



Children & Young People Board

Agenda

Tuesday, 27 June 2023
11.00 am

Hybrid Meeting - Beecham Room, 7th Floor,
18 Smith Square and Online

There will be a meeting of the Children & Young People Board at **11.00 am on Tuesday, 27 June 2023** Hybrid Meeting - 18 Smith Square and Online.

LGA Hybrid Meetings

All of our meetings are available to join in person at [18 Smith Square](#) or remotely via videoconference as part of our hybrid approach. We will ask you to confirm in advance if you will be joining each meeting in person or remotely so we can plan accordingly, if you wish to attend the meeting in person, please also remember to confirm whether you have any dietary/accessibility requirements. 18 Smith Square is a Covid-19 secure venue and measures are in place to keep you safe when you attend a meeting or visit the building in person.

[Please see guidance for Members and Visitors to 18 Smith Square here](#)

Catering and Refreshments:

If the meeting is scheduled to take place at lunchtime, a sandwich lunch will be available.

Political Group meetings and pre-meetings for Lead Members:

Please contact your political group as outlined below for further details.

Apologies:

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting.

Conservative:	Group Office: 020 7664 3223	email: lgaconservatives@local.gov.uk
Labour:	Group Office: 020 7664 3263	email: labgp@lga.gov.uk
Independent:	Group Office: 020 7664 3224	email: independent.group@lga.local.gov.uk
Liberal Democrat:	Group Office: 020 7664 3235	email: libdem@local.gov.uk

Attendance:

Your attendance, whether it be in person or virtual, will be noted by the clerk at the meeting.

LGA Contact:

Abigail Benari
abigail.benari@local.gov.uk

Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of £9.00 per hour or £10.55 if receiving London living wage is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

Children & Young People Board – Membership

[Click here for accessible information on membership](#)

Councillor	Authority
Conservative (7)	
Cllr Patricia Bradwell OBE (Vice Chairman)	Lincolnshire County Council
Cllr Roger Gough	Kent County Council
Cllr Kam Kaur	Warwickshire County Council
Cllr Laura Mayes	Wiltshire Council
Cllr Antony Mullen	Sunderland City
Cllr Mark Sutton	Staffordshire County Council
Cllr Adrian Hardman	Worcestershire County Council
Substitutes	
Cllr Ryan Brent	Portsmouth City Council
Cllr Robert Flatley	Derbyshire County Council
Labour (7)	
Cllr Louise Gittins (Chair)	Cheshire West and Chester Council
Cllr Beverley Momenabadi	Wolverhampton City
Cllr Adam Ellison	South Tyneside Council
Cllr Fiona Venner	Leeds City Council
Cllr Imran Khan	Bradford Metropolitan District Council
Cllr Mili Patel	Brent Council
Cllr Tim Roca	Westminster City Council
Substitutes	
Cllr Gary Bridges	Manchester City Council
Cllr Daniel Francis	Bexley Council
Cllr Leigh Redman	Somerset County Council
Liberal Democrat (2)	
Cllr Lucy Nethsingha (Deputy Chair)	Cambridgeshire County Council
Cllr Mark Cory	Colchester Borough Council
Substitutes	
Cllr Dine Romero	Bath & North East Somerset Council
Cllr Cordelia Law	Torbay Council
Independent (2)	
Cllr Julie Fallon (Deputy Chair)	Conwy County Borough Council
Cllr Judy Jennings	Epping Forest District Council
Substitutes	
Cllr Julian Dean	Shropshire Council
Cllr Charlie Hull	South Somerset District Council
Cllr Jon Hubbard	Wiltshire Council
Cllr Edward Maxfield	Norfolk County Council

Agenda

Children & Young People Board

Tuesday, 27 June 2023

11.00 am

Hybrid Meeting - 18 Smith Square and Online

Item	Page
1. Welcome, Apologies and Substitutes, Declarations of Interest	
2. Note of the Previous Meeting	1 - 8
3. Domestic Abuse Commissioner, Nicole Jacobs	9 - 16
4. Early Years Education and Childcare	17 - 40
5. Children's Placements Working Group Final Report	41 - 96
6. Proposed Ofsted Regional Adoption Agency inspection	97 - 98
7. Review of RIIA Effectiveness from CIB Working Group	99 - 106
8. CYP Board activity at LGA Annual Conference	107 - 110

Date of Next Meeting: Thursday, 5 October 2023, 11.00 am, Hybrid Meeting - 18 Smith Square and Online

Minutes of last Children & Young People Board meeting

Children & Young People Board

Tuesday, 14 March 2023

Hybrid Meeting - 18 Smith Square and Online

Attendance

An attendance list is attached as **Appendix A**

Item	Decisions and actions
------	-----------------------

1 Welcome, Apologies and Substitutes, Declarations of Interest

The Chair welcomed members of the Children and Young People Board to the meeting.

Apologies were received from Cllr Fiona Venner and Cllr Antony Mullen. Cllr Garry Bridges and Cllr Robert Flatley were in attendance as substitutes.

There were no declarations of interest.

2 Note of the Previous Meeting

The minutes of the previous meeting were agreed as a correct record.

3 Early Years Education and Childcare

The Chair invited Flora Wilkie, Policy Adviser to introduce the item which detailed the challenges with the early education and childcare system in England in relation to cost for parents, access to local provision and support for more vulnerable children. Members were advised that two roundtables which had taken place included approximately 30 local authorities from different areas to gain a diversity of views, which further emphasised the continuing need for local oversight because the challenges and provision varied in different places.

Members raised the following points:

- The difficulties related to the different but overlapping issues between childcare and education and what the priorities should be. Government policy should make clear the distinctions. Funding and tools would be needed to address this.
- Councils' role in quality assurance was highlighted.
- Short and long-term issues needed to be addressed separately, particularly in dealing with the fallout from COVID.
- Ability to support children in more deprived areas, despite the

shortfall in provision of children's support in these areas.

- Concerns were raised about parental take up of provision.
- Increased complexity of children needed to be catered for. Members commented on the reduction in likelihood of SEND issues being picked up if children were not in education or childcare, which would lead to increased costs long-term and poorer outcomes for children.

The Chair commented on the role of local authorities working alongside maintained schools, that have taken on early years provision and direct delivery, which highlighted the disjointed nature of the system. This raised questions concerning quality assurance and how this could be measured fairly across the country.

Following queries, Clive Harris commented that the SEND improvement plan identified the need for early identification and support to help reduce the pressure on Council budgets.

Decision

The Board agreed that Members views provided above in response to questions posed in paragraph 11 will inform LGA policy lines for early years education and childcare.

Action

- Officers to feedback at the Children and Young People Board in June.

4 Claire Coutinho MP

The Chair welcomed Claire Coutinho MP, Minister for Children, Families and Wellbeing, to the meeting of the Children and Young People Board.

The Minister emphasised that the government wanted to strengthen loving relationships between families and outlined that the £200 million funding for children's services would be spent to focus on:

- Families in crisis - by first addressing early intervention/help for families suffering from drug abuse, mental health challenges and domestic violence.
- Use of Kinship carers – to maintain connection to family where possible.
- Social workforce – reduce turnover of staff to reduce instability in relationships.
- Care leavers – focus on providing better access to opportunities.
- Market for placements – children's homes and supported accommodation.

Members comments:

- Funding for children's homes and the fostering sector was urgently

needed due to the increasing costs of placements which was unsustainable.

- A member asked how regional care cooperatives would be rolled out.
- Concern was raised around local government's role in quality assurance as local authorities provided a link between education and care.
- Education for parents was needed to prevent the over reliance on Education Health and Care Plans (EHCPs). EHCPs can be seen as a magic bullet but other measures can and should be explored to ensure the best outcomes for children.

The Minister's response:

- A review of funding for children's homes and fostering was needed to ensure specialist provision could be provided to those in real need.
- In order to improve placement stability, security, safety and permanence for children, significant work was being undertaken to improve the fostering system including an uplift to the national minimum allowance, the roll out of the Mockingbird Programme and work to help recruit new foster carers (only 4% of those interested in foster care become foster carers).
- There would be two pilots of regional care cooperatives to test integrated commissioning of services. This would include secure accommodation to match need regionally and reduce issues such as bidding wars. Members were pleased with this 'test and learn' approach.
- A system strategy would be worked on with the NHS to provide a joint specialist health workforce.
- A new inspection framework would ensure local authorities would be at the heart of quality assurance, however each partner would have a social care inspector. Local inclusion plans and partnership working, would put local authorities at the centre of assessing strategic need in SEND – which would allow councils to drive partners in quality assurance.
- Ambitions and funding to train 5000 early years practitioners to become SENCOs.
- Need for further teacher training was noted and practice guides on national standards on good intervention in SEND would be

distributed. [Nuffield Early Language Intervention \(NELI\)](#) had produced promising results. Increased provision and mental health support teams would be explored in schools.

- Agreed that it was important to increase knowledge across the mainstream system which would provide parents with understanding of EHCPs.

The Chair thanked the Minister and emphasised the enthusiasm of the Board to continue the dialogue.

Decision

The Board agreed to note the update on the Implementation Strategy and SEND.

Action

- Children Social Care Placements Task group to share final report in June with the Board and the Minister.

5 Children's Social Care Implementation Strategy

The Chair invited Louise Smith, Senior Adviser to introduce the item on 'Stable Homes, Built on Love' which the Minister had referred to in item 4, and invited views on the children's social care implementation strategy to shape the LGA's consultation response.

Members comments:

- Consensus of disappointment in the lack of funding.
- Information requested on the pathfinder and pilot areas.
- Members agreed that capital-intensive specialist provision should be rolled out regionally, as there is not the need on an individual local authority basis.
- Consensus there was a lack of clarity around what a Regional Care Cooperative (RCC) was, including whether these would use large or the desired smaller children's homes. The Chair emphasised the importance of flexibility around the footprint of RCCs including having regard to the footprint of ICSs.

Louise Smith addressed members comments:

- Lead Members had recently sent a letter to the Minister which highlighted the difficulty of driving forward significant reform when funding was limited, as well as funding being directed to pathfinders rather than the wider system.
- Pathfinders and pilots would be worked out by the Government,

officers would share when known. LGA would push for a variety of councils to be involved in this scheme to ensure that regional care cooperatives would not be rolled out unless proven to work for everyone.

- Lack of information shared on the definition of Regional Care Cooperatives. [Josh MacAlister's report contained flowcharts](#) which described the process of child placement. The LGA would be involved in the ongoing process to co-develop this, there should be an Advisory Board working closely with the DfE to address what this should look like and how it would work in different areas.
- The creation of large children's homes would be unlikely - the aim would be to pool council budgets to develop the provision that children need within that region.

Louise Smith explained that this will be a long process (beyond the next general election), with many DfE working groups feeding back on various parts, and thus feedback from this Board would continue to be sought.

Decision

The Board agreed that Members views provided above on the children's social care implementation strategy should inform the LGA's response to the consultation.

Actions

- Louise Smith would put together the LGA response to the consultation that would be shared with Lead Members for sign off.
- Members to share any further information coming out of council's own reviews with Louise Smith by the end of April – LGA consultation response is due 11 May.
- A member to share information on the Pan-London Secure Unit with Officers.
- Officers to share pilot/ pathfinder events when known.
- The Chair suggested officers set up a spreadsheet with all the DfE pilots once announced.

6 SEND and Alternative Provision Improvement Plan

Clive Harris, Senior Adviser, introduced the item on SEND and Alternative Provision Improvement Plan. The Department for Education (DfE) published their response to the SEND Green paper, [SEND and alternative provision improvement plan, right support, right place, right time](#), which contains a significant number of proposals that seek to improve outcomes for children and young people with Special Educational Needs and Disabilities (SEND) via a reformed SEND and Alternative Provision (AP) system.

Members comments:

- A member highlighted the importance of early identification of need as even if not met with specialist help, parents and school teachers could then help to manage issues and highlighted the need for SEND training for mainstream classroom teachers.
- A member suggested that system-wide capacity issues make it hard to identify need and deliver support in a timely manner. The lack of clarity as to who is responsible for quality assurance in local SEND systems was also raised, particularly with regards to education.
- A member highlighted that Local Authorities had already been funding children before the EHCP process and emphasised the use of this money in schools was not monitored.
- Accountability for care provision had become difficult due to the complexity of differing footprints of councils, ICSs and MATs.

Clive Harris explained this discussion with Members would inform the LGA's on-going policy work regarding the SEND and Alternative Provision improvement plan, and this is the start of a long process, particularly in regard to test and learn, the setup of local inclusion partnerships and how councils and partners could work together. Clive Harris responded to members' comments:

- The Government had been working on the Academies Regulatory and Commissioning review which would be crucial to mainstream inclusion and providing the strong performance of MATs.
- The LGA commissioned and published work in 2018 on high needs funding pressures for councils, this research will be refreshed this year – a variety of councils would be explored, some councils in the Delivering Better Value in SEND programmes and others in the safety valve process.

Gail Tolley, Director for Children's Services Sector Led Improvement at the LGA referenced Alternative Provision and the need to ensure SEND and Alternative Provision are distinguished between.

Decision

The Board agreed the LGA's policy position with regards to the proposals set out in the SEND and Alternative Provision improvement plan.

7 Children's Social Care Placements Working Group Update

The Chair introduced Councillor Lucy Nethsingha to provide the update on

the Children's Social Care Placements Working Group which had met twice this year. Cllr Nethsingha outlined these discussions:

- The MacAlister report did not convey the real sense of impending crisis and urgency in local government about social care placements and this had not been reflected in the Government response – leaving more pressure on local government to respond.
- Discussion surrounding the work being done in Leeds which looked at small children's homes which could provide care for children with severe needs.
- Lack of capacity of all levels of placement including the need for more foster care.

Decision

- The Board noted the Children's Social Care Placements Working Group update.

Action

- Officers to speak with the Children's Society about their research on children's placements.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chairman	Cllr Louise Gittins	Cheshire West and Chester Council
Vice-Chairman	Cllr Patricia Bradwell OBE	Lincolnshire County Council
Deputy-chairman	Cllr Lucy Nethsingha	Cambridgeshire County Council
	Cllr Julie Fallon	Conwy County Borough Council
Members	Cllr Roger Gough	Kent County Council
	Cllr Kam Kaur	Warwickshire County Council
	Cllr Laura Mayes	Wiltshire Council
	Cllr Mark Sutton	Staffordshire County Council
	Cllr Adrian Hardman	Worcestershire County Council
	Cllr Beverley Momenabadi	Wolverhampton City
	Cllr Adam Ellison	South Tyneside Council
	Cllr Mili Patel	Brent Council
	Cllr Tim Roca	Westminster City Council
Apologies	Cllr Judy Jennings	Epping Forest District Council
	Cllr Fiona Venner	Leeds City Council
	Cllr Antony Mullen	Sunderland City Council
In Attendance	Cllr Leigh Redman	Somerset County Council
	Cllr Robert Flatley	Derbyshire County Council
	Cllr Daniel Francis	Bexley Council
	Cllr Edward Maxfield	Norfolk County Council
	Claire Coutinho MP	

Domestic Abuse Commissioner

Purpose of Report

For discussion.

Summary

The Domestic Abuse Commissioner is an independent statutory office holder appointed to provide public leadership on tackling domestic abuse and oversee and monitor the provision of services to victims of domestic abuse in England and Wales. The current Domestic Abuse Commissioner, Nicole Jacobs, will attend the meeting of the Board to outline her current priorities in relation to children and families experiencing domestic abuse, and her current and future work.

LGA Plan Theme: Putting people first

Recommendation

That the Board consider the presentation by the Domestic Abuse Commissioner and offer perspectives from their own authorities or views on the Commissioner's current and future work.

Contact details

Contact officer: Louise Smith

Position: Senior Adviser – Children and Young People

Phone no: 07464 652769

Email: louise.smith@local.gov.uk

Domestic Abuse Commissioner

Background

1. In June 2017, the Government made a [commitment](#) to deliver protections for victims of domestic abuse through a new landmark Domestic Abuse Bill. This included a commitment to enshrine a definition of domestic abuse in law and to create a domestic abuse commissioner.

Domestic Abuse Act 2021

2. The Domestic Abuse Act 2021 defined “domestic abuse” in law for the first time. This states that the behaviour of one person (“A”) towards another person (“B”) is domestic abuse if both are 16 or over and personally connected to each other (for example, through marriage, intimate personal relationship or being relatives), and the behaviour is abusive.
3. Abusive behaviour, under the Act, includes physical or sexual abuse; violent or threatening behaviour; controlling or coercive behaviour; economic abuse; psychological, emotional or other abuse.
4. The Act also specifies that A’s behaviour may be “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).
5. The Act also specified that children can be victims of domestic abuse in their own right, despite the definition of domestic abuse referring to those aged 16 or over. Children are considered victims of domestic abuse where they are related to person A or Person B and see, hear or experience the effects of the abuse.

Appointment and role of the Domestic Abuse Commissioner

6. The Domestic Abuse Commissioner is an independent statutory office holder and while sponsored by the Home Office, the Commissioner operates independently of the Department and Government generally. More information on governance, funding and staffing, as well as the exercise and scrutiny of the Commissioner’s activities, is available in the [framework document for the Domestic Abuse Commissioner](#).
7. The core role is to provide public leadership on tackling domestic abuse and to oversee and monitor the provision of services to victims of domestic abuse in England and Wales. Under the Domestic Abuse Act 2021, the Domestic Abuse Commissioner has a number of statutory functions. These include:

- 7.1. Encouraging good practice in the prevention, detection, investigation and prosecution of offences involving domestic abuse, and the provision of protection and support to those affected by domestic abuse (including children).
 - 7.2. Receiving copies of all domestic homicide reviews.
 - 7.3. Preparing and publishing a strategic plan setting out how the Commissioner intends to exercise the Commissioner's functions, including priorities and objectives.
 - 7.4. Submitting an annual report to the Secretary of State including an assessment of the extent to which the Commissioner's objectives and priorities have been met in that year.
8. The Act also gives the Commissioner powers to request that specified public authorities – including English local authorities - co-operate with the Commissioner, and those authorities must comply with requests made as far as reasonably practicable.
 9. In September 2019, Nicole Jacobs was appointed as designate Domestic Abuse Commissioner. Ms Jacobs was the former Chief Executive Officer at charity Standing Together Against Domestic Violence and has more than two decades of experience working to reduce domestic abuse. During her career, Ms Jacobs has worked in a number of roles linked to domestic abuse, including as a frontline practitioner, in senior operational and management roles, and as a trainer and strategic leader.

Support for victims and survivors of domestic abuse

10. The Commissioner has recently published a report, "[A Patchwork of Provision: How to meet the needs of victims and survivors across England and Wales](#)" This sets out the key findings from research by the Commissioner's office to map the provision of support services for victims and survivors of domestic abuse across England and Wales, along with recommendations for improvement. Key findings include:
 - 10.1. Specialist services are effective in enabling victims and survivors to feel safer and more in control of their lives following abuse, with victims and survivors needing a range of types of support;
 - 10.2. Most victims and survivors from minoritised communities want to receive support delivered "by and for" their own community, and these are more effective at supporting those from minoritised communities;
 - 10.3. The independence of services is critical, with survivors speaking of their fears of statutory services, in particular social services and the Family Court.

