

Public Accounts Committee

Oral evidence: [Transforming children's services](#), HC 1741

Monday 4 February 2019

Ordered by the House of Commons to be published on 4 February 2019.

[Watch the meeting](#)

Members present: Meg Hillier (Chair); Sir Geoffrey Clifton-Brown; Chris Evans; Caroline Flint; Nigel Mills; Anne Marie Morris; Lee Rowley; Gareth Snell; Anne-Marie Trevelyan.

Sir Amyas Morse, Comptroller and Auditor General, Ashley MacDougall, Director, National Audit Office, Linda Mills, Director, NAO, and Marius Gallaher, Alternate Treasury Officer of Accounts, HM Treasury, were in attendance.

Questions 1-138

Witnesses

[I](#): Lucy Butler, Director of Children's Services, Oxfordshire County Council, Cath McEvoy-Carr, Executive Director of Children's Services, Northumberland County Council, and Cathy Ashley, CEO Family Rights Group.

[II](#): Jonathan Slater, Permanent Secretary, Department for Education, Indra Morris, Director General for Children's Social Care, Social Mobility and Disadvantage, DfE, and Isabelle Trowler, Chief Social Worker for Children and Families, DfE.

Written evidence from witnesses:

– [Family Rights Group](#)

Report by the Comptroller and Auditor General
Transforming children's services (HC 1618)

Examination of witnesses

Witnesses: Lucy Butler, Cath McEvoy-Carr and Cathy Ashley.

Chair: Welcome to the Public Accounts Committee on 4 February 2019. We are here today to consider the National Audit Office's Report, "Pressures on children's social care", which is an issue this Committee has looked at a number of times, most recently two years ago when we concluded that the Department for Education had not made enough progress on improving children's social care services. At that time, it was clear that it would improve care and make sure that every child was receiving the same quality of care by 2020, although that deadline has now slipped. When you think that children's social care is spending nearly £900 million more than was budgeted last year, and the variation is very wide, as the National Audit Office Report highlights, that is very concerning. So we are going to look at that.

We are pleased to have two panels of witnesses: the Government panel, which will be the second panel, and expert witnesses who deal with this at the frontline. From my left to right we have Cathy Ashley, chief executive of the Family Rights Group, which has carried out interesting work looking at care orders and the legal aspects. We have Lucy Butler, director of children's services in Oxfordshire County Council, which has done interesting things, including building more residential care, and which had to make tough decisions about how it organises its services. Cath McEvoy is executive director of children's services at Northumberland County Council.

We will spend about 45 minutes or so on the first panel. We take it you have read the National Audit Office Report. You don't need to prove to us that you have read it or tell us what's in it. We can take that as read. Where you have submitted evidence, particularly in Cathy Ashley's case, we are broadly familiar with it, although we might ask you to expand on some of it because yours is a specific bit of work that might play into what we are discussing today. We will be quick. If you agree with someone, just agree with them. You don't have to repeat anything. You don't have to teach us to suck eggs. We can then get through more of the meat of what you have to offer. We are really pleased to have you here. Thank you again for coming. Anne Marie Morris will kick off.

Q1 **Anne Marie Morris:** Ms Butler, what do you think are the pressures on children's social care services right now?

Lucy Butler: There are a couple of big issues for us at the moment. We have seen an absolutely rapid increase in activity across the board. In



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Oxfordshire we have seen a 76% increase in our looked-after children over the past four years. Ten years ago we were spending £46 million on children's social care and today we spend £95 million, so you can see how the costs have gone up.

The second significant issue is the market. The children's social care market—residential care—is scarce and the costs huge. If I tell you that over Christmas we spent £21,000 on one child, you can see some of the costs that we are faced with. For children with very complex needs, there is not enough care in the market to meet those needs.

Q2 Anne Marie Morris: To what do you attribute this change in the numbers going into the care sector?

Lucy Butler: There are numerous factors, such as family issues. We have seen an increase in domestic abuse in families, in mental health issues and in substance misuse, which obviously impacts on a family's ability to keep the child within the home. We are also seeing huge pressures across the board, so for me it is not just a children's social care issue. We have got pressures in the health service and in society at large. There are big drivers in education with the exclusion agenda going up, which is not good for our children. They are key factors.

Q3 Anne Marie Morris: Ms McEvoy, do you share that picture?

Cath McEvoy-Carr: Yes, except that our looked-after population has reduced in the last two years, while the cost of our out-of-county placements has increased significantly—by 116%—in the last three years. We are dealing with children whose needs are significantly more complex and require a greater level of specialist support and care. As Lucy said, we are finding that the availability of suitable placements in the market is extremely stretched and tested, which drives the cost of placements up. We are often fighting for the same placements with the same local authorities, and prices increase as a result.

Q4 Chair: So it's a bidding war?

Cath McEvoy-Carr: Absolutely.

Q5 Anne Marie Morris: Why do you think yours have gone down while Ms Butler's have gone up?

Cath McEvoy-Carr: There are a couple of reasons. First, post inspection in 2016 there was a significant increase in the numbers of our looked-after children, and we have brought those numbers down. Secondly, it should be noted that the number of children subject to child protection plans has significantly increased: we have almost 100% more than three years ago.

Q6 Anne Marie Morris: From your perspective, Ms Ashley, what is the cause? Is it that some of these things have never really surfaced, or has there been a fundamental change in family life and the mental health of children that has given rise to more of them coming into care?

Cathy Ashley: We facilitated a care crisis review and looked at all these factors. The increase in the number of looked-after children has been



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going on since the early '90s, with a little dip in the mid-2000s. One phenomenon that we have seen is that as more problems are identified in our society—for example, in relation to domestic violence, which it is accepted that it causes harm for children to witness—the response both in society and in children's social care has been to take more children into the system. We are seeing the cumulative effect of that.

Deprivation and pressure on resources are having an impact on the increase in numbers, but there is also an increasing culture of blame. People in every part of the system feel that the finger is pointed at them: families feel that they are under the microscope from social workers, social workers feel that judges will point the finger at them if they have not taken action in relation to proceedings, and so on. We are in a culture in which people are accelerating up—

Q7 Anne Marie Morris: So what could we do differently, particularly with regard to the blame culture?

Cathy Ashley: Part of it is down to leadership at local authority level; part of it is the culture that is set at national level in terms of expectations. It is incredibly difficult, as I am sure colleagues here recognise, for leaders within children's services to create a non-blaming culture when they are under such phenomenal pressures—the cuts that they are experiencing and so on.

Q8 Chair: By leadership, do you mean leadership within the profession or wider political leadership?

Cathy Ashley: Both.

Q9 Chair: Could you or one of the other witnesses give us an example of good political leadership making a difference to the practice of practitioners—or the other way around?

Cathy Ashley: An example is Leeds, where in response to a poor Ofsted inspection, the then new children's services director decided to engage in partnership with community, families and the private sector. They were fully backed, in a cross-party way, by their councillors in looking at what could be done differently. It was acknowledged that families, including the wider family, can be a resource to children. That is too often overlooked in our system.

They then shifted the way that they approached looking at risk by saying, "Okay, if we acknowledge that for around 10% of the children coming through our door it is deliberate harm, and for 90% it is issues such as neglect and so on, how do we respond differently, and how do we utilise the family in being able to protect children more effectively?" They invested heavily in family group conferences that were supported by the innovation programme, and obviously that relates to how the DfE responds to that. It is also about acknowledging that we need local partnership working. How are local family justice boards approaching this, and have we too often ended up with a sort of performance indicator-type



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procedural response, rather than seeing it as a collective problem that needs a collective solution?

Q10 Anne Marie Morris: Ms Butler, do you recognise that?

Lucy Butler: I think that to operate in a no-blame culture you need political backing, as has been discussed—you need your members on board. For instance, in Oxfordshire there is a Conservative-led council, but I know that people across all parties really commit to children and care about them, and they want to do the best for them. Therefore, you are in an environment where you can also function in that way, and support your staff to function in that way. Again, it is about your partners. Do your health partners have a real focus on children? Do the police have a focus on children? If you are working in that context—it is important to say that not all local authorities are—then you are able to kind of combat that no-blame culture.

But let us not kid ourselves: if anything goes wrong, the press are on it in the blink of an eye, and it is really difficult for social work to flourish in that environment. It is high risk. There will be times when things do not work out brilliantly for children and families through no fault of any professional, and if that happens, there is no forgiveness for that. It is a really difficult arena to work in.

Q11 Anne Marie Morris: Do you think there is something that could or should be done about the regulatory pressures that you are under, which would result in a better outcome for the child?

Lucy Butler: I think it is about having a greater understanding of the complexities within which we work. The regulatory bit is only part of it. We are working with really complex life situations, and I do not think there is a real understanding of that.

Q12 Anne Marie Morris: When you say there isn't a real understanding, is that the Department?

Lucy Butler: No, I mean generally among the public.

Q13 Anne Marie Morris: What about the Department? Do you think they get it?

Lucy Butler: I think the Department does understand the complexities within which we work.

Q14 Anne Marie Morris: Ms McEvoy-Carr, can I take you to the cost piece? You have both talked about how cost has really impacted on the situation, and how the market has, in a sense, been dominant. What could anybody do to rectify that so that you can more easily and cost-effectively get what you need?

Cath McEvoy-Carr: If I had the answer to that question, the world would be a better place. There are a number of things. There is something about collective responsibility for delivering good services across the board, and in order to do that the ethos must be about making things better for children. I talked a little bit before about some of the cost increases and



the competition in the market. Some of our specialist provisions are run as businesses now, and in terms of the ethos of putting children first—I am sure they do want to put children first, but first and foremost this is about making the business viable, so we do come up against that.

A lot of us do regional procurement to try to keep the market manageable, but there are occasions when we have to go off the frameworks that we have in place to provide a child with a specialist placement, provision or intervention. We also cannot remove from the factors the whole context and picture. Working in isolation with social care, we must remember the impact that education has on children and young people, and the impact that health services have on children and young people. If we cannot get resources to meet those needs, social care is often left with the responsibility for ensuring that that child's needs are met.

Q15 Anne Marie Morris: Do you think the Departments talk together enough to look at that holistically?

Cath McEvoy-Carr: I think there is probably some further work that could be done to try to address that. In particular, the impact of education programmes and the focus of education in some schools means that the inclusion agenda is not always at the forefront, because, quite rightly, they want to provide children with the best educational attainment they can possibly get. Sometimes, there are some programmes that are very academic-based, or some programmes that are very social care-based. We would benefit from having some joined-up conversations in relation to that.

Chair: You put it very diplomatically—perhaps more gently than we might.

Cath McEvoy-Carr: I was trying.

Q16 Gareth Snell: To follow up on Ms Morris's point, as well as the national conversations, how effectively do you believe the local commissioning framework works, Ms McEvoy-Carr and Ms Butler? Obviously, the local authority has its part, but clinical commissioning groups may take away support services that parents were accessing. The provision around schools and now multi-academy trusts varies quite significantly. How much is the landscape being complicated by the fragmentation of providers?

