



Education Committee

Oral evidence: [Residential Children's Homes in England](#), HC 716

Wednesday 8 January 2014

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Written evidence from witnesses:

- [Dr Maggie Atkinson, Children's Commissioner for England \(RCH0015\)](#)
- [Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families \(RCH0030\)](#)

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Members present: Mr Graham Stuart (Chair); Alex Cunningham; Bill Esterson; Pat Glass; Siobhain McDonagh; Ian Mearns; Mr David Ward; Craig Whittaker

Questions 192-289

Witnesses: Dr Maggie Atkinson, Children's Commissioner for England, Luke Rodgers, care leaver, and Adam John Wood, care leaver, gave evidence.

Q192 Chair: Good morning, and welcome to this session of the Education Committee looking into residential children's homes. This is the final one of our sessions of oral evidence taking. I am grateful that the three of you have joined us today. I particularly thank Luke and Adam for joining us, and I congratulate Luke on winning the Children's Achievement Award for children in care work at the Children and Young People Now Awards 2013. Well done.

Ian will ask more about this, but can I start by asking whether you think the voices of young people are heard sufficiently within the system?

Adam John Wood: Whereabouts?

Chair: Excellent way to start—by questioning us back. Quite right. Where do you think young people's voices need to be heard more strongly and in what way? Any thoughts on that, Adam? What about you, Luke—do you think the voice of young people is heard strongly enough? How can we give it greater resonance?

Luke Rodgers: The only evidence I have is from my own experiences. I have found from my experiences in care that my voice was and wasn't heard. A lot of it is down to many factors, including where I was at that space in my life, in terms of how I was feeling about

myself and what I wanted—it was a very confusing time for me—as well as the attitudes of the people working with me.

Q193 Chair: Does it take particular qualities of the people you are interacting with to get past that? You said you were confused and had difficulty expressing yourself, and doubtless you sometimes contradicted yourself. Yet if the system doesn't listen to the voice of people who are experiencing it, is it important to improving it to find a way to do that?

Luke Rodgers: Absolutely. I think there is a lack of understanding— again, from my own experiences—of what young people are going through. Young people are entering a system that immediately places stigmas and labels on them for being in care. We are seeing children in care as bad kids—the media are all over that. We need a lot more understanding of how children develop, why they behave the way they do, and to take a greater understanding that their experiences prior to being in care are going to affect their behaviour, and not to hold that against them. We should give young people opportunity and fairness in the way that we consult and participate with them.

Q194 Chair: We only have a short half hour to take evidence from you, but we may come to other issues. The qualifications of staff are important but also their human qualities. Do you have any feel on the balance of that? Is it about having better qualified people? Is it more knowledge? Or is it about having the right character of people involved in supporting young people in care? Any thoughts on that?

Adam John Wood: It is more down to personality than actual qualifications. You want people you can get along with and trust.

Q195 Chair: Have you any thoughts on how better to ensure that people who work in the area have the personality traits that would help them better support young people?

Luke Rodgers: Again, I can only speak from my experiences and from the work that I do now, but what I have found has a great beneficial effect is bringing care leavers into training, but the right care leavers, who are balanced in their judgment of their own experiences, who have an acceptance of their experiences but are not affected by them anymore, to prevent them in future. Young people could train social workers and social work students about their experiences, alongside academics, to get a real feel of what it is like for a child in care before they move on to practise.

Chair: Right, thank you.

Q196 Ian Mearns: Putting to one side any emergency placements that you might have had to go through, do you think that decisions about where you were placed in residential care or fostering were based on what was right for you, with your thoughts, wishes and aspirations taken into account?

Luke Rodgers: Again in my experience, absolutely not. Because of the period of my life, every placement I had was an emergency for my own safety. I had run away from placements and had a lot of problems with my parents, so it was very difficult for social services to meet my needs when a placement needed to be found in 24 hours.

One of the issues that I do see is that there is not a national tool around matching, and local authorities can search within house for their placements of a child's need before they pass it out to IFAs or independent agencies. That gives less time to find a placement that a child really needs to suit their needs before a child is moved on to placement. That is an issue that I see: a national tool around referring young people to placements. There isn't one, so they are not being done effectively. A lot of the sheets that we have at the moment—the referrals that we are using—are going against Data Protection Acts and the Human Rights Act. They have given away family information about young people that is not right to be disclosed at such an early age.

Q197 Ian Mearns: Adam, what about you? Do you think that your views were taken into account when placements were being decided, or were you not consulted?

Adam John Wood: Most of the time, yes.

Ian Mearns: Most of the time you were not consulted?

Adam John Wood: No, they did listen.

Q198 Ian Mearns: Do you think that the residential homes that you lived in helped you? If they did, can you highlight anything really positive? If there was not much positive about it, what could be done to improve the situation?

Luke Rodgers: Adam, do you want to answer this one?

Adam John Wood: What was the question? *[Interruption.]* In the residential home? No.

Ian Mearns: So your needs were not met in the residential home.

Adam John Wood: Not really, in terms of problems. If I got bullied, nothing happened about it.

Q199 Ian Mearns: Luke, what about you?

Luke Rodgers: Again, my experience is I that found that living at the residential home at the time, and at that age, was very unhelpful. There was a culture of crime and drugs which I fell into, because misbehaviour was the norm. And I found the majority of the staff attitudes there were never great towards me, apart from one member of staff, who made a real difference, but she was only there on certain shifts and I found that I was waiting for her to come to work. Things like I would be classed as missing a lot when I returned late from

home—whereas this single member of staff would come looking for me—which added to my referrals. So, every time I moved placement, I was classed as a missing child, and really I was never missing; I was just late home.

I think, in hindsight, being an adult now but still a young person, looking back and reflecting on what I learned while being in the placement, it is very beneficial, because I learned a lot of things about who I am and my resilience. The things I did then have made me realise the person I am later on in life, so it has helped in that way. But, while I was living there, I found it was quite a negative experience.

Q200 Ian Mearns: Did you have much experience of significant change in staff, with staff turnover in the placements you were in?

Luke Rodgers: Could you clarify the question?

Ian Mearns: I mean, did the staff change a lot, or did they have pretty steady staff within the residential placements?

Luke Rodgers: The staff were consistent in terms of their employment, but, in terms of the turnover of staff, there were that many staff at the children's home—I think the majority of them were part time—throughout the week that—

Q201 Ian Mearns: So there was a constant change, from your perspective.

Luke Rodgers: Yes, which is great for some young people. From my experiences, it wasn't right for me at that time.

Q202 Ian Mearns: Maybe you can have a think about this, but, if you can think of one thing to do that would improve the situation for young people in residential care, what would it be?

Luke Rodgers: Again, I think it is down to that placement meeting the needs of that young person and, prior to that, making sure that the match is correct. We have been speaking a lot in the news recently about this “out of sight, out of mind” culture. I was placed out of sight and out of mind, but moving geographical areas was a very effective thing for me. So I think it is again down to that child's individual needs. We really need to take a step before they go into a residential home to make sure that that place is right for the child.

Ian Mearns: Adam, anything from your perspective? *[Interruption.]*

Q203 Mr Ward: Luke, what you seem to have described is a particular person who, in effect, took you under their wing, and not only were they responsible for you, but they seemed to care about you and for you. How many others did you have that same feeling about?

Luke Rodgers: I can give you a general type from when I look back on my experiences in care generally, not in the residential homes. Significant people pop into my mind who have created positive experience. I think there is a lack of relationship-focused practice in that sector, especially in residential homes.

The woman that made a big difference for me didn't take me under her wing; she just understood and she really cared. She wasn't even my key worker. She was just a person who was genuine and very understanding of my situation.

Q204 Ian Mearns: This is to both Luke and you, Maggie. Do you think the Government's reforms are likely to ensure that children in care will be listened to and understood, and that their needs and concerns will receive an adequate response, or is it a bit of tweaking and more of the same?

Dr Atkinson: From my perspective as Children's Commissioner, the Committee will be aware that a goodly number of the things that are coming forward in the reforms were at least in part due to the work that we did in our accelerated report at the request of the Secretary of State in July 2012. We have been involved ever since that. It was part of our work on social exploitation but, given that some of the many children and people who were coming to prominence in the very high-profile cases there were in the care system, it was important that we looked at it. The Secretary of State asked us to do so and we did. We feel that in the 18 months that have followed, particularly with the release of the amended regulations over the Christmas period, there has been an important and positive start. But there is a great deal more to do.

If you look at the nations whose practice we most admire in this field and nations where residential care is based on a social pedagogical model, for example, the staff in those settings are trained properly to listen, properly to engage, to be people like Adam was talking about before, clearly, he had to go out of the room. It is about trust—people you can speak to; people you can believe in; people who will understand your situation and work as a professional, be properly trained and developed and supported to do what needs to be done. The work we did in 2012, which that has been part of the development that is still in train, leads me to believe that what we now have is the start.

I am delighted to see in the amended regulations—I can't remember in which paragraph, as I have not got them in front of me—that there is an explicit reference to the rights of the child. That's your headline. If you work for a local authority or for a commissioner or a provider, that's your headline. What does it mean? Who is listening to them? Where are their voices heard, and what is the action that is taken as a result? They have told us and told us and told us, as Craig and his APPG will tell you. Now we need action, and we need it to permeate the entire system, which is what Luke has been saying.

Luke Rodgers: Absolutely. A lot of it, like you were saying, is down to the individual working with the child in care. That child has a person attached to them as a social worker. But social work case loads at the moment are so high that it is becoming very impractical and unrealistic for us even to expect a social worker to be able to care for all their cases and hear all their needs. It is just bizarre that the case loads are so high and really, really unfair on

social workers to have such pressure that they have to see so many young people and make sure that all those needs are met.

Q205 Bill Esterson: Luke, you talked about this one member of staff who made a difference to you. Can you identify what the skills were that she had that other staff didn't have, and perhaps how other staff could acquire those skills?