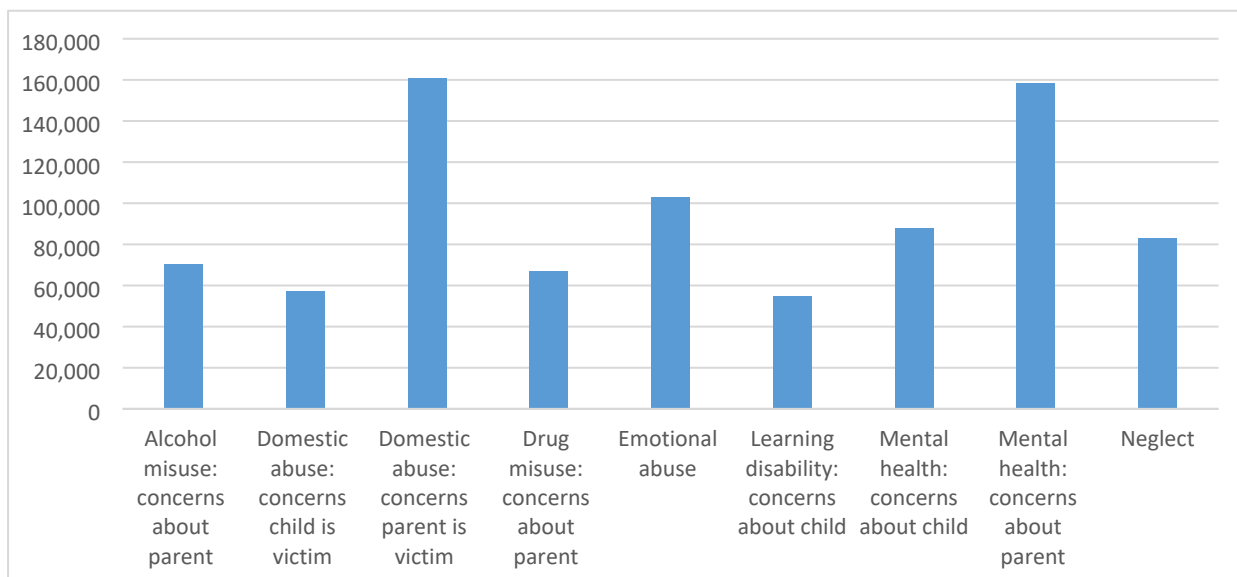
- 10.4. There is a ‘postcode lottery’ for accessing specific types of support, particularly for those from minoritised communities, and only a minority of people report finding it easy to access the help they want. Those from minoritised communities or with multiple disadvantages or additional needs found it particularly difficult. 82 per cent of men reported finding it difficult to access help.
- 10.5. Only 29 per cent of victims and survivors were able to get support for their children. This varied from 18 per cent in the South West to 40 per cent in the North East.
- 10.6. A “considerable injection” of long-term funding is needed for services to meet demand.
11. The report made a specific recommendation around support for children:
- “The Department for Education, working with the Department for Levelling Up, Housing and Communities, Home Office and Ministry of Justice, should develop a national strategy to address the lack of specialist support available for children affected by domestic abuse. They should work closely with the specialist domestic abuse, VAWG (Violence Against Women and Girls) and ‘by and for’ sectors, as well as the children’s sector, to ensure funding is available to meet the needs of children affected by domestic abuse.”
12. The report also recommends that “Local commissioners should work with statutory agencies and services in their area to develop join-up and seamless pathways of support for victims and survivors with multiple needs, particularly for those facing multiple disadvantages. This should also be closely aligned with work to introduce an ambitious ‘duty to collaborate’ through the Victims Bill, and the new Serious Violence Prevention Duty.”

Children and domestic abuse

13. Domestic abuse has been the most common factor identified at the end of assessments for children in need for some years in England. In the year ending 31 March 2022, the most common factors identified were:

Factor	Number
Alcohol misuse: concerns about parent	70,310
Domestic abuse: concerns child is victim	57,260
Domestic abuse: concerns parent is victim	160,690

Drug misuse: concerns about parent	67,010
Emotional abuse	102,900
Learning disability: concerns about child	54,670
Mental health: concerns about child	87,750
Mental health: concerns about parent	158,330
Neglect	82,950



14. The Child Safeguarding Practice Review Panel, in its report into [safeguarding children under 1 from non-accidental injury caused by male carers](#), found that domestic abuse (either current or historical) was a strong risk factor, featuring in 59 of the 92 cases considered by the Panel.

15. In its report, “[improving services for children affected by domestic abuse](#)”, the Early Intervention Foundation (EIF) notes that “around one in five children in the UK experience domestic abuse during their childhood...[which] can have wide-ranging long-lasting impacts. Children who have experienced domestic abuse are significantly more likely to experience abuse in their own adult relationships, to misuse drugs or alcohol and to have lower levels of wellbeing. The impact on children and young people’s mental health can also be profound.”

16. In the same report, the EIF finds that there is a significant lack of evidence around what works to support children who have experienced domestic abuse, making it extremely

challenging for councils to plan for and commission much-needed services. The Government's Tackling Domestic Abuse Plan (below) includes a commitment to comparably measure the effectiveness of different interventions to support children.

Tackling Domestic Abuse Plan

17. In March 2022, the Government published its [Tackling Domestic Abuse Plan](#). This sets out how the Government intends to deliver various aspects of the Domestic Abuse Act 2021, including prevention, support and options for dealing with domestic abusers. The plan identifies four major problems that it intends to address:

- 17.1. Problem One: The high prevalence of domestic abuse
- 17.2. Problem Two: the significant loss of life caused by domestic abuse, with 114 domestic homicides in 2020-21 and harms sometimes resulting in victims taking their own lives
- 17.3. Problem Three: the negative health, emotional, economic and social impact faced by victims and survivors
- 17.4. Problem Four: improvements required by the current system to tackle domestic abuse, including better identification, greater collaboration and coordination between and within organisations, and better data.

18. The Plan notes that being younger and having low levels of education are two significant risk factors. A refreshed Relationships, Sex and Health Education (RSHE) curriculum includes ensuring that children know what healthy relationships look like, as well as challenging poor attitudes towards relationship behaviours.

19. The Plan also identifies ring-fenced funds for support services and perpetrator interventions.

The LGA and work to tackle domestic abuse

20. Overarching responsibility for the LGA's work on tackling domestic abuse rests with the Safer and Stronger Communities Board. Minutes from today's meeting will be shared with SSCB to facilitate join up across the two boards.

21. The Domestic Abuse Commissioner has engaged with the SSCB since she came to office, including attendance at the Board and presenting at the LGA's Annual Conference. The LGA is represented by its Domestic Abuse Champion Councillor Louis Samuel on the Commissioner's strategic reference group on perpetrators, and the LGA joins the Commissioner's monthly calls with the domestic abuse sector and Government departments.

22. The Commissioner and the LGA are both members of the National Expert Steering Group overseeing the implementation of part 4 of the Domestic Abuse Act, which sets out a statutory duty for councils to provide accommodation-based support and services to victims of domestic abuse. Members of the Expert Steering Group have joined the LGA to share best practice through webinars for local authorities, including sessions with Women's Aid, Refuge, National Housing Federation, Mankind and others.

Implications for Wales

23. The Domestic Abuse Commissioner operates across England and Wales. The Domestic Abuse Act 2021 and the Government's Tackling Domestic Abuse Plan also apply to both England and Wales.

Financial Implications

24. There are no financial implications to the LGA of this item.

Equalities implications

25. The Tackling Domestic Abuse Plan includes a range of data at [Annex B](#) on domestic abuse, which is summarised below. This is drawn from the Crime Survey for England and Wales and is gathered via a self-completion module, therefore relies on victims and survivors self-reporting abuse.
26. **Sex:** Women are significantly more likely than men to be victims and survivors of each type of domestic abuse with the exception of sexual assault by a family member. It is estimated that the prevalence rate for the year ending March 2020 was 7.3 per cent for women and 3.6 per cent for men.
27. **Age:** Data is limited on the prevalence of children exposed to domestic abuse, though domestic abuse of a parent is the most common factor identified at the end of children in need assessments. Young women are more likely to have experienced domestic abuse in the previous year than older women. There are fewer observable differences by age for men, though those ages 16-19 are more likely to have experienced domestic abuse in the last year than men aged 20 and above.
28. **Marital status:** in the year ending March 2020, adults aged 16-74 who were separated (16.4 per cent) or divorced (11.4 per cent) were more likely to have experienced domestic abuse than those who were married or civil partnered (3 per cent), cohabiting (5.5 per cent), single (8.4 per cent) or widowed (3.2 per cent).
29. **Sexual orientation:** Bisexual adults aged 16-74 were more likely to have experienced domestic abuse in the last year (15.2 per cent) than gay or lesbian (8.4 per cent) or heterosexual adults (5.2 per cent).

30. **Employment status:** people who were unemployed or ill were more likely to have experienced domestic abuse in the last year (8.6 and 14 per cent respectively) compared to those in employment (5.4 per cent).
31. **Disability:** Adults aged 16-74 with a disability were more than twice as likely to have experienced domestic abuse in the last year than those without (11.8 per cent compared with 4.6 per cent). For disabled women, the prevalence was 14.7 per cent compared to 7.5 per cent for disabled men.
32. **Ethnicity:** Those from a mixed ethnic background are more likely to have experienced domestic abuse within the last year (7.6 per cent) than those from white (5.7 per cent), black (3.7 per cent) or Asian (3.6 per cent) ethnic backgrounds.
33. **Religion:** Those reporting their religion was Buddhist or “other” (10 and 9 per cent respectively) were more likely to report domestic abuse in the last year. This compared to 6 per cent of those with no religion, 5 per cent of Christians, 4 per cent of Muslims and 3 per cent of Hindus.
34. **Gender reassignment, pregnancy and maternity:** There are currently no nationally representative figures on the prevalence of domestic abuse by characteristics of gender reassignment, pregnancy and maternity in the UK.

Next steps

35. Members of the Board are recommended to consider the presentation by the Domestic Abuse Commissioner and offer perspectives from their own authorities or views on the Commissioner’s current and future work.
36. Areas for discussion may include:
- 36.1. Specific work to support child victims of domestic abuse
 - 36.2. How the Commissioner works with local authorities
 - 36.3. How the Commissioner works with the Children’s Commissioners to join up work across the two offices
 - 36.4. How councils and the LGA can support the work of the Domestic Abuse Commissioner
 - 36.5. Emerging trends that councils should be aware of.

Early Education and Childcare

Purpose of Report

For direction.

Summary

In the Spring Budget 2023, the government announced a series of reforms to the early years education and childcare system. This included an offer of 15 hours of funded childcare for working parents of 2-year-olds in April 2024 increasing to 30 hours of funded childcare for working parents of children aged 9 months to primary school from September 2025.

Following a discussion at the March Children and Young People Board, officers have been refreshing the LGA's policy approach for early years education and childcare to consider what is needed to develop a system that works for all children and families.

LGA Plan Theme: **Supporting local people and places**

Recommendation(s)

That the Board discuss the draft early years policy paper and review proposed policy lines, some of which are outlined in paragraph 10 for particular consideration. Full recommendations are detailed in the draft early years policy paper report.

Contact details

Contact officer: Flora Wilkie

Position: Adviser

Phone no: 07776558312

Email: flora.wilkie@local.gov.uk

Early Education and Childcare

Background

1. The [Spring Budget 2023](#) announced a significant expansion of early education and childcare to come into effect by September 2025. This sets out one of the biggest changes to early years policy since the introduction of 30 hours funded childcare in 2017.

Current offer	<ul style="list-style-type: none"> • 15hrs funded childcare for disadvantaged 2-year-olds • 15hrs funded childcare for all 3-4 year olds • Additional 15hrs funded childcare for 3-4 year olds of working parents
September 2023	<ul style="list-style-type: none"> • Increase in 23/24 funding rates. • Change in staff-to-child ratios for 2-year-olds, moving from 1:4 to 1:5 • Launch of start-up grants for new childminders
April 2024	<ul style="list-style-type: none"> • 15hrs funded childcare for working parents of 2-year-olds
September 2024	<ul style="list-style-type: none"> • New or expanded wraparound provision commences nationally • 15hrs funded childcare for working parents of 9 months to primary school age
September 2025	<ul style="list-style-type: none"> • 30hrs funded childcare for working parents of 9 months to primary school age
September 2026	<ul style="list-style-type: none"> • All schools able to offer 8am-6pm wraparound
<ul style="list-style-type: none"> • Note all offers apply for 38 weeks per year; some providers extend the offers to provide fewer hours per week for more weeks 	

2. It is likely that eligibility for the expanded funded hours will remain the same as it is now for three to four-year-olds of working parents. Currently, children of parents (including foster parents) who are working and each earning at least £120 a week, but no more than £100,000 a year, are eligible for an additional 15 hours free childcare on top of the universal offer.
3. The Spring Budget also announced that there would be an increase to the universal credit cap on childcare payments and a move to upfront payments for childcare, reducing the need for parents to claim back. This is something the LGA has long called for.
4. On 31 May 2023, a [consultation on the early years foundation stage framework \(EYFS\)](#) was released. The EYFS is the framework that is used to ensure children learn, develop and are kept safe and well. This consultation is intended to reduce barriers for the

workforce and increase flexibilities in providing care for children. It also includes a proposal to reduce the demands of the EYFS on childminders.

5. The government is also planning to develop a national recruitment campaign in early 2024 to attract more people into the workforce.
6. With the significant expansion of early years entitlements, it is even more important that we get the early years system right. This includes the current processes, but also eligibility for the funded offer and the management of the market.
7. Previous discussions at the Board, LGA commissioned research and conversations with councils and stakeholders have shown the challenges within the early years system, such as a convoluted policy direction for early education and childcare, challenges in support for the most vulnerable children and insufficient funding.

Proposal

8. Recognising the challenges in the existing system, the LGA has considered what actions need to be taken to improve the existing offer, enhance the offer to families, ensure better outcomes for children and ensure councils have the tools and resources that they need to deliver on their sufficiency duties and support the local market, and parents and carers.
9. The attached report sets out where the current challenges are in the system and what the opportunities are to change this. Where new asks are suggested, these have been highlighted.
10. In particular, feedback on the below policy suggestions is welcomed:
 - 10.1. There needs to be a discussion on the best allocation of public funding to ensure there is mix between early education and childcare and that these two different priorities may require different policy responses to make the best use of funding
 - 10.2. Review who is entitled to free hours, curbing the more generous offer and ensure that families that are in the bottom third of income distribution do not miss out on this essential support.
 - 10.3. There should be greater flexibility in what local authorities can retain from the early years national funding formula to be able to deliver essential services.
 - 10.4. The statutory guidance on local authority sufficiency duty should be reviewed, ensuring that councils have sufficient levers and funding to deliver on their duties. The roles and responsibilities of local authorities need to be clear; balancing good outcomes for all children, quality of provision and sufficiency for working parents

- 10.5. Government should work with councils and wider stakeholders to develop a clear strategy for what the childcare and early education provider market should look like in the long term with clarity surrounding the role of the private and voluntary sector, maintained nursery provision and school-based provision alongside wider community groups.
- 10.6. Within each local area (at a level that is reflective of the local population size) there should be an 'expert' provider, this can be either maintained, PVI or school-based provision. This provider would be given additional funding, through the local authority, to support staff development across local provision, provide concerted support to some children and families, alongside the local authority, and has intense wraparound support from other services such as speech and language therapists, SENCOs and family support workers. Dependent on the size of the local area, a hub and spoke model could be explored to ensure equitable access.

Implications for Wales

11. None – the provision of early education and childcare is devolved

Financial Implications

12. It is likely that proposals to the early years system would require changes to the current way of investing in early years support from national government. This could include repurposing the existing funding or including further funding.
13. There are no financial implications for the LGA.

Equalities implications

14. There is disproportionality in access to early years education and childcare. The quality of provision is worse in deprived areas, with more settings in deprived areas being rated less than good, than those in the least deprived areas. Two-year-olds from more disadvantaged families get access to 15 hours of free entitlements, however there is some evidence of providers restricting these entitlements as they cannot afford to offer them.
15. There is also disproportionality in the attainment of children within the early years education system. In 2022, 67 per cent of white students achieve a good level of development compared to 61 per cent of Black African children and 60 per cent of Pakistani children. There is disproportionality in gender with girls performing better than boys with 71.9 per cent of girls achieving a good level of development compared to 58.7 per cent of boys.

16. We know that there have been acute challenges for providers in supporting children with SEND. In 2022, 22.9 per cent of children with SEN support had a good level of development which is over six times higher than children with an Education, Health and Care plan at 3.6 per cent. 65.2 per cent of all children achieve a good level of development.
17. Children from poorer areas are less likely to be 'school ready' than those from more affluent backgrounds. In 2022, 49.1 per cent of children eligible for free school meals achieve a good level of development, compared to 68.8 per cent of their peers.

Next steps

18. Officers will refine policy lines on early years education and childcare and engage with lead members to sign off a final early years policy paper for publication in Summer.

Draft Policy Paper: Early Years Education and Childcare

Introduction

1. A child's earliest years are their foundation; if we give them a great start, they have a much better chance of fulfilling their potential as they grow up. By the time disadvantaged young people sit their GCSEs at age 16 they are, on average, 18.4 months behind their peers and around 40 per cent of that gap has already emerged by age five. Pre-school has almost as much impact on a child's educational achievement at age 11 as primary school - and the impact is even greater for those who may develop learning difficulties.
2. This paper explores the challenges within the early years education and childcare system from the perspective of local government recognising the statutory duties for councils to secure early childhood services for families and considers what could be done to improve the system, support the provider market, and ensure good outcomes for children and ensure families have access to affordable childcare. This paper does not explore parental leave policies nor look to cover wider public health services. The recommendations in this paper have been sourced from conversations and roundtables with early years leads in councils, research, and lead members.
3. Given the announcements in the 2023 Spring Budget, it is even more important that we get the early years system right. The government announced a significant expansion of early years childcare entitlements. This will offer 30 hours of funded childcare for every child of a working parent between nine months and five years with each working parent having an income of under £100,000.
4. The government also announced a significant additional investment into setting up wraparound childcare for school-aged children with a pledge that families will be able to access childcare between 8am and 6pm during the school day.