Cath McEvoy-Carr: There are advantages to the fragmentation of providers, because it should offer you more choice, but unless those partner agencies or those partners are talking together to look at what the needs of their individual children or the collective children are in their area, it does make it more complicated and it can be more fragmented. As a local authority lead, we have examples where that has worked really effectively, but equally, we have situations where that does not work. Children with special educational needs and disabilities is probably one of the examples where we need to get better at co-ordinating, with less fragmentation of services.

Lucy Butler: Some of this stuff you cannot do locally. For instance, we are talking about some children who have such significant and specific needs that you can only commission that on a wider scale. Certainly, in the south-east, we are doing a piece of work regionally to look at the needs of children and how we might combine forces to better commission for those children. Sometimes, to do it on a local basis, especially if you are a small local area, is not always as effective as you can be.

- Q17 **Gareth Snell:** Ms Butler, when Oxfordshire is looking at its budgetary arrangements for future years—I am using Oxfordshire because you are here—how much weight and consideration is given to the consequential impact on things such as children’s services when other decisions are being taken about budgetary reductions? I am thinking about if you take away a youth service provision that does not necessarily sit within children’s services—it may sit within leisure services, for instance—those factors can have an unintended consequence. Is your authority forward thinking on that? Is that something that you would say other local authorities are doing well?

Lucy Butler: It is a bit tricky, because I work in a two-tier local authority, so that makes it even more complex. You do not always have that tie-in between the bottom tier and the upper tier, if you like. I think that my local authority is very cognisant of the pressures on children’s social care. I have to say that my biggest worry is around the education agenda and the costs that we are now seeing in the SEND agenda, which are dwarfing the social care costs. But they really try to think about the impacts, the future, what the trend is and how they might budget for that.

- Q18 **Gareth Snell:** I used to be involved in local government in a two-tier authority. How awake—that is probably the wrong word—or in tune do you think those tier two authorities are with the decisions that they are making and the impact that they might have on what are essentially some of the most vulnerable people in their communities but who are not immediately their responsibility?

Lucy Butler: I think it varies. Some are more aware than others. It depends how many conversations have been had, but it does vary, even in Oxfordshire. We have five districts, and it will vary. In Oxfordshire, our chief exec happens to be the chief exec of one of the districts. In that area, we are doing some really fascinating and interesting things, which we are not able to do in the other areas as yet, because she is fairly new and we have not been able to roll it out. It gives you some real leverage, I think.

- Q19 **Chair:** Can you give us an example?

Lucy Butler: We are looking at a new model for children’s social care, and we are looking at how housing might be an integral part of that, and how leisure services might be an integral part of that, in a way that we cannot outside that area. I am sure that if we make a success of it, we can roll it out.



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Cath McEvoy-Carr: From our perspective, we have quite strong political support, which transforms itself into financial investment in children's services, and a recognition that there are some crucial areas that require investment within children's social care.

From the time that I commenced within Northumberland, there has not been the overall pressure that there has been on other directorates to make efficiency savings. Having said that, in the last 18 months or so it has become clear that we need to take our fair share of those, but there is recognition across all the directorates within Northumberland that children's social care carries the highest spend, and the highest risks for some children and young people, so there is potential for real investment there.

- Q20 **Chair:** One of the things we look at a lot in this Committee is cost-shunting—so you take a hit in finances or services early, and that is cost-shunting, either to another service or long term. Just to go back to Mr Snell's original question, are you able—it may be a luxurious position—to have the analysis that tells you, "If we make this decision now, that will actually cause us costs down the line," or "If we make this decision now, that will actually save us money down the line"? Do you think there is that approach to budgeting at all?

Cath McEvoy-Carr: I think there is, but there are always things that come out of left field that you cannot predict. Within Northumberland, we have talked about the pressures within children's social care, looked-after placements and out-of-county placements, but I do not think we really could have predicted the acceleration in the cost of those placements. Sometimes things come out of left field in relation to that.

We are doing some work north of Tyne; we have a north of Tyne collaboration. The three local authorities that are north of the Tyne are working together, and we are going with the mantra of "north of Tyne" in all the work we do. If we are looking to develop anything, we are looking to see whether or not we can develop that north of Tyne, so that we get a bigger footprint and a bigger investment in that particular process, separate from the devolution, but as part of that to see whether or not we can make any efficiencies, and improve our practice in that way.

- Q21 **Chair:** Ms Butler, from what you described about the interesting arrangement between one district in your area and the county, if you are involving leisure services and housing, it suggests that you are looking at that long-term cost-shunting, et cetera.

Lucy Butler: Absolutely. We absolutely do.

- Q22 **Chair:** Have you done numbers on that?

Lucy Butler: No, because we are doing the early stages of formatting that out.

Chair: Okay. Well, it sounds like one to watch.

- Q23 **Caroline Flint:** Ms Butler, you mentioned that there may be some types



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of support and care that cannot necessarily be negotiated at local level. I think it is the case that, when it comes to the NHS and certain clinical interventions, they are commissioned nationally. Do you think there is a case for a discussion about whether certain types of, for example, residential care for certain types of children with particular needs, and other forms of services, should be defined through a national commissioning arrangement?

Lucy Butler: I am not so convinced about the national argument, but I am definitely convinced about the regional argument. I would be wary of national, because I would not want children travelling huge distances, et cetera. If you do it within the region, you can really look at the children within that region. I know that the DfE is looking at regional commissioning hubs, for instance. I think that will be a really helpful intervention and support. It is just about the scale. National is maybe too big, but definitely regionally I think there is something there.

- Q24 **Caroline Flint:** Just to push you on that a little bit, because we have something like 43 police forces—we have South Yorkshire, North Yorkshire, et cetera. When you say regionally, are you talking about, for example, in England it would be Yorkshire and Humberside?

Lucy Butler: For me, I think it is the south-east region, which is slightly outside the Thames Valley Police region. It does not align completely.

- Q25 **Caroline Flint:** But it has to be bigger than a police force area to make the difference?

Lucy Butler: Yes.

- Q26 **Chair:** Ms Ashley, do you have a perspective on collaboration and where things should be commissioned from, and whether there are any good examples?

Cathy Ashley: Our observation from the care crisis review was that we saw huge variation in the way that local authorities went about budget planning, and huge variation in the co-operation from partner agencies in relation to that collaboration and looking forwards. We found that some directors are ending up spending a huge amount of their time just getting by at the moment, rather than being able to do the work that you are talking about. They are drowning.

Chair: Okay. So that is just the volume of work and the pressure.

- Q27 **Sir Geoffrey Clifton-Brown:** Ms Butler, can I just ask you how this regional policy would work? You are in the south-east, yet I, your immediate neighbour, am in the south-west—

Chair: Sir Geoffrey is the MP for The Cotswolds.

Sir Geoffrey Clifton-Brown: Yes, in Gloucestershire. While I have not looked it up, I assume that you are probably taking some out-of-county placements from Gloucestershire, because they do not have very good provision of their own. Can you just outline how this will work?



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Lucy Butler: The work we are doing in the south-east, you mean?

Q28 **Sir Geoffrey Clifton-Brown:** Yes. How would this regional policy that you are envisaging work?

Lucy Butler: There are 19 local authorities in the region, and we have worked collaboratively to get a really in-depth understanding of our children's needs. We have done a huge amount of analysis of those children to understand what factors led to them needing to come into care. We have done an analysis of the types of care they are in, whether that is meeting their needs and whether there are good outcomes, and we will use that intelligence to work together; we will to work with the market but, if necessary, we are also talking about providing for some of the care and interventions ourselves. It just enables us to have a broader conversation about some really specific and complex needs of our children in a way that is not happening now.

Q29 **Sir Geoffrey Clifton-Brown:** In a sense, you have not really answered my question, which is cross-regional but neighbouring authorities.

Lucy Butler: Sorry. I suppose we have to start somewhere, so we have started in the south-east. When that work is sophisticated, we will then be able to maybe broaden it out, but we thought we really needed to focus on the south-east region. But we do this all the time—we have different groupings of local authorities around particular commissioning arrangements—so that is not to say that we could not enter in to that. It is just that we have started with the south-east local authorities.

Q30 **Sir Geoffrey Clifton-Brown:** I assume if you are building local authority care places in excess of what your actual authority needs, you must be looking at neighbouring authorities—Gloucestershire, for example.

Lucy Butler: At the moment, I don't think we could ever build care in excess of what we need.

Q31 **Sir Geoffrey Clifton-Brown:** You are not?

Lucy Butler: No.

Q32 **Chair:** But you had a building programme—more than some local authorities did? What drove that and how did you afford it?

Lucy Butler: We did build some care homes; that was in 2014, and at the time we were hoping that the increased capacity would meet the needs of our children, but of course the activity just rose exponentially, so we did not achieve that outcome.

Q33 **Chair:** Presumably that is cheaper for you than commissioning elsewhere?

Lucy Butler: Yes, it is.

Q34 **Gareth Snell:** I apologise for the tone of this question, but we have spent the last few minutes talking about spot pricing, costing and regional commissioning. Are we getting close to children in care being treated as a commodity for the purposes of costs in the local government system? The



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conversations we have just had could easily apply to some of the less severe, more mundane actions of local government, and I fear that we are getting to a point where we talk much more about the pounds, shillings and pence rather than the children. Are we getting to a point where providers will start to look at children as being a simple way of making profit?

Cath McEvoy-Carr: We cannot take away the fact that most, or a lot, of the private organisations that we use are businesses. While I think individually they look to provide really good quality care, and as local areas or local authorities we would not want to put children into places that did not provide good quality care, there is a real issue about prices being driven up, because it is a marketplace. There is a lack of resources, so that demand will increase the price. I can see where you are coming from in terms of the commodity idea; I would hope that we would never be in that position of talking about children and young people in that way, particularly some of the very vulnerable children, but yes, there are some real worries that there are businesses out there that are—

- Q35 **Gareth Snell:** And local authorities? I was listening to Ms Butler talking about potentially building on regionally based and specifying; presumably, if one local authority develops a specialism for a particularly expensive type of care, there is a revenue boost to that local authority, if it has to take out-of-area children into its own locality?

Lucy Butler: I don't think that is the driver. The driver is meeting the needs of our children. When we did the regional work, we were clearly looking at outcomes as well as that. We were looking at the drivers for that child needing to be in care, and the outcomes. Often you will find no correlation between costs and outcomes.

- Q36 **Chair:** As we see from the Report. Ms Ashley, on that same point?

Cathy Ashley: There are children in the care system who, if there had been an effective exploration of the wider family or a more effective pre-proceedings process, would be in different circumstances. In terms of drivers or motivation, although our view is that more children being in care is extremely costly to the state, the reason why we want to avert children from unnecessarily going into care is not primarily to save the state money but because it is what's right for the child. At the moment, we have a problem in that it is both extremely expensive and very questionable as to whether the right children are in the care system, or whether some children who do not need to be are in care.

- Q37 **Chair:** Before I bring in Ms Flint, can you explain a bit more about that pre-legal work that you do, which you looked at in your opening review? You talked about the benefits of kinship care and wider family support. Could you explain what you looked at in the review of those?

