



Public Services Committee

Corrected oral evidence: The role of public services in addressing child vulnerability: follow-up

Wednesday 7 September 2022

3 pm

Watch the meeting

Members present: Baroness Armstrong of Hill Top (The Chair); Lord Bichard; Lord Bourne of Aberystwyth; Lord Davies of Gower; Lord Hogan-Howe; Baroness Morris of Yardley; Baroness Pitkeathley; Lord Porter of Spalding; Baroness Sater; Lord Willis of Knaresborough.

Evidence Session No. 1

Heard in Public

Questions 1 – 5

Witness

I: Josh MacAlister, former lead, Independent Review of Children's Social Care.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witness

Josh MacAlister.

Q1 The Chair: Your report is out. We are eagerly awaiting who is going to take responsibility for children's social care in the new Government and pull it all together. I am sure you are too, but we would like you to bring us up to date with what you think is going on now. What are the major current and upcoming challenges facing the workforce particularly, and are there any other things we should be thinking about?

Josh MacAlister: I start by thanking the committee for its ongoing interest in this area since the review commenced at the start of 2021. The review took a whole-system look at children's social care, which has not really happened for a number of decades. We have had deep-dive reviews, stocktakes into fostering, adoption, children's homes and very good reports on child protection, but looking at the system as a whole has given me the chance—and now gives the Government the chance—to do what we describe as a whole-system reset. The idea behind the whole-system reset is that we have gradually built, not through malice or bad intent, a system that has become increasingly late in its intervention. It responds to crises as they have accumulated in families' lives. It is a system in which the workforce often feel they are not able to put their talents to the work with families that they came into the profession to do; a system which is becoming increasingly financially unsustainable, which is a concern for the Treasury as well as for local government; and, most importantly, a system which has the promise of delivering lifelong loving, stable relationships, particularly for children in care, which too often—not always, but too often—ends up breaking and making those loving relationships around children more fragile rather than stronger. In short, that is the stocktake I took from where the system is.

I am sure we will go into detail of the review, but it sets out an achievable, comprehensive reform and investment programme over five years. It sets it out year by year, it is costed, and we have said that the Government need to get on with that with some urgency. Not implementing that reform programme will mean that costs accumulate, including the human cost on children and families. At Prime Minister's Questions today, the Prime Minister was asked whether the Government are committed to publishing their response to the review this year, which was the commitment that was made back in May, and she said yes. I take heart from that that this is an area that the Government will focus on.

The Chair: Have you been having discussions with them?

Josh MacAlister: I have been involved in helping officials, particularly over the summer, do the translation job between the report itself and officials working on details such as how to turn page 22 section C into government policy. Officials in the Department for Education are working extremely hard on that, and I have been really encouraged by the willingness not just within central government but in local government

and third sector organisations to try to get ahead of the problems which people are pretty exhausted picking up the pieces from.

The Chair: Can I follow up around the idea of the multidisciplinary early support, family support and the workforce implications around that and how social workers in particular have responded to that?

Josh MacAlister: One of the core ambitions of the Children Act 1989, which was landmark legislation in lots of ways, was that Section 17 of the Act placed a general duty on local authorities to respond to the needs of children who are at risk of not reaching a reasonable level of health and development. Over the years, we have turned that general application of support for families into a very narrow assessment and referral tool. Over time, we have made the decision that it is work that can be done only by social workers—which I do not agree with—and that it becomes, in a way, a pathway to child protection because of safeguarding concerns rather than a focus on child welfare responses. When I was looking at that part of the system, which is sometimes described as child in need work, Section 17 work or early help work, I wanted to think again about the category, how we describe it, who does the work, where the work is based and how it should feel for and be experienced by families. That is one of the reasons why I concluded that that work should become multidisciplinary. It should not be that we just rely on social workers to respond to families in those situations.

For social workers, there is something quite compelling about being in a team with other disciplines because you are then able to draw on the intervention skills of your colleagues without needing to fill in an assessment form and go to another service that has been poorly commissioned elsewhere, or you are battling to get the referral through the local CCG or ICS. There is something quite attractive about locating the services as close to the family as possible, putting the disciplines within one team. That group of professionals, it might be a mental health support worker, a domestic abuse worker, a social worker and a youth worker, have the multidisciplinary skills to do the intervention themselves and do the work with the family, rather than another professional going in assessing what is wrong, telling the family what the problems are—which they are very well aware of—and then passing that on to somebody else who sometimes does the exact same process again. It is the right thing to do.