September 2023	Increase in 23/24 funding rates. Change in staff-to-child ratios for 2-year-olds, moving from 1:4 to 1:5 Launch of start-up grants for new childminders
April 2024	15hrs funded childcare for working parents of 2-year-olds
September 2024	New or expanded wraparound provision commences nationally 15hrs funded childcare for working parents of 9 months to primary school age
September 2025	30hrs funded childcare for working parents of 9 months to primary school age
September 2026	All schools able to offer 8am-6pm wraparound

(funded hours are for 38 weeks of the year)

Council responsibilities

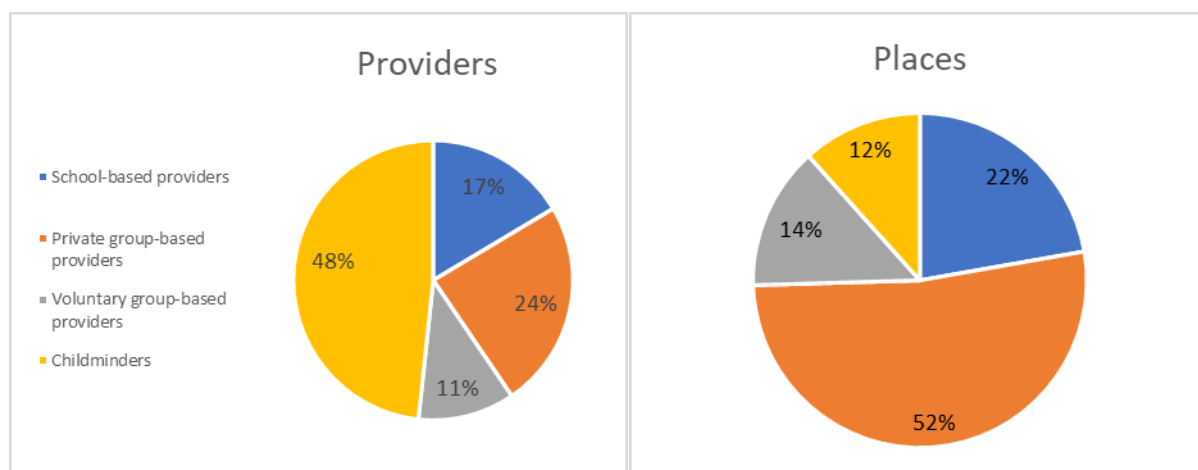
5. Section 2 of the Childcare Act 2006 identifies early childhood services as early years provision in addition to broader services such as social care and health services, and places duties on upper tier councils in relation to these.
6. The council must secure 'early childhood services' for the benefit of parents, prospective parents and young children, taking 'reasonable steps' to involve parents, early years providers and other relevant people in those arrangements. They must also consider the quantity and quality of services, and where in the area they are provided, and consider the views of young children where possible. Councils must also make sure that there is enough childcare available for every eligible two, three and four-year-old to access their free 15 or 30 hours per week. They should also work to identify parents in the area who might not take advantage of early childhood services that could benefit them and their children, and encourage them to take these up. Councils have the responsibility for passing through the entitlement funding for places, calculated by central government, to early years providers. In some places, local authorities have direct responsibility for maintained nursery schools or nursery classes. Further information regarding councils' responsibilities [is available in the LGA's Early Years resource pack.](#)

The childcare market

7. Private and voluntary nurseries account for the majority of early education and childcare places, including around half of free entitlement places.

There are currently around 60,000 registered providers and collectively they offer over 1.5 million Ofsted registered childcare places to children aged 0-4. While there are large number of childminders, private and voluntary nurseries deliver the large majority of 0-4 places. Private and voluntary sector nurseries make up just over one third of providers (21,000), yet account for around two thirds of early years places (see **Figure 1**). They also account for around half of 3 and 4-year-old free entitlement places and the vast majority (86 per cent) of funded two-year-old places.¹ However, their presence varies significantly by local authority and by region – from 27 per cent of all providers in the North East to 39 per cent in the South West.

Figure 1: Number of providers and places by type. Source: DfE provider survey, 2022



8. The prominent place of private and voluntary sector nurseries, and their varied presence across localities, is a product of the system’s historical evolution. Until the introduction of the part-time free entitlement offers for 3 and 4-year-olds, England’s childcare to 0-3s was almost entirely provided through private and voluntary nurseries, play-groups and childminders (with occasional public sector support). Alongside this, some subsidised ‘early education’ in maintained nursery schools and nursery classes existed. Northern local authorities and those in some more disadvantaged urban areas (historically industrialised areas with higher female employment) were more likely to have developed school-based provision.² Often private and voluntary sector provision developed better in other areas. Their place was further cemented with the

¹ DfE (2022) Childcare and early years provider survey <https://explore-education-statistics.service.gov.uk/find-statistics/childcare-and-early-years-provider-survey>
² West and Noden (2016) Public Funding of Education in England: A historic perspective, LSE <https://core.ac.uk/download/pdf/46172863.pdf>

introduction of the universal free entitlement provision from the end of the 1990s.

9. Although a mixed market provides choice and flexibility to parents, in recent years, local authorities have particularly raised concerns regarding the growth of big chains where councils have limited ability to manage and control them from either undercutting local, well-established provision or growing at an unsustainable rate³. Further information is available in the LGA commissioned report on provider openings and closures [to be published w/c 3rd July].

The early years education and childcare system

The now: a convoluted policy direction for early education and childcare

10. High quality early years provision can have a positive impact on children, particularly disadvantaged children, in terms of their immediate development and long-term outcomes. Research has found that so long as the child attends high quality provision, any drawbacks to being in provision, such as dysregulated emotional behaviour, is unlikely to have a negative effect.
11. However, [above 20 hours in provision](#), there is no significant benefit to children's development of attending early education provision, however, if they are in high quality provision, there is no negative effect of being in early education or care for this time. It should be noted that there is a difference between early education, in which providers support children through the Early Years Foundation Stage (EYFS) and childcare, where children are looked after in a safe, supportive environment but where there is no specified curriculum to follow.
12. The existing system of early years childcare and education is the result of different, disjointed policy announcements made over time with no clear strategic direction. This has led to a convoluted offer where some of the most vulnerable families, who may benefit most from early education and childcare, are left without access to funded entitlements.
13. It is essential that the early years system enables parents and carers to work. [The OBR estimates](#) that by 2027-28 the forthcoming expansion will enable an additional 60,000 people to enter employment and work an average of around 16 hours a week. All of the changes together will result in an impact of 0.2 per cent on GDP. While access to affordable childcare is important for all families, it is particularly crucial for those on the lowest incomes, the most disadvantaged children, women and single-parent families. Childcare enables people to work;

³ <https://www.nurseryworld.co.uk/features/article/nursery-chains-2022-groups-by-size-big-business>

increase their hours or take on new opportunities; move out of poverty and improve families' and children's long-term life chances.

14. The current system attempts to [improve outcomes for children whilst ensuring affordable childcare for parents](#). While these two objectives do not have to compete, the way the current system is set up means that lower-cost childcare for working parents is prioritised while improving outcomes for children, which requires high quality provision and thus a higher level of funding, has stagnated.
15. The system crosses different government departments such as the Department for Work and Pensions (DWP) and Department for Education (DfE) which contributes to the confused system with inconsistent information being passed to local authorities, providers and families.

The future: Childcare and education – clarity of policy direction [All new asks]

16. There needs to be a discussion on the best allocation of public funding to ensure there is mix between early education and childcare and that these two different priorities may require different policy responses to make the best use of funding
17. We should be clear about the motivations for funded entitlements to ensure a system that is equal, supports the most vulnerable and closes the disadvantage gap whilst helping families into work. This is particularly important for support for children with special educational needs and disabilities. The opportunity for children to play in a structured environment and encounter professionals who can ensure they are safeguarded is key.
18. Internal government processes should be considered to ensure there is a join up between the priorities across different government departments.

The now: The entitlements offer

19. Early education and childcare can be most beneficial for children from disadvantaged backgrounds. However, the funded entitlements offer does not provide sufficient coverage for these groups. Indeed, for two-year-old children, there is now likely to be a divide where families who do not qualify for the disadvantaged two-year-old entitlement also do not qualify for the recently expanded entitlements if they are not earning enough to qualify for the expanded offer.
20. There is a significant inconsistency in the entitlements offer. For example, if one parent earns £101,000 but the other parent is on minimum wage, the family won't be entitled to free hours. However, if there are two parents that both earn

£99,000, they will be entitled to free hours despite having a significantly larger household income.

21. The current entitlements offer does not include parents and carers who are studying or training, this continues to be the case for the proposed expansion to families of younger children.

The future: The entitlements offer

22. Review who is entitled to free hours, curbing the more generous offer and ensure that families that are in the bottom third of income distribution do not miss out on this essential support. [New ask]
23. At the very least, entitlements should be extended to parents and carers who are in studying and/or training.

The now: Funding

24. [There is evidence to suggest](#) that the funding for existing entitlements is insufficient, leaving providers to attempt to make up the shortfall, cross-subsidising the 'free' hours by charging families significantly more for additional hours or when they do not qualify for free entitlements. On top of this, the recent cost of living challenges, minimum wage increases and inflationary pressures have left early years entitlements funding falling behind the cost of delivery. Prior to the proposed entitlements expansion, this was [estimated to be a real terms cut of 9 per cent by 2024/5 compared to 21/22](#). This leads to instability in the system and higher additional costs for parents and carers. Furthermore, some providers are disincentivised from offering the funded entitlements and thus leaving some families without access to these.
25. The current model of subsidising funding will also not be sustainable when the expansion to early years entitlements takes place as government funding will cover 80 per cent of the market leaving little room for offering additional hours where further funding could be brought in. Alternatively, providers may choose not to offer the funded entitlements.

The future: Funding

26. An independent review should be undertaken to establish the true cost of delivering early years entitlements in high quality provision, particularly considering the recent government announcement regarding an expansion in entitlements and ensure that this keeps rate with inflation and minimum wage pressures. [New ask]

The now: The process

27. There are [well-known arguments on the \(in\)effectiveness](#) of tax-free childcare. It is not always the best form of support for parents, is not accepted by all providers and not all families are aware it is available. Furthermore, there has been an [underspend in the budget](#) for tax-free childcare each year since 2017 which has not been reallocated to supporting early years education and childcare more broadly.
28. The process for entitlements must be reviewed. Currently, families face a delay between their initial sign-up for free hours and when they can take up that place. Families are also expected to re-confirm their eligibility for free entitlements every three months and it is not clear why this level of quarterly assurance is necessary. This puts significant pressure on families, providers and local authorities to support families to do this or can leave children and their families without childcare at short notice, impacting their ability to work and the child's stability. Conversations with local authorities suggest that any impact on fraud is likely to be low as families do not tend to fall in and out of eligibility at a rate that would result in fraud being a concern. Given the pressures that families are under, the removal of this pressure is likely to have significant benefits.

The future: The process

29. Remove the one-term delay to taking up entitlements.
30. Families should only have to re-confirm their eligibility for free entitlements once a year, instead of termly.
31. Streamline entitlement applications that link with additional funding such as disability access fund and early years pupil premium data and establish one place to check eligibility and automatic checks for additional funding for EYPP.

The now: the market

32. As noted above, the childcare market is mixed with private, voluntary and independent nurseries, maintained nursery settings, school-based provision, and childminders. A core premise of the early years market is to ensure parents have choice. However, too often we hear that families who work a-typical hours, live in rural areas or who have children with [special educational needs and disabilities struggle to access provision](#).
33. Furthermore, some providers are not offering free entitlements to families in part due to the fact the funding does not sufficiently cover the cost of delivery of places.
34. This suggests the market is not working as it should, parents and carers do not have the choices they should, given the focus on parental choice. Further information regarding the situation in the PVI market is available in the *LGA*

commissioned report on provider openings and closures [to be published w/c 3rd July].

35. [Maintained nursery school \(MNS\) provision](#) is inconsistent across the country. MNS offer essential support to children, particularly those with additional needs or from more deprived backgrounds. In addition, they act as areas of support to other local provision. Although the announcement of some additional funding for MNS is welcome, the ongoing uncertainty regarding the government's policy direction on the childcare market results in instability in the system.
36. The number of childminders have declined by [nearly fifty per cent since 2012](#). There are a range of reasons for this, including, inflexibility in the regulations for childminders, high levels of paper work and admin, and limited support in their role. Childminders have a key role in ensuring flexibility for parents and carers.
37. Local authorities are starting to raise concerns regarding the growth of private equity in the early years market. Although the impact on quality and children's outcomes is not yet clear, the financial situation sitting behind these providers that can be [indebted and have complex financial structures](#) is a concern in an already unstable market. Furthermore, there is [some evidence](#) that pay is not prioritised in for-profit organisations.

The future: the market

38. Government should work with councils and wider stakeholders to develop a clear strategy for what the childcare and early education provider market should look like in the long term with clarity surrounding the role of the private and voluntary sector, maintained nursery provision and school-based provision alongside wider community groups. [New ask]
39. Within each local area (at a level that is reflective of the local population size) there should be an 'expert' provider, this can be either maintained, PVI or school-based provision. This provider would be given additional funding, through the local authority, to support staff development, provide concerted support to some children and families, alongside the local authority, and have intense wraparound support from other services such as speech and language therapists, SENCOs and family support workers. Dependent on the size of the local area, a hub and spoke model could be explored to ensure equitable access. [New ask]
40. Childminders need support to reduce the financial and regulatory burdens they experience. The opportunities for councils to develop childminder agencies or provide different ways to support childminders should be explored. [New ask]

41. A long term commitment to maintained nursery settings is required through providing a clear role as system leaders with ongoing funding. [New ask]

42. We need greater oversight of financial risk in larger providers. The market should not rely on private equity to expand the childcare sector and careful monitoring of these providers should take place. [New ask]

The now: Workforce

43. Workforce recruitment and retention has long been a concern for the early years sector however it appears to have reached a tipping point with increasing numbers of providers struggling to recruit properly qualified staff.

44. The workforce is considered to be, on the whole, underpaid and undervalued, with anecdotal reports of practitioners leaving the sector to work in other sectors such as retail which offer higher rates of pay with less responsibility. The qualification and training system is complex with fewer people coming through the system to take up roles.

45. The requirement for Maths and English qualifications to study for the level 3 early years educator qualifications since 2014 concerns some local authority leads, with the suggestion that not enough focus is placed on empathy or skills in working with children. Furthermore, there are numerous training providers which makes it difficult to navigate who is offering high-quality training and who is not. [Please note the removal of the maths qualification has been proposed in the recent consultation]

46. Children learn through play and learn from the adults around them, so even when formal learning is not perceived to have taken place, it is an essential element of the early years offer. Local authorities feel they battle to ensure that early years providers are seen as educators as well as caregivers.

47. The Government's proposals to change the ratios between staff and two-year-old pupils, from 1.4 to 1.5, will not address the structural challenges within the childcare system. Councils share the concerns of early years providers that the change will not result in any meaningful savings for settings or lower costs for parents, whilst increasing difficulties for providers. This is because providers may choose to work within the current ratios which increases the amount of adult interaction with children, prioritising their needs. This is even more important for children with additional needs who may require additional support. There is a risk that the expectation of lower costs could result in disquiet between providers and parents increasing pressure on the workforce. Alternately, if funding is not sufficient, providers may be forced to work in the lower ratios which may affect care.

The future: Workforce

48. The Government should work with the sector to develop an effective workforce strategy focused on drawing people into the sector, and their ongoing development and training, recognising the benefit early years educators can bring to young children.
49. This strategy should include childminders.
50. Explore how both people who are in '[early](#)' in their career and 'later' in their career could be supported to train to be part of the early years workforce.
51. Review existing training and qualification processes across the early years sector, both to enable increased staff training into the system and ongoing development and training.
52. [Evidence from the Low Pay Commission and the DfE Survey of Childcare and Early Years Providers Survey](#) found that for private providers, 15 per cent of staff aged 25 and over were earning below the National Living Wage, and 13 per cent for voluntary providers. There should be a greater grip on those providers that are not currently paying their staff minimum wage and a clear analysis as to why this is. [New ask]
53. Support the national roll out of inclusion training to support staff to understand how to support children with special educational needs and disabilities.
54. Accompanying the review of funding for early years education and childcare, there should be a review the pay of ECEC staff. A payscale for staff, [like that in Ireland](#), could be explored if it is sufficiently funded. [New ask]
55. Support staff to have capacity to undertake training, for example, by ensuring training days are funded like schools with inset days. [New ask]
56. Reverse the proposal regarding the ratio change, taking account of its impact on staff wellbeing and child safety. [New ask]
57. Explore flexible working for the workforce, learning from [other frontline sectors](#).

The now: Support for vulnerable/disadvantaged children

58. Although it is challenging to directly compare with previous years given changes to the Early Years Foundation Stage (EYFS) framework, [there has been a decline in the proportion of all children reaching a good level of development in 2022](#) at 65.2 per cent. This has declined since 2019 when it was 71.8 per cent. In

areas such as Middlesbrough the proportion of children reaching a good level of development is lower than in more affluent areas, such as Surrey. However, children eligible for free school meals have poorer educational outcomes in schools in affluent areas compared with their peers in more deprived local authorities.

59. The impact of Covid-19 and a new form of assessment has likely contributed to this fall, however, there is still significant disparity among children. The educational outcome gap between children on free school meals and those in the early years foundation stage who are not was 19.6 percentage points in 2022.
60. The impact of the pandemic, alongside the rising cost of living and a reduction in wider support for children and their families from other community services, such as children's centres, has led to concerns about a growing disadvantage gap, reduced school readiness, and increasing presentation of children requiring additional support in early years and school settings, including special educational needs and disabilities.
61. Care for children with special educational needs and disabilities can be more expensive due to practical changes that need to be made to provision, or due to an increased ratio of staff to child.
62. The Special Educational Needs Inclusion Fund (SENIF) and the Disability Access Fund (DAF) are the two main routes to support early years providers to support children with SEND. However, [LGA commissioned research](#) highlighted a range of challenges with funds, including limited take up and barriers within the process with data not being shared across the system.
63. The number of children who take up their funded hours for disadvantaged 2-year-old entitlements can be low although it has been [improving in recent years](#). In addition, there has been a further decrease in the eligible population as the fall in parents of 2-year-olds receiving legacy benefits, which Universal Credit has replaced, hasn't been offset by the rise in those receiving Universal Credit. The benefit thresholds have been frozen in cash terms since before the introduction of universal credit, meaning that they have become less generous over time as wages have risen. As a result, between 2020 and 2022, the number eligible for the entitlement has decreased.

The future: Support for vulnerable/disadvantaged children

64. It is essential to ensure good quality provision supports children from disadvantaged backgrounds and with special educational needs. This could be by enhancing the join up between different providers and using some providers as teaching or support organisations. This should be done in partnership with the local authority who will recognise the types of support required and provide join

up with other parts of the system, such as children's centres or family hubs. [New ask]

65. Information flow from central government should be improved to identify children that may need some additional support. For example, giving local authorities the data for the children who qualify for the Disability Access Fund (DAF).

66. [Improve the system](#) surrounding the Disability Access Fund, Special Educational Needs Inclusion Fund and Early Years Pupil Premium.

66.1. Ring-fence SENIF to support a focus on take-up.

66.2. Standardising SENIF eligibility criteria and funding levels across LA areas to create greater consistency across the England.

66.3. Align the DAF with DLA to remove the need for parental application.

66.4. The Department for Education should provide LAs with EYPP eligibility lists, as they do for eligible two-year-olds.

66.5. Give local authorities greater responsibility and resources for annual monitoring on how EYPP funding is used to ensure it is being spent as designated.

67. Increase the early years pupil premium rate to be the same as the pupil premium rate for school-aged children. [New ask]

68. Children who attend PVI provision do not get access to free school meals [as they do in maintained nurseries and school-based provision if attending before and after lunch], despite this being the only choice for some families locally. There should be greater equality in access to ensure all vulnerable families get the support they need. [New ask]

69. Increase the maximum income threshold rate for disadvantaged 2-year-old entitlements. [New ask]

The now: Clearer guidance for providers

70. The current guidance for providers is complex particularly surrounding additional charging, for example, for consumables.

The future: Clearer, stronger guidance for providers [All new asks]

71. To receive public funding, there should be an expectation on providers to support children with special educational needs and disabilities, and children from more deprived backgrounds. Ofsted should have a role in ensuring that there is high quality SEND provision available in settings.

72. The guidance regarding charges outside of the funded entitlements is complex and it can make it challenging for local authorities to give providers appropriate support whilst ensuring they are sticking to their statutory duty.
73. There should be a clear expectation set out by the government that providers should work closely with local authorities when setting up, managing and closing provision to support councils to fulfil their sufficiency duty well.