Cathy Ashley: Across the country there is huge variation in the sort of pre-proceedings and whether local—

- Q38 **Chair:** Just to be clear, pre-proceedings are before—



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Cathy Ashley: Before the local authority issues care proceedings and goes to court. In some local authorities, lots of work is done with parents and there is lots of exploration—they may have had a family group conference or viability assessments of kinship carers or the wider family, who may be able to take on the children—before they would get into a formal pre-proceedings process.

In other authorities, the work is basically not done until they are formally into that pre-proceedings process. There are several dimensions to that from the perspective of families who contact our advice service and so on. They often do not understand what is going on and they cannot navigate the system, and therefore they do not understand how serious the situation may be. They may not have had access to any early advice or independent advice to help them to understand their rights and options.

Also, from the perspective of the parents and the potential carers, there is very little time for them to be assessed or to be able to demonstrate that they can get their act together if that pre-proceedings work is done very late in the day and if that exploration has not been done.

The Ministry of Justice has been doing some work, I think with the DfE, involving interviews and so on in different localities, which sort of highlights this problem. That is one of the reasons why I think it is important that, when looking at how to sort of shift the system, we obviously need to look at the DfE taking a leading role, but we also need to look at how that links up with the Ministry of Justice. We also have to look at the Department for Work and Pensions and its implications.

Chair: We have also already heard about housing in Oxfordshire.

Q39 **Caroline Flint:** I totally agree that, once the more formalised process begins, it is really difficult for any dialogue to take place. I have seen in my case work over several years how everybody assumes a role that prevents conversations from happening, including with the wider family. I have had examples where, although it would not have been easy, the wider family have been really successful, compared with what was going on, in terms of looking after grandchildren, nephews and nieces and so on.

However, I am interested in the point before that. While taking on your point about having a bit more space to discuss what has been going on, over a number of years, the issue of family intervention has been addressed in several different ways, whether through various programmes—families first, family interventions, the troubled families programme—that all get rebadged by different Governments and different Ministers. What do you think needs to happen on that side of the discussion to try to make that work better, to pick up on these issues before even getting to trying to have a better conversation at the point of formalised proceedings? There is money, and there are staff working in those areas, in Health and local authorities and elsewhere, but it does not seem to be having the impact that we would hope.



Cath McEvoy-Carr: One of the issues in relation to that is the fact that it has always been seen as a local authority responsibility. So even with all of the Government drivers—or all the drivers: policy, procedure, etc.—it has always been seen that the local authority have taken the lead in relation to that. Now, you always have to have somebody who takes the lead in it, but actually some of the partner agencies, to a varying degree, have engaged in that process. Historically schools were seen as a key part in that, but actually their focus has changed quite significantly over the last three or four years, which means that early help and early intervention, or early recognition, even, of some of the issues for some children—

- Q40 **Caroline Flint:** Sorry to interrupt you there, but one of the biggest concerns that gets raised with me all the time by head teachers is when a child enters their school, whether it is nursery or even, now, more recently, with two-year-olds, the history of what has gone on with that child is not shared until there is a crisis in school, and then suddenly all the alarms go off. That still seems to be a problem. The problem seems to be still happening today, and was happening 20 years ago when I first became an MP. Schools tell me they just aren't getting the information to be able to provide.

Cath McEvoy-Carr: I think one of the difficulties we have in relation to sharing information is actually we don't share the same children's systems or the same databases in order to be able to share that information. Sometimes it is that it is not appropriate to share that information, because families haven't consented to sharing of that information. That always makes it very difficult for us to be able to share information. We do, obviously, if a child is active or known to a school, we would always share that information at the point of them entering a school system. We would always share that, at that point.

Lucy Butler: I wanted to pick up on something that Cathy said, that I think one of the big drivers to delivering cost-effective services is the preventive agenda. That is everybody's agenda. It isn't just a children's social care agenda. It is a schools agenda, it is a health agenda, it is a PCC agenda. I think that whole-system, whole-family, whole-community working is absolutely vital to making a step change. The local authorities that have made a difference, à la Leeds, are the ones that have really tackled that in a system-wide way. I think personally that is your ticket.

Cath McEvoy-Carr: And using the voluntary and community sector, as well. There are communities out there that have got really vibrant voluntary community services.

Chair: Ms Ashley, I should warn you we have to keep an eye on time—so if we can have quick answers.

Cathy Ashley: Very quickly on that, I think one of the problems—because there have been some cuts in relation to that area, which the NAO Report highlights—is that it is leading some social workers to not have the reassurance that, for example, there is a domestic violence



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programme that they can direct the family to, etc. Therefore it is ending up escalating up the system. The other, I would say, looking at where it is more effective, is it is actually where you are asking families what they need in relation to addressing the problems that have been identified. Quite often, what they need is considerably cheaper than maybe the standardised programmes that they are being offered, if they meet that sort of threshold. So we have got into a system where a lot of resources are being spent to effectively gatekeep, and we need to shift that around. Again, Leeds is quite interesting on that.

Chair: I am going to bring in Sir Geoffrey Clifton-Brown, Anne Marie Morris and then Mr Snell. I just remind Members to keep it—

- Q41 **Sir Geoffrey Clifton-Brown:** Certainly—a very quick question. On your interesting thesis that the better the preparation on the pre-judicial hearings the better the outcome for the parents and the children, have you got any evidence, or was there any evidence in that MoJ work, that there is a link between how well cases are prepared by an individual local authority and their Ofsted rating?

Cathy Ashley: I don't know. I think you would have to ask the MoJ and the DfE, but that is an interesting question. I don't know the answer.

- Q42 **Sir Geoffrey Clifton-Brown:** But do you find a pattern that some local authorities are much better at doing the preparations than others?

Cathy Ashley: Yes. Our experience, from our advice—there are some local authorities that are better than others. I have to say even the best authorities—you still get some examples of better and worse practice, but you are right; there are some. There are some where you can talk to the judiciary and there is a much more collaborative discussion about how to tackle some of these problems than in other parts of the country. You also see some real regional variations. For example, care orders at home is something you see in the north-west. You just don't get that in London. So there are certain embedded ways of working in some regions that just don't exist in others.

Chair: I sense a strand of inquiry opening up with the MoJ, but that is not for today. I am going to bring in Ms Morris and then Mr Snell.

- Q43 **Anne Marie Morris:** How useful is Ofsted, Ms Butler? I ask that because their review of all this is quite narrow and I am also slightly surprised that every time they go in and then go and do a review, things get better. It's almost like you have sharing of good practice and/or "This is how you tick boxes", and hey presto!—things have changed.

Lucy Butler: Ofsted have a function, and that is to regulate children's social care. I don't think they really take into account the wider context of cost and some of the particular pressures that a local authority might have around cost. Their concern, quite rightly, is how good children's social care is in that area.

- Q44 **Anne Marie Morris:** But do you think that if they did look at the causes that led to their judgment—good, outstanding or whatever—which



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included finances, there would be more help for those authorities that need it, financially, to deliver true quality care for kids?

Lucy Butler: It's really difficult to answer that, because it's not just one thing; it's so complex, and Ofsted are just looking at children's social care, except when they come in and do their joint targeted inspections, so you are just getting a slice of the pie. I think Ofsted have something to offer, but I certainly don't see them as the answer.

- Q45 **Gareth Snell:** I will put this question, if I may, to all of you. Paragraph 12 of the NAO Report says: "The Department [for Education] does not fully understand what is causing increases in demand and activity in children's social care." The three of you have painted quite a clear picture in my mind as to what some of the drivers and causes are. Does it worry you that the Department seems to say that it does not understand what the drivers are?

Chair: Just say yes if—

Gareth Snell: Honestly, the three of you have painted a very clear picture of what is causing the drive towards that, yet the Department for Education says that it does not know, so either it is not listening to you or something is going very wrong.

Cathy Ashley: In terms of the research—it's on the website—the academic paper that looks at contributory factors, you can see what individual factor may be acting as a push. What we don't know is quite how the combination of some of those factors is working in reality, which is one of the reasons why I would say that, in terms of the welfare reforms, we don't know the impact that is having in relation to pushing an increase in children's social care demand. We would obviously welcome more that the DfE could be doing in relation to understanding the drivers, but although we can come up with some agreed statements—what we felt when we did the review—around what's going on, I think we shouldn't minimise the complexity.

Cath McEvoy-Carr: The individual circumstances of local authorities are such that, on occasion, it will be difficult for the Department to be able to fully understand those. For instance, Northumberland is a very rural locality, so we have some significant pressures in terms of providing services within our rural localities, which massively increases the costs of provision. And we can't centralise anything, because if you live in Berwick or in Blyth—they are 80 or 90 miles apart, so that would make it very difficult to be able to provide that. So I think there are some individual circumstances that would make it very difficult.

Lucy Butler: We talk to the DfE; we have conversations. We talk to our regional adviser and we explain the live situation that we are working in.

- Q46 **Chair:** A last couple of quick questions from me, then. We got a good series of responses from London local authorities, and a number of them highlighted the fact that one of the causes of the increase in the number of young people going into residential care was special educational needs.



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I think you briefly mentioned that earlier. How much of a factor is that in your areas? That question is particularly for Ms Butler and Ms McEvoy-Carr.

Cath McEvoy-Carr: Huge. The impact in terms of our special educational needs and disabilities budget—the increases in costs in that area are quite significant. I think that, rightly, we have raised parental expectations—everybody wants what is best for their child—but actually we have not got, currently, the resources that mean we are able to provide for a high number of those.

Lucy Butler: It is a huge pressure. We have an £8 million pressure this year, and it looks like we will have a £20 million pressure next year. It really is dwarfing the children's social care costs.

Q47 **Chair:** Is it that it is not being picked up well enough in schools? Or is it that, for those children, residential care really is the only way of preventing it?

Cath McEvoy-Carr: There is a huge range of factors. There are issues about the inclusion of gender and the need to drive up standards within schools. There are also parental expectations. Ten years ago, a high proportion of parents would have wanted their children in mainstream education, whereas now a high proportion of parents want their children in special education placements, because they are individually tailored to meet those children's needs. Northumberland has significantly high transport costs—I am sure Lucy does too—because our special education provision cannot be centralised, so—

Chair: Is there anything you want to add, Ms Butler, or do you agree?

Lucy Butler: Just the rising numbers.

Q48 **Chair:** I suppose there is better diagnosis. My final question is about the variation identified in the Report. The Family Rights Group review identified variation in how the legal stuff works as well, which Ms Ashley touched on. Why do you think there is such a wide variation, with outcomes and costs just not seeming to match up at all? We criticised the Department in a previous Report for not understanding that. What do you think the reasons are for that? It is a big question to finish with.

Lucy Butler: I think it is really hard to compare costs like with like, because different local authorities will badge things in different ways. You have to take in the wider context. For instance, in Oxfordshire, our schools have really low funding—we are one of the f40—which has an impact. It is hard to just take one bit and compare like with like. That makes it tricky.

Chair: Ms Ashley, do you want to add anything to that?

Cathy Ashley: I think that is absolutely right on cost comparisons. There are different ways—

Q49 **Chair:** We want know what can be learned from local authorities that are doing well but still keeping the price down. Are there any lessons from studies you have done?