Luke Rodgers: Resilience, for a start, and a realistic view of me. I think we spend too much time, from what I see and my experiences, trying to do things the right way, so that we are not necessarily doing the right thing. Like with the example I gave you, every time I would come home late she knew I was out with my friends. She knew that I would come home late and I wasn't missing. However, it puts her in a difficult position, because they have to report me missing after an hour of me not coming home. She would come out and look for me. It was those sorts of things that made me realise that she genuinely cared. It doesn't seem like a big thing, but for a young person who has not got much and doesn't feel that anybody really cares for them, and has come from a background of no parents, someone actually coming out to look for you when everybody else doesn't bother makes a really big difference for a young person. It made a really big difference for me, anyway.

Q206 Bill Esterson: Okay, but your experience was that other staff don't do that sort of thing.

Luke Rodgers: I think in terms of the question that you are asking about skills, it is just an understanding of me, genuinely caring about me and keeping my interests at heart.

Q207 Bill Esterson: What you have described is somebody really going the extra mile. Is that realistic for the majority of staff, do you think?

Luke Rodgers: Is it realistic for a member of staff to drive out and come and look for me when I am missing? Absolutely. I understand that there were other people at the home at the time, but there was enough staff there to look after those children. That is my own personal opinion. I don't think we can sit behind these policies and regulations and expect young people to develop effectively if we do not have effective relationships with them.

Q208 Bill Esterson: Sure. Thanks very much. Maggie, building on what you were just saying, your office called for the faster introduction of improvements in the required training for residential staff. Is it just a question of speed, or should minimum qualification levels be higher than those specified in the new reforms that the Government have proposed?

Dr Atkinson: I think that is a really important question. If you look at the profile of the staff who work in our residential settings for children and young people in the care system, they are often the least well trained. Many are very young, inexperienced and sometimes mobile and transient in their work—they move from job to job. The need for

registered managers to be properly trained before they become a registered manager is absolutely essential, as far as we are concerned, and we will go on saying that. This is about reprofiling a staff and a work force that works with the most vulnerable children in society. They are our children; they are the children of the state.

I will stand to one side and give you the parallel of how upset the nation becomes when elderly people who are in residential care are not supported in the way that they ought to be. The nation needs to be as outraged when children are less well served than they should be in residential care. But I would also say that we have encountered fantastic residential care settings. Nobody should tar every setting with the brush that is painting the worst. Some residential settings are the best places for children and young people who are vulnerable, complex and have a back-story of the kind to which Luke alluded briefly this morning. What that means is that you have a work force that is valued, trained and continuously developed and challenged in human skill as well as in professional skill.

Q209 Bill Esterson: In your written evidence, you made the point that many young people have told you that they wish to be in residential care rather than foster care. Do you think that there is a need to expand and enhance the residential sector?

Dr Atkinson: I am not necessarily pleading for an expansion of the sector. What I would steadfastly defend is the place of residential care as part of the pattern of provision. It is not, or should not be, a placement of last resort. It should be part of the menu that commissioners can use. All providers should be held to account on a regulated basis. Three quarters of children placed in residential settings are now placed with private or voluntary sector providers, not with local authority-based care. It is desperately important that it is seen as a high-quality first resort for some children. Luke has given you the key: what are the needs of the child? It is not about what is the expedient, what is the cheapest, what is the best solution for the budget, where is it, is it far enough away or close enough. It is about what the child needs.

Q210 Bill Esterson: You made a comment about the qualification of managers. The DfE has dropped its proposal to require candidates for registered manager posts to have achieved a level 5 diploma before being appointed. You indicated that you have concerns about that. Would you say a bit more?

Dr Atkinson: I do have concerns. Think about the complexity of some of the children who will come into your care if you are a registered home manager, and of running the organisation, running the setting, keeping the staff in line and matching regulations, although not being driven by them. You would be highly unlikely to allow, for example, a doctor to qualify and become a registrar without having done a medical sciences degree. I would argue that it is as complex and as difficult a job to look after the nation's most vulnerable and most needy children as it is to be any other professional. I hope that the Government will rethink the proposal for starting in 2015 and having to have something within the first three years of your being a registered manager. If we are going to raise the profile and the respect of the professions concerned, it is very important that the qualifications go with it.

Q211 Chair: But most homes are a lot smaller than the average medical facility. The reason why the Government dropped it is because people need to learn on the job, and you would otherwise restrict the applicants that you can sort from. Therefore, bringing in that requirement could have the perverse outcome of reducing the quality pool of potential candidates when we desperately want to get good-quality people with the right characteristics into those places. Can you say something about your recognition of those tensions?

Dr Atkinson: I recognise that dilemma, which is well expressed—thank you, Chair—but I hold to the opinion that we have already expressed as an office, that part of the difficulty faced by the residential care sector is that it is not held in high regard and is not seen as a profession of first choice by very high-quality graduates. Too often, it is not seen as something into which an ambitious individual, who also has all the human qualities that Luke talked about, wants to go. Dropping the requirement is potentially a backwards step. I do not know whether Luke has an opinion.

Luke Rodgers: I agree. As you were saying, I think experience is needed for people going into work in the children's sector. The other problem with university study and social work is that, from my experience, service user involvement and placements are not of great quality. Some of the work that I have been doing is about creating effective service user involvement within universities and giving students the experience that they need in working with young people before entering the sector, so that they know what they are letting themselves in for and can address any precognitions, stigmas or ideas about how the service is run before they go into it.

You also mentioned expansion, but I do not necessarily think that that is the answer, because it is a quantitative approach. I think it is about the quality of residential homes that we already have. We know that the media is currently having a bit of a frenzy about homes being shut down, and we know that they are targets for child sexual exploitation. It is issues such as those that we really need to be addressing with a multidisciplinary approach. I think that therapeutic work really needs to be brought into residential homes and into the children's sector, because we do not have it. I know that the Hackney model has created a therapeutic approach that has just been given the gold standard by Mr Gove himself. If we look at charities such as Kids Company, they offer a therapeutic approach, which is working fantastically well with young people leaving care in mental health. If we can somehow adapt the approach of a charity like Kids Company into our service, we would make a huge difference to young people.

Q212 Craig Whittaker: Adam said earlier that personality over qualifications was his preferred choice, and, Luke, you mentioned pining for that young lady to come on shift, because you looked forward to her coming in. First, should young people be involved in the selection of residential care workers? Secondly, what was so good about that young lady that made you want her to be on shift?

Luke Rodgers: In answer to your first question, absolutely. However, I think it must be the right type of young people. Things such as this can turn into tokenistic gesture—just grabbing a young person to be involved in an interview. It is something that we do with the universities, which is done very well, and our selection of young people, care leavers and other service users is very careful.

On this woman, I can only tell you how I feel about her. She just gave me some warmth and genuinely cared. She listened to me and would sit and do things and spend time with me. She would want to watch a programme on television that I would want to watch. It was very simple things. Much of the time, I explain it by saying that simple acts of kindness for a child in care are few and far between. They never happen. In a society where stigmas and labels are put on them and there are self-fulfilling prophecies and attitudes towards them, they feel very isolated and oppressed. If just one person in a home, wherever it may be—or even on the street—performs a kind act for a child in care, watches a film with them, cooks their favourite meal or just really listens to what they want, it just fills you with warmth. It is a nice feeling. That is my personal experience. What I enjoyed about it was that I genuinely felt that she cared and that she enjoyed coming to work. She expressed that in her body language. She was just a lovely lady. That is all that I can really say about her. She was just a genuinely caring woman.

Q213 Craig Whittaker: Great, thank you. Maggie, you have also mentioned interpersonal skills and personality as being almost on a par with qualifications. I think you have already expressed that you don't think the Government are doing enough in the changes to increase that provision. What should they be doing?

Dr Atkinson: I do think, Craig, that the Government have made a very strong start in changing the regulations, and we have been involved since July 2012 in helping with the task and finish groups that were set up, and which led to the changes the Government announced last week and the changes to the regulations that they pushed through over the Christmas period.

For me, it is about the many years that children and young people have been giving this strong and passionate message, which Luke has just given you again, and how long it is going to take us to listen to it and then act on it. This is not the first time the discussion has been had. They are saying, "Give us adults who are professionally qualified and likely to be our best human contact in a corporate parenting system, because the parents we had were not up to the mark. Give us the opportunities to be members of the Youth Parliament, members of our youth councils, leaders in local communities, leaders in industry and commerce and top-class graduates, because that is what we deserve. We are children, in just the same way as your children are yours." That is what they have been telling us for years, and it is important that your Committee is having this inquiry, because it will strengthen the direction of travel the Government have managed to achieve in the past 18 months. It will take will and sustained effort to make it right.

There are 70,000 children at some point in the care system most of the time. That is a very large number. Some authorities have hundreds of children in care, being well fostered or brilliantly looked after in very good residential homes on their doorstep. That, for me, is one of the strengths of what has happened over the past couple of months.

The on-the-doorstep issue is really important. It is about sufficiency where you are, where a child can go to a settled school, be registered with a settled GP in a settled residential setting, whether that is fostering or otherwise, in ways that mean that they are yours. The corporate parenting board owns and scrutinises what you are doing, helps with the regulation

and helps, wherever they are placed and whoever is running the setting, to ensure that those settings live up to the standards that are needed.

Q214 Craig Whittaker: All absolutely valid stuff, but when you have an ethos, which you have already explained, about residential care homes being the last placement of choice, what can the Government do fundamentally to change that ethos and elevate residential care?

Dr Atkinson: I think we've got enough law and enough regulation; for me, it is about the tenor of the debate. It is about what MPs, whether they are Ministers or not, actually say to each other, to the media and to society at large about the strength of provision when it is good. There are some terrific residential homes. I had a 15-year-old in one in a big county outside this great city some time ago. He said, "You have to understand: I came into care when I was 14 and a half and this place saved my life. I don't know where I would be otherwise, but it makes me go to school, it makes me get up, it makes me interact with people, it makes me behave and it cares. It stands in front of the front door when I want to leave and says, 'We are your parents and you're not going out.' It is really important that I am here, because I would probably be dead if I weren't." That is an important thing for us to hold on to.

Q215 Pat Glass: Can I just ask you about the on-the-doorstep issue? In the original consultation, there was a restriction of 20 miles, but that seems to have gone. I find that incredibly disappointing, because it was the shock to the system that was needed. There is an argument about capital buildings. We have lost all of our children's homes in London, but every London borough has three and four-bedroom council houses that could be converted into children's homes. They would be on their doorstep, where they could access local services. Are you as disappointed as I am about that limit being dropped?