The current challenges for local authorities

74. Local authorities have a series of statutory duties regarding early childhood services, including securing them and consideration of the quality, quantity and sufficiency of local provision. This also extends to wraparound childcare. There is a conflicted role for local authorities as they must meet statutory guidance requirements for funded places such as quality whilst having a duty for the sufficiency of places. Therefore, local authorities have to balance the need for high quality places with the need for sufficient places.
75. Some local authorities are reporting significant concerns about the future of early years settings in their area. While the national picture regarding access to early years provision is complex, the most recent [national data](#) suggests that overall there has been a small decline in the number of settings. Where there has been a decline in settings, this does not always equal a significant decline in available places – this will vary from area to area. However, given inflationary pressures and based on anecdotal reports from councils, we believe the situation has deteriorated since this data was collected.
76. There is significantly variability in access between and within areas. Some local authority areas have experienced a particularly high number of closures, which can result in some families having to travel long distances to access early years provision. For example, Ofsted data for the five months to September 2022 shows a net reduction (that is, taking account of both closures and openings) of 40 or more nursery providers on the Early Years Register in each of the North West, West Midlands, London and the South West⁴.
77. For councils to manage sufficiency effectively and ensure the right provision in the right places, they need appropriate powers and resources. Many councils feel constrained by their inability to support new providers to set up in areas of disadvantage and their inability to stop new, normally large chains, setting up in areas where there is already sufficient local provision.

⁴ Reference LGA-commissioned report

78. Furthermore, over the past 12 years as council budgets have reduced, and from 2017, the reduction in the percentage pass through rate in the early years funding formulae means local authority children's services teams have had to make difficult decisions to re-allocate or re-direct funding, reducing the capacity of staff working in early years teams. This has meant the council's ability to manage and provide direct support to the market has reduced.
79. The development of childminder agencies (CMAs) is a cause for concern among some local authorities regarding the quality of these providers and the support they offer to childminders locally. This is particularly due to the potential conflict of interest between childminder agencies being the arbiter of quality whilst trying to attract as many childminders as possible.
80. Some local authorities still have well-resourced Family Information Service teams that provide detailed support to the community. For others, it will be an add-on for some people's roles. Without greater capacity building into early years teams, some local areas will not be able to access the positive support that can be gained from these expert staff.

The future: What do local authorities need to deliver?

Capacity and tools to manage the market

81. Local authorities are in the unique position of being able to bring together different parts of the system, have insight into the needs of families and children and work with different organisations to respond to this need. However, to do this effectively, local authorities need the right tools and sufficient resources alongside clear guidance and support from central government. Local authorities are frustrated when they are unable to stop providers from setting up in areas where there is already excess, and have limited ability to incentivise providers or ensure that provision is of high quality. Having a mixed market of provision will bring about the best results for children and families, however, the costs associated with different types of provision need to be recognised.

Statutory guidance [All new asks]

82. The statutory guidance on the local authority sufficiency duty should be reviewed, ensuring that councils have sufficient levers and funding to deliver on their duties. The roles and responsibilities of local authorities need to be clear; balancing good outcomes for all children, quality of provision and sufficiency to meet parental needs.

83. Local authorities should have the tools they need to stop a provider from setting up in an area that doesn't need any new provision where this is undercutting well-established, local provision without adding any new value to local families.
84. Greater ability to incentivise providers, particularly to set up in areas of disadvantage or areas of greatest need.
85. There should be a national review of the Family Information Service (FIS) to ensure it is fit for purpose and delivering on what parents need to use or access and there should be flexibility for local areas to choose how best to communicate and engage with their local populations.

Capacity and funding [All new asks]

86. Many local authority early years teams do a lot on a small budget. However, with the increasing needs from providers, children and the expansion of entitlements there should be greater flexibility in what local authorities can retain from the early years block through the early years national funding formula to be able to deliver essential services.
87. Councils need to work alongside providers and families to explain the way that early years entitlements are changing. To do this, they need sufficient funding for posts that supports parents and providers through the upcoming changes.
88. Careful management of proposals supporting local authorities to develop their own provision – local authority-led provision would have more expensive terms and conditions than the private market due to public sector terms and conditions.
89. Capital funding to support the development of new provision in light of the expansion of the entitlement. If this is a provider led process, local authorities need to be involved to fulfil their market shaping duties.

Support for LAs [All new asks]

90. The government could develop a programme of support to upskill and train teams in effective commissioning and market management, when appropriate.
91. The LGA's peer review offer provides essential support to local authority early years teams, however there would be a benefit in expanding this, with a particular focus on areas that have expanded provision, so more local areas are able to learn from one another and share good practice.

Planning [New ask]

92. Early years provision should be considered in planning applications, as is the current approach with schools

Regulation [All new asks]

93. The role of Ofsted should be considered, particularly surrounding powers to understand the quality and financial integrity of large chains. For example, if there is a pattern of inconsistent provision within a chain, or if there are concerning financial patterns across multiple chains which may result in sufficiency challenges on a localised basis.
94. Local authorities are exploring the options open to them regarding support for childminders, in some cases this includes setting up their own childminder agency. Some of the barriers identified have been the cost and the potential for conflict of interest. Government should explore these barriers and support councils to overcome them.

Technology [New ask]

95. Given the range of technology available today, there needs to be exploration of how central government, councils and providers can use technology to improve the collection of data about sufficiency, reduce the process burden on families and provide better information about the state of the market.

What should the wider system do?

Family hubs and children's centres [New asks]

96. There is an opportunity to bring about new ways of working within the sector, supporting early years providers and other partners to work closely to together.
97. Build on the [effective approach to integrated reviews](#), bringing together different partners to provide a holistic view of the child. This approach recognises that a range of professionals have unique perspectives on a child and family which can result in a more effective assessment of their progress.
98. The Government should coordinate the development of a cross-Whitehall ambition for children and young people, clearly articulating the role that all departments will play. [Not a new ask]
99. With the development of family hubs and the best start for life there is the opportunity to maximise the offer that is available for families. With differing direction from central government asking councils to develop different web pages and production of information it is unhelpful and does not allow the opportunity for

councils to respond to the ways that families require and use information. There should be more local flexibility in implementing national programmes, alongside a more coordinated approach from central government.

100. Councils should explore [the links between wider community facilities](#), such as libraries, and their role in supporting early years children and families.
101. Improve commissioning relationships with health services so families and providers can get the support that they need, particularly for children with SEND.
 - 101.1. The move to place-based delivery through ICS and ICBs is likely to help this but delivering for children needs to be core within ICB strategies.
102. Support for children with SEND
 - 102.1. Bringing together different parts of the system means there is the opportunity to provide greater support to children with SEND. For example, health visitors, SENCOs and speech and language therapists working more closely with providers. This requires investment in the workforce in other parts of the system.

Conclusion

103. The recommendations laid out above cover a range of areas that include understanding more about the current problems and what would work to tackle them, investing into a sustainable system that supports the most vulnerable children and families and reforming the current system to make it easier to implement for councils and providers, and for families to understand.
104. There is a risk that the current approach being explored by government will stop the most vulnerable children from accessing provision and exacerbate the disadvantage gap.

Children's Placements Working Group

Purpose of Report

For decision.

Summary

On 29 September 2022 the Children and Young People Board agreed to establish a cross-party working group to consider issue of placement insufficiency for children in care. This report outlines the evidence considered by the working group and the group's recommendations.

LGA Plan Theme: Putting people first

Recommendation(s)

That the Board agree the recommendations of the Placements Working Group, as set out in paragraph 9 of the report.

Contact details

Contact officer: Louise Smith

Position: Senior Adviser – Children and Young People

Phone no: 07464 652769

Email: louise.smith@local.gov.uk

Children's Placements Working Group

Background

1. On 29 September 2022 the Children and Young People Board agreed to establish a cross-party working group to consider issue of placement insufficiency for children in care.
2. The membership of the Working Group and the Terms of Reference, which were agreed by Lead Members and the Working Group, are attached at Appendix 1.

Discussion of evidence

3. The Working Group considered a range of evidence; all papers discussed by the Group are attached to this report and summarised below.
4. **Policy Framework** (Appendix 2)
 - 4.1. The Competition and Markets Authority published the final report of its market study into children's social care in England, Scotland and Wales in March 2022. The key findings of that review included:
 - 4.1.1. There are significant problems in how the placements market is functioning, including a lack of placements of the right kind in the right places, higher prices, and higher levels of profit than would be expected in a well-functioning market.
 - 4.1.2. There are severe limitations on councils' ability to engage effectively with the market or forecast need especially for specialist provision.
 - 4.1.3. National focus was needed to address recruitment and retention in children's homes and of foster carers, and to tackle problems with the market.
 - 4.2. The Independent Review of Children's Social Care was published in May 2022. The key recommendations relating to this working group included the development of new universal care standards; introducing Regional Care Cooperatives to manage the commissioning and running of placements for children in care; and a 'new deal' for foster care including recruitment and retention activity and greater support for carers. Other recommendations including ensuring more children could stay safely at home with their parents through early help and supporting wider family networks.
 - 4.3. The government has committed to introducing national standards for independent and semi-independent provision for children in care and care leavers aged 16-17. This provision has, to date, been unregulated (that is, not subject to registration with

or inspection by Ofsted) and has been of variable quality. Registration is currently underway and the standards will come into force from October 2023.

- 4.4. The LGA commissioned SEC Newgate to look into the barriers to establishing new children's homes provision, and to identify good practice, with the [final report](#) published in January 2021. The report identified a range of barriers including the perceived role of children's residential care as an "option of last resort"; the difficulty in making a robust business case for investment due to high capital expenditure for setup and challenges predicting occupancy; difficulties identifying the right property and staff; regulatory requirements; and challenges in commissioning.
- 4.5. The Child Safeguarding Practice Review Panel has recently completed its review into safeguarding children with disabilities and complex health needs in residential settings. Phase 1 of the report identified a wide range of findings including in relation to regulatory arrangements, a lack of provision and challenges with staff and leadership.
- 4.6. This paper also outlined wider factors leading to an increasing need for children's social care placements, including the Southwark judgement, a fall in inpatient Child and Adolescent Mental Health Services (CAMHS) beds, a decline in the youth custody population and rising numbers of unaccompanied asylum-seeking children.
- 4.7. The DfE has invested £259 million in expanding capacity in children's homes, including £12 million for secure children's homes and a Children's Homes Capital Fund for match funding local authority projects.

5. **Legal Framework** (Appendix 3)

- 5.1. This paper outlines the legal framework under which placements are made, including the Children Act 1989 and changes to unregulated provision.

6. **Statistics** (Appendix 4)

- 6.1. The profile of children in care over the last ten years has changed, with a shift towards more older children (10+) and proportionately fewer white children. There is significant local variation in the proportion of children in care, from a low of 26 per 10,000 children to 218 per 10,000 children.
- 6.2. 70 per cent of children in care live in foster placements. 15 per cent of children in care live in family and friends foster placements, an increase of nearly a third (29 per cent) since 2018. Placements in unregulated settings increased by nearly a quarter between 2021 and 2022. 31 per cent of children in care had two or more placements in the year ending 31 March 2022.

- 6.3. A quarter of children's homes places are in the North West, and only 7 per cent in London. Friends and family foster care placements make up an increasing proportion of local authority fostering households, in line with the expectation that councils place children with friends and family wherever possible.
- 6.4. Private companies run 84 per cent of children's homes. Independent fostering agencies account for 45 per cent of all filled fostering placements. Eight of the largest ten independent providers of placements in England have private equity ownership.
- 6.5. Council expenditure on private residential provision increased by 90 per cent between 2015-16 and 2020-21.
- 6.6. Local authority, private and voluntary children's homes have similar Ofsted inspection profiles, however a longitudinal analysis by Oxford University found that for-profit providers are more likely to be rated of lower quality and to violate a greater number of requirements than other ownership types.
- 7. Children's social care implementation plan (Appendix 5)**
- 7.1. This paper outlines the recommendations and commitment within the Children's Social Care Implementation Strategy that specifically relate to the provision of placements, along with an LGA view on these. This includes more detail on Regional Care Cooperatives as outlined by the strategy.
- 8. Additional evidence (Appendix 6)**
- 8.1. This paper provides additional evidence on queries raised by members of the working group in relation to:
- 8.1.1. Barriers and enablers to providing placements in-house: including detail on how the Government's implementation strategy hopes to address some of the challenges, and what 'good' looks like in the retention of foster carers.
- 8.1.2. Cost of services and profiteering: including government plans around bringing transparency to placement costs, and evidence around the drivers or different cost of services in different areas.
- 8.1.3. Drivers of the largest increases in entry to care: noting that the largest increase in the number of children in care is amongst older children (10-17), with drivers including children staying in care for longer and higher numbers of unaccompanied asylum-seeking children. The increase in numbers of children in care is concentrated disproportionately in some areas, with nearly three quarters of the increase between 2013-21 driven by a fifth of councils (which was not due to their population size).

- 8.1.4. Localised challenges: the impact of deprivation on children in care numbers, and disproportionality in support for unaccompanied asylum-seeking children.
- 8.1.5. Unaccompanied asylum-seeking children: consideration around the needs of unaccompanied children and whether a different approach would enable children to receive the help they need more quickly than they do in the current system.
- 8.1.6. Third sector providers: an extract from a paper by Kathy Evans, chief executive of Children England, on the withdrawal of charities from the provision of children's residential care including the increasing focus on foster care, questions around whether provision for children in care was a "charitable purpose" if this was also a state responsibility, and inflexibility in regulation.

8.2. It should be noted that the information within this paper is not LGA policy unless stated, but information to inform discussion.

Recommendations

- 9. The Working Group proposes the following new policy positions are agreed:
 - 9.1. A barrier to setting up children's homes is the requirement for individual registration. Multi-site registration can only be done when setting up each home at the same time, rather than adding on homes to an existing registration. This should be amended so that good children's homes can expand more easily to a secondary site.
 - 9.2. The Working Group was unified in its agreement with the Competition and Markets Authority's concerns around levels of profiteering in children's social care placements. More transparency should be sought in relation to the cost of placements to make it easier for councils to identify good value for money. To support lobbying on this point and to understand any regional variation, the LGA should seek information from councils on high-cost placements.
 - 9.3. National work on foster carer recruitment should include myth-busting and clarity around different options such as respite fostering and supported accommodation.
 - 9.4. The Children and Young People Board will monitor and look to learn lessons from the implementation of the Welsh Government's commitment to remove private profit making from the provision of care to looked-after children.
- 10. While the remit of the Working Group focussed on placements for children in care, the Group recognised the significant challenges around special school placements and the

sometimes very high costs of supporting children with SEND. There was significant crossover between these issues and it was recognised that this was an additional pressure which needed to be addressed through the children's social care implementation plan and the SEND improvement plan.

11. The Working Group also proposes that a resource pack be developed for councils, building on the success of similar guides for councillors, detailing information on the barriers to, and enablers of, strong in-house fostering and residential provision, as well as good practice. This should include improving understanding of current children's homes to reduce prejudice towards them which could be based on outdated views of children's homes, how to develop in-house residential provision and information on recruitment and retention of foster carers.
12. Finally, the Working Group recommended that good practice be sought and shared in relation to supporting children aged 15+ on the edge of or coming into care, including unaccompanied asylum-seeking children.

Implications for Wales

13. Children's social care is devolved in Wales, however much of the learning is likely to be applicable recognising that Welsh authorities are facing similar placement sufficiency challenges.
14. The Welsh Government has [committed to eliminating profit](#) from the care of looked after children. The Working Group has recommended that the Board monitors the implementation and implications of this.

Financial Implications

15. There are no financial implications for the LGA arising from these recommendations.

Equalities implications

16. The Independent Review of Children's Social Care published a document considering [racial and ethnic disparities in children's social care](#) alongside its main review in May 2022. This outlined a range of disparities, including that Asian, Black and other ethnic group children are more likely to enter care as teenagers compared to White and Mixed ethnicity children; poorer experiences of care for Black and ethnic minority children; and ethnic minority children not getting the support they need to build a positive sense of identity. Improving sufficiency of placements includes ensuring sufficiency of *appropriate* placements, which meet the needs of children
17. As emphasised by the Child Safeguarding Practice Review Panel, there is a significant shortfall in suitable placements for children with disabilities and complex health needs.

Next steps

18. The Board is recommended to consider the recommendations put forward by the working group and to suggest any further recommendations building on the evidence provided.

Appendix 1: Children's Social Care Placements Working Group

Purpose

The working group will bring together one councillor from each political group to consider the issue of placements for children in care. The group will:

- Consider existing evidence in relation to the provision and sufficiency of placements
- Identify new proposals to support councils to improve the sufficiency of placements, which may include new calls on the Government or new forms of support for councils
- Help to identify good practice to share with councils.

Terms of Reference

- The focus of this working group is on the sufficiency and cost of placements for all children in care, including unaccompanied asylum-seeking children. This includes foster care, residential children's homes and secure children's homes.
- Accommodation for care leavers, respite care and placements in special schools are outside of the scope of this working group, though the group may consider the impact of pressure in these placements on sufficiency of placements for children in care.
- The working group will not consider in detail the regulatory framework or the inspection of children's social care placements, though it may consider the impact of these on sufficiency and cost.
- Members of the working group will consult with their own political groups and draw on their own experience to inform group discussions and recommendations.

Governance

- The working group will elect a chair at its first meeting who will lead reports back to the Children and Young People Board.
- Members may send substitutes to working group meetings. These should be members of the Children and Young People Board (including substitutes) to ensure a clear link between the group and the board.
- Any recommendations should be agreed by all members of the working group.
- All recommendations made by the group will be submitted to the Children and Young People Board for approval prior to being adopted as LGA policy.
- Where swift agreement is needed on recommendations developed by the working group, these will be agreed through the Children and Young People Board Lead Members, in line with normal process.

Operation

- The working group will meet virtually for meetings of no more than 90 minutes. The group will meet bi-monthly, with the option for additional meetings where required and agreed by the chair.
- Work will also be carried out via email in between meetings.
- The working group will operate until the final meeting of the Children and Young People Board in the 2022/23 board cycle, which will take place on 27 June 2023. The group may cease prior to this if appropriate and by agreement of all members of the working group.
- The working group will be supported by a Senior Adviser within the Children, Welfare, Equalities and Democracy team.

Appendix 2: Children’s social care placements working group



Policy Framework

Contents

Competition and Markets Authority.....	1
Independent Review of Children’s Social Care	1
National standards for independent and semi-independent provision for children in care and care leavers aged 16 and 17.....	3
Children’s homes research	4
National Safeguarding Practice Review Panel review into safeguarding children with disabilities in residential settings	4
Wider context.....	6
Appendix A	7

Competition and Markets Authority

- 1) The Competition and Markets Authority launched a market study into children's social care in England, Scotland and Wales in March 2021 in response to concerns about how the placements market¹ was operating.
- 2) A briefing on the findings of the CMA was circulated to the Children and Young People Board in March 2022 and is attached to this report as Appendix A.

Independent Review of Children's Social Care

- 3) The Independent Review of Children's Social Care was launched in January 2021, and the LGA engaged with the review from the beginning to ensure the views of councils were represented.
- 4) The review team published its [final report](#) on 23 May 2022. The key recommendations in the report relevant to this working group are in [Chapter Five, 'Transforming Care'](#):
 - a) The development of new universal care standards for all types of care to guarantee care for every child in care, and provide the flexibility needed to ensure homes can meet the needs of children;
 - b) Moving the commissioning and running of children's homes, recruitment and training of foster carers into new Regional Care Cooperatives to bring a wider choice of homes for children closer to where they live;
 - c) A 'new deal' for foster care, involving recruiting thousands more foster carers, making more foster homes feel like loving family environments for children and providing significantly more support for foster carers.
- 5) Other recommendations consider how to ensure more children can stay safely at home with their parents through improving support and early help, and how many can remain with their wider family network via kinship care.
- 6) The LGA has previously called for a review of regulations relating to children's homes, recognising that these were established some years ago when the context was quite different. A review of regulations could allow for more flexibility to meet the individual needs of children and allow children to remain in the same home even where their needs changed, as far as possible. We would therefore welcome discussions around new care standards to see how these could improve children's experiences and enable councils and providers to effectively meet children's changing needs.
- 7) The LGA welcomed the recommendation calling for more support for foster carers, recognising that fees and allowances, training and support are all vital to ensure that we can recruit and retain sufficient foster carers.