Cathy Ashley: I do not think that, at the moment, the available data is sufficiently sophisticated to enable us to categorically say which those authorities are. To answer your question and Mr Snell's point, there is a huge—I would love it if a lot more work was done around economic modelling, looking at both current costs and different scenarios that would allow local authorities, as well as the Government, to be able to make more thoughtful and evidence-based decisions. If that was led by the DfE, along with other Government Departments—obviously in collaboration with the NAO—that would be a huge step forward. It is currently missing.

Q50 **Chair:** Thank you for that. We have picked up ideas about the DWP from your evidence. Some of the other evidence we have heard has been all about housing costs and interactions that are not working to support, for example, wider family care, or even the existing family or better housing.

Cathy Ashley: It is the same with legal aid. There are legal aid implications and court costs as well. There are all sorts of factors that should be thrown into that economic modelling.

Chair: I think you have, whether wittingly or not, broadened our inquiry. Thank you very much indeed for your time and your testimony, and for traveling—particularly in Ms McEvoy-Carr's case—quite some distance to join us. You are welcome to stay for the next panel. The transcript of this and the next panel will be up on the website in the next couple of days, thanks to our good colleagues at *Hansard*. It goes up uncorrected, and they do not usually get it wrong, so it is fine, but if you have any factual corrections, please let the Clerks know. We will obviously send you a copy of our report, which will come out in due course. Thank you.

Examination of witnesses

Witnesses: Jonathan Slater, Indra Morris and Isabelle Trowler.

Q51 **Chair:** Welcome back to the Public Accounts Committee on Monday 4 February 2019. I will not reintroduce it, but we are looking at children's services. We have obviously had the Department in before. We produced a report a couple of years ago. I know that you, Mr Slater, made some bold promises then. I think they were very heartfelt, and we want to look further at what you are achieving on the back of the NAO Report. Our witnesses for the second panel are, from my left to right: Isabelle Trowler, who I believe is the Chief Social Worker for Children and Families at both the Department for Education and the Department of Health and Social Care. She is twin-hatted. Which Department are you based in?

Isabelle Trowler: I'm just in the Department for Education.

Chair: Somehow I had the wrong information. Forgive me. I thought it was a bit odd; that is why I asked. We have Jonathan Slater, who is a regular attender at this Committee. He is always welcome. I am sure he loves it as much as we love having him. He is Permanent Secretary at the



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Department for Education. We also have Indra Morris, who is the director general for social care, mobility and equalities at the Department for Education—

Indra Morris: No—

Chair: I don't know why I have a series of wrong titles here.

Indra Morris: I am Director General for Children's Social Care, Social Mobility and Disadvantage.

Chair: It is an even longer title. You have taken on more. Have they given you a pay rise?

Indra Morris: No, I lost some stuff, too.

Jonathan Slater: The idea was to try to take a joined-up approach, so that there was one director general in the Department who tries to join up SEN, children's social care and social mobility.

Chair: Okay, forgive me that we had that wrong. We will ensure that that does not happen again. A very warm welcome to you. I am going to ask Gareth Snell to kick off, picking up from what we heard earlier.

Q52 **Gareth Snell:** Mr Slater, may I ask why you are here today, and not someone from the Ministry for Housing, Communities and Local Government?

Jonathan Slater: I guess because you invited me.

Gareth Snell: Fair enough. I am genuinely not trying to be flippant this time, because you will have heard the evidence from our pre-panel, most of which focused on local authorities, local authority structures and local authority funding. Why is the Department for Education here and not the Department that is responsible for local government?

Jonathan Slater: The way it works is that the division of labour between us is that MHCLG, as we like to call them, oversee the Government's overall relationship with local government. In particular, they are responsible for the funding system for local government. They are also specifically responsible for housing. Each of the other Government Departments leads on particular areas that in practice are delivered on the ground by local government. In our case, that is children's social care. In the case of adult social care, it is the Department of Health and Social Care. We have to work very closely with MHCLG in preparation for the spending review, so that we can ensure that councils have enough money to do the things we need them to do. We have to do that piece of work jointly with that Department and the Treasury. The work we are doing on demand management is jointly done by MHCLG and the Treasury.

Q53 **Chair:** Are you putting in a joint bid to the comprehensive spending review?

Jonathan Slater: We haven't quite got that far yet.



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Chair: I just wondered whether it was likely. Very few Departments ever put in joint bids.

Jonathan Slater: We will see. We do not even know when the next spending review will be or what its terms of reference will be. Let us not get ahead of ourselves. In all seriousness, the work on local government futures that we commissioned in 2017 together with Huddersfield University and the University of Plymouth is a joint piece of work between us, them and the Treasury, as there is no point doing work that the Treasury does not know about. It is a tripartite piece of work to ensure that at the spending review, we all know the facts.

Q54 **Gareth Snell:** That was a very long-winded way of saying that this is your responsibility—this area of particular activity in the public sector.

Jonathan Slater: I am just trying to identify the different responsibilities and the different players.

Q55 **Gareth Snell:** I want to try to understand—paragraph 12 of the NAO Report states that “the Department had not seen it as a central part of its responsibilities to understand drivers in demand for children’s social care across all local authorities.” If you did not see it as being your responsibility, whose responsibility did you see it as?

Jonathan Slater: When we last met to discuss this in 2016, you quite rightly gave me a load of grief, supported by the NAO, that there was not sufficient focus in the Department on driving up the quality—I emphasise the word “quality”—of children’s social care across the country. You said that we have a good mission statement about 2020, but have we got a plan with a trajectory and actions?

Chair: We know what we said.

Jonathan Slater: I am reminding you because that was a fair challenge, which we have focused really hard on meeting. Later, if you want, we can discuss the extent to which we have been successful.

Q56 **Gareth Snell:** So whose responsibility did you think it was, if it wasn’t yours?

Jonathan Slater: Alongside that, which was our main effort and for which I have no intention of apologising, our secondary effort has been on improving the cost efficiency of that service.

Gareth Snell: So whose responsibility did you think it was, Mr Slater, if not yours?

Jonathan Slater: It has always been our responsibility.

Q57 **Gareth Snell:** If it has always been your responsibility, why does the NAO Report say that you did not think it was a central part of your responsibility to understand the drivers and demands for children’s social care across all local authorities?



Jonathan Slater: It is a fair challenge, because we were not doing as much on that as we should have been. We were not doing as much of that as we should have been, because our main effort was on improving the quality of the service. In hindsight, maybe it would have been better if we had taken a completely twin-track approach. But, to be fair, neither the NAO nor the Public Accounts Committee, in 2016, made that recommendation. I think it was reasonable in the circumstances to focus first on the quality and then to follow up with the issue of quantity. Maybe, with hindsight, we could have done more on quantity earlier. We have been doing it since 2017.

Chair: You could say that they are both linked.

- Q58 **Gareth Snell:** Does the Department only act if it is told to do so by the NAO or the Public Accounts Committee? There must be umpteen areas of public spending where this Committee has not had a formal hearing, but which we take proactive steps to engage. If we can establish that it is your responsibility, even if the Report says that you didn't believe it was, how is it that, having acknowledged that it is your responsibility, you do not yet fully understand what is causing increasing demand, given that, in the evidence that we heard from the pre-panel, each of those who gave evidence was able to quantify what they believed was happening in their own localities?

Jonathan Slater: I think there are two ways of answering this question. We can all—as the previous panellists and the NAO have eloquently done—identify the number of factors that drive demand. Clearly, as set out in the Report and in our own research—and plenty of other research—deprivation, drug abuse, county lines, domestic violence and mental health are all drivers of increasing demand. What the previous panellists and the NAO cannot do—what we cannot do—is fully quantify the component parts of each of those factors. The word “fully” there is important. I was discussing this with colleagues from the National Audit Office earlier today. They suggested that being able to describe 18% to 20% of the variation in demand for a service isn't bad. They have been able to identify 15% of it. Our aim is to understand more and more. Their recommendation is helpful. Hopefully, it will get beyond that. But the crucial thing is that—given that we are talking about the interactions between individuals, parents and social workers, in a huge variety of circumstances—being able to quantify the particular contribution of any one factor, as opposed to listing them all, has so far been beyond everybody who has ever analysed this.

- Q59 **Chair:** But you are acknowledging the risk that is recognised. Just to be clear about the causes—you are in broad agreement on what the many causes are. Just give me a quick yes or no, because you listed some of them.

Jonathan Slater: Yes, and I hope to be able to add to the quantification, as a consequence of the work that we have asked LG Futures to do.

- Q60 **Gareth Snell:** When do you expect, as the responsible Department, to be



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able to fully understand what is causing the increase in demand in children's social care?

Jonathan Slater: I don't think that anybody thinks—you can bring in the National Audit Office, if you would like to—that it would be possible to quantify each component part of 100% of increases in demand. That will never be possible. It isn't possible in any service. We will always strive to increase the extent to which we can quantify it. In particular, this summer, we will have the results of the work we commissioned with MHCLG and the Treasury back in 2017, in which we have now given them the data on 3.3 million children, broken into 15,000 sub-categories around the country. Hopefully, that will give us data beyond the data that Ashley did very well to produce in a short period of time.

Chair: Most people listening probably don't know, but you mean Ashley McDougal from the National Audit Office.

- Q61 **Gareth Snell:** Two years on, with 3.3 million pieces of data, how close to fully understanding the causes of the increase in demand for children's social care will you have come?

Jonathan Slater: We will see when they produce their report.

- Q62 **Gareth Snell:** As Permanent Secretary, what do you anticipate?

Jonathan Slater: I have commissioned the work from the experts on the ground. Let's see what they produce. I asked colleagues from the NAO, because I wanted to give you an independent view. I am not a social worker; I have a master's degree in mathematics and no one would be happier to be able to quantify this stuff than I—why would I not want that? They suggested that it would be not unreasonable to get 18% to 20% of a variation. If we were very lucky we would get 50%. Let's see.

- Q63 **Chair:** Okay. We are getting a bit esoteric here and a bit philosophical, if we are not careful. You have commissioned this piece of work, which will give better data. We criticise not just you but pretty much every other Department, for bad data. If this is done once, is that enough? Will it be an ongoing piece of work, so you can track and see what the causes and drivers of certain things are on children going into residential care, in particular?

Jonathan Slater: Yes, absolutely. This is the moment in time. I would hope to increase our knowledge over time. I think the NAO's recommendations are helpful in increasing our understanding.

- Q64 **Chair:** Sorry; will you be repeating this or is it a one-off piece of work?

Jonathan Slater: No. We did work back in 2014. We are doing this work at the moment. We will carry on doing it and others will do so too. To be clear—I am not trying to be difficult here—I would love it if I could make it simple. It would make it a lot easier for me at the Treasury, wouldn't it? Just to—

- Q65 **Chair:** You have come with an attitude, if I may say so, Mr Slater? I suppose you are a man with an attitude, but in this case we all



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contributed because we want to see a good-quality service for the children who need it most, particularly for the vulnerable ones we are looking at today. You have got this work. I am trying to be clear: do you do a static piece of work every three years? Or are you going to have rolling data that local authorities—we have heard about the clusters from our previous witnesses, particularly Ms Butler—need for the work they are trying to do on the ground? They have said that they do not have the data. Will this data-gathering exercise be a one-off or will you keep saying, “The Department has a richness of data in real time that practitioners and other Departments can use”?