If we were building the system from scratch again, we would probably decide to start with multidisciplinary teams. It is also pragmatically a smart move for the workforce planning in the system because there are real pressures on the need for social workers. There are many pressures across the public sector—the committee has done lots of work on that—and drawing the talent that we already have in public services together into these teams, and letting people get on to do the work they came into their various professions to do, is good for retention, and it is a good use of the talent we already have in the system.

Baroness Pitkeathley: I declare my interest as a former social worker

and ask you whether you have encountered any resistance among social workers to this multidisciplinary approach and, if so, on what are they based?

Josh MacAlister: There has not really been any resistance to the multidisciplinary teamwork. There are real questions about how to manage risk and oversee risk in families, which is pretty inherent in a lot of this work, if you are not a social worker, and how to get the supervision of those teams right so that we are identifying significant harm and taking swift and decisive action when that happens. This links, in a way, to the second big plank of the recommendations: the creation of expert child protection practitioners. This is a more controversial area, where we have had debates within the system for many years—this is not a new area of debate—about the extent to which the minority of families who might have children suffering significant harm deserve a more bespoke response that is differentiated from the response to 80% to 90% of families, where it is not significant harm, it is families who are poor, families living in houses that are damp and small, people who are in violent relationships and maybe have an addiction. Treating them with a child protection response makes matters worse, not better.

The discourse around this has improved since Peter Connelly's death. We have become more balanced about understanding that we have a system trying to prevent child death in cases of significant harm and also have a system for the majority that is actually about improving child welfare and doing those two things together—never mind that providing good care for children and these areas are in tension sometimes. We have to design the system so it is able to respond with energy, openness and respect to the vast majority of families who need help, who will be very nervous about coming to services, and at the same time, with a narrower group of children who we should be very concerned with, have a swifter, more expert and more confident child protection system. We have muddled those two things together for too long. That is where the debate is.

Q2 Lord Bichard: First, thank you for coming today. You say in the report: 'It is paramount that children have a powerful voice in the decisions that affect them.' That is something that we have been saying in two of the reports we have produced, that right across the public services we do not believe that citizens, clients, whatever you want to call them, are sufficiently involved in the decisions that affect them; in other words, in co-designing the services. That is one of the big failures of modernising public service in the last 30 years. How do we go about that where children are concerned because, of course, many people say you can do it for everyone else, but not for children?

Josh MacAlister: In lots of ways and in the time that we had, the review tried to engage children and families as extensively as possible. Across the course of the review, we heard from nearly 5,000 people who either work in or have lived through the children's social care system in some way and the recommendations in here are far stronger for it, so I am completely convinced that that is the right approach.

First, there is a need for the care system in particular to find a stronger way of building in advocacy for children. This is an area of some controversy. We have a layering on of various posts at the moment. A child in care who may have just gone through the family courts will have a social worker, they will have the manager of that social worker involved in some way in the case, they will have an independent reviewing officer who is there to check every six months that their care plan is being met by the services, they will have had a Cafcass guardian as they have gone through the family courts, and they may have an advocate.

Having spoken to children in care about the various different people orbiting around them, the conclusion I reached was that adding more roles in is not the answer. There is something slightly undermining about having multiple overlapping roles because it dilutes professional accountability rather than heightens it. Instead, we have recommended creating a truly independent—so not provided by councils—advocacy service for all children in care and that that advocacy is opt out; a child would need to say, 'I do not want an advocate.' Currently they have to know what it is, and they have to request it and the council has to have a service to provide it. That would make a big difference because advocacy would be provided based on a relationship between you knowing what I need as a child, for example, and then being able to effectively influence the system around me to get what it is that I need delivered. There is a specific issue about children's voices in the system that we have made recommendations on.

More broadly, there is something about how we have designed children's social care which has made it too detached from the public at large. A few of the recommendations will address that. The first is that family help services, as we have articulated them in the review, would see services not in council buildings but in schools and community settings, so those multidisciplinary teams would be based very close to families in visible settings. You would have a regular feedback loop with the public that you are serving at your door at inconvenient moments when you might want to have a cup of tea and a break; they will be there outside asking for help, and you will be able to have a conversation with them. The social workers in schools pilots have shown how successful having social workers really visible with children and families can be.