¹ This briefing uses the same terminology as the CMA review for consistency, however it should be noted that the use of the term "market" in relation to the provision of homes for children in care carries its own challenges and is one the LGA uses reluctantly. The LGA also prefers to use "home" rather than "placement".

- 8) We have, however, raised some concerns about the recommendation on Regional Care Cooperatives. This would introduce up to 20 new organisations owned and run by councils which would have the sufficiency duty in the local area; run and create public sector fostering, residential and secure provision for the area; and commission not-for-profit and private sector care for children where they choose to do so. Local authorities would spend their existing care budgets through RCCs.
- 9) In our initial response to the independent review, we outlined those areas where we believed more collaborative working on commissioning would be helpful, and those areas where more work needs to be done:
- a) There are clear benefits to more collaborative working in some areas of commissioning. In particular, we are keen to consider a national approach to investment in and coordination of provision for children and young people with the most complex and challenging needs.
 - b) Councils are clear that they, working with partners and carers and listening to children and families, are best placed to identify the right home for each individual child they look after. They are corporate parents to these children and work to ensure children’s voices help to shape overall provision while working with partners to build support around the child. Local autonomy in decision-making is vital to ensure councils are able to use this knowledge and local connections to provide the best placement for each child, keeping that child’s voice and needs at the centre.
 - c) Relationships between individual councils and providers are also vital, particularly where providers are located within a council’s locality. These are not only important in managing the placements of individual children, but in building local capacity and responding to local need.
 - d) Locally-led solutions, rather than structures imposed from above, allow councils to build on existing relationships and respond to local contexts. Many areas already have strong regional or sub-regional or local arrangements that have good relationships with local providers developed over many years. We would not want to see these lost. We must also recognise the very different challenges that may be faced by different areas; a shire county, for example, may have very different issues than an inner-London borough.
 - e) Where we see existing commissioning partnerships working well, often there has been investment in dedicated capacity to manage this. Rather than setting up new bodies to manage placements which would be expensive and add another layer of bureaucracy, funded support for collaborative arrangements could help to tackle some of the issues without infringing on existing good practice or removing local autonomy.
- 10) The Government has confirmed that an implementation plan for the review will be published early in 2023.
- 11) We understand that no new money is expected in this Spending Review period to support implementation of the Review, and that existing DfE budgets will instead be reprioritised to enable a series of “pathfinder” projects to be set up to test recommendations in the review. These will be used to develop an evidence base for bids for the next Spending Review to roll out those recommendations that have proven most effective.

National standards for independent and semi-independent provision for children in care and care leavers aged 16 and 17

- 12) Following a consultation in 2020, the [Government has committed](#) to introducing national standards for independent and semi-independent provision for looked-after children and care leavers aged 16 and 17. This provision has to date been unregulated (that is, not subject to registration with or inspection by Ofsted), and has been of variable quality. The intention of the Government is to raise the standard of this provision to ensure high quality accommodation and support for all young people living in such homes.
- 13) Ofsted will begin registering providers from April 2023 ahead of new national standards becoming mandatory for all providers from Autumn 2023. Full inspections are expected to begin in April 2024. The Government will invest over £142 million to deliver the reforms, which much of this being allocated to councils as new burdens funding in recognition of the increase in placements costs these reforms are likely to bring.
- 14) A [consultation](#) on the national minimum standards was published on 5 December 2022. Ofsted and the DfE have been working with councils and providers to better understand the types of provision available and the likely impact of the reforms.
- 15) There is significant concern in the sector around the timescales for implementation. While the introduction of quality standards and inspection are welcome, there is a risk that they will lead to increased costs and fewer placements as providers exit the sector, at a time of significant pressure on placement capacity already. This is a particular challenge in the context of the current asylum crisis, with seven hotels currently housing hundreds of unaccompanied asylum-seeking children due to a lack of available placements; many unaccompanied children are aged 16 and 17 and are often placed in semi-independent accommodation of the sort that will be impacted by these new regulations.

Children's homes research

- 16) In 2020 the LGA commissioned SEC Newgate to look into the barriers to establishing new children's homes provision, and to identify good practice. The [final report](#), published in January 2021, identified the following barriers to establishing new children's homes:
 - a) The perceived role of children's residential care as an "option of last resort"
 - b) Challenges making a robust business case for investing in children's residential care due to high capital expenditure for setup and the lack of predictability in the flow of placements
 - c) Difficulties finding the right property and staff (in particular a Registered Manager) and having these in place in advance of being given licence to operate by Ofsted
 - d) The complexity and severity of children and young people's needs, with homes feeling overly-restricted in managing challenging behaviour due to stringent regulatory requirements
 - e) A perceived lack of co-ordinated and strategic commissioning practices to assess need, engage the market and develop services with the longer term in mind.

- 17) The report also identified some positive practice, including councils investing in in-house provision, support for the workforce, the co-development of services between social care, health and education, and profit-sharing arrangements between councils and providers.

National Safeguarding Practice Review Panel review into safeguarding children with disabilities in residential settings

- 18) While not strictly in the terms of reference for this working group, working group members will wish to be aware of the ongoing National Panel [review into safeguarding children with disabilities in residential settings](#). This review is examining allegations of abuse and neglect towards children living in three private residential settings located in Doncaster and operated by the Hesley Group. These were specialist, independent settings located alongside schools and attended by children with Education, Health and Care Plans (EHCPs), who functioned significantly below their chronological age and exhibited behaviour that challenges. Many had profound difficulties with receptive and expressive communication.
- 19) The first phase of the report uncovered “a catalogue of abuse and serious harm of some of the most vulnerable children in our society”. The Panel’s findings are summarised below:
- a) The voices of the children and young adults in the setting were not heard.
 - b) Placement far from home increased the children’s vulnerability.
 - c) Some children were placed at the settings inappropriately.
 - d) Leadership and management in the settings were inadequate and failed to meet statutory requirements, resulting in a culture of poor practice and misconduct by care staff.
 - e) High rates of staff turnover and vacancies, along with poor quality training, support and supervision, were significant factors affecting children’s quality of care.
 - f) Inaccurate and inconsistent record keeping and statutory reporting by the settings meant that Ofsted and placing authorities often had a false picture of the care, safety and progress of children.
 - g) Quality assurance processes by placing councils were inconsistent and did not enable them to have a full picture of the children’s progress, welfare and safety.
 - h) There were major failings in the LADO (Local Authority Designated Officer) function. Allegations about the conduct of staff in the settings were not satisfactorily investigated.
 - i) National regulatory arrangements had a limited impact on identifying and responding to the many concerns about children’s safety and wellbeing.
 - j) There are key challenges in current provision for children with disabilities and complex health needs that limit their access to the right support at the right time.
- 20) Phase Two of the review, due to be published in Spring 2023 will cover three further lines of enquiry:
- a) What needs to happen to ensure the voices of children with complex health needs and disabilities are listened to and heard, and their rights are respected and upheld?

- b) What are the respective roles of different professionals in keeping children with the most complex needs safe? What changes, if any, are required to improve their effectiveness?
- c) What are the conditions for efficient and effective commissioning so that children with complex health can access the very best support to meet their needs in a timely way?

Wider context

- 21) There is a range of wider factors that has led to an increasing need for children's social care placements:
- a) [Southwark judgement](#) – this was a judgement made in May 2009 which obliges children's services to provide accommodation and support to homeless 16- and 17- year olds.
 - b) Decline in inpatient CAMHS beds – the number of inpatient mental healthcare beds for teenagers [fell by 20 per cent](#) between 2017 and 2022, a reduction of 325 beds, despite increasing need for treatment.
 - c) Decline in youth custody population – the number of children in youth custody has [declined by nearly three quarters](#) in the last ten years, from an average of 2,040 children at any one time to 560 in March 2021.
 - d) Unaccompanied asylum-seeking children – the [number of unaccompanied asylum-seeking children](#) in the care of councils has increased from 2,230 in 2012 to 5,570 in 2022.
- 22) The Department for Education is [investing £259 million](#) in expanding capacity in children's homes. This includes £12 million to expand secure children's homes provision, including work to create new units in London and the West Midlands where there is currently no provision. Councils across the country have also been able to bid into the Children's Homes Capital Fund for match funding to develop new provision or refurbish existing provision, with a particular focus on developing step-down provision or homes for children with more complex needs.
- 23) 22 open children's homes projects were funded in the first wave of funding (these projects will complete next year), and another 48 projects in the second wave. These projects are anticipated to deliver around 350 additional beds by 2025. The secure children's homes funding will deliver around 50 additional spaces.

Appendix A

Competition and Markets Authority – Children’s social care market study final report

March 2022

Introduction

1. The Competition and Markets Authority launched a market study into children’s social care in England, Scotland and Wales in March 2021 in response to concerns about how the placements market² was operating.
2. The review considered two key issues: the availability of placements to meet children’s needs, and the prices paid by councils for those placements.
3. The Local Government Association submitted [evidence to the initial Invitation to Comment](#) in April 2021 covering issues including sufficiency, private equity, commissioning, the regulatory system and the provision of homes for children with the most complex or challenging needs.
4. The CMA published an [interim report](#) in October 2021 which outlined significant concerns around the availability of placements and the level of profit being made by some private providers. The report outlined potential remedies to the challenges found, including supporting councils to engage more effectively with the market, achieving an ‘appropriate’ scale of operations and making it easier for providers to create appropriate capacity.
5. In the LGA’s [response to the interim report](#), the LGA recognised many of the findings within the report, but called on the CMA to consider good practice already taking place within and between councils and the role of health services in the provision of placements for children in care. The LGA also raised concerns that improved engagement by councils with providers would not on its own improve sufficiency and emphasised the importance of locally-led solutions, as well as the role of private providers in supporting improvement in the operation of the market.
6. This briefing outlines the key findings of the [CMA’s final report](#) in relation to England as children’s social care is a devolved issue (though findings and recommendations were broadly similar in Wales) and offers initial LGA views on these. These views are subject to discussion with councillors and should not be considered LGA policy.

Key findings

Placements market

7. The final report came to the view that “there are significant problems in how the placements market is functioning, particularly in England and Wales.” The review cited a lack of placements of the right kind and in the right places, higher prices and higher levels of profit

² This briefing uses the same terminology as the CMA review for consistency, however it should be noted that the use of the term “market” in relation to the provision of homes for children in care carries its own challenges and is one the LGA uses reluctantly. The LGA also prefers to use “home” rather than “placement”.

than would be expected in a well-functioning market, and concerns about the levels of debt being carried by the largest providers.

8. In relation to placements, the CMA was particularly concerned about the proportion of children being placed far from home without a clear child protection reason for this, and the proportion separated from their siblings. The CMA also raised concerns about the challenges in finding suitable placements for children with more complex needs and older children.
9. The review reported that for the largest children's homes providers, there were steady operating profit margins averaging 22.6 per cent from 2016-2020, with average prices increasing by 3.5 per cent each year after accounting for inflation. The price of fostering placements with independent fostering agencies (IFAs) had held steady over the same period and therefore declined in real terms, however IFA profit margins still averaged 19.4 per cent.
10. The CMA also noted that private equity-backed providers held particularly high levels of debt which increased the risk of disorderly exit of firms from the market.
11. The CMA concluded that the market would not improve without focussed policy reform.
12. Despite some calls for the review to recommend capping prices or profits, or eliminating the use of profit-making provision altogether, the CMA has decided not to do so. This is in part as the review did not find that local authority children's homes were cheaper than profit-making provision, and there was concern that reducing or eliminating private provision would further reduce investment in new capacity.

Commissioning

13. The report identifies "severe limitations" on the ability of councils to engage effectively with the market. It notes that councils need to be able to forecast their likely future needs effectively, shape the market through the provision of accurate forecasting and incentivising providers to expand capacity appropriately, and procure placements efficiently.
14. The CMA found that due to the relatively few placements bought by each council, it was difficult to accurately forecast need. With regard to specialist provision, the demand for this provision from individual councils was generally too low to justify contracting a whole service to meet those needs.
15. The CMA found evidence of councils working together to tackle some of these challenges, however there were difficulties in making this work successfully due to risk aversion, budgetary constraints, differences in governance and difficulties aligning priorities and sharing costs. The report suggests that these barriers are unlikely to be overcome without action by national governments to ensure the appropriate level of collaboration.

Creating capacity in the market

16. The review finds that barriers to creating capacity in the market exist in relation to regulation, property and planning, and recruitment and retention.
17. The regulatory system in place for the care system has remained largely unchanged in England for twenty years, creating costly and time-consuming processes that do little to improve children's wellbeing and safety. In Scotland and Wales, recent amendments to the system mean that these challenges were less pronounced in those countries.
18. The review also found that access to suitable properties was a barrier to the creation of children's homes. This was both due to competition for scarce housing stock, and

difficulties negotiating the planning system including the issue of local opposition to children's homes as a result of outmoded or inaccurate assumptions about them.

19. The review expressed surprise that children's homes workers had not seen their wages rise despite high levels of profit making and that greater investment was not seen in recruiting, training and supporting staff to aid recruitment and retention challenges.

20. The review also found that more could be done at a national level to address recruitment and retention of both children's homes workers and foster carers.

Recommendations and initial LGA views

Commissioning

21. The review recommends that the Government requires a more collective approach to engaging with the placements market, including:

- a. Setting out the minimum level of activity to be carried out collectively including in forecasting, market shaping and procurement
- b. Requiring each local authority to participate in a sub-national (England) body to carry out these collective activities
- c. Providing an oversight structure to ensure each body carries out its functions and achieves sufficiency in its area
- d. Improved information on how often children are placed in placements that do not meet their needs due to a lack of appropriate placements

22. Furthermore, the review recommends that the Government provides additional support to local authorities and collective bodies for forecasting, market shaping and procurement, including:

- a. National-level functions to support forecasting of demand and supply, including carrying out and publishing regional and national analysis, with a statutory duty on councils to provide specified data
- b. Trialling market shaping and procurement techniques and sharing what works
- c. Reintroducing national procurement contracts covering terms and conditions that do not need to reflect local conditions

23. The CMA also recommends that the Government offers targeted funding support for innovative approaches by councils or groups of councils to recruit and retain foster carers to reduce reliance on IFAs.

24. LGA VIEW

- a. In our submissions to the review, we recognised the value in more collective work on forecasting and market shaping activity, along with commissioning of specialist placements.
- b. However we also emphasised the value of local autonomy, and the importance of councils as corporate parents having strong relationships with foster carers and children's homes. We would therefore suggest that when considering the level of activity to be carried out by collective bodies, the focus should be on strategy and specialist placements rather than all homes for children in care.
- c. It would also be important that any new arrangements built on existing good practice and structures, rather than duplicating arrangements or undoing work that has already taken place.

- d. With regard to collection and reporting of data, we recognise the need to improve our understanding of the needs of children. Any data collection must be designed in consultation with councils to ensure that this is proportionate and that systems are in place to allow data to be collected efficiently. Additional support may need to be provided to councils or collective arrangements to ensure staff capacity.
- e. The LGA is already working with councils on national contracts for some types of provision and the need for these contracts is recognised. We support the recommendation that this work is expanded.
- f. We also welcome the recommendation that councils be supported to trial innovative approaches to recruitment and retention of foster carers, and suggest this is carried out as part of a broader plan alongside the later recommendation around a national strategy. The LGA has previously called for a national recruitment campaign for foster carers to harness the knowledge and scale of the Department for Education.

Creating capacity in the market

- 25. The review recommends a review of regulations related to the provision of placements to ensure that regulations protect children's safety and wellbeing without unnecessarily restricting the effective provision of placements.
- 26. With regard to planning, it is recommended that for the purposes of the planning regime, the Government considers removing the distinction between small children's homes and domestic dwelling houses.
- 27. Where children's homes remain in the planning system (for example, larger homes), it is recommended that guidance is introduced clarifying when planning permission may be required and the circumstances in which it is likely to be granted or refused.
- 28. The CMA also recommends an annual assessment of the workforce, similar in scope to the CQC's annual State of Care review in England, to provide a clear overview of staffing pressures and concerns. The Government is recommended to consider whether national measures such as recruitment campaigns, supporting professionalisation and career pathways are required.
- 29. The report also recommends that the Government undertakes an assessment of future need for foster carers and leads on a strategy to improve recruitment and retention of foster carers.

30. LGA VIEW

- a. We have supported calls by the Association of Directors of Children's Services to review regulations related to placements, so welcome this recommendation.
- b. We are in discussion with the Planning and Housing policy team about the implications of the recommendations on planning. It is important to consider how the police are consulted on the locations of children's homes, given the additional risks to children in care of exploitation.
- c. An annual workforce assessment may also be helpful in ensuring we can effectively plan for recruitment and retention; we will seek further views on this recommendation from the sector and workforce colleagues.

Resilience of the market

31. The review recommends that the Government creates a statutory oversight regime to assess the financial health of the most difficult to replace providers of children's homes and warning placing authorities if failure is likely.
32. This oversight body should also require the most difficult to replace children's home providers to maintain contingency plans setting out how they are organising their affairs to mitigate the risk of provision having to close in a sudden or disorderly way in the event of financial difficulties or insolvency.
33. **LGA VIEW**
 - a. The LGA has been calling for oversight of the largest providers of children's placements and highlighting the risks of high levels of debt in those organisations since 2020; we therefore welcome these recommendations.

Appendix 3: Children’s social care placements working group



Legal Framework

Contents

Children Act 1989	1
Unregulated settings	1

Children Act 1989

1. Councils’ duties in relation to the placement of children in care are outlined in the [Children Act 1989](#) and [associated guidance](#).
2. Sections 20 and 21 in the Act allow for the accommodation of children either voluntarily, for their own protection or by virtue of an order made in criminal proceedings.
3. The Care Planning, Placement and Case Review statutory guidance outlines issues that a council must consider when placing a child:
 - Preference should be given to a placement with a connected person (e.g. a friend or relative)
 - Placements should be close to home, should not disrupt education (especially at key stage 4), enable siblings to live together, be suitable to a child’s needs if they are disabled, and is within the local authority area.
4. [Section 22G](#) of the Act places a duty on councils to take steps to ensure that they are able to provide sufficient accommodation within the authority’s area to meet the needs of looked after children

Unregulated settings

5. Unregulated settings are those which are not regulated by Ofsted and are often referred to as semi-independent accommodation or supported lodgings. They provide support to children, rather than care, and are generally considered a stepping stone to independence. “Unregulated” is different to “unregistered” provision, which is illegal as this is provision that provides care and therefore should be inspected by the regulator. Ofsted issued [this blog](#) in 2019 explaining the difference between unregulated and unregistered.

