child in care, the focus must be “putting relationships around them that are loving and lasting. Providing care for children should not be based on profit.” It argued that “the current system is a long way from these principles and ambitions being realised.”²⁴

It recommended that new Regional Care Cooperatives should take on responsibility for the creation and running of all new public sector fostering, residential and secure care in a region, as well as commissioning all not-for-profit and private sector care for children.

The report's other recommendations included:

- A windfall tax should be levied on profits made by the largest children's home providers and independent fostering agencies.
- Ofsted should be given new powers to oversee and intervene in the children's social care market.²⁵

¹⁸ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p99.

¹⁹ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p106.

²⁰ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p106.

²¹ Ministry of Justice, [Free legal advice expanded to help thousands more people at risk](#), 17 October 2022.

²² The Independent Review of Children's Social Care, [Final Report](#), May 2022, p107.

²³ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p108.

²⁴ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p10.

²⁵ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p130.

- The Department for Education should launch a national foster carer recruitment campaign to recruit 9,000 additional foster carers.²⁶
- The current Independent Reviewing Officer and Independent Visitor Roles should be replaced with independent high-quality advocacy for children in care.²⁷

Care experience

The report said the “disadvantage faced by the care experienced community should be the civil rights issue of our time.” Children in care, it added, “are powerless, are often invisible and they face some the greatest inequalities that exist in England today.”²⁸

The report set “five ambitious missions” to “focus collective effort to achieve dramatic change for this community”:

- no young person should leave care without at least two loving relationships, by 2027
- double the proportion of care leavers attending university, and particularly high tariff universities, by 2026
- create at least 3,500 new well-paid jobs and apprenticeships for care leavers each year, by 2026
- reduce care experience homelessness now, before ending it entirely
- to increase the life expectancy of care experienced people, by narrowing health inequalities with the wider population.²⁹

The report's recommendations in this area included:

- The Government should make care experience a protected characteristic.
- The Government should issue statutory guidance to local authorities setting out the priority that should be afforded to care experienced adults in accessing local services such as social housing.³⁰
- A new lifelong guardianship order should be created, allowing a care experienced person and an adult who loves them to form a lifelong legal bond.³¹

²⁶ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p134.

²⁷ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p142.

²⁸ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p145.

²⁹ The Independent Review of Children's Social Care, [Final Report](#), May 2022, pp144-145.

³⁰ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p148.

³¹ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p156.

Workforce

The report said professional development for social workers should be “vastly improved with training and development which provides progression through a five-year Early Career Framework linked to national pay scales.” It added that this would “provide a desirable career pathway to remain in practice, specialise and be rewarded through higher pay that reflects expertise.”³²

The report also highlighted a need to “identify and remove the barriers which needlessly divert social workers from spending time with children and families.” This, it said, needs to include “action on improving case management systems, reducing repetitive administrative tasks which do not add value and embedding multidisciplinary teams at the heart of local communities who can deliver, not just commission, the help that is needed.”³³

The report's other recommendations included:

- The Government should introduce new national rules on the use of social work agencies.³⁴
- The Government should produce a Knowledge and Skills Statement for family support workers; appoint Social Work England to set standards and regulate residential children's home managers; and fund a new leadership programme that could train up to 700 new managers in the next five years.³⁵

Implementation and funding

The report said its recommendations should be “delivered at pace and with determination through a single five-year reform programme.” It recommended a Reform Board should be established to drive the programme, which should report quarterly on progress.

Achieving the whole system reform, the report said, would require £2.6 billion of new spending over four years, comprising £46 million in year one, £987 million in year two, £1.257 billion in year three and £233 million in year four.³⁶

1.2

Government response

In [an oral statement on 23 May 2022](#), the then Children's Minister, Will Quince, said the Government would publish a response to the final report of the

³² The Independent Review of Children's Social Care, [Final Report](#), May 2022, p11 & pp184-186.

³³ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p11.

³⁴ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p191.

³⁵ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p191.