Dr Atkinson: I think that it is very difficult to set a radius, because—

Pat Glass: There will always be children who have to go for obvious and real reasons; I am talking about the generality.

Dr Atkinson: The generality—the sort of creative approaches you are talking about—I would heartily endorse. If you have lost what were children's homes, what else have you got and what else could you convert? Are you working with your local housing companies and builders and others? Are you working with your planners and your communities to do what Luke talked about, which is to break the stigma? Being in care is not just about children who are somehow in trouble. In fact, it rarely is. Local communities need to be worked with, by the planners and by elected members and others, to ensure that if you are going to convert a four-bedroom house in the middle of a lovely development, people in the area understand that these are children who need support, help and parenting; they are not bringing trouble into the area.

Q216 Chair: But have the Government missed an opportunity? That is the question.

Dr Atkinson: I think that the Government have missed an opportunity to stick very closely to keeping it within a borough if we can. If we cannot, it should be in the neighbouring borough or in collaboration. But remember that in Cumbria, Herefordshire or Northumberland, 20 miles is nothing, so setting a distance is difficult.

Pat Glass: No, 20 miles within the boundaries of your borough.

Dr Atkinson: Within the boundaries of your authority, yes.

Q217 Pat Glass: I just think that by sending these children away, local authorities are saying what they think about them.

Dr Atkinson: I couldn't possibly comment on anything quite that strong, in terms of opinion, because I am not sure that the evidence is there, but we do need to hold to account the commissioners of services to ensure that children are placed where their needs are met, and preferably as close to home as possible.

Q218 Mr Ward: Returning to the level 5 requirement, I am going to ask the Minister this same question about the practicalities. My wife qualified as a social worker many years ago and did a couple of quality placements in residential care before she qualified. She then worked in residential care. There was a clear progression there, because most of the provision was large local authority homes. That is not the case now, is it? Is it practical to require someone to have that level of qualification before being in charge of what might be a very small provision?

Dr Atkinson: I think the answer lies in part of your question. We are now in a situation where three quarters of children placed in residential settings are not placed in homes that are owned and/or run by local authorities. We are in a very diverse sector. For me, there must be a bottom line of standards against which, whoever you are, if you are running a provision, you can be measured. Part of that is about how well qualified your staff are in some of the disciplines that Luke has alluded to. The mental health and therapeutic approaches do not come from just being a nice person with a couple of A-levels, they come from being seriously trained in a concerted, deliberate and professional fashion. If we are going to have an ever more diverse system—I am not against that at all—we must have a system that is held to account for the standards that its staff adhere to.

Q219 Siobhain McDonagh: Luke, you told us a bit about large numbers of staff and people working part time—about the characteristics of the placements that you had. Can you tell us how many placements you had, which were good and which were not, and the factors that made them good or bad?

Luke Rodgers: The residential placements that I had?

Siobhain McDonagh: Yes.

Luke Rodgers: I had only two residential placements and both of them were emergencies. They were assessment centres at the time, so I was asked to be placed there for, I think, four to six weeks for the assessment, but I ended up staying for more than three months. That has been my experience. In terms of the positives and negatives, I have already covered those. In terms of the staff turnover, there was a lot of instability. A lot of the culture within the children's home that I attended—there was a lot of drugs and crime in that area, which was the stigma and the norm. I suppose, if I'm looking back, as a child searching for a sense of belonging it is very easy to fall into that. With the staff attitudes that I had in that home, it wasn't very easy to keep me away from it. But again, I am very conscious that I am the only person here speaking about my experiences, and I am not a very good cross-representation of residential care in the UK. To get a better view of it, you would have to speak to more young people, because I can give you only my experiences.

Q220 Siobhain McDonagh: I totally accept that. Did you ever feel under any pressure to leave the assessment centres before you were ready to go or before there was an appropriate place?

Luke Rodgers: No, not really. I was ready to leave whenever. I had in my mind that the assessment centres were a short-term placement so I knew that I would probably be staying there a short amount of time. I was more feeling, "When am I going to leave?" That was more of my feeling when I was there.

Q221 Siobhain McDonagh: During the Committee's visit to Thanet, we heard about the unsatisfactory accommodation that 16 and 17-year-olds who had been in residential care had moved into. What should the Government be doing to address that? Should they introduce legislation to regulate supported lodging services for 16 and 17-year-olds? I worked in housing before I became an MP, and when I worked with homeless families I found that the most vulnerable young people were placed on the toughest estates, next to the most vulnerable people. How many 16-year-olds can make a go of a flat at that age, without any support?

Dr Atkinson: It is an absolutely crucial question. The children who are coming towards the end of their time in care—at 16 and 17 in residential settings and in their early 20s in foster settings—need to be properly supported. If you are going to place them into an independent living environment, what is the quality of it and would you let your own child live there? It is a fairly fundamental question, and if the answer to that is, "Well no, I wouldn't," then why are you putting somebody else's child there? And why are you putting them there without support? It is an outrage, and if legislative or regulation-based approaches would actually stiffen the spine, bring it on. Actually, you shouldn't need further regulation or legislation, because you have already got it. Craig chairs the all-party parliamentary group, as you know, and at every meeting it is the care leavers, or those approaching leaving care, who have the strongest and most heartfelt things to say about being cast adrift. You wouldn't do it to your own child, so why is it all right to do it to the children who are most vulnerable in society?

Q222 Chair: There is going to be a welcome extension for those in foster care to be looked after to the age of 21. Do you think the Government have missed a trick in providing an extension of care and support for those in residential care who, in general, are more vulnerable still?

Dr Atkinson: Care leavers will tell you that this is the case, absolutely. I don't know if you have seen that the Scottish Parliament has a Bill in progress now and is about to do exactly that: up to 21, no matter what the setting. A fostered child will say, "I'm all right, but my mate isn't". Well, hello! We need to be on a level playing field.

Q223 Ian Mearns: Maggie, can I pick you up on terminology? As you know, when I was deputy leader of the council and, prior to that, lead member for children's services in Gateshead, I was one of the people who took the responsibility of corporate parenting to my heart. You used a phrase which I disagree with: "Why would you put someone else's child there?" They're not someone else's child—they're our child.

Dr Atkinson: Nicely picked up, thank you. Very important.

Ian Mearns: If we all, as corporate parents—and that means everyone in Government as well, not just the local authorities—regard them as our child, my child, why would I put my child somewhere like that? That is part of the answer. I had to get that off my chest, I'm terribly sorry.

So going back to you, Luke, what was your experience of leaving care and what sort of conditions were you put in when you came out of care?

Luke Rodgers: I was left at 15. I had had spells of going back to my parents, thinking it would work and it didn't, and at 15 years old I was classed as unfosterable. It was quite fortunate that my father worked on Northern Trains, so I had a train pass and could get on the trains for free. I spent several nights sleeping on the train going to Manchester, which was the longest train from where I was in Leeds, and back again, and going to school. I was then placed into B and B at 15 years old, but with no support: just £50 a week pocket money to fend for myself.

Q224 Chair: What year was that?

Luke Rodgers: What year? It was when I was 15. You are testing my maths now. I'm 22 now, so it was seven years ago, 2005 or 2006.

Dr Atkinson: It is a scandal, Chair.

Q225 Bill Esterson: You have suggested a number of measures that would make a significant difference. We live in times of scarce resources. What evidence do you have that these would make a difference in financial terms as well as improving children's lives?

Dr Atkinson: I think the starkest evidence is that if you look at the incarcerated population, one in four incarcerated young people has been through the care system. It costs more to keep somebody in prison than it does to send them to the top public schools in the country.

Ian Mearns: You are not making that suggestion, are you?

Dr Atkinson: Chairman, can you please control Mr Mearns?

Chair: I have spent years in the effort.

Dr Atkinson: If we get care right, whether it is fostering, family kinship care or residential care, where residential care is very good, part of the mission of those places is to create a different way of life for those children and young people, so they are not drawn into the things to which they are vulnerable: whether it is exploitation, joining criminal gangs or whatever. That saves the nation money, if you get it right. If care is given on the basis that Ian has just so passionately talked about—where everybody believes these children are ours—and safety and their needs lead what you plan for them, and if they are involved and listened to in helping you to make it right, then hopefully fewer of them will end up criminals and incarcerated. That’s an aim for all of us—and it is cheap.

Chair: Thank you very much, Maggie, Luke and Adam for giving evidence to us today. Adam has said he will answer some of our questions in writing afterwards. Thank you very much for that and thank you all for coming along and engaging in this occasionally adversarial-style room. That will not necessarily be the spirit in which we question the Minister immediately after this.

Examination of Witness

Witness: **Edward Timpson MP**, Parliamentary Under-Secretary of State for Children and Families, gave evidence.

Q226 Chair: Good morning, Minister; welcome to the Committee. It is a pleasure to have you before us again. You are becoming quite the regular attendee. I will start by asking you about the consultation on local government proposals. I am not going to ask you about the slowness with which the Department provided the Committee with the consultation results or touch on any of that. I will leave that for another occasion. I have spoken to you about our dissatisfaction about that, but we will leave that aside.

The majority of the consultation responses from care home providers express opposition to proposals supported by practically everybody else. In that context, how can you take your proposals forward and what does that division say about the relationship between providers, commissioners and other parties involved in children’s care?

Mr Timpson: First of all, thank you very much for inviting me to the Committee. It is great to see you in your place. To answer that question directly, whatever comes out of the consultation, it is important that we take great heed of what everyone who has an interest in this subject has to say. But that should not prevent us from being ambitious about how we need to reform children's homes, so we drive up the quality right across the country.

Clearly, there is going to be a range of views. I am not sure from the consultation responses that I have read that there is a black and white view between children's homes providers and others. There is some quite broad consensus on many of the issues. It is understandable that there will be some reticence among some of those providers about some of the changes we are making, because they are quite wide-reaching and will intensify the spotlight and increase the transparency of what happens in children's homes and, more importantly, emphasise the outcomes for children who find themselves in that type of placement. That is why we have had a consultation and listened carefully. We have had expert groups take on board the Office of the Children's Commissioner's report. We have also heard from the all-party parliamentary group chaired by the hon. Member for Stockport. We continue to have those discussions with children's homes providers and others to ensure that the package of reform we have put forward takes on board all those views but does not dampen our ambition.