6. The [Care Planning, Placement and Case Review \(England\) \(Amendment\) Regulations 2021](#) came into force on 9 September 2021. These regulations banned the placement of children under the age of 16 in unregulated settings.
7. Further regulations will come into force in 2023 to regulate what are currently unregulated settings. All providers will be expected to register with Ofsted and meet national minimum standards. A [consultation](#) was launched on 5 December 2022 on the quality standards and inspection regime,
8. The LGA has been supportive of both of these moves, which should improve the consistency and quality of care and support provided to children. However, the LGA has also highlighted the likely impact on availability and cost of placements and subsequently, the potential negative impact on children in care if these issues are not mitigated.
9. Councils continue to report exceptional difficulty in trying to find appropriate registered placements for children in care with very complex needs. This is resulting in councils having to take cases to the family court to ask judges to approve placing children in unregistered settings as the only option to ensure they receive care. Since the introduction of the 2021 regulations, these settings have anecdotally become far harder to access as they are in breach of legislation, and are far more expensive than prior to the regulations. Directors of Children's Services have also been threatened with prosecution by Ofsted where they are accommodating children in unregistered provision.
10. Councils are concerned that when the 2023 regulations are introduced, requiring providers of unregistered accommodation to register with Ofsted, placements will similarly become more difficult to access and more expensive. Ofsted and the Department for Education have been working with providers to identify the likely impact of the regulations, and have also committed to providing councils with new burdens funding in recognition of the likely price increase.

Appendix 4: Children’s social care placements working group



Current statistics - summary

Contents

Children in care	1
Types of placement	2
Sufficiency	3
Providers	3
Cost	4
Quality	4

Children in care

- On 31 March 2022, there were 82,170 children in the care of their local council. 56 per cent of these children were male.
- Age of children in care:

Age	Percentage of children in care – 2011 (number)	Percentage of children in care – 2021 (number)	Increase/decrease in percentage
Under 1	6 (3,660)	5 (3,970)	↓
1-4	18 (12,020)	14 (11,350)	↓
5-9	18 (11,830)	18 (14,890)	↔
10-15	37 (24,160)	39 (31,700)	↑
16+	21 (13,860)	25 (20,260)	↑

- Ethnicity of children in care:

Ethnicity	Percentage of children in care – 2011 (number)	Percentage of children in care – 2022 (number)	Increase/decrease in percentage
White	77 (50,340)	73 (59,880)	↓

Mixed	9 (5,620)	10 (8,570)	↑
Asian or Asian British	5 (3,090)	5 (3,920)	↔
Black or Black British	7 (4,520)	7 (5,660)	↔
Other ethnic groups	2 (1,530)	4 (3,540)	↑
Other (information refused or not obtained)	1 (410)	1 (620)	↔

4. Category of need:

Category of need	Percentage of children in care – 2011 (number)	Percentage of children in care – 2022 (number)	Increase/decrease in percentage
Abuse or neglect	62 (40,410)	66 (54,270)	↑
Child's disability	3 (2,150)	2 (2,000)	↓
Parents illness or disability	4 (2,720)	3 (2,210)	↓
Family in acute stress	9 (5,880)	7 (6,070)	↓
Family dysfunction	14 (8,930)	13 (10,820)	↓
Social unacceptable behaviour	2 (1,230)	1 (910)	↓
Low income	- (160)	- (90)	-
Absent parenting	6 (4,050)	7 (5,790)	↑

5. The national figures mask significant regional variation. For example, rates of children in care vary from 26 per 10,000 children in Merton to 218 per 10,000 children in Blackpool.

Types of placement

6. Most children in care (70 per cent) live in foster placements, with a further 9 per cent in children's homes. 7 per cent are placed with their parents or another person with parental responsibility, 7 per cent live in semi-independent accommodation ('unregulated'), and the rest are in other settings such as NHS Trust settings, young offender institutions or are placed for adoption ([2022 data](#))
7. Whilst the number of children in foster placements has increased each year, the overall number of children looked after has increased more quickly, so the proportion of CLA in foster placements has decreased to 70 per cent this year from 73 per cent in 2018. However, the number of all CLA in foster placements with a relative or friend has increased by 29 per cent since 2018, and now represents 15 per cent of all CLA.

8. The number of children placed in unregulated placements (i.e. semi-independent living or living independently) increased by 23 per cent between 2021 and 2022 from 6,080 to 7,470. The majority of this increase is in children placed in semi-independent living accommodation, up 27 per cent since last year from 4,280 to 5,440; children living independently increased by 13 per cent from 1,790 to 2,030.
9. For the year ending 31 March 2022, 69 per cent of children had [one placement](#) during the year, 21 per cent had two, and 10 per cent had three or more.

Sufficiency

10. Sufficiency of placements varies around the country, with just over a quarter of all children's homes, and almost a quarter of all places, in the North West region at 31 March 2022 ([source](#)). Only 7 per cent of children's home places were in London.
11. Sufficiency must be seen in terms of suitability, rather than simply numbers, of placements. [Ofsted has reported](#) that "over the last 7 years, the general trend has been of a slow increase in numbers of [fostering] places...However, this increase has not kept up with the demand for places, with the number of children in foster care having increased by around 11 cent over the period to March 2020. [\[Ofsted's\] own research](#), along with that carried out by [The Competition and Markets Authority \(CMA\)](#), indicates that although there are more approved places than children in foster care, this does not mean that there are sufficient appropriate placements for children."
12. One in every six fostering households in England offers family and friends provision, providing care for about one in five fostered children. These placements have a separate approval process to other types of foster care and approvals are usually for the care of a specific child or children. Friends and family placements make up an increasing proportion of local authority fostering households, in line with the expectation that councils place children with family and friends wherever possible.
13. There are 13 [secure children's homes](#) in England, 12 run by councils and one by a voluntary organisation. They are registered 132 welfare places and 101 youth custody places. At any one time, 50 children (up from 25 last year) are waiting for a secure children's homes place, and 30 (up from 20 last year) are placed by English councils in Scottish secure units due to the lack of available places. The Scottish Care Review recommended that Scotland no longer takes placements from English local authorities, and work is currently underway to look at how this might be implemented.

Providers

14. [Children's homes](#): As at 31 March 2022:
 - a. private companies ran 84 per cent of children's homes (2,208), providing 8,023 (79 per cent) places.
 - b. LAs ran 13 per cent (340) of children's homes, providing 16 per cent (1,485) of places.
 - c. Voluntary providers ran 94 homes (4 per cent), providing 491 places (5 per cent).
15. [Foster care](#): As at March 2022, IFAs accounted for 45 per cent of all filled fostering placements, an increase of 5 per cent since 2018.

16. [Research for the LGA](#) published in March 2022 found that eight of the largest ten independent providers of placements in England had private equity ownership.
17. Ofsted has worked with councils to build a [picture of unregulated provision](#) in advance of regulation being introduced for this type of provision. This found that:
- There are around 1,100 supported accommodation providers in England, with two thirds operating in only one council area and nearly half only supporting one or two young people.
 - Accommodation varied from single-occupancy flats to hostel-type provision, to supported lodgings or small group living arrangements.
 - Around 7,000 young people were living in supported accommodation, almost as many as living in children’s homes. Most of these (around 5,300) were aged 17.

Cost and profit-making

18. Councils [report](#) a total expenditure of £3,672 million on in-house and independent fostering and children’s homes placements in 2020-21. This is an increase from £2,670 million in 2015-16, or an increase of 37.5 per cent. For context, the corresponding increase in the number of children in care was 14.8 per cent.

19. This breaks down to:

Placement type	2015-16 (£ million)	2020-21 (£ million)	Percentage change
Residential (all)	1,103.2	1,836.6	66.47
Residential (LA)	342.4	406.7	18.78
Residential (private)	696.8	1,327.8	90.56
Residential (voluntary)	39.8	28.5	-28.39
Fostering (all)	1,567.6	1,835.4	17.08
Fostering (LA)	845.5	871.7	3.1
Fostering (private)	649.6	862.7	32.8
Fostering (voluntary)	51.4	42.5	-17.32

20. The Competition and Markets Authority review into the placements “market” found that:
- For the largest providers, children’s homes operating costs had increased between 2016 and 2020 broadly in line with increasing prices. Operating margins had remained broadly

flat at an average of 22.6 per cent, with average operating profit increasing from £702 per week to £910 per week over the period.

- b. For the largest fostering agencies, operating costs, prices and profits had remained broadly flat over the period.
- c. For unregulated accommodation, prices remained broadly flat from 2018 but operating costs increased, resulting in a reduced profit margin with the average profit decreasing from £381 per week in 2018 to £330 in 2020.
- d. Even allowing for profits the average amount paid by a council for a place in a private children’s homes is not higher than paying for an in-house place. The primary cause of this was higher staffing ratios and costs in local authority provision.
- e. In-house foster carers were found to be cheaper than independent fostering agency placements.

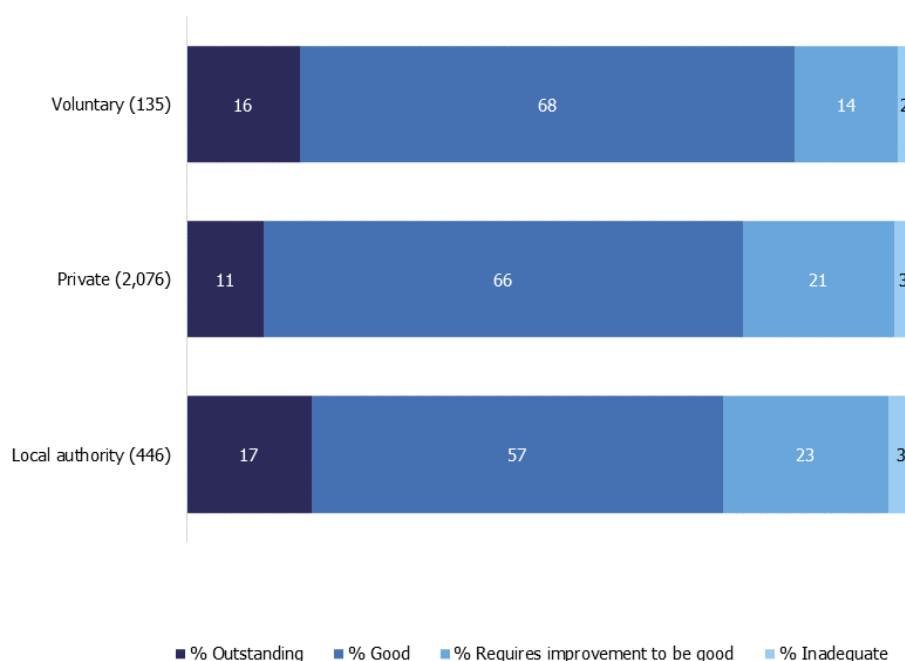
21. The CMA concluded that “the largest private providers of placements are making materially higher profits, and charging materially higher prices, than we would expect if this market were functioning effectively.” [More information on the CMA review is included in the “policy framework” paper]

22. [Research for the LGA](#) published in March 2022 found that for the 20 largest providers of children’s social care placements:

- a. There was a total profit of £333 million over one year, representing a profit margin of 19.8 per cent. Profits had increased by 14.2 per cent on the previous year.
- b. The highest profit margins tended to be in the largest provider groups

Quality

23. [Ofsted reports](#) similar inspection results across children’s homes provision by different sectors:



24. However, a [longitudinal analysis](#) of inspection outcomes for children's homes by Oxford University found that:

- a. for-profit providers are statistically significantly more likely to be rated of lower quality than both public and third sector services.
- b. For-profit children's homes violate a greater number of requirements and receive more recommendations compared to other ownership types.

Appendix 5: Children’s Social Care Implementation Strategy

20 February 2023

Briefing for children’s social care placements working group

1. This document outlines the key recommendations within the Children’s Social Care Implementation Strategy that specifically relate to the provision of placements.

Commitment	LGA View
<p>The strategy states that “A family-based home is best for most children to live in. Children should receive local healthcare and whatever additional support they need, close to the family home that they are living in. Where children need specialist residential or therapeutic care, this should be provided as close to where they come from as possible.”</p>	<p>We are concerned that residential care for children appears to be given a far lower priority in this strategy than foster care. While family settings will be the best option for many children, our members have repeatedly highlighted that for some children in their care, residential children’s homes are the best choice, for example for some older children who express that they do not want to live in another family environment to the one they have grown up in. Research for the LGA highlighted that one of the barriers to developing new children’s homes is their perceived role as an “option of last resort”. If we are to ensure that we have the right homes for all children who need to come into care, we must ensure that a range of options is available and not introduce additional barriers as an unintended consequence of policy.</p>
<p>Investing £3 million in an initial fostering recruitment and retention programme in the North East Regional Improvement and Innovation Alliance. This will introduce a regional support hub to support individuals interested in applying to foster, facilitate targeted communications and improve retention with the evidence-based model Mockingbird. This will create end-to-end improvements in fostering recruitment and retention and allow us to gather insights ahead of further programmes.</p>	<p>It is positive the Mockingbird model is being rolled out in the North East however given that significant money has already been spent evaluating the model and finding it to be positive, it would have been helpful to support all councils to implement this or similar models rather than spending time gathering further insights.</p>
<p>We will expand our recruitment and retention programme from 2023 by investing over £24 million. In the development of fostering recruitment, we</p>	<p>The LGA has long called for national support around the recruitment of foster carers, so investment in this is very welcome. We have also called for a focus</p>

<p>will work to recruit and retain more foster carers where there are particular shortages. Depending on local need, this may include sibling groups, teenagers, UASC, other children who have suffered complex trauma or parent and child foster homes. This will boost fostering capacity and build an evidence base on how to effectively recruit and retain foster carers</p>	<p>on increasing foster care capacity for UASC as part of the DfE’s commitment to focussed work on fostering, so it is positive to see this recognised. There is already evidence around the recruitment and retention of foster carers available, so it will be important to build on this and to share evidence swiftly to build capacity quickly.</p>
<p>In recognition of the increasing costs of living, we are also raising the National Minimum Allowance (NMA). Foster carers will benefit from a 12.43% increase to the NMA.</p>	<p>Finances should not be a barrier to providing children in care with loving homes and an increase to the National Minimum Allowance will support foster carers to look after children. We will be seeking urgent clarification as to how this increase will be funded.</p>
<p>We have been working across government with DLUHC in order to assist local authorities when they are considering planning applications for new homes for children, and we will issue a joint Ministerial Statement to clarify the national policy position. We need leaders at a local and regional level to support this approach.</p>	<p>We have heard concerns both from councils and providers that planning can be a barrier to the establishment of new children’s homes, whether because of complexities in the planning process or opposition from local residents to plans. It may therefore be helpful to clarify the national policy position to reduce complexity. It may be helpful to identify good practice in relation to working with residents where planning applications are made in their area.</p>
<p>Over the next two years we will gather data and qualitative information to enhance our understanding of the children’s homes workforce. We will undertake a workforce census in 2023 and 2024 and carry out in-depth cases studies, which will focus on recruitment, retention, qualifications and training.</p>	<p>We welcome plans to support the residential care workforce who have often been undervalued despite the vital care and support they provide children every day.</p>
<p>We have set up an expert working group to review all existing legislation and regulation and to develop a core overarching set of standards for fostering, children’s homes and supported accommodation. The first meeting of the group took place in November 2022. Its work will include reviewing regulations that impact on the placements market in England, in order to remove any unintended barriers to ensuring enough of the right types of home are available for the children and young people who need them. We will undertake some initial sector expert engagement followed by a consultation</p>	<p>The LGA has previously called for a review of regulations to ensure that these are fit for purpose and act as enablers, rather than blockers, for high quality homes for children in care and therefore we welcome this piece of work.</p>

<p>as necessary in autumn 2023 on changes to standards of care and regulations, with a view to updating legislation subject to parliamentary time.</p>	
<p>To ensure the resilience of both independent fostering agencies and children’s homes providers, we will work with Ofsted and the sector to develop plans for a financial oversight regime. This will increase transparency and prevent sudden market exit, which would disrupt the lives of children living there. In advance of bringing forward legislation when parliamentary time allows, we will begin immediate work to develop a voluntary oversight regime overseen by Ofsted.</p>	<p>We have also called for financial oversight of larger independent providers of children’s placements for some time and are pleased to see commitment to this in the strategy. The Government should work closely with the Care Quality Commission and those in the adult social care sector to ensure that lessons are learnt from the equivalent scheme for adult social care providers. We would also like to see consideration given to how this can be linked to considerations around quality of provision and children’s experiences, and powers given to Ofsted to enable them to easily identify any patterns across provision by a provider or overarching ownership structure.</p>
<p>We will deliver national support with forecasting, procurement and market shaping to local authorities. Initially, we will commission an external organisation to deliver the support. Over time, the function could be subsumed into a regional model. As part of this, we will seek to increase the financial transparency of providers to strengthen local authorities’ understanding of the financial position of the organisations they commission to deliver care. We will also seek to publish data held by government to support local authorities with forecasting.</p>	<p>National support for forecasting, commissioning and market shaping is welcome. These areas can be challenging for some councils as expertise has been lost in recent years, while other councils have seen success in pooling resources to carry out this work. We are keen to work with the Government to develop this support offer to ensure that it meets councils’ needs and builds on existing good practice.</p>
<p>We will work with local authorities to co-design and co-create Regional Care Cooperatives (RCCs) in two areas with a view to rolling out after testing and evaluating the best approach in conjunction with the sector (more detail below)</p>	<p>We have previously outlined our concerns regarding the Regional Care Cooperative model (RCC), including the importance of ensuring that decision making is taken as close to the child as possible and the value of strong relationships between corporate parents and care providers. We have also seen that in existing examples of strong regional commissioning arrangements, sufficiency challenges remain, while we are concerned about adding an additional layer of bureaucracy to the system. However, we do recognise that regional or sub-regional working is a helpful approach to developing more specialist placements including secure provision, as well as for strategic issues</p>

	<p>including forecasting and market shaping. It is positive that this approach is being tested prior to a potential roll out, and it will be vital to ensure that the approach delivers significant improvements – and that we understand the drivers for these improvements - prior to any scaling up.</p> <p>We do not believe that RCCs will be able to address the issue of insufficient placements quickly, particularly for those children with the most complex needs, and therefore call on the Department to work with councils and the NHS to improve sufficiency swiftly rather than waiting for RCCs to deliver results. This is imperative; too many children are not living in the right home for their needs and those children cannot wait for action to be taken.</p>
--	--

2. Regional Care Cooperatives

2.1. The Implementation Strategy says the following about how RCCs will work:

2.2. “Alongside local authorities, we will work with partners across health, justice and the third sector to support the co-design of RCCs to make lasting change. For health, every ICB will have an Executive Lead(s) responsible for Children and Young People, SEND and Safeguarding. They will be responsible for ensuring the ICB functions work in the interest of children and young people. They will ensure join up with colleagues in children’s social care. Every Joint Forward Plan is required to set out the steps to meet the particular needs for children and young people. Every integrated care strategy will set out how the integrated care system will meet the needs of its population, including children and young people. Working with health, local government and other partners, children’s social care can play an important role in designing and implementing these plans and strategies. We will consider how connections can be made across ICBs and other stakeholders in the development of RCCs.