Secondly, we recommend that those family help services, neighbourhood by neighbourhood, are designed off the back of an equivalent of a public health need assessment, which integrated care services are building at the moment. Instead of continuing to provide what we have always provided, we should be starting from scratch. In Barrow in Cumbria, for example—we also have an example from the West Midlands in the report—there may be 50,000 to 60,000 members of the public and there might be 12,000 to 15,000 children. Without waiting for them to come to you, which of those 12,000 to 15,000 children do we think meet our criteria for family help, and how do we know that? What data have we looked at, have we had conversations with all the head teachers and the heads of year in that area? That is a completely doable exercise. The

same exercise should be done with GPs. Then, off the back of that need assessment, use that intelligence to decide who you hire into your team of family help services—in essence, building it from scratch based on what the public need. Then finally, there should be a set of changes to Ofsted inspection and the data collected by the Department for Education, which privileges the experience of services by parents and family members and is presently completely missing at a system level, should be published. That combination of changes would start to shift the system in the direction you are describing.

Lord Bichard: You also make a strong point in the report about the well-being of children being cared for by extended family members. There will be concerns, I suspect, as to how we are going to ensure that well-being. Is there anything you want to tell us about how you think that could be done?

Josh MacAlister: The way the system was set up was to allow that to take place, where aunts and uncles and grandparents could play a big role in the care of their kin and could step in and take on that care. As the system has grown over time, become more complicated and categories and rules have been added in, we have seen real perverse incentives. I have met many grandparents who have told me they want to care for their grandchildren, but they are faced with the impossible choice of relinquishing parental responsibility: their child going into care and them being recruited, trained, assessed and overseen as foster carers, where they need to do a daily log on their grandchild. I think that is completely unacceptable and does not create the conditions for successful family life. It essentially says, 'We do not trust you as a grandparent even though you are doing this important role for your kin'. The alternative is to keep the parental responsibility, potentially get a special guardianship order or a kinship child arrangement order, a legal order, to care for the grandchild but not to get any financial support for that. The system is now foisting lots of choices like that on to kinship carers, who are the largest group of non-parental carers we have in the country.

Up until now, we have had very little government policy focused on that group. They are disproportionately very poor, they are disproportionately female, and there are some real injustices in their experience and the way in which the system gets alongside and says, 'Thank you, and we want to help you.' With that, the review recommends legal changes to allow for family network planning, which would ensure that for every child who is going through a child protection process that has reached PLO, public law outlines—which is where the local authority thinks there is a good chance the child will go into care—at that stage, there is a family group conference and that that is a legal right for families. That is where a professional sits down and creates the space for the family to come together and congregate with some facilitation to talk about the options.

Off the back of those family group conferences, the council then has the ability—and this is the crucial bit that answers your question—with

oversight, so not just supporting it without oversight, but with oversight to say if the grandparent is saying, 'Look, I can care for my grandson and I want to care for my grandson, but I work night shifts, and I'm in my early fifties, I don't have a great pension ahead of me and this is an 18-year commitment that I hadn't planned to make, and I'm in a one-bedroom flat so, council, I want an extension, or I want a new flat or home adaptations, and if I can't work night shifts, I am going to have to drop my earnings.' In that situation, at the moment, for a council to financially contribute to that model of care legally makes that model 'care'. It means the child needs to enter care, which is perverse.

The family network plan policy would mean that local authorities would be able to generously finance those arrangements without them becoming 'care' but with providing some oversight. It would be important that the oversight was ongoing. It would also provide some form of support. Of course, if it did not work, you revert to being in PLO and looking at going to court to remove the child into care. It is persuasive listening to kinship carers. It is more persuasive still listening to children who entered care to live in a stranger's home having said, 'Actually, my granny really loved me, and I was not able to live with her.' It does not make financial sense, and it does not make human sense either.

Lord Bichard: I completely understand that. The oversight is really important.

Lord Hogan-Howe: You described a scenario where the grandparents may take on their grandchild, and you explained there might be a need to document what they were doing. What is the justification for that; because some assessment must have been made before the child was placed with them. Is the justification that they need to record whether they are doing it properly or are they are worried about fraud; that is, the child never goes to live with a grandparent, but the money arrives? What is the justification?

Josh MacAlister: Is this about the idea of a daily log?

Lord Hogan-Howe: Yes.

Josh MacAlister: It is an indication of wider problems within fostering, where a delegation of authority to foster carers is the exception rather than the norm. The way the system works at the moment is that it gives greater freedom to foster carers, gives them more discretion over things such as whether a child gets a haircut and when that happens, or whether they can go and stay at a friend's house.

Lord Hogan-Howe: Is that an actual example?

Josh MacAlister: They are actual examples.

Lord Hogan-Howe: Whether they get a haircut?

Josh MacAlister: Yes. At the moment, local authorities will, by default, not give that authority away. Most foster carers have to battle away to

say, 'Why am I doing a daily log about this child?' It might be right in some circumstances but in many it is not.