³⁶ The Independent Review of Children's Social Care, [Final Report](#), May 2022, p12.

independent review, along with an implementation strategy, before the end of 2022. He also set out the Government's three main priorities:

The first is to improve the child protection system so that it keeps children safe from harm as effectively as possible; the second is to support families to care for their children so that they can have safe, loving and happy childhoods which set them up for fulfilling lives, and the third is to ensure that there are the right placements for children in the right places, so that those who cannot stay with their parents grow up in safe, stable and loving homes.³⁷

The Minister added that "a national implementation board consisting of people with experience of leading transformational change, to challenge the system to achieve the full extent of our ambitions for children. The board will also include people with their own experience of the care system, to remind us of the promise of delivery and the cost of delay."³⁸ The Government confirmed [membership of the national implementation board](#) on 31 October 2022.³⁹

The statement also set out that the Government would:

- Develop a national children's social care framework and would set out further detail later in 2022.
- Set out plans to refocus the support social workers get early on.
- Introduce a new digital and data solutions fund to help local authorities improve delivery for children and families through technology.
- Work with local authorities to recruit more foster carers, building towards a national recruitment campaign.⁴⁰ This commitment was restated in response to a parliamentary question in September 2022.⁴¹

Further information was provided in a press release published by the Department for Education: [Fundamental shift in children's social care set out](#).⁴²

An update on the Government's response to the review was provided in response to a parliamentary question on 14 November 2022:

The department has established a National Practice group to begin work on the National Children's Social Care Framework, a Ministerial Child Protection Group, and a National Implementation Board. The National Implementation Board will meet on November 16 2022, following an interim meeting in July,

³⁷ [HC Deb 23 May 2022, c32](#).

³⁸ [HC Deb 23 May 2022, c32](#).

³⁹ Department for Education, [Children's Social Care National Implementation Board](#), 31 October 2022.

⁴⁰ [HC Deb 23 May 2022, c33](#).

⁴¹ [PQ 49211 \[Foster Care: Cost of Living\]](#), 26 September 2022.

⁴² Department for Education, [Fundamental shift in children's social care set out](#), 23 May 2022.

and is made up of people with lived experience of the care system and those with experience of leading transformational change.

We have also been working closely with other departments across government to rapidly agree on an ambitious and detailed implementation strategy that will respond fully to all three reviews [see below]. Ministers from across government are engaged on emerging policies and will agree on the final implementation strategy in due course.⁴³

At the Autumn Statement 2022, the Government said it would provide £1.3 billion in 2023/24 and £1.9 billion in 2024/25 to local authorities through the social care grant for adult and children's social care.⁴⁴

Other reports into children's social care

The final report of the Independent Review is one of four major reports on children's social care published in 2022:

- On 10 March 2022, the Competition and Markets Authority published a [report on the children's social care market](#).⁴⁵ The report concluded that “there are significant problems in how the placements market is functioning, particularly in England and Wales” and made several recommendations aimed at improving the system, including the creation of a market oversight regime.⁴⁶
- On 26 May 2022, the Child Safeguarding Practice Review Panel published the [report of its review into the murders of Arthur Labinjo-Hughes and Star Hobson](#).⁴⁷ Among other things, the report recommended the establishment of Multi-Agency Child Protection Units to undertake child protection work in local authorities.⁴⁸
- On 20 October 2022, the Independent Inquiry into Child Sexual Abuse published its [final report](#).⁴⁹ Among other things, the report recommended that certain individuals should be under a statutory duty to report child abuse in prescribed circumstances. Further information on this recommendation is provided in the Library briefing: [Duties to report child abuse in England](#).⁵⁰

⁴³ [PQ 80561 \[Children's Social Care Independent Review\]](#), 7 November 2022.

⁴⁴ HM Treasury, [Autumn Statement 2022](#), CP 751, November 2022, para 2.38.

⁴⁵ Competition and Markets Authority, [Children's social care market study: final report](#), 10 March 2022.

⁴⁶ Competition and Markets Authority, [Children's social care market study: final report](#), 10 March 2022, p5.

⁴⁷ The Child Safeguarding Practice Review Panel, [Child Protection in England: National review into the murders of Arthur Labinjo-Hughes and Star Hobson](#), 26 May 2022.

⁴⁸ The Child Safeguarding Practice Review Panel, [Child Protection in England: National review into the murders of Arthur Labinjo-Hughes and Star Hobson](#), 26 May 2022, pp98-99.

⁴⁹ Independent Inquiry into Child Sexual Abuse, [The Report of the Independent Inquiry into Child Sexual Abuse](#), October 2022.

⁵⁰ Commons Library briefing CBP-6793, [Duties to report child abuse in England](#).