2.3. “We will provide set-up funding and seek to provide capital investment for local authorities to come together regionally and innovate on how to implement our vision. The development of RCCs will create a much-needed change primarily in order to increase sufficiency. We accept the CMA and Care Review direction and highlight our vision of the benefits of RCCs below:

2.4. “The vision for Regional Care Cooperatives (RCCs)

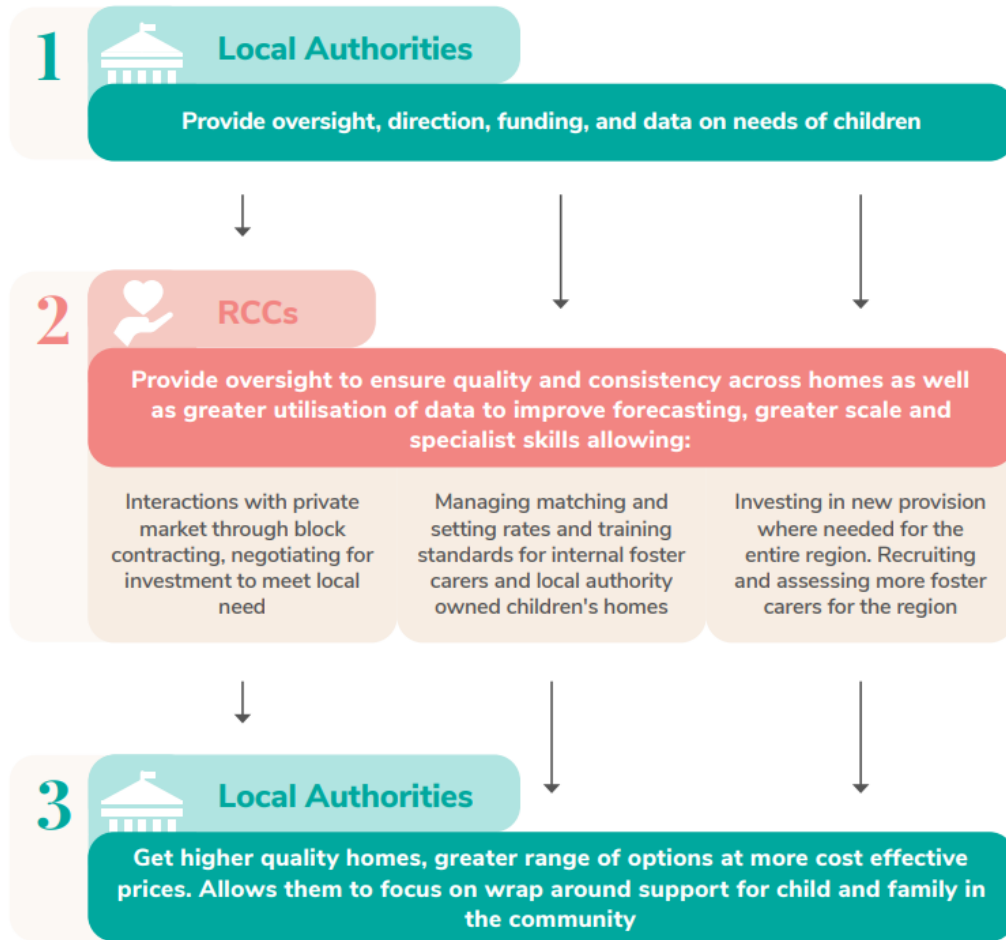
- 2.4.1. **Better and more accurate information to improve planning for care:** We agree with the CMA that local authorities are operating at too small a scale to forecast effectively for children’s needs in 152 areas. Forecasting how many children will enter care in the future, where they will come into care and with what needs must be carried out at some scale. Working regionally will help us to better predict what homes will be needed for children, and where they will be needed.
- 2.4.2. **Better economies of scale:** With increased scale, there is increased

- capability. A regional model will have the financial force and shared risk to plan ahead and invest in homes and models of care that individual local authorities currently lack. It is good practice for children to be involved in decisions about where and with whom they live. A regional model of care will ultimately increase the availability of the right homes in the right places for children who need them - giving children more voice and choice in decision-making.
- 2.4.3. **Better support for foster carers:** There are artificial barriers, embedded in current structures, that are unnecessarily limiting the options for both children and foster carers. By working together, and with RCCs delivering foster care, we will achieve better recruitment and retention of diverse and excellent foster carers. By working together, children who live on the border of neighbouring authorities will have a wider pool of foster carers who they could be matched with, while still living close to home and school. In all, we will have more choice and better matching for children and better tailored support for foster carers.
- 2.4.4. **Better collaboration with health and justice to improve services for children in care:** A key role of RCCs will be to work closely across social care, health and youth justice, in order to better meet the needs of children in care, particularly those with complex needs.
- 2.4.5. **Better planning and running of homes for children with complex needs:** Once fully established with the costs of care reduced by pooling resources and expertise, RCCs will be better equipped to provide more residential care homes for those children with the most complex needs. We will work with the Ministry of Justice (MoJ) and the Department of Health and Social Care (DHSC) to understand what the RCC model might mean for children in all forms of secure care, including those in the health and justice systems. Where children require an inpatient mental health service, there should be strong multi-agency arrangements to ensure that they are supported during their stay and return to the community. This will reduce the chances that children, including disabled children, will need to live far from home in order to receive the care they need.
- 2.4.6. **Increased transparency of the cost of care:** By working together under RCCs, local authorities will be able to accurately compare how much they are each paying for foster homes, residential homes, supported accommodation, and secure and therapeutic care homes. It is not possible for 152 local authorities to compare prices, but working in regional groups of up to 20, commissioners will be better placed to compare both the cost and quality of services they are procuring. We will ask RCCs to regularly publish management information about the cost of care.
- 2.4.7. **Improved commissioning practices:** By working together, RCCs will be able to learn and share learning on better commissioning. We will support this work by providing national support with forecasting and procurement on how best to plan for sufficiency and how best to commission and procure the right homes in the right places. With a smaller number of commissioning teams, but operating at greater scale, they will be better placed to share learning about how best to commission. This includes how we hold providers of care to account for quality through these commissioning contracts.
- 2.4.8. **Action on excess profit making:** Children will be better matched to

homes as stated in their care plans. For example if a foster carer is the best match for a child, there will be a foster home available for them. Improved recruitment and retention of foster carers will reduce the need to use residential care as an overspill for a lack of places in foster homes. Better planning for care, better commissioning and more transparency about the cost and quality of care, will reduce excess profit making. There will be a reduced use of spot purchasing. Combined with action on financial oversight of the market, local authorities will be in a much better position to manage the market in the best interests of children.

- 2.4.9. **Updated regulation and inspection of care:** To support this regional collaboration, after our review of regulations and care standards, we will ensure that all children will receive the same level of care when they live away from home. We will work with Ofsted to align their inspection to these new regulations and standards and develop a framework for the inspection of Regional Care Cooperatives. This will be important in ensuring we hold RCCs to account in providing sufficient, quality places for children to live.
- 2.4.10. **Better outcomes for children in care:** When children's social care operates effectively, children in care and care leavers will be safe in homes that meet their needs. RCCs will significantly increase the likelihood that children are living close to their community. RCCs will prioritise matching with local homes and achieving permanency for children. Proximity to their home environment keeps children safe and maintains loving relationships. Children will have their voices heard. Children will live in homes matched to their likes, dislikes, religion, culture, personality, and physical and mental health needs.
- 2.5. "We recognise the wide variety of views on how RCCs could operate, including those of local authorities, placement providers, foster carers and social workers. We will work with the sector to understand how RCCs should work and how they fit into wider plans to deliver sustainable and safe places to live for children in care, such as financial oversight of the independent sector. No matter where children are from, at the heart of this approach, it is crucial that children live close to their family, friends and school. A regional way of working should improve, not impede, this.
- 2.6. "We will be investing in two Pathfinders to test the model of RCCs with local authorities and how it can deliver better care for children and young people. We will collaborate with local authorities to trial an approach to make RCCs work within the current legal framework ahead of bringing forward legislation, when parliamentary time allows."
- 2.7. The Independent Review of Children's Social Care published the following diagrams to indicate how it envisaged RCCs working:

Organisation journey



Child and social worker's journey

1

- Social worker in local authority A thinks a case has met threshold and seeks a legal planning meeting locally
- Local authority A advise whether the case has met threshold, if it's proceeding to court and care could be an option.
- Social worker gains permissions from local authority A to look for a home and submits request for a home to RCC



2

- Social worker provides matching requirements e.g, home for siblings, within 30 mins of home, can stay at the same school
- And speaks to a home finder



3

- RCC searches all homes available and considers additional services that may be required



4

- A range of homes and services are offered to the social worker



5

- If appropriate the social worker discusses options with children and family before making a decision about what home would best meet the children's needs
- Local authority funds the place that meets children's needs
- Continues to make all decisions about where the child should live



Contact
Louise Smith
 Senior Adviser – Children and Young People
 Mobile: 07464 652769
 Email: louise.smith@local.gov.uk

Appendix 6: Children’s social care placements working group

20 February 2023

Introduction

1. The children’s placements working group met for the first time on 12 December 2022 to consider existing evidence and potential areas of inquiry. A series of questions were raised at the meeting, which form the basis of this briefing.
2. An additional briefing has been provided outlining government commitments on children’s placements that were made in the children’s social care implementation plan (“the CSC Plan”). Some of these commitments relate to issues discussed by the placements working group; these are highlighted in this briefing.
3. Members are asked to consider this additional evidence and discuss the next steps for the working group.

Question	Page
What are the barriers to the provision of in-house residential care and how can we get past these?	2
What are the barriers to a thriving in-house foster care service and how can we get past these?	5
What does “good” look like in the provision of in-house residential provision, recruitment and retention of foster carers and managing sufficiency? Are there examples we can consider?	6
How can we be clear to the Treasury why services cost more in some areas than others?	8
How can we make a clear argument around profiteering? More transparency is needed in the costs of placements	9
The biggest increase in numbers of children in care is in the 10-15 age group; how much of this is linked to insufficient SEND provision?	10
What do we know about particular challenges for individual councils?	12
Do we need to consider a more radical distinction in how we support unaccompanied asylum-seeking children?	14
Why are there now fewer third sector providers?	16

Briefing

Improvement and Development Agency for Local Government company number 03675577

Local Government Association company number 11177145

020 7664 3000 info@local.gov.uk www.local.gov.uk

18 Smith Square London SW1P 3HZ

What are the barriers to the provision of in-house residential care and how can we get past these?

4. In 2020, the LGA commissioned SEC Newgate to investigate the barriers to establishing and maintaining children’s homes. The [final report](#) was published in January 2021. The following barriers were identified:
5. One: The perceived role of children’s residential care as part of the wider system of support for children and young people.
 - 5.1. Stakeholders and research found that residential care was often seen as a “last resort”, with children only placed in children’s homes until a “proper home” could be identified. This stigma impacted the objectivity within which such provision is viewed by policy makers and commissioners, leading to a non-committal approach to residential care as part of the overall support structures available to children and young people.
 - 5.2. This stigma was further compounded as children were often only placed in childrens homes after several failed foster care placements (due to the ‘foster care first’ approach). These failed placements had an impact on children’s longer-term outcomes, and contributed to a perception that children’s homes were “not very good”, reinforcing a perception that they should only be used as a last resort.
 - 5.3. The report found that on average, residential care was 5-6 times more expensive than foster care, creating a financial incentive to focus on foster care over residential care.
6. Two: Making a robust business case for investing in children’s residential care.
 - 6.1. A common challenge identified was in predicting the ‘flow’ of placements. Establishing and maintaining residential provision, especially that which offers specific educational or therapeutic support, is a significant financial commitment and being unable to guarantee that all placements in such provision would be consistently needed (thereby guaranteeing income) was a substantial barrier.
 - 6.2. The research also found that a lack of accurate and up-to-date data on the needs of children (particularly given that any such data will by its nature be out of date as soon as published as needs are changing all the time) made it difficult to build a strong business case about the best type of provision to invest in.
 - 6.3. **Note:** The CSC Plan has committed to investing in support for councils to help with forecasting, including the publication of data held by government that will help with forecasting.
7. Three: Having the necessary infrastructure, management and staffing in place.
 - 7.1. Identifying suitable properties was found to be a significant challenge, and even when these were found, it could be very difficult to get planning permission due to considerable opposition from local communities. Significant investment could then be required to ensure properties met legal requirements.

- 7.2. Staffing presented a considerable challenge, particularly the lack of suitably skilled children's homes managers.
- 7.3. The requirement to have everything set up within a children's home prior to its registration with Ofsted, and the length of the registration and approval process itself, was widely seen to be too onerous (though it was recognised that this was also linked to whether applications were correctly completed when submitted). A time-consuming process places significant financial pressures on providers (including councils), with all work needing to be done with no income or guarantee of future income (if registration is refused) and this can impact on councils' or smaller providers' ability to establish provision.
- 7.4. **Note:** The CSC Plan commits to a Ministerial Statement to clarify the national policy position on planning permission for children's homes. A workforce census of the children's homes workforce will be undertaken in 2023 and 2024. A programme will be developed to support improvements in the quality of leadership and management in the children's homes sector. The DfE will also explore the development of proposals for introducing professional registration of the residential childcare workforce and a leadership programme for new children's home managers.
8. Four: Complexity of presenting needs.
- 8.1. There is broad consensus that the complexity and severity of children's needs is increasing, which places additional pressure on placements. For example, children's homes providers have a responsibility to balance individual needs of children within a home, ensuring that children can live together well in a home. This may mean that places go unfilled rather than risk a child moving into a home and negatively impacting on other children already living there.
- 8.2. Providers also raise concerns that they believe Ofsted has a lack of flexibility when it comes to recognising that supporting children with very complex needs may not look like "standard practice" for a time, and may therefore rate provision as inadequate if providers offer places to children with the most complex needs. At a national level Ofsted has [tried to reassure providers](#) that its inspectors will recognise where risk is managed well, however there remains concern amongst providers many of whom continue to refuse to offer placements to some children.
9. Five: Co-ordinated and strategic commissioning practices.
- 9.1. A lack of co-ordinated and strategic commission of children's home provision at a sub-regional, regional or national level was considered a barrier to ensuring that the right provision for children was available in the right places, with a lack of understanding of what was needed over an extended period.
- 9.2. A lack of robust data on outcomes for children cared for in residential homes was also considered a challenge, with foster care not providing a suitable comparator group because of different presenting needs and a recognition that children's homes are typically the last step on an often-turbulent path through care.
- 9.3. The nature of local authorities was also identified as a barrier given that establishing residential provision requires recognition of the long-term nature of the investment commitment and subsequent returns on that investment.

Four-year electoral cycles, annual local authority finance settlements and year-on-year budget reductions were not seen as conducive to longer-term planning.

- 9.4. **Note:** The CSC Plan commits to two Regional Care Cooperative pathfinders to improve sub-regional commissioning.

What are the barriers to a thriving in-house foster care service and how can we get past these?

10. Marketing and recruitment: The [Foster Care in England](#) review by Sir Martin Narey and Mark Owers (2018) argues that “much recruitment practice looks a little old fashioned with many local authorities continuing to use traditional recruitment techniques”, however it also noted some more innovative approaches such as a behavioural insight approaches. The report notes that some councils reported significant reductions in marketing budgets for recruitment, while IFAs can have access to more fostering-specific marketing expertise than some councils, whose fostering departments have to rely on corporate services for marketing support.
11. Fragmented market: The review notes that strategic recruitment of foster carers, targeted to ensure the right skills in the right places, can be hampered by 152 councils and around 300 IFAs all competing against each other. The report urged councils to consider combining recruitment efforts, while the LGA and others have consistently called for a national recruitment campaign to reach more people and make better use of resources.
12. Responding to enquiries: The review also noted challenges in recruitment driven by challenges in responding to inquiries. In a blind shopping exercise, the review found that organisations were not always good at following up initial inquiries, including promising to email more information yet failing to do so, or the provision of poor information. Initial discussions from most organisation (councils and IFAs) tended to focus on reasons why someone might not be suitable, rather than being welcoming.
13. Exit interviews: The review suggests that retention of foster carers has actually improved since the 1980s and that retention may not be as significant an issue as is sometimes believed. However, the review does point to issues consistently raised by foster carers, which are outlined in the following section. The review also notes that exit interviews are rarely conducted with foster carers, and that this may be something councils wish to consider to help them to understand where improvements could be made.
14. **Note:** The CSC Plan has committed to £27m of investment in fostering recruitment, including trialling a regional model.

What does “good” look like in the provision of in-house residential provision, recruitment and retention of foster carers and managing sufficiency? Are there examples we can consider?

15. The Fostering Network carries out a triennial “[State of the Nation](#)” survey of foster carers which provides insight into the views of foster carers and fostering providers. The last survey was carried out in 2021.
16. Some key information in the State of the Nation report that may support retention of foster carers includes:
 - 16.1. Over a third of foster carers state that their allowance does not cover the cost of looking after a child
 - 16.2. 70 per cent of foster carers state that they do not receive any retainer payments between placements and nearly half of fostering services said they do not pay these.
17. The Fostering Network survey asked fostering providers what would help to retain foster carers. Responses included:
 - 17.1. Support from social workers
 - 17.2. Valuing the contribution foster carers make to a child’s life and having good relationships with the team around the child
 - 17.3. Providing fees and allowances that cover the cost of looking after a child
 - 17.4. Learning and development opportunities
 - 17.5. Out of hours support
 - 17.6. Access to psychological support/therapy
18. The key issues that both foster carers and fostering providers stated would make foster care better were:
 - 18.1. Foster carers to be treated as equal in the team around the child, and improving the status of foster carers
 - 18.2. Better communication with children by social workers, including ensuring their voices are heard in decision making
 - 18.3. Improved matching by providing better referral information and improving sufficiency
 - 18.4. Consistency in social work support for children
19. Both the Foster Care in England review and the Fostering Network have highlighted challenges around how allegations against foster carers are dealt with and the impact this can have on foster carer retention. In 2021-22, there were [3,010 allegations of abuse](#) made against foster carers, with 52 per cent of these resulting in no further action. A [thematic report by the Fostering Network](#) made recommendations including more national and regional focus on fostering to drive improvements in the sector, the use of a foster carers’ charter, ensuring compliance with national guidance on allegations and support for foster carers during the allegation investigation.

20. The Fostering Network has been campaigning for the [introduction of a national register](#) of foster carers so that foster carers who move to a different area or wish to move to a different agency do not have to re-register, supporting retention and avoiding lengthy delays through re-registration processes. A register would also ensure that foster carers who had had their approval removed could not re-register somewhere else. The Foster Care in England report agreed that there is merit to the idea, suggesting that it would allow matching to be informed by up-to-date information about carers' experience, skills and availability.

Good practice examples

21. **Fees:** The Foster Care in England review noted that Leeds and Hampshire both have a tiered, skill-based fee system for foster carers, which was endorsed by the report. Such a system enables foster carers to progress through the tiers as they meet skills and competency requirements, with the report suggesting such models can drive greater consistency in fostering, aid better matching between child and carer, and provide improved knowledge about the skills of the foster carer population.
22. **Recruitment:** (quoted from Foster Care in England) "Hertfordshire have driven up carer recruitment using a behavioural insight approach from which other local authorities have benefited. The approach seeks better to understand the values and behaviours of potential carers, when making the decision to foster. They believe that marketing materials should use a personal tone; that word-of-mouth methods of communication are likely to be more successful; and that prospective foster carers will respond more positively when hearing from carers themselves. The Hertfordshire fostering manager stressed:

Overwhelmingly, foster carers want to help children and they are such good champions, they live and breathe it, it's what they do, [so] who better to hear it from.

The use of foster carers as an effective means of recruiting carers is well founded in the literature. It has long been established that people frequently come to fostering through meeting or knowing other foster carers as a child or adult or, less often, through contact with a fostered child.⁸⁶ Hertfordshire believe that their approach has seen a greater than 60% increase in the conversion rate of enquiries (to being approved as carers) and has delivered a net increase of 94 carers, sufficient to look after approximately 120 foster children."

23. **Retention:** The [Mockingbird model](#), led by the Fostering Network, has been shown to increase rates of foster carer recruitment and retention, with improvements in foster carer wellbeing and positive experiences for children. In the programme, a hub home carer (experienced foster carers) support six to ten "satellite" foster families, providing peer support, guidance, learning and development, social activities and sleepovers. This helps to empower families to support each other and overcome problems before they escalate.