Jonathan Slater: We definitely want to carry on developing it. I am not sure that I can promise you real-time information, but I would definitely want us to be updating this information and I would want to be implementing the NAO’s recommendations, and getting more and more information over time. Apart from anything else, circumstances change and new challenges arise. We wouldn’t have been having a discussion about county lines two years ago. We have always got to be updating our evidence.

Chair: Mr Snell, I am sure you will move off from the statistics to the children’s stuff.

- Q66 **Gareth Snell:** I want to ask briefly, Mr Slater, how successful do you think your conversation with the Treasury will be if you are still unable to fully explain what the driver for these services is, while simultaneously asking for larger and larger increases in budget?

Jonathan Slater: As I said, we are working with the Treasury to get the best possible understanding that anybody could possibly have about the subject matter. Clearly, the more data we have the better it is, but as you say, in practice one can’t pin down precisely the quantitative factors. One can pin down the qualitative factors. We’ll do the best we possibly can.

- Q67 **Chair:** Let us take special educational needs. We heard at the end that that is a big driver, which is a shift from a decade ago. You are the Department that delivers on education, so surely you have seen in your own internal figures a change there? That is one driver you could look at that will have a significant impact.

Jonathan Slater: Yes. I suppose we must be having some success in persuading our Treasury colleagues, because at the last Budget the Chancellor announced additional money for children’s social care and for special educational needs for the coming year, in advance of the spending review. I suppose that is evidence that the Treasury does get the point we are making.

Chair: We are not going to have a debate about one-off funding versus sustainable funding, but I think that rather demonstrates the point.

- Q68 **Gareth Snell:** What conversations are you having, either as part of the ongoing review or separately, with the Department of Health and Social Care, with the Ministry of Housing, Communities and Local Government



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and with the Home Office, regarding cost shunting, where decisions that they are taking to reform or reduce services in one area are putting an increase in demand on child social care services in another?

Jonathan Slater: We are having plenty of discussions. Indra, you may want to refer to a session you were having a little while ago, chaired by the Cabinet Secretary and bringing all those Departments together, precisely to address that question.

Indra Morris: There are a lot of things happening. Jonathan mentioned the Cabinet Secretary convening us and asking us exactly that same question, across all Government Departments. I convene with my colleagues and counterparts at MHCLG and DHSC to look at what is happening across the piece and what that means in terms of pressures for local authorities, for example. We also convene local authority chief executives to explore some of the competing pressures, in particular from Health but also from the MoJ. The previous witnesses talked about the care crisis review. Isabelle, in her work with the Crook Fellowship, has looked particularly at pressure points around care proceedings and at how what is happening in social care has an impact on the courts, what is really going on and what we can do to manage demand in that area. A number of things are happening, both at departmental level and across Government, but we are also taking a deeper dive into some particular hotspots in the system.

Q69 **Chair:** You talk about the MoJ. We heard quite a lot from our first panel about the challenges there. Can you give us some practical examples of issues you have worked with the MoJ to resolve, to deal with some of the issues that Ms Ashley in particular raised?

Indra Morris: Care proceedings, for example. Why is that going up? What are the variations? What actions could be taken across MoJ, DfE and, indeed, the independent judiciary?

Q70 **Chair:** What actions precisely?

Indra Morris: Things like greater use of pre-proceedings, greater discussion with the judiciary about variations in decision making, looking at the relationship between social workers and the courts, and so forth. There is a very practical—

Q71 **Chair:** You are looking at those things, but what are your drivers to make sure they happen?

Jonathan Slater: You might want to ask Isabelle to describe this in detail, because she sits on the Family Justice Board along with the President of the Family Division, who is an observer. At its last meeting, in January, the Family Justice Board agreed a plan of action to tackle the issue you are describing, which, just as you pointed out, required us to improve the quality of case preparation and make more use of family networks. That was agreed by the Family Justice Board for dissemination to local criminal justice boards last month, and Isabelle was there.

Q72 **Gareth Snell:** How effective is that? It is all well and good disseminating



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that down through the system, but are you seeing an increase in decisions where children are going into familial situations rather than being taken into more statutory or non-familial situations?

Isabelle Trowler: In terms of the work of the Family Justice Board, the plan of action was agreed only a few weeks ago, so that has not been actioned yet. The best examples of where we have seen progress in what is happening to children and families are the authorities we have funded through the innovation programme. We have three really good examples: Leeds, which the previous panel mentioned, but also Hertfordshire and North Yorkshire. They are three strong authorities, which have shown that you can reduce your rates of intervention for care and care proceedings. We now have an £84 million uplift from the autumn settlement, and we are spreading that out to 20 authorities.

I was at West Berkshire, which is one of the authorities that has adopted the Hertfordshire model, about three weeks ago. They have been live for about nine months, and they tell me that they have reduced the number of children going into care by 38% in that period. There are things we could be doing. We have talked quite a lot so far about social needs, but the driver for intervention is what we do about those social needs, and that is very much tied up with the value base of the local authority, their appetite for risk and broader social factors.

- Q73 **Gareth Snell:** So the pilot areas that are receiving this funding are able successfully to keep children out of the care system by caring for them in other ways. Can I ask about those that are not in the pilot areas? There has been an almost 78% increase in over-16s and a 15% increase in those under 16 going into care. Proportionally, there has been a significant growth in children going into the care system, and a huge increase among those over 16, who are at possibly one of the most vulnerable points in adolescence. What is causing that, and what is the Department doing about it?

Isabelle Trowler: The first thing to recognise is that the number of new entrants—children coming into the care system for the first time—has actually gone down 3% in the last 12 months. It is really important to recognise that local authorities, which are up against it in a number of ways, are actually making a difference.

- Q74 **Gareth Snell:** But that is still significantly greater than the rate of population growth, isn't it?

Isabelle Trowler: It is, because children are staying in care for longer.

- Q75 **Chair:** When you talk about children going into the care system, do you mean into residential care or into the care system overall?

Isabelle Trowler: Into the care system overall.

- Q76 **Chair:** You say that that is a success; one would hope so, but it could be that local authorities are a bit stretched and some children are falling below the threshold.



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Isabelle Trowler: Well, I suppose one of the interesting findings is that the stronger authorities—those that have “good” or “outstanding” Ofsted results—have a rate of looked-after children that is between 20% and 30% lower. In general, the stronger authorities are bringing fewer children into the care system.

Chair: The NAO has not had a chance to look at all this, but we will be interested to see the figures at some point.

Q77 **Gareth Snell:** I am trying to understand what the Department thinks is the reason for the trend of more children entering the care system since 2011.

Isabelle Trowler: It is in the last 20 years that there has been a trend of more children entering the care system.

Gareth Snell: Okay, but quantifying it doesn’t explain it.

Isabelle Trowler: I think there are four things, and the variance is because the needs are different in different local areas. It is about the value base of the local authority and whether it has a good balance between support for families and protection of children. It is also about where the professional value base is, in terms of the role of the state and the point at which the state should step in.

That is very closely related to the appetite for risk within the local authority and for managing risk within the community. If you want to have fewer children in the care system, you have to do things differently. That appetite for risk will be influenced by the calibre of your workforce, your confidence in that workforce, where you are in the inspection cycle, the general culture of that organisation and the leadership of children’s social care.

The fourth is the broader social context, which is often about public mood and which shifts over time. What we think of as significant harm shifts over the decades—as a society, we have certainly seen a shift in the last 20 years in what we think of as abuse and neglect. Of course, there is also a range of things like the lack of finances, the evidence base and different Government policy agendas.

Q78 **Gareth Snell:** May I pick up on a couple of those points? You said that it was influenced by the calibre of the workforce. Are we talking about morale among social workers?

Isabelle Trowler: At all levels, yes.

Q79 **Gareth Snell:** Local authority budgets are being squeezed for non-statutory services, Sure Start centres are being reduced in service and schools have fewer support roles because they are now focused purely on academia. Some areas are struggling to recruit social workers to posts. How much do you think that struggle—I do not want to say “austerity”, but the general local government struggle with funding—is a driver of the increase in social care demands?



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Jonathan Slater: As the Chair pointed out at the beginning, councils have been overspending their children's social care budgets—

- Q80 **Gareth Snell:** Or they are underfunded to meet their need—that is another way of saying it.

Jonathan Slater: All right—they are increasing what they spend. Can we agree on that?

- Q81 **Chair:** Beyond what their budget is.

Jonathan Slater: I just said that they were overspending. They are increasing what they spend, so over recent years the number of permanent social workers has increased, the turnover has gone down and the sickness levels have gone down, alongside demand going up. Councils have done incredibly well, in obviously challenging circumstances, to protect their expenditure on the services that we are describing, such that they have been able to increase staffing levels. The impact of that has clearly been felt elsewhere, and as the previous panel said, you cannot carry on like that in perpetuity. That is why the work that we are doing for the next spending review is so important.

- Q82 **Gareth Snell:** Can I challenge you on that, Mr Slater? Bath Spa University did a survey of social workers and found that two thirds came into work when they were ill, because demands upon the service were so acute, while 40% of respondents are looking to leave the profession entirely because they are finding the workload incredibly tough. Nearly half of all social workers are dissatisfied in their job. How sustainable is that level of dissatisfaction? There is general wear and tear on our social workers. If you are saying that they are doing well and everything is fine—

Jonathan Slater: No, no, I am not saying that everything is fine. I was just pointing out that turnover and sickness are down—that's all I was saying. I was also saying that it is not sustainable. The financial situation that councils find themselves in needs to be addressed in the forthcoming spending review. I imagine that that is common between us. What is obviously critical in that situation is that the leaders of those social workers, as well as the Department, are doing all they can to support social workers to do the best job they can, which is why we work with struggling councils to help them improve their leadership.

I was in Bromley the other day with a council that failed its Ofsted back in 2016. It failed not because of the social workers, but because the leaders were not on top of the job either politically or operationally—agency levels were at 50%. Now, with some decent management and some councillors over the top of them who care, the quality of social workers' lives at work—and therefore the quality of children's lives at home—is much better. We have to do everything we can to do more of that.

- Q83 **Chair:** One London local authority gave us private evidence that the high cost of agency social workers is one of the reasons why a third of the social work workforce in that borough are agency workers. We have to be



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a bit careful about saying that the overall picture is that recruitment is going swimmingly.

Jonathan Slater: No, I definitely have not used the word “swimmingly” at any point in this hearing. I really have not. I have said that, in practice, good leaders bring down agency levels. A really good early warning sign that a council is not on top of its social services is the high number of agency workers.

Q84 **Chair:** Earlier, you talked about the extra money that had come into the budget for special educational needs and social care. Mr Snell and I know from experience—others do, too—that the money is discretionary spend, typically out of the general budget for social services. Are you saying that is going to change now—that the ring-fenced money that came into the budget is the way forward? You talked about hope for the spending review and so on, as if it is going to be earmarked specifically for this.

Jonathan Slater: All I was doing was trying to answer the question on the extent to which we can hope that the Treasury will listen to us with an incomplete database. I was saying that we have some evidence that the Treasury is listening to us, because it has allocated us more money, albeit only for 2019-20.

Q85 **Chair:** So you are not really bidding for ring-fenced money with MHCLG?