Q227 Chair: Children's homes, as you know, are generally quite small. In the world of education—although not based on the fact that schools are small—collaboration is seen as a really important part of raising standards, sharing best practice, lifting up the quality of staff, etc. Fewer than half the respondents to your proposals believe that the proposals will lead to greater collaboration between the various players—homes and others—in raising standards. Do you have concerns about that and can you explain why that is how people feel?

Mr Timpson: First of all, I agree that greater collaboration is not only good practice but is essential in helping to reform the market in which children's homes find themselves. But we have to remember that these proposals through regulatory change are only part of the overall picture. In order to help improve collaboration, a number of other levers are being pulled both in relation to changing the inspection framework, so that there is a greater emphasis on the quality of provision, but also in relation to the commissioning of placements. We already see some good examples of where there is good collaboration, which is improving the decision making on commissioning, for instance in the north-west and the West London Alliance.

By using both the changing inspection framework and the greater emphasis on quality and outcomes, as well as working with the sector, particularly with local authorities, through the data pack, I think that gives a much better prospect of collaboration in the future. The first comprehensive data pack that we published last September sets out, for the first time, a complete picture of the whole children's homes market—where children's homes are located, what their rating is, and who owns those homes.

Q228 Chair: Why do you think so many of your respondents are sceptical of that?

Mr Timpson: I suspect that it is because it has been difficult to engineer in the past, and because some of the barriers that we have identified have prevented it from happening.

Q229 Chair: You said in evidence to us that you felt that the Government's view, shared by Ofsted, is that more fundamental change is needed. Yet, originally, on 25 June 2013, you described these reforms as a "fundamental overhaul of children's residential care". They cannot both be true, can they?

Mr Timpson: They are both true, in that they are both required to bring about that fundamental change. As I was alluding to in an earlier answer, the regulatory changes are an important and necessary part of that process. But over and above that, it has become much clearer that we need to go further in relation to other areas of reform, particularly around the work force and around accountability, to bring about the cultural change that we need to see and to get the shift away from an obsession with minimum standards and a compliance culture, and moving much more towards a complete focus of the planning and assessment on the child and the outcomes that everyone is seeking to work towards.

Chair: Thank you. I think you have started to answer some of the areas that Pat will be questioning you on.

Q230 Pat Glass: I have said this to you privately, and I am quite happy to say publicly that I think the consultation was really good. I thought that the consultation and the direction of travel were great. However, having seen what has come out of that, I am somewhat disappointed that some of the things I thought would lead to a fundamental change in the system are just not there.

When we met the Secretary of State before Christmas, I asked him about the 20-mile limit of placements outside the local authority area. He told me that he was committed to it, but it appears to have disappeared from the recommendations. Why have you taken such a limited focus on this? Why hasn't the consultation looked beyond, at things like residential schools and 16-to-17 care leavers? Where has the 20-mile limit gone? Why have you bottled out?

Mr Timpson: We haven't bottled out. There is still statutory guidance that we are working on, which will be published shortly, which will set out in some more detail and clarify where DCS approval of a decision is required.

If I can take a second just to explain how that proposal would work—this is in relation to all children in care and their placements, so it is not just around residential care—inevitably, there are going to be geographical disparities between different regions, particularly urban and rural. Areas like Yorkshire are much larger than metropolitan areas. So we need to try to ensure that whatever we come up with takes into account all those different variations where possible.

The proposal, following the consultation and heeding what the Secretary of State told this Committee, is that within a local authority, the director of children's services has the corporate responsibility for that local authority area, so they are already in that position.

Outside that local authority, if it is in a surrounding local authority but that child is being placed more than 20 miles away, then it requires the DCS's approval. There is your 20-mile marker.

Overlaying that is the general principle that if it is outside one of the neighbouring authorities—if it is in the outer ring—that also requires the approval of the director of children's services. We tried to factor in all the variations across the different local authority boundaries, and, having consulted with local government representatives and others, that was the best solution in terms of trying to ensure that we have clear markers but take into account local variations.

Q231 Pat Glass: Is that going to be sufficient to deal with those local authorities that take the view, "Out of sight is out of mind; we are quite happy to pay up to £10,000 a week to get these kids off our desks and out of our hair"?

Mr Timpson: The whole reason why we have carried out the consultation and brought forward these reforms is because of that "out of sight, out of mind" culture, with 46% of children being placed out of area, many of them many, many miles away from their home. I am not going to propose anything that I think is not going to tackle that head on. Clearly, as Ofsted starts to inspect this in a far more robust way in the future, I will want to see for myself whether it is having the desired effect. You can rest assured that I will not be just assuming that this will then follow through naturally. There clearly needs to be a continued close eye on the impact it is having.

Q232 Pat Glass: Okay, so we can look forward to seeing very robust guidance and regulation on this?

Mr Timpson: You will be seeing that, I hope, fairly soon.

Q233 Pat Glass: Okay; thank you. What is the DfE doing to shift the emphasis there is towards these really high-cost placements at one end, and move it on to prevention services to try to stop children going into care in the first place?

Mr Timpson: There are a number of things we are doing. One is a large intervention, evidence-based programme. We have put £38 million into working on a number of different intervention programmes to try to identify, much more systematically and with a better evidence base, the needs of individual children. One of the problems we have with planning and commissioning is that many decisions are based on a poor understanding of what the needs are—sometimes not just the individual needs of child, but also the needs within a local authority or region. By having better programmes of intervention at an early stage—the prevention that you are talking about—we will be able not only to have a more timely intervention in children's lives when they need it, but also a better understanding of what future needs will be for other children. That will improve planning in the process.

Q234 Chair: Going forward, do you have any feel of where the residential children's sector is going to be? If you look at certain Scandinavian examples, a higher of percentage of children are put in residential children's care but they also have much better outcomes. Do you have a vision of better earlier interventions leading to a reduction in the number of children who are in residential children's care, or do you see a flowering of quality in residential children's care that may actually lead to an increase in the number of children who go in there but a big improvement in outcomes for them?

Mr Timpson: I have a strong view about what I do not want to see. If we go back 30 years or so, my brother was in a children's home in Cheshire that was what people would perceive to be the traditional model of a children's home—a very large, Victorian building. Now there are only four children's homes with more than 20 children. There has been a huge change, as well, in the proportion of those that are run by local authorities as opposed to private providers: it used to be about 65% local authority, but now it is only about 22%.

We have already seen real change in the structure and the size and shape of children's homes, but what I am interested in is the quality. What is actually going on in there? How is it that those children have ended up in those children's homes? Is a home the right placement for them at the right time of their lives? Why is it that 15% of children in children's homes are there for less than a week and 28% are there for less than a month—is that the best use of the precious time that they have as a child?

We can look over at Scandinavia. They have more social pedagogic models. Certainly, the work force are more highly trained. That is why we need to ensure that we drive up the quality of the work force in children's homes. What I also do not want to do is prescribe what I think children's homes should look like in the future, apart from improving the quality of outcomes.

Q235 Chair: So you are entirely refusing to engage in my horizon-scanning as to whether we are looking at a bigger or smaller sector. In a sense, Pat's question was very much about this: if you believe in early intervention, you cannot will the end without willing the means. If you have finite resources, you can spend less in one area and try to move the investment earlier in the hope that that will deliver better outcomes without neglecting those who have failed already. There is that kind of balancing act. But in a sense, that is where you need some strategic direction, with some idea about where the system is going overall. It is not enough merely to pick out the things you do not like in the current system and micro-manage those. Don't you need a sense of direction for the whole system, and isn't that your job?

Mr Timpson: What I was going on to say was that residential care is ripe for innovation. There are other models, such as those in Scandinavia, that we can learn from. The whole reason for setting up the innovation programme in children's services was our particular interest in residential care. We identified that as one of the areas for which we would like to have proposals come forward.

Rather than rely on the current type of children's home as constructed and say it is that or nothing, we need to look at all sorts of other ways of establishing how troubled adolescents—those who require specialised accommodation and care—can be better

protected and given better opportunities by having a different type of model in place. For instance, why is it that education is not more prominent in some of the work that children's homes do? Can we find a way of getting some of those who work in education to come into the residential care market and work with some of those who have an expertise in care and safety?

I think there is an opportunity to open up residential care to more innovation. We need to look at some of the proposals in the LGA report on what care is for, as well as its report on commissioning, and look at some of the flexibility we can have in provision so that it is wrapped around the child, rather than there being certain types of placements that we shoehorn children into because there is no other option.

Q236 Chair: I am trying to get a grasp of scale going forward. If we have a Conservative majority after the next election and you seamlessly move up to Secretary of State and you are there for the next two Parliaments, what is your vision, 10 years from now, for this children's home market? Where is it going and what can they expect from the Timpson era of reform and transformation in terms of scale? Will residential children's homes have withered away because of all the other early intervention services and sophisticated services, or will we have seen a flowering and growing of the sector? From what you have said, I am not clear.

Mr Timpson: If you want to place a bet on the 500-1 shot in the Grand National, we have a few hurdles to go through before we get to that point. The vision is to see the quality being driven up not just in residential care, but right across all placements that children in care find themselves in, and that the planning and commissioning is far more sophisticated and based much more on an analysis of the need in that area.

Q237 Chair: Sorry—these are all valid points and worth making. I am trying to get the big picture sense, but I do not think that is a game you want to play. You make it akin to betting on an outsider in a horse race, which paints a picture of the future.

Mr Timpson: That was in relation to your suggestion—

Chair: Hopefully not about a Tory majority in the next election.

Mr Timpson: That I find myself still sitting in this seat, but at a more elevated level. It was nothing to do with the children's homes, I can assure you of that. It was an attempt at self-deprecation.

Chair: Modesty is all the more attractive in a politician for its rarity, so thank you for that, Edward.

Q238 Mr Ward: I would just say it is not hurdles at the Grand National, but mountainous leaps.

I have questions on three areas. The first is, as you have described it, the change in composition of the sector. Jonathan Stanley of ICHA has told us that he believes the residential children's homes sector is standing on a financial cliff edge and is now less resilient than it has ever been. Do you subscribe to that view, and, if so, what are the planned reforms likely to do to help that situation?