Lord Hogan-Howe: It sounds like the default.

Josh MacAlister: It is the default, and the review says the default should be to delegate away, revoke by exception and when you are revoking, questions should be asked about the suitability of that carer because if we do not trust a foster carer to judge how sensitively to get a haircut, for example, for a mixed race child, which is a genuine issue, then there are deeper issues there that mean we should not leave a child in that fostering environment and reassure ourselves because we did not let them decide how and when to get a haircut. The balance of freedom and responsibilities within fostering are misaligned at the moment. It does not give a very encouraging message to foster carers who are opening up their hearts and their homes to do this wonderful, special thing, and then be told, 'We do not really trust you.'

Q3 Lord Bourne of Aberystwyth: Thank you very much, Josh, for coming again. It is great to see you. Obviously, you focus a lot on preventive measures and the importance of those, and we did too. Are there are other measures that we should be pushing for as a ginger group to try to impress on the Government the things that need doing?

Could I also throw in the importance of family hubs, which I think Mike might want to come in on as well, how important they are and are the Government doing enough? We had the statement about financing 75 local authority areas, I think, in April. What has been the follow-through on that? Is there going to be additional funding? We laid great stress on their importance, and I strongly believe in that.

Josh MacAlister: There is a very important join-up with the bottom part of the children's social care system—as it should be—which I have described as family help: a broad, generous but targeted service supporting families in stress.

To go back to the Barrow example, with a population of 50,000 to 60,000 where you might have 12,000 to 15,000 children, you might actually be focusing on 1,200 children and thinking ahead to what their needs are and how to respond quite intensively to do that work. The bottom end of the children's social care system relies on it being able to rest on a broader, strong system of early intervention and more universal support. This is where Sure Start centres, family hubs, youth services and other services come in. Having that resource in communities is important. It can be a way in which families find their way in to get help. It can also avoid the need for more intensive help itself. But the reason family help needs to be distinctive and targeted is that what we are describing are families in crisis, where the skill and intensity of the work needed are very real and we need to do a much better job of bringing evidence-based interventions into those services to respond to the needs of families.

Reflecting on where the Labour Government got to by 2010, there had been a huge expansion of that activity and now some longitudinal studies are showing the beneficial impacts of that. It was easy to cut because the evidence base for some of the work and interventions was not strong, and we cannot get back into another cycle of big spending in the area without rigour and evidence. We have set out some good ways to do that in our review.

Lord Bourne of Aberystwyth: I have not scrutinised those 75 areas, but presumably they are going to be additional local authority areas that are not getting the funding they need where there may well be an unmet need that might not be as identifiable as Barrow's but nevertheless would benefit.

Josh MacAlister: I am not particularly close to the family hubs policy area, but my understanding is that funding was to support areas to develop their family hub offer in their area, and it was areas that were wanting to do more earlier intervention. As an example of the most tangible way in which these two bits of work fit together, I spent some time with a very good family hub in Newcastle earlier on this year and I could easily see a great family help multidisciplinary team being based out of the local family hub showing how that co-location would work extremely well.

Lord Bichard: We are great supporters, and I am a great supporter, of family hubs, and I think your report is great too, but as a former bureaucrat, my concern is that these two policy areas are just going to fall over each other. You are talking about a £2.6 billion investment. We are not quite clear how much family hubs are going to cost, but it will be quite a lot. You are talking about having a national transformation board. You are talking about having a national children's social care framework and national practice group. It just worries me.

Just a moment ago you said, and this is the former lawyer in me coming out, 'I'm not that close to family hubs.' I would like to see some reassurance that someone is looking at both these policy strands so that they reinforce each other rather than get in their way, particularly at a time when money is going to be short. I just find it difficult to believe that the Government are going to be able to invest £2.6 billion plus in you and heaven knows how much in family hubs. Do we need one person, which may be you, to be leading this and getting the ducks in a row?

Josh MacAlister: The Secretary of State for Education is the person to go to and the Children's Minister brief, as it was, and I am assuming as it will be, covers that. Although I said I am not that close to it, I certainly understand the family hubs policy as it relates to children's social care, and I do think there is a clear distinction that is helpful for the system, which is that we need a set of objectives for children's social care that are very clear, and that has not always been the case. The national children's social care framework we have called for in the review would set out what those high-level objectives are for the children's social care system. We

are not talking about a universal service. We are talking about support for children so they can grow up in their families with safety, stability and love, and where that is not possible, that the care system provides those same foundations. That is a very particular group of children and families. It is about 700,000 a year at the moment, and our ability to support and respond to their needs within that system is becoming financially unsustainable at the moment.