Jonathan Slater: As I said, we have not even launched the spending review yet. I would have thought that there was a need for local authorities’ funding situation for the next three years to be sorted out by MHCLG—that is its task in the spending review. I think there is quite a lot of good evidence that we should carry on getting the money we have had from the Treasury to support councils to improve practice—commissioning arrangements and the rest of it—because it is working, too.

Chair: It is interesting that you say it is working, but you cannot always pinpoint the causes.

Q86 **Gareth Snell:** Finally, Mr Slater, once you have the review that you have co-commissioned with the Treasury and the Ministry of Housing, Communities and Local Government, which will quantify most, but not all, of the drivers of social care, when will you have a response to the dataset that will allow you to work out how much money you need, where it needs to be spent and, crucially, how it needs to be spent?

Jonathan Slater: The reason we commissioned the work back in 2017 is that we thought it would take a couple of years to do sufficiently detailed analysis to be ready for the spending review. I want to be ready for the spending review later this year and to do my best possible estimate of the forecast increase in demand over the next three years, combined with the extent to which it is possible to manage the demand for better-quality leadership in those areas that have not yet got it, combined with evidence of the improvement in efficiency that we can achieve. Those are the three variables, and I need to get the best possible data on all three of them by the summer.



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- Q87 Gareth Snell:** If the spending review is delayed—there appear to be rumblings and rumours, which I will not ask you to comment on—what interim measures will you need to take to address some of the drivers identified in the report before such a review commences?

Jonathan Slater: We have got funding for 2019-20 in advance of the spending review. If the spending review were put back further, I would need more funding in the meantime.

Chair: Put your bid in—I am sure the Treasury is listening.

- Q88 Sir Geoffrey Clifton-Brown:** Mr Slater, is it ever acceptable for local authorities to use their discretion to take money from the mainstream schools budget to fund the higher needs budget, as would have happened in a number of local authorities, including my own, in this coming year, had we not had the extra money for higher needs?

Jonathan Slater: Yes. The systems we put in place require a local authority that wants to do that to consult the schools forum, which brings together headteachers from the locality—

Sir Geoffrey Clifton-Brown: Is it acceptable?

Jonathan Slater: Yes. That is acceptable. There are safeguards—we only allow it to a certain degree, with consultation and so on—but there are circumstances, absolutely, of course, in which that makes sense.

- Q89 Sir Geoffrey Clifton-Brown:** But is it acceptable, in a very low-spending authority such as Gloucestershire, which struggles with its mainstream schools budget anyway, to have that top-sliced to fund the higher needs budget? Shouldn't the higher needs budget be a totally separate budget and be funded properly?

Jonathan Slater: Clearly, if the Government were to increase the higher needs budget, less of a debate would be needed locally about the balance between the two. I don't get to determine the higher needs budget; I just get to advise, and the Chancellor gets to decide. If your question is—I was interpreting it as this—given the money that a council has got, in two budgets, should it be able to switch between the two if it wants to with the support of its schools, it seems to me that within a degree of margin the answer should be yes. Clearly, if you asked me whether I would like more high needs funding to go to Gloucestershire so there was less demand for that, yes please—but I don't get to decide that.

- Q90 Anne Marie Morris:** Mr Slater, what does good look like? What are the resources that you would expect an authority to have to deliver good-quality care in this area?

Jonathan Slater: Isabelle will give you a better answer than me, because she is more expert and has done the job herself. We of course ask Ofsted to define good and indeed, beyond that, outstanding. They use detailed criteria to judge good practice on the ground, but if you want to bring that to life, I would ask Isabelle to say more.

Anne Marie Morris: Ms Trowler, you're on the spot.

Isabelle Trowler: What's good in children's social care? For me, that is about having a very strong family focus; that you see that your day-to-day practice sits within the principles of the Children Act 1989, which is very much about local authorities supporting families to stay together; and that, where you think that that will significantly harm a child and that there cannot be sufficient change, you move rapidly to remove the child. If you do that, you should always look at extended family, to see whether or not the kinship care of extended family can look after the child. Once you are sure that family has been exhausted, you move through to another type of permanence—fostering, special guardianship or adoption.

In order to do that, you need a range of supports in place. It is my view—and I think this is coming through in the evidence from the innovation programme—that you need a multidisciplinary workforce to do that, which is not just about child and family social workers but about having psychologists on site, drugs experts and mental health practitioners. We often forget that when we work with families, mostly we are working with parents, to help them change their parenting or their social needs in some way.

You need multidisciplinary expertise, and really strong value-driven leadership—social work leadership—at the top of the organisation, who are really confident about making decisions about children, hold the back of their social workers, create a practice system that is confident and ethical in its decision making, and commission or deliver services that will support families. That, again, goes back to your local needs, but in general you need some kind of edge-of-care service, so when you are at that point with families that you think they will reach crisis, you have an intensive, sophisticated and multidisciplinary skillset that can go into the family for a very intensive period, and perhaps over an enduring period as well.

Indra Morris: One thing that is really important is that children's social care and social workers do not work in isolation. Another thing that is really important is the wider environment of the local authority: the engaged leadership from the chief executive, from the political leader and the lead member in particular. That comes up time and time again in the discussions we have.

Q91 **Anne Marie Morris:** On that leadership point, which is clearly critical, is there any measurement that looks at the equation between good leadership and Ofsted grading?

Indra Morris: There is. One of the things that does come up with Ofsted—and they have talked about this in their annual report—is that a change of the director of children's services is often a precursor to some instability. That is something we are talking with the sector about, because the pipeline of talent coming through is a challenge.

Q92 **Chair:** That is slightly different from whether that is good leadership.



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Indra Morris: Yes, but we don't always get clear signals or measures about the wider—this is perhaps one of those things that's hard to quantify. The quality of the political leadership is important, but quantifying its impact is quite difficult.

Chair: Sorry, but this is something that I think Mr Slater was waxing lyrical about. I don't think we disagree that it is a good thing, but Mrs Morris' question on that is very pertinent.

Jonathan Slater: Ofsted specifically measure and assess the quality of the leadership in the locality. Just as they do for schools, you can see their judgments about the quality of leadership council by council, because they rightly think that this is very important.

Q93 **Anne Marie Morris:** Okay, so you've got no real sense as to how important a part that plays.

Jonathan Slater: It is important, but I don't think we will ever be in a situation—just as we aren't for schools or hospitals, or even politics—where we have a quantifiable percentage. It is hard, isn't it?

Isabelle Trowler: But the quality of leadership is very important. It is absolutely critical.

Q94 **Anne Marie Morris:** Pleased to hear it. Ms Trowler, you have talked about what good looks like. What guidance is given to local authorities to try to deliver that good?

Isabelle Trowler: Five years ago, I don't think we were confident about the evidence base for that. Through the innovation programme that has been going on for the past five years, we now have a framework in which we are saying that if you have seven features of an effective practice system, and that is supported by seven aspects of leadership and governance, you are more likely to get the right outcomes for children and families.

We have used that to further scale up some of the most promising innovation programmes in other authorities. It is linked to what I was talking about with Hertfordshire, Leeds and North Yorkshire—there's a number of them, though. That is one thing, and that is now being scaled up across 20. The Partners in Practice group, which is a sector group of our strongest authorities—there's about 20 of them now—work closely with the Department, and they partner with local authorities that need help and support to understand how they can shift their practice system. That is very much about sharing the strongest practice with local authorities that need that help.

The third thing that has happened since we were last here is that we now have the What Works Centre for children's social care set up, which I think is absolutely critical. Having been in this sector for 25 years, it is incredible to me that we have never had a national institution that holds the intelligence about what you describe as "what does good look like?" That is now set up. It has set up its evidence bank, and it is starting to trial



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different ways of working with families, so there are a number of aspects that we have in place. We have the regional alliances across the whole country, which are feeding “what is promising practice?” into all local authorities. However, I would say that we are at the beginning of understanding that evidence base, because we have never made a concerted, continual effort to understand what families need.

Indra Morris: What has changed since the last time we were here is that in addition to working with the inadequate local authorities to help them, we are also now working with more “requires improvement” authorities. Rather than waiting until the point where we get to intervention, we are working alongside those authorities—including with the Partners in Practice—to share and embed that experience and evidence more widely.

- Q95 **Anne Marie Morris:** Ms Trowler, do you think that the way Ofsted then goes around doing its business is adequate and appropriate to measure whether what you describe as good practice actually exists?

Isabelle Trowler: I think that Ofsted has a really good grip on what safety looks like. I am really confident about its ability to walk into an authority and get a sense of whether it is a safe system. It looks at it through a particular lens—a safety lens. I would like it to look more at what we can do to keep families together and at the quality of the overall risk management within services, which doesn’t always come through in its reports.

- Q96 **Anne Marie Morris:** Okay. Presumably that also means that that good practice is sometimes not taken into account in the reports and is not reflected—

Isabelle Trowler: The risk management aspect?

- Q97 **Anne Marie Morris:** Well, the risk management, as you have described, is exactly what Ofsted is looking at. The other bits of good practice, which I think we all agree are equally important—such as the family and so on—are not taken into account when Ofsted comes up with its value judgment of good or outstanding. It is not going to reflect that.

Isabelle Trowler: I think it has started to do that more recently. I can think of a couple of inspection reports—including for Bexley, I think, which has just been rated outstanding—in which it makes reference to recognising that the clarity of purpose for children’s social care is about keeping families together safely.

- Q98 **Anne Marie Morris:** So it wouldn’t be a bad plan, if Ofsted is listening in, to add that. What about the concept of money?

Jonathan Slater: To defend Ofsted, since they are not here, we are on a journey here. What a cliché—sorry. Two years ago, we had one outstanding local authority that wasn’t just doing the basics right but was great. That was Kensington and Chelsea. Now we have eight. There is a lot better practice, beyond getting the basics right, that we, the What Works Centre and Ofsted can make use of. I would expect this to be a more



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significant feature of their work, going forward. Frankly, two years ago, all of us were focusing our efforts on making sure the basics were in place.

- Q99 **Anne Marie Morris:** Ms Trowler, one of the things that is not measured by Ofsted is value for money. It is kind of curious that if you look at all the authorities that are rated good, the expenditure is all over the place. What is your comment on that? Do you think Ofsted should be looking at cost-effectiveness?

Isabelle Trowler: It depends what you mean by cost-effectiveness, I suppose.

- Q100 **Chair:** There are wide variations in the price of providing the same thing.

Jonathan Slater: Can I have a go first?

- Q101 **Chair:** Actually, the question was for Ms Trowler.

Isabelle Trowler: I don't know whether I can answer it. Cost-effectiveness, for me, means that they need to be looking at individual placements for a child in residential or secure, for example, and whether that young person benefited from that high-cost provision. Was it the right provision for them? What were the outcomes for that young person? Was it worth it? I don't know whether they have done that historically. I can't remember them doing that historically. It would be a departure for them, I think.

- Q102 **Sir Geoffrey Clifton-Brown:** Mr Slater, paragraph 1.4 on page 14 of the Report says: "However, the Department told us it is now increasingly interested in taking a specific view about costs, value for money and the sustainability of children's social care services." Does that mean that you think Ofsted should have a greater role in this area, or is it a departmental matter?