In a [written statement on 26 May 2022](#), the then Education Secretary, Nadhim Zahawi, said the Government would consider the recommendations from the Child Safeguarding Practice Review Panel's review along with those from the Independent Review of Children's Social Care and would publish a "bold implementation strategy incorporating the recommendations" before the end of 2022.⁵¹

The Government has also said it will respond to the Competition and Markets Authority's report by the end of 2022 and the report of the Independent Inquiry into Child Sexual Abuse within six months of the report's publication (ie by 20 April 2023).⁵²

⁵¹ [HC Deb 26 May 2022, cc25-26WS](#).

⁵² [PQ 51778 \[Children: Care Homes\]](#), 27 September 2022; [HC Deb 20 October 2022, c32WS](#).

2 Parliamentary material

2.1 Commons Library

Commons Library briefing paper, [Children's social care services in England](#), 12 March 2021

Commons Library briefing paper, [Looked after children: out of area, unregulated and unregistered accommodation \(England\)](#), 12 November 2021

Commons Library briefing paper, [Financial support for family and friends carers \(kinship carers\)](#), 7 October 2021

Commons Library briefing paper, [Early intervention: policy and provision](#), 31 August 2021

Commons Library briefing paper, [An overview of child protection legislation in England](#), 19 February 2020

Commons Library briefing paper, [Local authority support for children in need \(England\)](#), 13 January 2020

2.2 Parliamentary questions

[Carers' Benefits](#)

17 Nov 2022 | Written questions | Answered | House of Commons | 82173

Asked by: Steve McCabe

To ask the Secretary of State for Education, with reference to the independent review of children's social care final report, published in May 2022, what recent assessment she has made of the potential merits of providing kinship carers with (a) paid time off work when a child starts living with them and (b) financial allowances at the same rate as foster carers.

Answered by: Claire Coutinho | Department for Education

The department recognises the invaluable and important role that kinship carers play in their kin children's lives. The recently published Independent Review of Children's Social Care set out recommendations on how the government can better support kinship families.

The department is now considering how to take these recommendations forward, including the recommendations to create a financial allowance and a new paid parental leave entitlement for kinship carers.

The department is working on an ambitious and comprehensive response to the recommendations in the review.

[Children's Social Care Independent Review](#)

14 Nov 2022 | Written questions | Answered | House of Commons | 80561

Asked by: Sir Desmond Swayne

To ask the Secretary of State for Education, what progress has been made in implementing the recommendations of the Independent Review of Children's Social Care published in May 2022.

Answered by: Claire Coutinho | Department for Education

The department has established a National Practice group to begin work on the National Children's Social Care Framework, a Ministerial Child Protection Group, and a National Implementation Board. The National Implementation Board will meet on November 16 2022, following an interim meeting in July, and is made up of people with lived experience of the care system and those with experience of leading transformational change.

We have also been working closely with other departments across government to rapidly agree on an ambitious and detailed implementation strategy that will respond fully to all three reviews. Ministers from across government are engaged on emerging policies and will agree on the final implementation strategy in due course.

[Children: Social Services](#)

04 Nov 2022 | Written questions | Answered | House of Commons | 73059

Asked by: Rachael Maskell

To ask the Secretary of State for Education, if he will make an assessment of the effectiveness of independent reviewing officers for improving standards in children's social care.

Answered by: Claire Coutinho | Department for Education

The department is fully committed to ensuring the voice of the child in care is listened to when taking forward our response to the Independent Care Review.

The department will publish a detailed implementation strategy later this year, which will set out how we will improve outcomes for vulnerable children and place the system on a sustainable footing.

[Children: Social Services](#)

17 Oct 2022 | Written questions | Answered | House of Commons | 59058

Asked by: Olivia Blake

To ask the Secretary of State for Education, with reference to the report of the Independent Review of children's social care published on 23 May 2022, if he will meet with the hon. Member for Sheffield, Hallam and Barnardo's to

discuss (a) prioritising early intervention in children's social services and (b) improving outcomes for children in the care system.

Answered by: Kelly Tolhurst | Department for Education

The department will be publishing a detailed and ambitious implementation strategy in due course, which will set out our approach to reforming children's social care. We thank Barnardo's for their ongoing engagement on children's social care reform with officials in the department and welcome the opportunity to meet with the hon. Member for Sheffield Hallam and Barnardo's later this year, following the publication of the implementation strategy.

[Children's Social Care Independent Review](#)

17 Oct 2022 | Written questions | Answered | House of Commons | 58931

Asked by: Olivia Blake

To ask the Secretary of State for Education, with reference to the report of the Independent Review of children's social care published on 23 May 2022, whether the Department for Education will take steps to prioritise listening to care-experienced young people in implementing the sections of that report which relate to its work.