Mr Timpson: I cannot speak for Jonathan Stanley's own judgments.

Mr Ward: Has this been your reading of the situation, your understanding of the sector?

Mr Timpson: Well, we have 4,890 children in children's homes. We have 1,718 children's homes, and we have over 7,500 placements, so there is oversupply based on those figures, but it is also true that the largest provider of children's homes only equates to 8% of the total number of children's homes. They have 133 homes spread across 43 local authorities. So to answer the question, "If they are on a financial cliff edge, what will the consequences be?" the risk is quite well spread. As for the financial stability of each individual provider, I cannot give you a deep analysis of exactly what it is. What we do know is that in the last seven years or so there have not been any major removals from that market.

Q239 Mr Ward: The unit costs of that range of very small provision, or small providers, must make it very difficult to sustain the sector.

Mr Timpson: There is a whole range of different providers. Obviously some work in the voluntary sector. Some are individual homes. There is a whole myriad of scale of providers.

Mr Ward: What I should have said was "to sustain that sector with the required level of quality".

Mr Timpson: When you look at the Ofsted inspection reports, you will find that there is very little difference between local authority providers and private providers, voluntary providers, in the ratio of those that are "good" and "outstanding" and those that are "adequate", which would be moving to "requires improvement" and "inadequate". So in terms of the effect it has on quality, there does not appear to be any dramatic difference depending on who the provider is; but that is not to say that we should not be driving up the quality of those which have fallen short.

Q240 Mr Ward: In the previous session we spoke at some length about the level 5 requirement and the fact that that is not something that the Government would insist on. Alongside the actual qualification would be an associated increase in salary, I assume. So again, it is about the economics of this. You were opposed to introducing that as a requirement, were you not? Or the Government was.

Mr Timpson: No, I am not opposed to it. There are some practical barriers that prevent going immediately to that stage, because level 5 has got an occupational qualification part that takes place while in post. So what we are saying is that part of the qualification must

take place before taking that post, and then within three years that qualification must be completed.

To go back to the Chairman's question earlier around provision, part of this is about the work force. There is merit, I think—as we are doing in social work training and education, albeit that will have a direct impact on residential care, because social workers are a key part of the work force, working within children's homes—in looking at whether the type of qualification that managers of children's homes are currently seeking is the right one, both in terms of level 5 and the content of that qualification, but also in considering whether we should be looking at any type of graduate-level entry into the profession.

Q241 Bill Esterson: Maggie Atkinson told us that working in children's homes is as complex as being a doctor or any other professional, but the profession is not seen as a profession of first choice—it is not held in high regard. You agree with that, I think. How do you move from where we are now to that situation in which it is held in high regard and people want to work with the most vulnerable children and to make a difference, so that we get the best people working with the children who most need it?

Mr Timpson: You are right, I do agree. Partly because of the qualification structure, partly because those working in children's homes have been poorly regarded and partly because their pay has been fairly poor, we have ended up with them perhaps being seen as a less able or less qualified group than other children's services workers. That is a concern, and we need first to drive up the quality of that work force and, in doing so, to improve its standing. We have already spoken about the cross-reference to the standing of those working in residential care in other parts of Europe—the status they have.

We are doing a national census of the whole children's homes work force to really understand who it is that is working there, what their qualifications are and how we can improve and drive things up, through both the qualification itself and the ongoing support that they have in their position. Also, there is no career structure in children's homes. Where do you go, once you start working in children's homes, apart from going back into management in children's services? In the same way, we identified things with social work—and that is 10 or 15 years behind where teaching was—and you could make the argument that the children's homes work force is even further behind, so we have further work to do.

Q242 Bill Esterson: Can you see how the change of emphasis, in particular around level 5 and some of the other measures, does not give the indication that you are moving in that direction?

Mr Timpson: I think it does indicate that we are moving in that direction. We are not simply saying that you need to get this qualification; we are looking at how we can improve the qualification, so that the skills that people bring are enhanced when they come to work in children's homes. As we have seen with Step Up to Social Work and with the huge enthusiasm and interest in front-line social work, there is an appetite out there to work with sometimes the most vulnerable children in our society, and those in children's homes do have some of those complex issues. I do not believe that there are not highly talented and

motivated people who want to go into this work. At the moment, they just do not see it as an option.

Q243 Mr Ward: Maybe it is the accountant in me, but you can imagine that an argument for why we need to drive up the quality and have an understanding of the cost base is that actually there should be a big consolidation here. There is this wide range of very, very small provision, and how on earth can we get people really qualified, with progression and some career structure, with the sector as it is? How do you manage to keep the range of provision that exists, make it sustainable financially and get the level of quality required in all those diverse settings? How is that doable?

Mr Timpson: First, there are examples of outstanding children's homes, so we know that it is doable—otherwise they would not be judged to be outstanding on the measures that Ofsted sets them against—and of the quality of the work force that is delivering that outstanding provision. So part of this is understanding why there is good practice in some homes and not others, and how we can move away from some of the bad practice so that this is more universal. It also goes back to the point about commissioning. There is a huge range of unit cost in different local authorities and different homes for each individual child. The average is about £4,000 a week. Within that there is a stark range of unit costs. Part of the reason for that is that some of the decision making around where children are placed has been based on poor information.

A purpose of these reforms—making it more transparent, putting all information in one place, ensuring that local authorities consult one another before a child is placed out of area, ensuring notification, risk assessment and all the other regulatory changes that we are making—is to make it more possible than in the past to pull all of that together and ensure that a home offers outstanding provision.

Q244 Chair: What did you say the average cost was?

Mr Timpson: I have a lot of figures in my head. I think it is just over £4,000 a week on average.

Chair: Perhaps you could write and confirm. I fear that may not be correct.

Mr Timpson: I am happy to write to you. You may also be interested in the range from top to bottom.

Q245 Mr Ward: The expert group on the quality of children's homes referred to this market sector. It said, "The workforce is highly fragmented with no strong identity or shared core professional standards, and no strong 'voice'." You can understand that when you look at the sector. It also recommended strong leadership through the appointment of a children's residential care champion. Have you any views on that?

Mr Timpson: I have two views about champions. One is that there is always merit in looking at having a leader of a profession, an issue or a particular vulnerable group, such as

victims. My second view is that it is only worth doing if, first, you can find the right person with the qualities to make a difference in that role, and also if the role has teeth attached to it.

For instance, we have looked at champions in a host of different areas around children. We have the Children's Commissioner, whom you spoke to a few moments ago, whose role will strengthen the current Children and Families Bill. There are already voices out there for children in residential care. As with everything else involving the voice of children, I am always happy to look at how we can improve that at national and local level. I don't have a closed mind to this type of appointment, but there has to be some merit and beef behind it.

Q246 Chair: Any thoughts on one of the other recommendations, on professional registration? What are your thoughts on that?

Mr Timpson: I think that is in relation to managers in particular. Part of the work that we are doing on understanding the work force is going to look at that issue, and whether it is something worth pursuing. It requires further consideration and discussion, but I am certainly not dismissing it out of hand.

Q247 Chair: The quote I have from the expert group, which you set up, is, "The Government should introduce new requirements for children's home staff to be professionally registered with an appropriate independent body." They did not put in the qualification that you did about management. They just said it should be a professionalised work force.

Mr Timpson: I think there was a particular interest in the management element of it. It is being considered as part of the ongoing discussions in relation to the work force, and I hope we will be able to say more about it later in the year, around the summer.

Q248 Chair: So you are still actively considering having professional registration of at least certain staff within the residential children's home sector.

Mr Timpson: There hasn't been a decision about that issue. It remains part of the discussions that are ongoing.

Q249 Chair: That is a very Sir Humphrey answer. That must mean you are still considering it. You set up an expert group, and they made a recommendation. If you haven't decided, you must be considering it. I don't know if I am wasting my time saying that.

Mr Timpson: It is not off the table.

Q250 Chair: This is taking us into an episode of some television programme. So you are considering it. What is difficult about saying yes to that?

Mr Timpson: As I have already said, it is being considered as part of the discussions that we are having. I don't want to leave you with the impression that there is a fait accompli.

Chair: No, I was only asking whether it had been considered.

Q251 Ian Mearns: Good morning, Minister. What role should local safeguarding children boards have in relation to annual risk assessments?

Mr Timpson: Local safeguarding children boards have an extremely important role. That is why we have sought to strengthen their role, not just in relation to serious case reviews but to co-ordinate better the safety and protection of children in their local area. It is right that they are one of the main services that are involved in establishing what risk there is in the location of a children's home. When we set out more detail in guidance we will look at not only what factors should be looked at in relation to the risk and safety in an area, but what services should be involved in assessing that risk. LSCBs are one of the key organisations in that process.

Q252 Ian Mearns: Do you see them only having a role in receiving the report, or will they actually prepare the risk assessment report for an area?

Mr Timpson: I don't want to be completely prescriptive about how the process will take place; there has to be local discretion. However, I would expect local safeguarding children boards to be involved in the establishment of risk in the preparation of the report, and to be able to see the report and comment on it based on their own experience.

Q253 Ian Mearns: So in other words, among other things they would have the ability to comment on an area in a risk assessment.

Mr Timpson: I would be very surprised if the LSCB was not a key player in establishing that.

Q254 Ian Mearns: What powers will Ofsted have to take action against well established children's homes that are situated in locations that for whatever reason become unsafe?

Mr Timpson: You are right to identify that ultimately Ofsted is the inspector that will make a judgment about whether a home is a safe place for children to be living in, through its risk assessment and the other work it does in identifying the veracity and quality of children's homes. That will ultimately be reflected in its judgment on the home. One of the key judgments is that the home must be able to help and protect each child in the home; a failure in that key aspect of the inspection will lead to an "inadequate" judgment. We have set out changes to the Care Standards Act 2000 that will enable Ofsted, following an "inadequate" judgment, to take more robust action if there is no improvement in a short period of time.

Q255 Ian Mearns: One of the factors that can change a location around an existing home is the planning system. For instance, a planning application to open a house in multiple occupation for ex-offenders close to the children's home may be granted because the children's home is not a planning consideration. Should consideration be given to the planning effects of changing the location around an existing children's home?