This is why the case for £2.6 billion of investment is very strong because if we carry on as we are at the moment, we are seeing more and more of that 700,000 tilting towards crisis and costing us huge amounts of money in the provision of children's homes and the administration and oversight of the child protection and family justice system, which is coming at the expense of intensive family support work. There is a way of putting a boundary around the children's social care system, which at some point you need to do, and say, 'What is it that this service is particularly responsible for?' It is fairly clear that that is interconnected with that earlier, broader base of universal and broad, early intervention work, which has other objectives. The lack of clarity about the distinction between those two things has sometimes muddled the space between broad-based early intervention and children's social care involvement. That is why sometimes we are not clear whether we need a social worker or a family support worker.

Lord Bichard: I understand the point you are making. I can see the intellectual difference and how they could fit together. I am just worried that that will not happen in practice. Yesterday, I was reading a vision toolkit which the Department for Levelling Up, Housing and Communities issued recently on early years. As I read it, I was trying to relate it to what you said and what the family hub reports are saying. There was a fair match but it is not complete, and there is a third initiative going on, and people out there in the field are going to find it quite difficult.

Josh MacAlister: They do.

Baroness Pitkeathley: You could particularly add to that the third sector, which is often involved in the family hubs, and others that you mentioned in your first answer.

Josh MacAlister: I have not, and I was not, in answer to your question. One of the things that I have recommended is that central government needs to role model much better interdisciplinary, multiagency working at the top level. It is why we have recommended the merging of the Supporting Families programme—which was Troubled Families—at DLUHC and aligning the Reducing Parental Conflicts programme at DWP with this new family help policy to tidy up the policy landscape. Of course, DLUHC itself, in the *Levelling Up* White Paper, says, in government policy, part of levelling up is simplifying central government's policy objectives and activity to help local services deliver a more coherent response, which is one of the problems in this space at the moment.

Lord Bichard: It has been a problem for 50 years and, whatever we

think around this table, it is going to take a lot of effort to deal with it. Maybe there is something we could say which would be supportive.

Q4 Lord Davies of Gower: Good to see you again, Josh. Thank you. Lord Bichard just mentioned 50 years, and it triggered in my mind, when I look back over 50 years, I started my policing career in the early 1970s and the cynic in me says that we are looking at the same challenges, we are asking the same questions and that there is no vision in governance. Do you have a vision in terms of governance?

Josh MacAlister: I have a vision that we can build a system because it has the people working in it who have the energy, the motivation and the commitment. If we align that interest with what families are saying they want and shift the resources that we are already spending so that when a child has someone in their life who loves them, the service first and foremost gets behind them and helps them to care and support their child. For the vast majority of us, we are able to do that within our families as we have a strong family network to fall back on.

We have created this very precious system called children's social care, which does a very difficult thing. It steps into private family life when that web or network is fragile and tries to weave it back together and strengthen it. The reason we struggle to do that, at the most fundamental level, is that services really struggle to provide a strengthening of organic, natural, messy relationships because they are used to delivering services that are predictable, that you can commission, that you can put in a box, and deliver between nine and five, which is not how family life operates. Finding ways to get the children's social care system closer to serving the strengthening of family networks and loving relationships is key to the reset we have set out. It is definitely possible. We have not described something in here which is a whole intent without any action plan.

We have called for investment into the system, but this is a system that by this time next decade will be costing us £15 billion a year, and it will not be any better. It will be a weaker system for it, so there is a real urgency. There is an imperative to put the money in, to do the reform work and to shift how we do it. Also, the Public Accounts Committee produced a report recently on the Government's 2014 Children's Social Care Innovation Programme, where the department spent lots of money on various projects and initiatives that were designed to respond to some of these long-standing issues in care, child protection and family support, and the Public Accounts Committee has been pretty praising of the Department for Education for having spread its bets to see what works. That activity was started in 2014. We now have a very good evidence base for what activity should be invested in in the future. We have a strong foundation there to say some of these things really do work. We have built the evidence; the department went through a period of piloting. We are now past that and in a phase where we are talking about whole-system reform, so the timing is brilliant for this. If we wait, the costs will go up. There are genuinely thousands and thousands of people

working in the system right now who are incredibly frustrated by it and desperately want it to change, so we are ready to go.

Lord Davies of Gower: Just explain what is creating that frustration.