Answered by: Kelly Tolhurst | Department for Education

The department is continuing to listen to the views of care experienced individuals as part of its response to the Independent Review of Children's Social Care. Three individuals with experience of the children's social care system will sit on the National Implementation Board and provide advice and challenge on the government's overall plan to reform children's social care. The department is also committed to hearing from care experienced individuals on specific policy areas including on a new National Framework for Children's Social Care.

[Children's Social Care Independent Review](#)

21 Sep 2022 | Written questions | Answered | House of Commons | 45177

Asked by: Damien Moore

To ask the Secretary of State for Education, what legislative proposals the Government is planning to make to implement the Care Review.

Answered by: Kelly Tolhurst | Department for Education

The department is now considering the recommendations of the Independent Review of Children's Social Care carefully with those with care experience and all interested stakeholders. This also includes recommendations relating to legislation.

The department will publish an implementation strategy later this year, which will set out how we will improve children's social care.

[Children's Social Care Independent Review](#)

05 Sep 2022 | Written questions | Answered | House of Commons | 40848

Asked by: Rachael Maskell

To ask the Secretary of State for Education, what steps he has taken to ensure the inclusion of the perspectives of young people who experienced care in the implementation of the Independent Review of Children's Social Care and in the Government's response.

Answered by: Brendan Clarke-Smith | Department for Education

The government is committed to ensuring the voices of those with care experience stay at the heart of reform. The department wants to engage widely with those with care experience and all interested stakeholders to help us agree an implementation strategy that will drive the right change and scale up good practice across the country.

The department is setting up a National Implementation Board that will include people with their own experience of the care system, alongside those who have led transformational change.

An interim board was held on 21 July 2022 and was attended by three members of the Experts by Experience Board from the Independent Review of Children's Social Care. A process is ongoing to identify members with lived experience of the children's social care system who will attend the first full board meeting, planned for the autumn.

The department is at the early stages of implementing a wide-reaching programme of reform. There will be multiple opportunities to support the work beyond the National Implementation Board, including through additional advisory groups on individual elements of the Review.

2.3

Select committees

House of Commons Education committee key findings and recommendations, [Children in care have been let down: What can the Government do to improve their educational outcomes?](#) 8 July 2022

House of Commons Education committee press release, [Children in care homes: Education Committee to launch new inquiry](#), 18 February 2021

House of Commons Education committee press release [Children's social care workforce inquiry launched](#), 17 July 2019

3

News articles

[Reports of Calcot abuse prompt calls for reform of children's social care in UK](#)

Guardian

9 June 2022

[Overhaul of children's social care in England urgent and unavoidable, review finds](#)

Guardian

23 May 2022

[The Times view on children's social care: Unhappy Families](#)

The Times

May 23 2022

[Plea for equality law to protect children in care](#)

The Times

23 May 2022

[Care review urges national social work pay scales to reward expertise and boost retention](#)

Community Care

23 May 2022

[The Guardian view on children's social care: a heartbreaking market](#)

Guardian

23 May 2022

[Children's social care generates excessive profits](#)

BBC

10 March 2022

[Children in care in England could hit almost 100,000 by 2025](#)

BBC

22 November 2021

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Press releases

[Independent Review of Children's Social Care - BASW England full response](#)

British Association of Social Workers

8 August 2022

[Fundamental shift in children's social care set out](#)

GOV.UK

23 May 2022

[LGA responds to Independent Review of Children's Social Care](#)

Local Government Association

23 May 2022

[Independent Review of Children's Social Care: CCN response](#)

County Council's Network

23 May 2022

[The Children's Commissioner responds to the Independent Review of Children's Social Care](#)

Children's commissioner

23 May 2022

[Leading children's charities react to review of children's social care](#)

National Children's Bureau

20 May 2022

[The Children's Commissioner looks forward to the Independent Review of Children's Social Care](#)

Children's commissioner

20 May 2022

[NCB statement on the Review of Children's Social Care](#)

National Children's Bureau

20 May 2022

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Further information

[How local authorities plan for sufficiency: children in care and care leavers](#)

GOV.UK

18 November 2022

[Evaluating innovation in children's social care](#)

National Audit Office

24 June 2022

[A care system that cares](#)

Barnardo's

October 2021

[Care review: Summary of recommendations](#)

Kinship

[Care review: Kinship care policy tracker](#)

Kinship

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