Mr Timpson: First of all, there is an annual risk assessment, and any changes to the environment around the children's home will have to be considered as part of the annual risk assessment. The expert group looked carefully at the role that planning plays in the location of children's homes. I know that the chair of the all-party group on missing children, the Member for Stockport, has had a number of debates on that point. The conclusion that we came to in consultation with DCLG is that the planning regime does not lend itself to helping establish risk. It is about the use of land. It doesn't have the right structure to deal with that issue. I am mindful of that.

I have looked to see whether there is a way to use planning, as Ann Coffey was suggesting, to enhance any risk assessment and to flag things earlier. But the expert group, as well as cross-governmental discussions, could not find a way within the current planning system that would be effective.

Q256 Ian Mearns: I can understand that from the perspective of putting in a planning application to open a new children's home in a particular locality, but if there is already a children's home in the locality, surely, in terms of the welfare of the youngsters in that establishment, the fact that it exists should be a planning consideration for other new planning applications in the near vicinity. Do you still not see that?

Mr Timpson: It is more to do with the way that planning is decided. Because of its dry approach, if you like, and its set criteria—we see in our own constituencies with other planning applications that people raise quite emotive issues about the effect something will have on their lives—many of those considerations are not part of the criteria when it comes to planning. We have looked at this. I am happy, as was set out in the debates that we have already had in Parliament on this issue, to write in some detail about the specific difficulties with the planning system.

Chair: Thank you. We appreciate that.

Q257 Alex Cunningham: Minister, we have a particular dilemma in Stockton-on-Tees. The local authority is working with an organisation—it is Scottish-based and called Spark of Genius—that set up a very specialist provision. It also operates very small children's homes. There have been opportunities to buy property to create these homes but the local people have got wind of it. Misinformation, even painting these young people as criminals, has led to a property being withdrawn from the market before it could be purchased for the creation of a children's home. What can the Government and others do to help promote greater understanding of what we are trying to achieve with specialist children's homes and to remove this stigma, which is frustrating our attempts to bring people back to the community in which they were brought up in order to further their education and care?

Mr Timpson: The local example you have just given is an illustration of how far we still have to go in not just reforming the whole area of children's homes and what they have to offer but also the public perception of what they are about and what is inside them. At the moment they are categorised as something that they are not. A lot of the specialist work in there is there for a reason. It is because these are often damaged, vulnerable young adults or older children. Inevitably, unless there is good information and there is some form of community involvement, that breeds the misunderstanding which you have described.

Again, this is something that Ann Coffey raised. I thought it was a sensible approach that they have taken in Stockport. We have the independent visitor. We have regulation 33 visits. What we want to see is more members of the community being used as independent visitors who go into the homes on a monthly basis. They then report and that report will now go to all local authorities who have a child within that home. We want to break down some of that sense of "them and us" and establish a better understanding of what it is these children's homes are seeking to achieve.

Q258 Craig Whittaker: I thought regulation 33 visits were for local authority homes only. Is that not correct?

Mr Timpson: It is for every home.

Q259 Chair: Back to the point, if I may, Minister. One simple thing that you could do, although it would perhaps compound the problems to which Alex has referred, is to require planning permission to be sought before a children's home is opened. The fact that you can convert from a home for the elderly to a home for troubled youths without planning permission might contribute to the inappropriate siting of such homes.

Mr Timpson: I will look at that suggestion. I am not going to try to give you a repeat of the answer I have just given.

Chair: Repetition is certainly best avoided.

Mr Timpson: I will take it away and have a look at it.

Q260 Chair: Do you think that the changes are likely to lead to the closure of existing homes? We went to Margate and saw on a map an area at Cliftonville that was a mile across. We were shown all the burglaries in the past year, and all the released sex offenders—I was thinking that it might be a tiny number, but it was a large number dotted around. We were shown sheet after sheet after sheet of what you would consider fairly pertinent and worrying issues, all concentrated on this one area that is filled with lots of children's homes. I heard a fairly horrifying thing from a local Member of Parliament. There is this combination of ex-offenders, sex offenders and vulnerable, previously sexually exploited young people placed in a home for their safety and care, all in the same place, and somebody said to me that there is a certain street where people know to go for under-age sex.

After all the work you are doing and all the work we are doing, we need to know that that situation will not be allowed to continue. What assurances can you give me that we will see actual closures or, going the other way, the removal of sex offenders from somewhere yards away from the front door of a place from which vulnerable girls are running away on a regular basis?

Mr Timpson: This is the whole purpose of doing what we are doing. This is at the heart of the original accelerated report from the Office of the Children's Commissioner. I know from speaking to other local MPs, where it is a particular issue in their area—Laura Sandys has been extremely vocal about the consequences in her constituency—

Chair: And Roger Gale likewise.

Mr Timpson: Yes, and others. That is why we have embarked on these reforms and why we have put forward the risk assessment process not just for new providers, but for existing homes as well. It is also why we are considerably toughening up the inspection framework that surrounds these homes. That way, if they are in an unsafe area, action can be taken. If they are deemed to be inadequate in the way that I described earlier, failing to keep their children safe, then Ofsted's powers will be fairly draconian in being able to bring about a disclosure.

Q261 Pat Glass: Minister, when you say that action will be taken, will you close these places? We were truly shocked when we saw what the Chair described.

Mr Timpson: They are registered by Ofsted, which will be in a position to close those homes where they have not moved from "inadequate" back to "require improvement" within a short space of time.

Q262 Pat Glass: No, I am talking about if children's homes are placed, as we saw, with all the sex offenders clustered around them. Will you close those places?

Mr Timpson: It is for Ofsted to close a home where it is inadequate.

Pat Glass: Will Ofsted close them?

Mr Timpson: I know from the discussions I have had with Sir Michael Wilshaw that he is as adamant as I am that we see real reform in this area. We need to see a change not just to the quality but often the location of children's homes for all the reasons you have given, Chair. The fact that we have, in the north-west, the west midlands and on the south-east coast—in just those three regions—around 50% of all children's homes, often in some of the most deprived areas, cannot be right. I am not prepared to just sit back and accept that, which is why we are taking the action we are.

Q263 Ian Mearns: Therein is part of the problem that we have, Minister. A lot of children's homes are established in what are known locally and nationally as deprived areas, because the property value lends itself to an organisation buying up a property which is

structurally fit for purpose, but may not be in terms of location. The home is established because of the value of the property in its particular location.

Having previously been a member of a local authority, although I have never sat on a planning committee, I can understand the dilemma in the minds of individual members of planning committees, because they are also corporate parents and to them it is not a dry, technical issue. It is a real dilemma that they have to wrestle with weekly, monthly or annually when these planning applications are put in front of them: whether to locate a children's home or something else that they would consider a risk near to an existing children's home. It is not a dry, technical issue from their perspective, because they have two parts of their mind working at the same time, saying, "What's going to happen to the kids I'm a corporate parent of if we allow this on dry, technical planning grounds?" You cannot take these things into consideration in planning terms, because an appeal will happen and it will go forward. There is a real dilemma for individual members of local authorities.

Mr Timpson: There is a dilemma, but there are other solutions to addressing it. For instance, in Oxfordshire, they have particular issues around children in children's homes who have gone missing and have been victims of child sex exploitation. We know about the cases surrounding that. They have decided that they want to help to address that issue by reintroducing and using their own capital to buy up locations—I do not know if it is current local authority land—to set up their own children's homes in order to meet what they know is an ongoing issue. That is one way in which they can do that.

In Shropshire, when they have children for whom there cannot be the long-term planning that is needed to find emergency accommodation, they have what is described as the "Friday night syndrome" placements. They have homes that are safe places while proper assessment is carried out, so that they can find the right placement.

Ian Mearns: But from a national perspective, we have to set what an authority like Oxfordshire can do against the 60,000 or 70,000 youngsters who are currently in care and passing through residential homes annually. We have this huge existing hinterland, and the context of existing provision in which they are set. I am not for one moment saying that it isn't going to be a very difficult problem to overcome, but I find it difficult, given my experience, to make the judgment that planning considerations are some sort of dry, technical issue that is not connected with the provision of a safe environment for children living in residential care.

Chair: Shall we take that as a comment?

Ian Mearns: Okay. Sorry, Minister.

If a private sector home closes, the children's homes regulations focus on financial issues, without requiring the receiver, the liquidator or the trustee to act in a manner which protects the welfare of any remaining children in the home. How will the Government address that issue in the future?

Mr Timpson: We spoke earlier about the role of private providers and the risk of any closure—the recent history of that and the sharing of that risk across local authorities. I think 2006 was the last time that this has happened; Sedgemoor was the provider, from memory.

Where you have a closure, there are two things that should be in place: first, a contingency plan in relation to the receivership, but the local authority also has an ongoing responsibility for those children. They have a sufficiency duty—to make sure they have sufficient needs—which should be included in those circumstances. Going back to the 2006 case, the administrator worked closely with the local authority to ensure that, first, those homes could stay for a longer period of time while good decisions were made about the children’s future. For some of those homes, new providers were brought in to continue to run them.

Q264 Ian Mearns: But it can become complicated, because within one children’s home, particularly in the independent sector, you might have children living in a sort of family situation in a residential setting who are from a number of different local authority areas. Are you going to be doing something to make sure that the receiver or the liquidator has a particular focus on ensuring that the welfare of the children is a prime part of their responsibility?

Mr Timpson: They certainly should have that focus, and that is part of what the contingency plan should be about. It is also why we have made sure that there is much better sharing of information between private providers and local authorities, including not only the local authority where the home is situated, but also all those local authorities that have a child placed in that home. That would include notification of any movement of children in or out of the home, as well as local authorities consulting each other should one authority want to move a child into a private provider in another local authority’s area.

Q265 Chair: That is welcome, but children’s home regulations do not impose on the receiver and the rest of them the same duties to safety and welfare as they would on anyone else who was running a home. Is that something you are entirely happy with? Are you confident that it doesn’t matter in practice that the appointed manager doesn’t have the same duty to the welfare of children that the registered manager would have, and that there is no specific provision requiring the receiver to act in a manner that protects the welfare of any remaining children in the home—and nor is there a duty to co-operate? You are telling me that, in practice, all those concerns are invalid and do not need addressing.