Jonathan Slater: No, I am not proposing to change Ofsted's brief. When Isabelle says that it depends what you mean by cost-effectiveness, I think she was thinking the same as me—she will tell me if not. There are two different angles here. The first is who should go into care. Don't send somebody into care if you shouldn't send them into care. That is where the big cost is. Secondly, once sending them into care is the right thing to do, they should be sent into care in cost-effective provision.

Ofsted do have a role in respect of the first: do they see in front of them confident social workers who are well led and well placed to make good risk judgments? I don't think it is useful, particularly for Ofsted, to focus their attention on the particular cost-effectiveness of the commissioning arrangements. There is a big job for us to do—it might be that you are about to challenge me on how well we are doing it—on improving the effectiveness within which councils commission residential care, fostering and so on. We asked Martin Narey to advise us on that; we are implementing his recommendations. Maybe we should be going faster with that, but we see that as our task—to help councils to bring down their unit costs.

Q103 Anne Marie Morris: In which case, Mr Slater, do you think that local authorities currently have the resources they need to deliver sustainable high-quality care?

Jonathan Slater: They are increasing the amount they spend year on year by using resources from elsewhere—sometimes from reserves and sometimes from other services—so the evidence is that what they are currently budgeting does not meet their needs. That is an obvious conclusion to reach. An important question for the spending review is how we address that fact.

Equally, we would all want to make sure that councils, as I said earlier, have sufficiently high-quality, well-led, evidence-based social work practice going on, so they can manage the demand they have as well as possible. It is striking, for example, that the number of section 47 inquiries in outstanding local authorities has not gone up in the last four years, whereas, on the back of an intervention in a failing local authority that I was in the other day, the number of children who went into care went right up, because frankly, the council had not previously been doing its job properly and had not been putting children into care who should be. It is quite complicated, this—the answer varies a lot council by council.

Q104 Anne Marie Morris: In which case, Mr Slater, to ensure that you get value for money, presumably that is an issue that you need to address. How are you going to address that?

Jonathan Slater: We are addressing it in two ways. We address it by working in a very intensive way with those local authorities that are poorly led. We have managed to help to get what was 30 inadequate councils down to 19. Obviously, we are not going to stop until it goes down and down. As Isabelle said, that is by getting those councils that are really good to help those councils that need more help. Essex helped Birmingham to get better, to take one example. Camden is helping Croydon to get better. It is our job to facilitate and help that with our funding. That is the sort of thing we do to improve the quality of leadership and social work practice.

Alongside that, as you discussed with the previous panellists, the most cost-effective commissioning is done when councils collaborate with each other—you can get better value for money by doing it collaboratively. Martin Narey's reports in 2016 and 2018 demonstrate there is quite a lot further to go. We need to help councils and we are funding three of them—Havering, Essex and another—to try to drive up the quality of that commissioning.

Q105 Anne Marie Morris: Ms Trowler, we see the number of children going into care going up. What realistic options are there for doing something different? Interestingly, I think Mr Slater said that sometimes, councils were too quick to put them into care when they should not be, but I suspect that many councils are actually doing the reverse and not putting them in fast enough. Is there something about how you give guidance as to when you should and when you shouldn't? Because once you do, it is



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very expensive. Also, are there any other options to be created to try to find some sort of interim arrangement that gives a chance to take a second look at the problem and decide whether that is right?

Isabelle Trowler: I am not quite sure what you mean by an interim solution.

Anne Marie Morris: There is a line, isn't there? There comes a point when you say, "Right, this person has to go into care." Mr Slater is saying that some make the decision too early. Is that because they do not have the information? Some make it too late and you land up with a much more expensive and, frankly, damaged child at the end of it. Is there something wrong with the process or is it about the advice and guidance?

Isabelle Trowler: No, I think the legislative framework and the framework of practice is there. The Children Act is really clear. If a child is at risk, we—local authorities—have the ability to make an application to court and to remove them, in an emergency or otherwise. We have the ability to work within families and within communities. We also have the power to create partnerships between state and family where children come in on a voluntary basis with their parents' permission. We work with them for a short period of time, so that we can try to address whatever the concerns are within the family.

Q106 **Anne Marie Morris:** That is very helpful, Ms Trowler, but the question is, "Do you think all authorities interpret risk at the same level?"

Isabelle Trowler: No.

Q107 **Anne Marie Morris:** Okay. In that case, how are you going to change that?

Isabelle Trowler: For me, that is the critical question. People have different interpretations of risk—not just within local authorities but also within the court system—so trying to calibrate decision making across whole nations and across a multi-professional group is pretty hard to do. That is why, from a social work perspective, I think that we need to do more to have post-qualification qualifications. We have, for example, the practice leader group and a development programme for practice leaders. They are the most senior social workers in authorities, who run the day-to-day operations.

Q108 **Chair:** I do not want to interrupt Ms Morris's flow, but I think it is worth highlighting an article that you wrote at the end of last year for a study that you did, Ms Trowler. I am reporting a summary of it, but you said that "although the vast majority of decisions taken to initiate care proceedings were 'certainly reasonable', it is questionable 'whether or not they were always necessary'." Firstly, would you explain that a bit more, and secondly, you talk about training social workers, but what are you actually doing to get that through? That was one of your major remits when you were first appointed nearly six years ago now.

Isabelle Trowler: The quote is from a piece of work that I did last year over a number of months in four different local authorities, looking at a



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number of families who had been subject to care proceedings, involving about 150 children. The conclusion was that you could quite see why local authorities were making applications to court, but the question was, "Was it always necessary?" The reason why we asked that question was that about 20% of families—again, there is big variance—who go into the court arena end up staying together. The variance is wide, from 8% at one authority to 37% at another. But that begs the question, because court is hugely traumatic to families and it is very expensive to do, if the children stay at home anyway, could we have done it differently?

Q109 Chair: What about the preventative work? We have heard some compelling evidence from Cathy Ashley from Family Rights Group about trying to get early intervention before court action. Have you written down a result of that study and how are you training social workers to do what you have recommended? You are the chief social worker; that is a major part of your role.

Isabelle Trowler: The work has been influential in decisions of the Family Justice Board and what we do next. A number of things are running in parallel. One of the decisions of the Family Justice Board is that we look at how we calibrate social work decision making across the country, which is not something that we do currently, and also to work with the judiciary to see how they can learn more about the impact of the decisions that they make.

Q110 Chair: I vaguely remember talking to you a couple of years ago about calibrating social work practice. I think that was what we talked about then. What progress has been made in the last few years?

Isabelle Trowler: A number of CPD programmes that are now up and running, so—

Q111 Chair: Continuing professional development, for those who might wonder what that stands for.

Isabelle Trowler: Yes, sorry. We have a practice leaders programme for which we are recruiting our third cohort.

Q112 Chair: How many people have gone through that?

Jonathan Slater: Forty-two at the leadership level.

Q113 Chair: What percentage is that of the leadership level? Ms Trowler should probably know roughly. What is the rough percentage? If there are 42 social workers of leadership cadre, what percentage is that of the leadership?

Isabelle Trowler: It is about a third.

Jonathan Slater: At the local-authority level, about 1,000 at supervisor level will be going through over the next 12 months or so. That is the scale. That was the theory and Isabelle has now put that into practice.

Q114 Anne Marie Morris: They say that prevention is better than cure, yet we seem to have cut an awful lot of the preventative programmes—I am not



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talking about just before court—and are spending much more on the cure. Have we got that right or have we got it wrong? One of the points that comes out of the NAO Report is that there isn't a link between local government having cut those programmes and the incidence of needing to go into care.

Isabelle Trowler: The "industry", I suppose, of early intervention, or the journey that we have all been on through early intervention, has got us to a place where—even the Early Intervention Foundation will say this—we have not always commissioned the right sorts of services and with the right sort of skill level. The families that end up in the court system, or children that end up in care, are coming from families with really entrenched difficulties, often across generations. That is serious violence, addiction, sexual abuse perpetrators. I do not think that the sorts of early help services that we have been commissioning generally, have much of a chance of ever stopping that trajectory into the high-risk part of the system.

That does not mean that those family support services have not had value; but they have value for a different cohort of families. So having those strong, locally-based, community-based family support services is in my view a good thing. You help families with problems have fewer problems, or just help them not get much worse. But actually the families that we are talking about need a much more sophisticated response. I think we are reaching a point now where the Early Intervention Foundation would say itself, in its latest report, that the evidence that we do have shows that what we should be commissioning to help high-need families, we have not been commissioning. So I think there is a lot to do in that space.

Q115 **Anne Marie Morris:** Can I conclude from that that you feel we should be commissioning it, and is it something that you and the Department are actively looking at?

Isabelle Trowler: I think local authorities should be designing services that have a good evidence base and that are proven to help families where there is child abuse and neglect. That is what the children's social care system needs to focus on. There are broader welfare concerns for a much larger group of families.

Q116 **Anne Marie Morris:** But, Mr Slater, don't you think in a sense it is not terribly cost-effective to ask each authority to sort the problem and design the system? Isn't there a role for the Department?

Jonathan Slater: Absolutely. That is one of the primary purposes of the innovation programme that we talked about. Having worked with 116 local authorities, some we have been able to identify are really good at that specific issue. Isabelle was talking about three such local authorities earlier on. The funding we got from the Treasury for 2019-20 will be particularly focused on spreading that best practice that was identified in three councils to a further 20. That is absolutely the sort of thing the Department should be doing, and the more money we get for it, the more we will do of it.



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Q117 **Chair:** It is piecemeal funding at the moment.

Jonathan Slater: I will take all the money that I am given to improve the quality of services at my disposal.

Chair: If you were given £100,000 for every time you have effectively bid for money from the Treasury, you would be doing okay by now—or certainly social work would.

Q118 **Anne Marie Morris:** I have a final request, Mr Slater: could you send us some examples of that good practice in those three authorities? I think I would find that very helpful—along with your plan to disseminate across.

Jonathan Slater: Yes, of course.

Sir Geoffrey Clifton-Brown: Mr Slater, can I clarify an answer you gave a little while ago—a very interesting answer? You said of the outstanding authorities the number of section 47 inquiries—that is the most serious ones, where children were at danger of significant harm—had hardly varied in the last, I think you said four years. Yet the NAO Report shows at figure 8 an almost six-fold differential between the best and the worst authority. Do you attribute that to local authority performance, or is it demographics of their population, or is it a mixture of both?

Jonathan Slater: I also said that it was a very small sample size. There was one outstanding local authority; it has increased to eight—so we are back to the difficulty of extrapolating in a sort of quantifiable passing-a-maths-test way. I was using it as an indication of some evidence for the fact that our focus on improving the quality of social work practice and leadership on the ground—you should expect to see that driving a more and more mature approach to risk management on the ground. Self-evidently, the fact that section 47 numbers have been increasing much faster than child protection plans suggests more risk-averse behaviour across the system as a whole. I am certainly not going to criticise social workers for being safe rather than sorry, but the most mature, expert risk management exercises that can be done would reduce that discrepancy, would it not? It seems to me that we should not be surprised to see that outstanding authorities seem to be on top of it, but I am not overdoing the maths.