Josh MacAlister: The social workers often have too many children and families that they are responsible for working with. They find it hard to make enough time with each child and family to build a relationship, understand the true nature of the problems, and then do the thing that they came into the work to do: ask questions and introduce an intervention that could change the parental behaviour and the family circumstances. They do not have the time, and if they do have the time, sometimes they do not have the knowledge or skill because it has not been prioritised in training and development, which is why the review calls for an early career framework that sets out the career journey for five years. They do not have the resources, so if they are referring on to another service, that service is often not there. Drug and alcohol services are a good example of this when they are supporting a family where the parents have an addiction. The addiction is the issue, not the parenting, and all that is available is a parenting programme. There is no substance misuse programme available.

Dame Carol Black did a brilliant review of those problems and was successful in getting government to take some action on it. You are facing that every day, and, on top of that you are spending anywhere between 60% and 80% of your time at the computer, writing up notes, filling in forms that need you to log in every five minutes because it constantly kicks you out of the system; ringing up the police, the police do not answer, you do not know who the right officer is to call; you are trying to get hold of the GP but you do not know which practice the families are in; and families are saying, 'Why would I want help from you? I have had five of you in a row come to my door and no one has helped me.' In a system that dysfunctional at times, it is not surprising that we have the retention issues with social workers that we do, and that is just social work. We could describe very similar frustrations from colleagues in health, the police and schools.

A good example of what this leads to is in schools, where there is such a lack of faith in the children's social care system that concerns get catastrophised in order to get a referral accepted. An overwhelmed local authority which is already struggling with the identifying concern has a front door assessment team with everybody reporting, for example, a child might die tomorrow. When all that noise is going on, not only have you not got the resources to actually go and help families because you are running this industry of assessment, you also missing significant harm. You cannot see the wood for the trees. That is the cycle we are in and need to break out of. I should say that some places have done been able to do so. North Yorkshire has done a very good job of reducing the need for care and late intervention and does a lot more support earlier on. Hertfordshire local authority has done brilliant work in this respect,

and areas that have struggled know they need to do more and are hungry to see this reform programme and get government backing.

The Chair: One of the things you talk about is a more regional approach for those areas that really are out of control, such as residential care, which is financially crippling a lot of local authorities and is where the local authority money is being sucked into without the child then getting a placement that is actually anywhere near home, anywhere near being able to keep family relationships going, and really does not suit anything. It strikes me that given the cost of living crisis and all the rest, these things are going to be even more tricky to solve than when you produced your report. I wonder if you can say anything about that because that too deals with a bit of a different way of governing and looking after—

Josh MacAlister: Yes, running parts of the system. There are areas where the review recommended a more local, responsive approach to community need, and there are areas where actually we are saying local authorities are too small a unit of delivery to solve some of the problems that we have. Actually, the care market—and it is unfortunate that we need to call it a care market at all—is one of those. This is essentially the way in which local authorities plan for, commission and run residential children's homes and fostering for children, and what we have seen is a steady march towards the privatisation of those systems, particularly in residential care, where 80% plus of residential care is now privately run.

The Competition and Markets Authority published a very good report just in advance of my review, which fed into it significantly, explaining some of what had happened that has led up to that. Essentially, it is a combination of poor planning by local authorities. Too many local authorities do not have a sufficiency plan which is something local authorities are required to produce by law. It is a publicly available plan setting out how many children they think are going to be in their care with particular needs and therefore they need these kinds of homes for them in their area so that children do not need to be sent miles away. Something like 40% of local authorities do not have a published sufficiency strategy.

The planning is not taking place and I do not think it particularly plays to the strengths of local government to do that kind of sufficiency planning. It is difficult, because if you are a small unitary borough or local authority, you may have very small numbers of children in care, and it is very difficult to predict whether you are going to have a child with a very narrow set of needs in your area in the next five years. There is a planning problem. There is a major scale problem. If you have a child who has that particular set of needs and you do not have that home in your area, you often end up going to a bigger market and sending that child many miles away, which means they are not near their school, which breaks up the school relationship. They are not near their friends and those relationships break. If they cannot live with their brother and sister because we do not have enough foster homes available, those relationships are lost, and they are living in an unfamiliar area. This is a

particular concern for teenagers because it places them at greater risk of exploitation and harm because those relationships are sometimes the thing that keeps them safe, so it is really dysfunctional.