Mr Timpson: I do want to look at this to ensure that we have got it right. As I say, the contingency plans should be in place. Obviously, we are revising the children’s home regulations as part of bringing in the quality standards, rather than having minimum standards. As part of that, I am happy to revisit that issue.

Chair: Super!

Q266 Pat Glass: Minister, the Committee has heard powerfully this morning and previously that the single most important thing in making a placement work is matching the child’s needs to the placement. I don’t have your experience of foster care, but I have sat in hundreds of review meetings over the years, representing education, in cases where the placement has broken down. The single most important factor and the thing that I heard time and time again from foster parents is that they were not given information. They say, “If we

had had the right information on this child, we would have known what was going on and we could have made different decisions and different choices to help this child.” What are the Government going to do to make sure that we get better matching of children’s needs and placements, so that we don’t get all these unsuccessful placements and breakdowns?

Mr Timpson: I completely agree with the premise of your question. It is one of the principal reasons why we see placements either being more difficult than they could otherwise have been or, even worse, breaking down. The same applies to residential care as it does to foster care. There is no difference, because we need to concentrate on the child.

Part of the reason why such things happen, as you identify, is that information is not being shared at the right time. Sometimes, those making the decision about where to place a child have an incomplete picture of that placement. That is certainly the case with some residential care placement and the decisions around them. That is why we are strengthening the statement of purpose that residential care homes have to make available. Often, there may be something on their website that says that they offer therapeutic services, but it does not go into any detail as to what they actually are. A strengthened statement of purpose is why those who are making the decision—whether it is the social worker, the team manager or, ultimately, in cases that are further than 20 miles from the local authority area, the director of children’s services—can be satisfied that the information they have about that placement is as good as it can be. Similarly, it is why we are ensuring that local authorities consult one another before a placement is made, so that there is a clear understanding of what that placement is and what the needs of the child moving into that placement are. Otherwise, you run the risk of making a poor decision that has short-term or potentially long-term consequences, neither of which is good for the child.

Q267 Bill Esterson: Would you accept that part of Pat’s question suggested that such decisions are sometimes made for financial reasons and not the needs of the child? Will you make sure that financial reasons are not used to make decisions that are not in the interests of the child by making sure that local authorities have the money they need to deliver what you have already described very adequately?

Mr Timpson: The law is absolutely clear that any decision must be made in the best interests of the child and commensurate with their welfare. I spoke earlier about the whole range of unit costs of these placements, and one thing that has led to is that financial considerations are far too influential in some of the decisions being made. The change in the inspection regime and the better focus it will have on quality and outcomes, coupled with improving the information available to local authorities with the data pack that now has that complete picture, as well as improving commissioning arrangements, will ensure that we see a pure decision based on a child’s best interests, not just in residential care, but in all placements of children in care.

Q268 Bill Esterson: Local authorities face a very difficult financial situation. Will you make sure they have the money they need to do what you say?

Mr Timpson: We have seen the amount of money spent by local authorities on child protection and children's services remain steady. It is worth pointing out that there is not a direct causal link or correlation between how much you spend and the quality of your service. That relates particularly to children's services. I can name a local authority that has one of the highest levels of spend per child but very poor outcomes. I can name another which has one of the lowest spends—

Chair: Do you want to name them?

Mr Timpson: I am happy to name them. Lincolnshire is a good example of one that has a low unit cost and good outcomes. The other is Doncaster. We know the difficulties it has had, and we have now have plans in place and are working hard to improve its situation. It had one of the highest costs but one of the poorest outcomes.

Obviously we need to make sure the money is there to do the job, but we also need to make sure that money is being well spent in driving up the quality of service. I think there is a lot more scope to do better.

Q269 Pat Glass: Minister, may I ask you about the sufficiency duty? Local authorities are under a legal duty to secure “sufficient accommodation for looked after children in their local authority area” and to meet the needs of those looked-after children when local placement is required, which is the vast majority of cases. Your figures show that in September 2013, of the 4,890 children living in children's homes in England, 46% were living in homes outside their own local authority area, one third were living more than 20 miles away from their home local authority, and 16 local authorities place 100% of their children outside their own authority. My local authority, Durham, is outstanding across the piece and does not do that. You know who those local authorities are. What are you going to do about them? Some local authorities are an absolute damn disgrace. Sorry, I do not mean to be harsh on you. I know your commitment, but your Department knows who those figures apply to.

Mr Timpson: I share your dismay.

Pat Glass: Outrage.

Mr Timpson: It is why we are not only making the changes we are in relation to the legislation and regulation in this area, but since November we have moved to a much tougher inspection regime on local authorities. That will always cause some consternation, but I would prefer to know whether they are doing the right things for children rather than simply complying with systems. That is starting to weed out some of the poor practice that has been seen all too starkly in some of the recent serious case reviews. By doing that, not only are we starting to bring out where the issues really are and where some of those poor decisions are being made irrespective of the sufficiency duty, but it is making more people aware of the need to do something about it. As a Department, and as a Minister, I have not been shy in coming forward when local authorities are failing vulnerable children in their area and being much tougher on the sort of intervention that we then bring.

Q270 Pat Glass: We do know, Minister, that by placing children a long way from home we increase the risk to those children and reduce the outcomes for those children. Those are things we know. Yes, it is the right decision for some children. These are clearly the “out of sight, out of mind” local authorities, and your Department knows who they are. We look forward to seeing some robust challenges to them. Can I ask about the decisions?

Q271 Chair: Before you do that, can I take you back to London, Minister? Are there particular issues in London with capital costs? When we were down in Kent, we saw that you could buy a six or seven-bedroom substantial Victorian property for well less than £200,000. If you go back to the London boroughs, it is fair to say that you would not be able to do that. Does there need to be any special consideration of the costs in London or, as was suggested earlier, do they have the property there to deal with the issue, if only they had the will?

Mr Timpson: You are right to identify London as a particular case. That goes across all sorts of other elements of education and children’s services more widely. Where it works well is where they do some of the collaboration that we were talking about earlier in this session. I talked about the West London Alliance as an exemplar of that. We have the tri-borough arrangement on care proceedings and so on. Where London boroughs need to think hard is on how they can work through consortium arrangements to look at each of their property portfolios to see how they can help to build a much better network of children’s homes, through local authorities and private providers, so that we do not have this huge vacuum of provision in London. Many of those children from London boroughs are finding themselves on the south-east coast.

Q272 Chair: So those who are doing it right show that the others simply need to get their act together. In your opinion, there is no fundamental change required to national frameworks or the support required for London to deliver. It just needs the underperformers to copy the best.

Mr Timpson: Where there’s a will, there’s a way.

Q273 Pat Glass: Can I ask about the Government’s proposal that the DCS will sign off distant placements? Will DCSs be able to delegate that?

Mr Timpson: They will have to approve the decision. Inevitably, it will be the designated social worker who comes to the decision—those working intimately with that case—because it would be unrealistic to expect the director of children’s services to do all that work themselves. The DCS will still have to approve that decision and be personally satisfied that it is the right decision. They will have to be accountable for that decision, and that is an important element. They are the person who will be accountable for the decision made.

Q274 Pat Glass: Will the Department be issuing guidance to DCSs on what will be considered to be the right decision? It is about children who cannot live near their parents or are constantly placed for financial reasons.

Mr Timpson: The guidance will set out the circumstances in which they will be expected to make a decision.

Q275 Pat Glass: What are you going to do about situations where there are two-tier authorities? The reforms can be translated into very different distances depending on the particular local authority. A big county such as Kent has lots of urban district councils underneath it. How are you going to look at the distance issue where there are two tiers?

Mr Timpson: The rule that I set out earlier was that if it is in that borough, there is already the accountability in place through the corporate parenting role of the DCS. If it is in a neighbouring borough and more than 20 miles away, the DCS has to approve that decision. If it is in the outer ring from that, the DCS will have to approve in all those circumstances.

Chair: Thank you. We have limited time left, so if we can try to rattle through it as quickly as we can, as a Committee and witness, that would be good and would mean we can cover the ground.

Q276 Craig Whittaker: Minister, one of the biggest things that you have managed to achieve since becoming the Minister—it is one of the biggest changes—is including the staying put agenda into the Children and Families Bill. That is a really great, fundamental change for young people in care. The only problem, though, is that by doing so it has created an inequality for these young people, particularly for those in children's homes, because it doesn't include them. Why can the Scots include them and we can't?

Mr Timpson: I think you would be the first person to appreciate that if I thought this was the right thing to do, I would do it in a heartbeat. Staying put is something that I championed before being a Minister and it is why I am so delighted to have made this significant change. By doing it, I hope that there's no rowing back on it in the future. I understand that recently Scotland announced changes to some of their support for care leavers, of which this is one, and on other things they have caught up with where we already were. The reason why we did not include residential care is partly because they have a different system, so we are not comparing like with like.

The main reason is that if I was confident about the quality of children's homes across the board, if we knew that the care and outcomes of coming out of residential care, which are still very poor, were good enough, and if we felt that enabling those children to remain in that type of placement for up to another three years was going to be the right thing for them at this stage, then I would do it. But I am not confident that simply extending the period of time that these older children spend in a children's home is necessarily going to be the best thing for them, at a time when we know there needs to be fundamental reform of children's homes. I would like nothing better than to offer this more widely in the way that you describe, but I don't want to do it at a time when there is going to be huge change in trying to drive up quality in children's homes.

Q277 Craig Whittaker: Okay, I accept what you say, but I suppose the follow-up question is that we have a huge problem around things like supported lodgings for 16 and 17 year olds. These people are put in the worst parts of town—it is generally done on a financial basis—and there is no incentive there. What are we going to do to regulate these things, and what are your plans to ensure that they can stay in care until they are 21?

Mr Timpson: We are revising some of the “Planning transition to adulthood for care leavers” guidance, which will make it clear that, first, bed and breakfast is unsuitable. It shouldn’t need guidance from us to explain that, but none the less it is in the guidance. We also now have, in relation to the DCS, sign-off of any child moving out of care at the age of 16 or 17, which previously did not exist, so that they are accountable for that decision. It is clear within the guidance what type of suitable accommodation we want to see—a foyer, for example, being one of them. That is what the guidance will reflect, and it will come out shortly.