Q119 **Sir Geoffrey Clifton-Brown:** Let us turn our attention to the other end of the spectrum and the 60% of local authorities where children's social care services are rated inadequate or requires improvement, such as Gloucestershire, where my constituency is. Are you satisfied with that figure?

Jonathan Slater: No, it is terrible. We have a twin-track approach. As you would expect, we are working intensively with each local authority that failed its Ofsted inspection. We are not telling them what to do; we are trying to disseminate great practice. We are trying to pair up those councils that are doing really well with councils that need their help. That is one thing that we do.



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We have reduced—well, the number of inadequate councils has fallen from 30 to 19. We have helped, although they have obviously done the main thing themselves. Our aim is to get all those councils that are currently rated inadequate out of that category. It takes us and those councils an average of two and a half years to do that; sometimes it is quicker, sometimes it is longer. The team of people working for Isabelle and Indra are absolutely tireless on that, as you would expect.

However, as Indra also said, we have increasingly worked with those councils that are rated requires improvement to be rated good, to try to minimise the extent to which they slip further down and of course to help them to improve. Back in 2017, six RI councils went the wrong way; in 2018, it was two. Things could go wrong at any minute: Bradford, Blackpool and Wakefield have all gone the wrong way in the last 12 months. We are working as hard as we can to reverse that trend.

Q120 Sir Geoffrey Clifton-Brown: Nevertheless, for parents—let alone children—in an area like mine, which is inadequate and has been for a year or two, do you think the pace of change is quick enough? If not, what more can the Department do about it?

Jonathan Slater: I am happy for Isabelle and Indra to bring the story to life, if that would be helpful to you. Obviously we want this to happen as quickly as possible. You can see that, sometimes, councils get out of being rated inadequate more quickly than two years, and the quicker they can do that, the better, but it would not be surprising for it to take time to tackle the sort of things I have seen, such as half of staff being agency staff. This stuff can take time to put right, but we obviously want it to happen as quickly as it possibly can.

Q121 Sir Geoffrey Clifton-Brown: I am just wondering whether this twinning or pairing arrangement between good and bad authorities goes far enough. It seems that the pace of change is still slower than it ought to be, and I wonder whether you, the Department, could do more. With great respect, I think your answer is a little complacent. I think the Department should do more to enable those that are inadequate to get out of it quicker.

Jonathan Slater: I am sorry if I came across as complacent. This is by far the most important thing that I do. Children's lives are at stake. We do not seek to be complacent. I am just describing the nature of the challenge we face. Certainly, the work I have described is not the only thing we do. A critical first question for us is the extent to which we have confidence that the political and executive leadership of the council can sort it out. Indra talked earlier about the critical importance of that factor. More often than not, the answer is no, otherwise the council would not have got into that situation, so we send in a commissioner.

Sometimes we establish a trust, to put the children's social care at arm's length of the local authority, because we do not have confidence that the authority can sort the problems out. We put several different factors into

place in different circumstances, doing whatever we can, alongside the system-wide improvements that Isabelle and Indra have talked about.

Sir Geoffrey Clifton-Brown: As we have already heard, 91% of local authorities have overspent on their children's services, yet the Department does not fully understand the reasons for that, as one of your Ministers admitted in a Westminster Hall debate last week. How are you going to argue effectively with the Treasury for more resources when it comes to the expenditure round if you do not understand the causes that are driving this huge increase?

Jonathan Slater: It sounds a bit like the discussion I was having with Mr Snell that ended with me having a bit of an attitude, so I will have another go.

Gareth Snell: In my defence, it was the Chair who said that.

Chair: It is me who slings the insults.

Jonathan Slater: And it was my attitude—not yours, Mr Snell—that was called into question.

Chair: It was not an insult really; it was just a comment.

Jonathan Slater: We are getting better and better at understanding demand. We will never “fully” understand it. *[Interruption.]* The Comptroller is nodding. We will never fully understand it, because it is too complicated to understand all that variation nationally, but we will understand it more and more.

Given that we have two universities and one expert consultancy that have been working for 18 months, now with 3.3 million pieces of data about individual children, I am expecting by the summer, with the spending review, to have the best possible evidence base to put in front of the Treasury, along with what we can see on the ground—the good practice where councils have done really good commissioning, and where they have not. We are doing all the preparation we can.

Q122 **Sir Geoffrey Clifton-Brown:** Two years ago, you told us you would deliver high-quality care to all children by 2020. Why has that now slipped to 2022?

Jonathan Slater: The Department published that ambition before the previous hearing of the Committee in 2016. I was lucky enough to inherit that ambition. The challenge that you laid down, with the NAO's support, was that having an ambition is all very well, but what about a detailed plan and trajectory? I thought it was a fair cop, and we produced a detailed plan, which I am happy to be held to account for in front of you today.

We think we are on track with that plan. When we got into the level of detail required for milestones—for example, when will Gloucestershire get out of inadequate rating?—which the Committee was right to say we needed to do, the fact of the matter is we were not convinced that we



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could hit that objective by 2020. We have set ourselves until 2022 to implement the actions in that plan. Even then, I am not able to sit in front of you and say that there will be no councils failing their Ofsted inspections in 2022. Clearly there will be. Some schools fail, some hospitals fail, and some councils fail. Our aim is to minimise that number by that date.

Q123 Sir Geoffrey Clifton-Brown: Are you absolutely confident now that your plan, and the details of it that you have in place, will, broadly speaking, deliver that pledge by 2022, and that it will not slip further?

Jonathan Slater: It depends how you define it, which was the critical question last time. Will we have put the building blocks in place comprehensively for a good nation-wide system? Yes. Will at least one, if not more—half a dozen? Who knows?—councils be failing their Ofsted inspections in 2022? You would have to be a very brave person to say, “None will be.” If one council is failing its Ofsted inspection in 2022, that means, in practice, children not looked after as well as they should be. We all want that to be zero. I cannot sit in front of you—

Q124 Chair: So how much of this is related to local government funding, because in the end we get back to that nub. On all the plans Ms Trowler has for training social workers, and the early intervention work—we have had evidence from Ruth George, one of our colleagues, about the cuts to supported schools, which is in your remit—we have a lot that is stretched very thin. Can local authorities deliver to your 2022 plan unless they get more funding?

Jonathan Slater: Councils have been increasing their spend to protect these services. The quality of those services has been improving—not universally, but nevertheless it clearly has been improving, with 30 rated inadequate down to 19. Is that sustainable? No, because some councils have been drawing from reserves. Some councils have had to draw from funding for other services. You cannot carry on like that forever. That is the starting point for the next spending review.

Q125 Chair: We are going to call an end to this bit of the session now, because we want to ask you a couple of other quick questions. We had a session on mental health with your colleague at the Department of Health and Social Care, and it became very apparent that schools have a huge part to play in that. Can you tell us how many schools are in the mental health pilots at the moment? Do you know?

Jonathan Slater: Do you mean the trailblazers for the joint service?

Q126 Chair: Yes.

Jonathan Slater: We haven’t quite nailed that down, but what I can tell you—

Q127 Chair: You haven’t nailed it down? Just to be clear, do you mean that you do not know the number, or that you have not nailed down which schools will be involved?



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Jonathan Slater: Both, but we are close. I can give you some information. We have 59 teams in 25 areas of the country; I would expect each of the teams to be supporting about 20 schools. That is 59 teams, each supporting about 20 schools and colleges, so we are talking in the order of 1,000, but we have not pinned the number down yet.

Q128 **Chair:** How are you assessing whether the school funding issues have an impact on what they can provide within those pilot areas? We have heard, for example, that school nurses were seen as critical by the Department of Health and Social Care, and we pointed out that school nurses are funded by local councils and not by your Department, in this case, and are often cut because they are not an essential statutory service for local authorities. Similarly, other preventive work or pastoral work in schools—

Jonathan Slater: I hope you did not have to point that out to Chris.

Q129 **Chair:** There was one witness who did not seem to understand that school nurses were part-funded by local government. It was not the permanent secretary, to be fair.

Jonathan Slater: No, no, of course not. It will obviously be important for us to track the outcomes of these trailblazers on the ground; that is the point of having them as pilots. Clearly, one of the things we are looking at is ensuring that there is no substitution. There is no point investing here if there is a concomitant cut over there, so that is one of the things we will be measuring.

Q130 **Chair:** Do you have any understanding of what mental health activities are taking place in schools with the teenagers? The main thing we were discussing was how difficult it is if a teenager has a crisis.

Jonathan Slater: Yes. About 61% of schools currently have a counselling service, which is slightly more than—

Q131 **Chair:** Do you measure the quality of that? A counselling service can be a lot of things. In some of my primary schools it is a classroom assistant, and in others it is proper, professional support brought in—although these days, that is so expensive it is much less common than it used to be.

Jonathan Slater: We have some data about the baseline: 68% of schools have a designated lead who liaises with mental health services. We have data about the school nursing provision. So we have some data, and we will be looking to see the extent to which this new service is genuinely additive and delivers good results on the ground. That is precisely the purpose of the pilot.

Q132 **Chair:** When will you be able to send us information about the data you have? Can you write to us with more data, rather than going through the numbers here?

Jonathan Slater: Yes. Perhaps the thing to do would be to write when we have pinned down which schools and colleges are involved.



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Q133 **Chair:** When will that be? Can you give us an idea of time?

Jonathan Slater: Very soon.

Chair: Very soon.

Jonathan Slater: I don't mean that in a facetious way—I really don't. I have told you 59—

Q134 **Chair:** It's like the spending review, which might be next year, the way we are amalgamating evidence.

Jonathan Slater: No, no; I don't know the date, but it will be very soon, I promise.

Q135 **Chair:** What about young people who are not in school or college? Obviously, they are part of your responsibility; they could be in other educational settings, such as home schooling or other such situations, or not in school for various reasons. How are you measuring mental health support for them?

Jonathan Slater: This is one of the many commitments in the new NHS plan, isn't it, to provide—

Q136 **Chair:** Which has partly landed on your Department, so I am wondering how you are managing.

Jonathan Slater: We are focusing our contribution, as we have just discussed, on schools and colleges at this point. The pre-school mental health provision that you have referred to is going, in the first instance, direct from the NHS to the mothers, the pregnant women, and indeed the fathers.

Q137 **Chair:** That is pre-school. What about the kids and young people who are not in school for whatever reason—home education, for example?

Jonathan Slater: Pupil referral units get covered by the mental health teams as well. We are covering those aged five to 18 through these joint mental health teams that we are starting to pilot. Pre-school is being dealt with by the NHS, direct to the parents.

Q138 **Chair:** What about if a young person is perhaps in, as you mentioned, a pupil referral unit? There are some young people who bounce from school to school and are never anywhere for very long, so they will therefore not necessarily get picked up by your Department. Do you think there is enough support? Will you be looking at them?

Jonathan Slater: I would hope so. One of the purposes of establishing these teams to work across a locality is precisely to take a geographical approach, rather than a school-by-school approach. I definitely see that as one of the potential benefits of this model, but we will have to see.

Chair: This is an area that we will pursue with you further. Thank you all very much indeed for your time. The uncorrected transcript will be up on the website in the next couple of days, and our Report will be out in due course.