The conclusion I reached was that trying to fix this through improving the way that local government does it rather than giving it to a new set of public bodies to run the planning, commissioning and running of children's homes and foster care would not work because local authorities do not have the scale or the inherent capability to do it. I say that reluctantly but if you look at the trend in fostering and the recruitment of foster carers, bearing in mind that the number of children in care overall has risen and there are real pressures on the number of children in care, the number of local authority-provided foster homes went down, and the private availability went up. We currently have a system for foster care that is still majority run by local government. It is not realistic to believe that local authorities can get back on top of this by themselves, and so I have recommended that groups of local authorities in co-operative models are brought together to run regional care co-operatives.

For example, in the north-west—the part of the world I am from—you might have Cumberland, Westmorland and Northumbria together, perhaps with Durham. Across those local authorities would be a dedicated body that does the planning for the care that those children in that area need, and they then spend their money together to create the provision that is needed in the public sector if that is where the best place for that provision will come from and in most cases, it will be. Doing the good, focused fostering recruitment, fostering training, fostering support and, in residential care, making sure that those homes are available in that area and are distributed for the children who need them would allow local authorities to stop doing all that activity, and it would become the northern care co-operative that would provide it. That is the best way out of the mess we are in. It would be disruptive and hard but continuing with the model structure that we have at the moment simply will not work.

The final thing to say on this is that the response to that recommendation has been that although we are doing some of this regional collaboration at the moment and local authorities are already working together in these commissioning groups, the Competition and Markets Authority report was really clear on this, which is that they are insufficient to the scale of the problem. Having seen some of the discussions that take place at these regional commissioning groups, they are trapped in the local politics of lead members, directors of children's services and council leaders struggling to step back from the here and now and make some bigger long-term decisions together. For those of you who have experience in local government, that will not be a surprise, but we need to break from that and actually get on with this new approach.

Lord Willis of Knaresborough: I was not on the committee when you did your report, but it was good to read the report and indeed, again, thank you for coming. One thing you have not mentioned, and it is not in

depth within the report either, is the relationship with schools. Schools are a fundamental part of children's lives; the success or otherwise of the children in those schools, with their friends, and all the rest of it, can often be instrumental in whether a child actually succeeds in moving out.

As a former head in a very deprived area of Leeds, 25 years ago now, we spent a lot of time regarding ourselves as social workers because that is what we did with a lot of the kids—until, of course, policy decided that we should be doing something else and the emphasis went elsewhere. Is the disparate nature of our school system and the way in which local authorities are often regarded as *de rigueur* within the school system making it really difficult to actually get a handle on this, if you like, comprehensive approach to these very vulnerable children's problems?

Josh MacAlister: Yes. What is needed, and we describe it in one of the later chapters of the report, is some governance around the partnership locally between health, police, children's social care and schools about the provision of safeguarding and promoting the welfare of children: essentially, child protection and family help arrangements, which, at the moment are far too weak. I am making your point again for you, but if you read *Working Together*, the statutory guidance for these agencies, as it is currently drafted, the description of the role of schools in those safeguarding partnerships is extremely weak. It just says areas decide how to involve schools.

In Kent or Essex, for example, there are hundreds of schools and no means through which to engage them in that process of figuring out how we support children and their families earlier. Teachers are the people who know these children better than almost any other professionals, and we are overlooking that group. The review recommends that we make schools the fourth safeguarding partner in those safeguarding partnership arrangements. At the moment, they are not, and there is no clean way of making them the fourth partner. I acknowledge that in the report. It is understandable why, up until now, policymakers have been reluctant to make schools a safeguarding partner because of the way the school system is now governed. It is very messy and difficult to figure out who you get in the room and who you hold to account.

Leora Cruddas suggested, in a way that was very influential for the review, that, in an area, you could designate the partner responsibility to a multi-academy trust chief executive. The current schools White Paper has a collaboration duty within it and that multi-academy trust chief executive could exercise that duty in liaising with other heads and schools across the area. It is not perfect, there are difficulties with it, but I think it is a sound suggestion in the system that we have currently, and it would make a marked improvement where, at the moment, schools are just not at the top table when it comes to those arrangements.

Q5 **Lord Hogan-Howe:** In terms of the Government's response, where do you think there are gaps? You have gone through, as you have explained things, where you are working with them, and there are some areas where they are genuinely trying to help. What we would like to hear is

where the gaps are.

First, though, the question that suggests itself to me, from the discussion we have had, is that the system may be busy—it certainly feels busy—but I do not get a sense of data that allows people to performance manage it. I may be wrong; you are nearer to it. If that is the case, it is very hard to say that things will improve, because unless you have clarity about what works and you then say this is what you want to do, it may take you 10 years to work out for a child whether it is going to help, but in the immediate term have you done what you wanted to do at the time you said you were going to do it? Is that data in the system?