Q278 Chair: Do you think that will be enough? We hear that there is not much definition of supported housing. Nominally you have someone supervising, but they are not trained. They do not understand the needs of these young people, and it can be inappropriately sited with gang members basically intimidating staff members, who skulk in their office and bolt the door. It is not a pretty picture and it is also costing a fortune, so we’re managing to do that magic combination of spending a lot of money and not getting decent outcomes for young people. It seems like an area ripe for pretty radical change, to try and lift the quality of it up. Again, we heard down in Kent of people making vast amounts of money by going into this market of supported accommodation, not providing properly for their children and making a fortune from property. It is a very lucrative market. It seems like something that really does need to be addressed, both for the purposes of the children and to safeguard taxpayers’ money.

Mr Timpson: In terms of leaving care and planning suitable accommodation, I take your point about whether guidance is enough. That is why the new Ofsted inspection regime that has been in place since November has much greater emphasis on that element of the local authority’s role. That will be far more exposed where it is going wrong and bad decisions are being made.

Q279 Chair: And Ofsted are going to be able to do that? They are a bit of a coat hanger, Ofsted. Whatever issue you have got, you say, “Oh, we are going to have tougher inspection.” There has been inspection before, and the 2009 guidance said that nobody should be placed in B and B accommodation, but we know that they have been. I am just trying to make sure we really are going to make some change here, especially when so much money is being spent to provide substandard support.

Mr Timpson: If you look at the new joint inspection compared with 2009, there is—and purposely so—a much higher role for Ofsted in assessing that element of the plan. I should also say that when you say that this is an area that is ripe for innovation, I agree with that. Part of the innovation programme is focusing on those troubled adolescents for whom I

know this Committee has a particular interest in seeking to see how we can do better. That is why we want to welcome any proposals, whether from local authorities, voluntary organisations or elsewhere that think they can come up with some of these new ways of working that provide that support and transition better than we have in the past.

Q280 Mr Ward: You use, again, the phrase “ripe for innovation”. You said it earlier, and it was in your submission. Is that just a euphemism for, “It is actually a bit of a mess, and desperately needs to be changed”? You have analysed some of the problems, as you see them, in your submission. You were invited earlier on to present us with a vision. How would this thing look in terms of the market and the commissioning process that should be in place as a result of this innovation?

Mr Timpson: My view is that we have followed quite a rigid model of service delivery in children’s services for a very long time. If we look at other areas of public service, there has been quite a sea change in some of the ways those services are being delivered. I think there is real scope for looking at children’s services. It has been nibbled away at the edges over the years, but we have still seen it as the preserve of those who have always worked in this area. I know that there are others—that is why we brought Clive Cowdery in from the Resolution Foundation to work with us—who have a real passion for working with and improving the life chances of vulnerable children, and I want to give them that opportunity to join us.

Chair: We have very little time left, so very short answers.

Q281 Alex Cunningham: Minister, I recently attended a Who Cares? Trust event in Newcastle with young people from residential care to listen to their views and what they thought. I promised that I would raise one or two issues specifically with you. To an individual, they agreed that having a say in their future would make a huge difference to their lives. The Children’s Society agree with them, and they say that it is hugely important in reducing the number of unsuccessful placements, as it is when a child runs away or goes missing. How do your reforms achieve that? How do we ensure that young people are listened to even more?

Mr Timpson: If I can give you two quick examples that illustrate that. One is in relation to the care plan. I speak to young people regularly through the Children’s Rights Director, Roger Morgan, and the group that he brings to me—both with children in care and care leavers. One thing they often say is, “I don’t actually know what is in my care plan.” If they do know what is in their care plan, they don’t know what they can do about it if they don’t agree with it. One of the changes we are bringing in is that it will not be just the managers of a children’s home who will be able to get a review of a care plan. It will now be the child themselves who will be able to say, “I am not happy with this. I want a review of my care plan.” That is a significant step and demonstrates that they have a more active role in their own future. There are other examples I can give.

Q282 Alex Cunningham: One of these north-east young people said that she had run away but had returned to the home, and basically she had to sit on the naughty step. She did not have any real return interview or anything of that nature. Local authorities across the piece apparently are failing to ensure that these interviews are taking place. How can that change?

Mr Timpson: Some of the other regulation and guidance changes we are making will be published soon. One of those will be in relation to return interviews and ensuring that, on each occasion that a child goes missing, when they return, they do have an interview, and this is carried out by an independent person who has the requisite training in order to carry out that interview.

Q283 Chair: So it will be an independent person? When we were in Margate, in one home, they had a child from Suffolk, and another had a child from Peterborough. It took us two hours to get from central London down there, and we just could not imagine how some overworked social worker was ever going to get down to a child who was repeatedly running away. No wonder it doesn't happen.

You are saying that someone independent and more local is going to come in and make sure that that child has a debrief and that you do listen to them.

Mr Timpson: Yes. It wouldn't be the social worker because they wouldn't be independent, and it wouldn't be the person running the home because they wouldn't be independent.

Where you get a situation where a child goes missing more than once, there is a suggestion by some that—doesn't it make it too onerous to keep having an interview after every time they go missing? My answer would be that I think it is more important that you have an interview to find out why they still keep going missing. That is why it will be something that is followed through in the regulations.

Q284 Pat Glass: We heard this morning from one of the young people who spoke to us that he was repeatedly classified as going missing, but he was just late in. Will your guidance make a distinction for these children who are late back? It appears to be a kind of tick-box exercise for some of the staff.

Chair: He said that if he was an hour late, they were obliged to say that he was missing, even though they knew that he was spending time with his mates and he was a bit late back.

Pat Glass: While that should not be ignored, it is in a different category, isn't it, from a child who goes missing for three days?

Mr Timpson: I completely understand the point you are making—certainly the frustration if you are on the receiving end of that, and it doesn't equate with the reality of the circumstances. Ultimately, our role is to protect young people and children, and to keep them safe. That is why we work hard with the police to get a definition of "missing" that is the

same across different agencies. That is one of the problems in the past with collecting reliable data on the number of children who go missing, something identified by the OCC report.

We do need to take it seriously. If young people can build good relationships with those who are looking after them in a children's home, that should help those sorts of situations, rather than their simply becoming a tick-box exercise, which we want to avoid.

Q285 Alex Cunningham: I am sure we are all agreed that it is not just a case of doing the interview, but of listening and taking appropriate action to support the young person.

Research published by the Children's Rights Director in October 2012 shows that 71% of the children who responded to their survey did not have an independent visitor. A minority said that they would say no if they were offered one, so the vast majority would like that facility. How can you ensure that they do have an independent visitor?

Mr Timpson: One way is by strengthening regulation 33, which is what we are seeking to do; the second relates to the return interview. That would bring in some level of independence. Although they are not a visitor, they are someone who potentially can also perform that role. The third is in relation—sorry to go back to this, Chair—to Ofsted. Part of their new inspection will be looking closely at exactly that type of issue.

Q286 Alex Cunningham: So you will be telling Ofsted that young people should have an independent visitor if they want one?

Mr Timpson: That is already clear in the legislation. It is about how it is enforced. Obviously, Ofsted is in the best position to do that, as the inspectorate.

Q287 Alex Cunningham: Also during the Newcastle event, young people spoke at length about the stigma of being labelled as a troublemaker and someone who was bad. That impression is consolidated because of some of the relationships with the police and the interaction that young people in care often have with the police. Under existing protocols, school managers and staff are given responsibility for behavioural matters when things go a little wrong, rather than the police. Shouldn't a similar protocol be developed for residential children's homes, so that staff are dealing with this rather than the heavy hand of the police, which can consolidate that attitude and stigma?

Mr Timpson: You make an important point about stigma. A lot of that derives from misunderstanding. I always encourage protocols that address that issue, particularly at a local level, because they need to be meaningful. I am not sure that it is something that I can prescribe centrally, but certainly it is something I would encourage.

Q288 Craig Whittaker: Trafficked children are one of the most vulnerable groups of young people in care. How are Government reforms addressing the needs of trafficked children in the residential care system?

Mr Timpson: First of all, we know from some of the recent high-profile cases that trafficked children who have been in residential care have particular vulnerabilities. There are some good examples of where that is being tackled well; for instance, in Hillingdon they have a very good set-up both in the initial dealings with a trafficked child and then with some of the decision making that follows to make sure that they are in the right placement with the right protection.

There are some areas of the country, particularly in major cities, where it is a much greater issue than elsewhere. That means that there are different levels of expertise and experience available, so the likes of Hillingdon would not necessarily be replicated in Norfolk, for example. We need to make sure that in each local authority there is some specialism in trafficking within the social work teams, so that even if you are a local authority that sees only one or two cases a year, you know what you are doing. We have some revised guidance that we have been working on, particularly in relation to the passing of the Children and Families Bill and some of the interest in this issue; we are trying to strengthen not only the information but what we know works in that guidance, so that more local authorities have that specialism when they need it.

Q289 Craig Whittaker: Having specialism is one thing, but how are we going to protect these young people in the care system? They are obviously trafficked, and we have very limited expertise out in the field in how to deal with trafficked kids. What about something along the lines of Iryna Pona from the Children's Society's suggestion: appointing a guardian for trafficked children? Is that something you would subscribe to?

Mr Timpson: I am not convinced that having another person who is put in place to support the child in care, over and above all those who are already in place, is the answer. I think the answer is to improve the practice on the ground, and I know that the Chief Social Worker also accords with that view. We already have the social worker who is appointed to that individual child and if we can get the specialism there, that is the best place for it. We have the independent reviewing officer, and obviously we have the corporate parenting roles in local government. There are a whole host of people who are already meant to be there doing that job. I am not sure that if you just add another person into the mix, that will necessarily improve the practice that we need to see.

Chair: Minister, thank you very much for giving evidence to us today. The evidence we have heard and the evidence you have given us today shows that this is an area that desperately needs improvement, but your personal commitment to making that improvement is one that I am sure we all commend, and more power to your elbow in taking forward the improvements and ensuring the safety and welfare of children in residential care.