Josh MacAlister: Some of it is, and some of it is not. Where it is in the system, it is sometimes not distributed and disseminated in a way that helps decision-makers make the best decisions, including in the Department for Education. Local authorities will say that they are asked for an awful lot of data—and they are—and in some important areas there are just no data points on at all. The review recommended a national data and technology task force to look at three priority areas over a five-year period, with some targets, one of which is frictionless information sharing. We have not talked about that, but there is some good, very promising work out there at the moment, even before you start a conversation about a unique identifier. The Think Family Database in Bristol is a very good example of that sharing of data and information on children and families.

Lord Hogan-Howe: Do you find there are parts of the country—I do not know, such as North Yorkshire—which are actually using data to manage the system they are supposed to be delivering?

Josh MacAlister: Yes, there are examples. I cannot remember the name of it now, but there is a group of local authorities that have worked together to create a much better dashboard of visible data so that they can see what is going on and benchmark and look at neighbouring local authorities, but there are critical bits of information, and this is the second target in that taskforce activity, which are missing, such as: what are the experiences of families in an area? What do they say about services? Are they good?

Lord Hogan-Howe: Feedback.

Josh MacAlister: Exactly. We do not have any system-level data on that. The third area of activity, which links back to some of the workforce questions and issues around bureaucracy and time spent with families, is case management systems improving. We have set out that that task force should be given responsibility for driving that forward. There are some very good leaders out in the field at the moment who really know their stuff, and they are trying. These are data officers in local authorities, not very sexy and exciting jobs, but these are people ploughing away quietly and some of them doing really impressive stuff to improve the visibility of data. The Department for Education's role really

should be to stop trying to do that for the system, to spotlight those people.

Lord Hogan-Howe: Just publish it.

Josh MacAlister: Just give them the money and let them get it done.

Lord Hogan-Howe: I know that time is tight but, finally, given the Government's response, what are the gaps and what would you still say is not there?

Josh MacAlister: The only response we have had from the Government was on the day of publication, when the Government said that they were committed to publishing an ambitious and comprehensive implementation plan by the end of this year, and that is really when we will know whether the Government are going to pursue this aggressively and in earnest. I hope they do. It is too soon to know whether they will. We have only just had a new Secretary of State appointed yesterday. My encouragement is that it is still a priority in the department. I can see that civil servants are being organised and are putting their time and efforts into building options for this plan and for new Ministers to make some decisions about, so that is promising.

The disappointment is that the review concluded in May. I had hoped that the department and the Government would be able to say more at the point of publication, but I understand that government takes time to do things. I am pretty impatient and keen to get going on things. Is seven months by the end of this year to publish that plan and for us all to see it and see where it stands enough time for them to do a decent job of that? And is it enough time for those outside government, which we have not talked about quite so much, local authorities, voluntary sector organisations and other public services? There are recommendations in this report that they can get cracking on with now, and it would be good to see some action on that front as well.

Lord Hogan-Howe: You have described very clearly the problems with the system, and they are clearly profound and, as Byron remarked, many have been there for a long time. What percentage of the care arrangements are good over all England and Wales? There must be some good ones.

Josh MacAlister: There are some very good ones, inspiring ones. I started the report by saying that doing the review process left me completely inspired, very angry at times, and in tears with parents and children. It can do incredible things, and it can also do very harmful damage to children and families. Broadly, Ofsted has rated half the system as requiring improvement and inadequate and half as good or outstanding. We rate a lot of children's homes as good or outstanding. The problem is we are too dependent on Ofsted as the measure of whether things are going well or not, and I am reluctant to give a proportion.

Lord Hogan-Howe: I am just trying to get a flavour.

Josh MacAlister: What we have set out in this report is the ambition. Two-thirds to 75% of the leaders in the system read this and report that there are bits and bobs they do not agree with, but by and large, this is the direction we should be headed in and this is the system they would like to lead, but only a minority of the system is currently delivering on this sort of promise. Some of that is resources and a lack of national direction and some of it is because we have not had debates about how we support kinship carers and how we get the balance right between protection and help in the way that we have recently. Cumberland is a good example. It is a new unitary authority and I have had conversations with the council leaders there. They are really excited and energetic about doing something different with this—the same with Westmorland next door—but they know they are not there yet. This is why I described it as a really important six-month period. The gauntlet has been dropped.

The Chair: Thank you very much indeed, Josh. We are grateful to you for coming along. As you know, we were very welcoming and supportive of the report when it came out and we will discuss how we follow up today's session and how we make sure we do our part to ensure change in the system for these kids.