How can we be clear to the Treasury why services cost more in some areas than others?

24. The LGA's 2018 work with Newton Europe, "[Making Sense](#)", clearly demonstrated the challenges in comparing spend on children's services. The impact of deprivation was significant, while larger 0-25 populations correlated with lower spend. The report also identified differences in accounting practices making financial "like-for-like" comparisons unreliable.
25. The CMA report also highlighted challenges in making like-for-like comparisons, including due to differences in provision for different children and differences in accounting for overheads.
26. The Government recognises the different costs of supporting children in different areas of the country when it sets the [minimum weekly allowance](#) for foster carers, setting different allowances for foster carers in London, the South East and the rest of England.
27. The Education Select Committee has noted the different costs associated with delivering services in different areas and the impact of this, noting "children's homes are often located more deprived areas of the country where the accommodation is cheapest", with Ofsted telling the committee that "the uneven spread of children's homes across the country [...] means that some of our most vulnerable children are often living far from home in unsuitable provision, risking further instability and difficulties."
28. The current [children's social worker workforce consultation](#) acknowledges that the costs of service delivery may be different in different areas, specifically asking whether agency price caps should vary between councils or regions, noting that there may be challenges around different local or regional markets, or associated with individual council circumstances such as poor inspection results.
29. The Independent Review of Children's Social Care noted that "The funding formula for children's services is out of date, relying on statistics dating back to 2001 and it has not been significantly updated since 2013/14. Since that time our understanding of what drives local need for children's social care services has moved on substantially". The review recommended that that Government update the funding formula be updated to ensure resources are focussed where they are most needed.
30. The CSC implementation strategy states: "Over the next two years, before the next Spending Review period, we will update, consult on and publish a new formula for children and young people's services funding. We will work with DLUHC to identify opportunities for implementing the new formula."
31. **Recommendation:** It is recommended that the LGA uses this opportunity to highlight both the driving factors behind need in children's services and the varying costs of delivering services in different areas.

How can we make a clear argument around profiteering? More transparency is needed in the costs of placements, particularly for very expensive placements. A lack of transparency also leads to less accountability.

32. The [LGA's work](#) to demonstrate the increasing level of profit being made by large providers of children's social care placements was a key driver for national work on this, with the [Competition and Markets Authority report](#) in 2022 confirming and building on the LGA's work.
33. Neither the CMA nor the Independent Review of Children's Social Care recommended a ban on profit-making, instead arguing that increasing sufficiency of placements and therefore competition would bring down prices and profits.
34. In its children's social care implementation strategy, the DfE states: "Local authorities are sometimes paying too much for placements, and our view is it is not right that council taxpayers are footing the bill. *We will seek to bring greater transparency, for example on ownership, debt structures and profit making* across both independent fostering agencies and residential children's homes. We will make an assessment, with colleagues across government and the sector, on what impact changes in the strategy have on the capacity in the market and the cost of placements to inform our future policy." [emphasis added]
35. **Recommendation:** It is recommended that the LGA engages in national work on improving transparency in pricing and profit-making to ensure that this enables councils to understand how funding is being used to improve children's outcomes.

The biggest increase in numbers of children in care is in the 10-15 age group; how much of this is linked to insufficient SEND provision? (Note: the largest proportionate increase is in the 16+ age group)

- 36. Children who have been looked after for at least 12 months is the social care group with the highest proportion of children with a special education need, at 56.2 per cent compared to 48.7 per cent of children in need and 15.7 per cent of all pupils ([source](#)).
- 37. The primary type of SEN for children who have been looked after for at least 12 months was:

Type of SEN	Children with SEN support	Children with an EHCP
Social, emotional and mental health	49.2 per cent	48.8 per cent
Moderate learning difficulty	18.1 per cent	11.3 per cent
Speech, language and communication needs	13.6 per cent	8.6 per cent
Specific learning difficulty	8.1 per cent	2.6 per cent
Autistic spectrum disorder	1.9 per cent	12 per cent

- 38. In May 2022 the DfE published a report on “[drivers of activity in children’s social care](#)”. This found that:
 - 38.1. For adolescents (13+), children’s mental health is the most common factor in children’s social care assessments, while domestic violence with a parent/carer subject is the second most common. After 12 years old, there is a sharp growth in the percentage of assessments including child alcohol/drug misuse, child sexual exploitation, trafficking, gangs, socially unacceptable behaviour and self-harm.
 - 38.2. While the number of children starting to be looked after has fallen since 2017, the number of children ceasing to be looked after has also fallen, leading to overall increases in the number of children in care. This also means children are spending longer being looked after.
 - 38.3. Between 2013 and 2015, the most common age to leave care was age 1-4. Since 2016, the most common age to leave is 18.
 - 38.4. The age profile of children **entering** care has changed since 2013, with over 16s accounting for 20% of entrants in 2021, compared to 13% in 2013 (some of this can be explained by increasing numbers of UASC coming into care). Under 1s, children aged 1-4 and children aged 10-15 have all experienced falls (2-3 percentage points) in proportions of entrants.
- 39. The report also found that the increase in number of children in care was concentrated disproportionately in some areas, with researchers commenting:

“Analysis of the number of looked-after children at local authority level showed that nearly three quarters (71%) of the increase between 2013-2021 was driven

by a fifth of local authorities. They accounted for 9,000 of the 12,700 total increase in children over the 8 year period examined. This is not due to their population sizes, as this fifth of local authorities contained only slightly more than a fifth (24%) of the total looked after population analysed. However, they were also mixed in terms of rurality, deprivation markers and regions in the UK, making it difficult to draw straightforward conclusions around a cause for the increase in looked-after children in certain local authorities.”

What do we know about particular challenges for individual councils?

40. Some regions and councils have higher rates of children in care than others:

Average rate of children in care per 100,000 children in England: 70

Regions	
North East	110
North West	97
Yorkshire and the Humber	81
East Midlands	65
West Midlands	88
East of England	50
Inner London	64
Outer London	46
South East	56
South West	60

Councils – highest rates*	
Blackpool	218 (NW)
North East Lincolnshire	186 (Y&H)
Stoke-on-Trent	175 (WM)
Liverpool	172 (NW)
Hartlepool	155 (NE)
Kingston upon Hull	150 (Y&H)
Middlesborough	150 (NE)
Halton	134 (NW)
Stockton-on-Tees	133 (NE)
Tameside	130 (NW)

* City of London has been excluded due to its size

- 41. Some of these challenges are in relation to levels of deprivation. Of the ten councils with the highest rates of children in care, 8 are in the lowest quartile in the “Income Deprivation Affecting Children Index” (IDACI), while the other two are just outside the lowest quartile ([source](#)).
- 42. Supporting unaccompanied asylum-seeking children also has a disproportionate effect on different councils. Across the country, 7 per cent of looked-after children are UASC. However, this figure is 16 per cent in London but only 2 per cent in the North East ([source](#)).
- 43. There is also significant difference across councils; those councils supporting the most and fewest UASC are shown below (it is important to note that these figures should not be considered in isolation; some councils support fewer UASC due to high adult asylum seeking populations for example, or because of specific challenges locally while others may support more due to their location or demographic make-up):

Council	Number of UASC	UASC as percentage of looked-after population
Kent	370	21
Hillingdon	139	34
Manchester	138	10
Essex	136	12
Surrey	119	11

Rutland	7	28
Hartlepool	6	2
Blackburn with Darwen	6	2
North Lincolnshire	6	3
Torbay	6	2

Do we need to consider a more radical distinction in how we support unaccompanied asylum-seeking children? Their needs are very different to those of children who grew up here and the current approach often doesn't work for the children or councils, so a more regional or national approach could work better.

44. Unaccompanied asylum-seeking children are supported and accommodated by councils under section 20 of the Children Act 1989 because there is no person with parental responsibility for them (s20(1)). Councils' legal responsibilities towards these children, including in terms of providing appropriate accommodation and care/support are therefore the same as to resident children in care. Statutory guidance on the placement of children emphasises the importance of considering children's views, wishes and feelings in placement decisions, as well as meeting the individual needs of children; some of this may look different from UASC than for resident children.

45. There has been no comprehensive review of the needs of unaccompanied asylum-seeking children to better understand how best to support them (recognising that support should be individual to each child); the collation of such evidence is something the LGA has been calling on the Home Office and the Department for Education to carry out. However the [Social Care Institute for Excellence \(SCIE\)](#) suggests that the primary needs of these children are likely to be:

- basic needs for a place to live and for and assistance in destitution cases
- needs for security and belonging
- access to healthcare
- access to, and support with, education and career
- opportunities to develop social networks and to be active in the community
- legal advice and support with their asylum claim
- support with needs related to their refugee or asylum status
- support, and as appropriate, access to psychological interventions and social support in relation to experiences of forced migration, torture and/or trauma including bereavement
- Post-traumatic stress disorder may affect unaccompanied asylum seeking children
- Cultural and linguistic sensitivity in the way in which they are received, and in which services are planned and delivered.

46. Strategic Migration Partnerships are local government-led partnerships funded by, but independent of, the Home Office. Their role is to coordinate and support delivery of national programmes in asylum and refugee schemes as well as agreed regional and devolved migration priorities. They work with stakeholders in the statutory, voluntary, private and community sectors to provide a strategic leadership, advisory and coordination function, including facilitating collaboration between central and local government. The SMPs have a role in supporting regional support for UASC, including coordinating referrals received via the National Transfer Scheme.

47. Some councils have highlighted that the UK adopted a "crisis mentality" when developing plans to allow unaccompanied children from the Ukraine to enter the UK, which allowed a different approach to be taken. Children arriving from the Ukraine were allowed to join a named sponsor (subject to notarised parental

consent) under a specific scheme, with councils carrying out checks on arrangements in a similar approach as private fostering.

48. Given the current crisis on the south coast, some have questioned whether we can take a similar crisis approach which takes a more flexible approach to supporting children. Critics, including some councils, have argued that this could create a “two tier” care system, with resident children afforded more protection than asylum-seeking children.
49. However the experience of co-producing flexible solutions at pace across central and local government and with support from the voluntary sector could be used as a model for work in this space, and some elements of the Ukraine model could be looked at in relation to UASC – for example, could UASC be allowed to travel to the UK to stay with relatives (subject to appropriate safeguarding processes) or family friends rather than having to enter the UK on small boats and entering the care system?

Why are there now fewer third sector providers?

50. Children England is the membership body for children's charities, first founded in 1942 as 'The Constituent Societies of the National Council of Associated Children's Homes'. Its chief executive, Kathy Evans, produced the following analysis of the withdrawal of the third sector from children's homes provision in a wider paper entitled "[Residential Child Care: The 21st Century Challenge](#)", following discussion with Children England's members:

Looking many decades back into the history of residential child care and how we came to today's situation, we must acknowledge the almost complete withdrawal of charities from their formerly dominant role. It is of course true, and certainly not irrelevant, that when the state took on the full statutory care and protection duties for children in the form that they still hold today, the leadership initiative and responsibility for providing care for children shifted from charities to the state. That might suggest that charities simply stepped back as the state took over. However, the withdrawal of most charities from residential care since then has been far more nuanced and varied in its motives, and perhaps more significant in impact on the remaining care sector, than such a straightforward view would at first suggest. It also doesn't explain the entry into and subsequent domination of the market by private sector providers. Some of the factors in the withdrawal of charities from residential care:

- *The growing belief (across all those interested in children's care in voluntary, statutory and academic fields) that residential care was outmoded and not good for children. Some charities positively chose to stop being care home providers on this principled basis. Others received the message loud and clear that care commissioners were aiming to stop funding and using residential care as soon as possible.*
- *Throughout the 20th Century, and particularly after WWII, a steady loss of charitable fundraising appeal for the 'cause' of running children's homes, impacting on both general public donations and the wealthy philanthropists' contributions that had in previous centuries helped to equip charities with the properties they were using for children's homes. Even those people who were strongly committed to continue their charitable giving came to share the prevalent (and well-founded!) belief that the state's costs of looking after children in care were something they, and everybody else, already paid for through taxation.*
- *For some charities, the embedding of the state's responsibility to provide care for any child in need of it meant that they felt it was no longer an appropriate continued 'charitable purpose' to become a contracted supplier to the state for their services. Some charities' mission and purpose expressly asked of them to focus their attention and resources on unmet needs and new/emerging social problems. And as grants came to be replaced with contracts some were prohibited by their governing covenants from entering into commercial contracts with the state, or from subsidising any public contract with the charity's assets.*
- *As 'de-institutionalisation' from large homes and orphanages progressed, many charities continued to try to adapt to the emerging preferences for more 'family-like', smaller homes. While some have been successful for others it proved unwieldy and unsuccessful to redesign and redevelop existing children's homes. Some sold up and reinvested proceeds in new, more appropriate children's home sites. For many though, the unsuitability of those ageing premises that had usually been left in trust to*

them meant that 'stay or go' organisational decisions about whether to continue running children's homes were being triggered by 'estates management' dilemmas, and were affected by legators' restrictions on the charity selling, returning or redeploying entrusted assets.

- *The increasingly strenuous requirements of inspection and regulation and a 'standardising' effect on what a children's home should be, do and look like, that were (and still can be) inflexible to some of the models and philosophies for care that had been developed within the voluntary sector.*

The impacts of charity withdrawal and the absence of a significant voluntary sector role in the market today are far more significant than many in the sector (statutory and voluntary) might have foreseen or recognised at the time:

- *The slow but steady withdrawal of the sheer volume of charities' capital assets (human and financial) left a significant 'hole in the iceberg' of the capital resources left available for looking after children.*
- *Most local authorities were not keen to invest significantly in buying up, or otherwise investing to replace the capacity lost by charity withdrawal, when they were strategically keen to reduce their use of care homes as much as possible too. Those practitioners and managers (often coming out from careers in the charity residential care sector) who saw a continuing need and wanted to offer good quality, small scale children's homes, essentially had to set up as companies and seek private financial backing and investment to do so – whether through commercial bank loans or business partnerships with supportive corporate investors and businesspeople.*
- *The vital 'non-cash currencies' that charities can marshal for children in care - of gift and philanthropy, volunteering, community support and engagement - have largely disappeared from circulation in the residential care sector (with a handful of notable exceptions). The longstanding and unique capacity of charities to 'add value' (in cash, property or in kind) to the state's budgets for children's services is now almost entirely missing from the equation in residential care - and that 'added value' is missing at a time when those local authority budgets are under severe strain from cuts and increased service demand.*

Contact

Louise Smith

Senior Adviser – Children and Young People

Mobile: 07464 652769

Email: louise.smith@local.gov.uk

Ofsted inspection of Regional Adoption Agencies

Purpose of Report

For information.

Summary

Matthew Brazier, Ofsted's Special Adviser (Children in Care) and Project Director for Supported Accommodation (Children in Care and Care Leavers), will be attending the Board to discuss plans for the inspection of Regional Adoption Agencies.

LGA Plan Theme: Putting people first

Recommendation

That the Board notes the contents of the presentation.

Contact details

Contact officer: Clive Harris

Position: Senior Adviser

Phone no: 07747 636931

Email: clive.harris@local.gov.uk

Regional Improvement and Innovation Alliances (RIAs): Evaluation exercise findings and next steps

Purpose of Report

For information.

Summary

Amy Brace, LGA Programme Manager in the Children's Improvement Team, will be attending the Board to give an update on an evaluation exercise undertaken on behalf of the Children's Improvement Board to identify opportunities for further supporting the RIAs to drive improvement across the sector.

LGA Plan Theme: Children's Service Improvement

Recommendation

That the Board notes the contents of the presentation.

Contact details

Contact officer: Amy Brace

Position: Programme Manager

Phone no: 07825 112187

Email: amy.brace@local.gov.uk

Regional Improvement and Innovation Alliances (RIAs)

Evaluation exercise findings and next steps

CYP Board 27th June 2023

Summary

- The LGA carried out a RIIA evaluation exercise on behalf of the Children's Improvement Board (ADCS, LGA, Solace, DfE, and Ofsted).
- The aim was to take stock of the progress made through the RIIA structures, and to identify learning that can be shared across the networks, as well as opportunities for further supporting the RIIAs to drive improvement across the sector.
- This exercise highlighted areas that are working well and opportunities for development and found that whilst the overarching model for RIIAs is consistent across all nine regions there is, as expected, also a range of regional variation.
- In March 2023 Children's Improvement Board reviewed and agreed an action plan to support further development of the RIIAs.

Evaluation approach

Information gathering to inform the evaluation was undertaken by the LGA and included:

- A desktop review of existing information, structures and materials from each region
- Discussions with key individuals in each region including the Lead DCS, Chief Executive and Lead Member, regional co-ordinators and the LGA Children's Improvement Advisers

Interviews were framed around the following questions, to provide consistency and a framework for analysing themes across the regions.

- What are the common approaches across RIAs?
- Have some regions developed a unique approach?
- What are the strengths of current RIA arrangements?
- What are the areas that could be improved?
- What has been the impact of the network of RIAs?
- Are there opportunities for better working across RIAs?

Findings – strengths

- **Structured regional programmes of self- assessment and peer challenge** activity to provide challenge, assurance and identify support needs
- Professional generosity in **supporting councils in need**
- **Sharing ideas and practice** to support improvement and innovation – ethos of everyone has something to learn and something to give
- Developing **supportive professional networks** – mutual support and reducing isolation
- **Collective action and common purpose** – including regional projects and workplans
- Opportunities to use **regional voice to influence national dialogue and policy** (but national mechanisms need strengthening)
- **Data sharing and benchmarking** as mechanism for identifying priorities, discussing performance, providing regional transparency and sharing good practice

Findings - Opportunities for Development

- **Strengthening ability of RIAs to ‘catch before they fall’** – some regions have escalation processes in place
- **Role of national partners:**
 - Strengthening relationships with DfE regional groups
 - Mechanisms for RIAs to ‘feed up’ when they need a national response and to support national learning
 - Opening up opportunities and funding to all councils irrespective of Ofsted rating
- **RIA engagement of key partners** to address shared challenges (corporate teams in councils, health police and education partners, ADASS)
- **Longer-term DfE funding** to strengthen sustainability and stability of RIA programmes
- **Engagement of all members of the ‘quartet’ at regional level**
- **Developing mechanisms for RIAs to influence national policy**
- **Collaboration between RIAs in different regions to share learning** (e.g. governance, peer challenge models and outcomes monitoring approaches).

Next steps

- A high-level action plan to take forward identified opportunities has been agreed by Children's Improvement Board, and circulated to RIIA co-ordinators for comment.
- Key areas of action are:
 - Children's Improvement Board to provide collective oversight of RIIA activity through a rolling programme of RIIA input at meetings, and considering items raised by RIIA Chairs.
 - DfE to consider a more sustainable funding model for RIIA arrangements, to strengthen links between RIIAs and DfE regional groups and to review restrictions on applications for funding and pilots that specify Ofsted outcome
 - Creating opportunities for RIIAs to collaborate and share practice across regions using existing networks, and through an annual event to bring together RIIA leads
 - Reviewing how RIIA governance supports meaningful engagement of all members of the strategic quartet and encouraging CEXs and council Leaders to make use of regional performance reports produced through the RIIA
 - Exploring opportunities for better links between RIIAs and health, education and police partners, and with ADASS
 - CEX regional leads to agree an escalation process for places of concern to be adopted by RIIAs

Children and Young People Board activity at LGA annual conference 2023

Purpose of Report

For information.

Summary

This report provides information on the children and young people-focussed sessions that are taking place as part of the LGA annual conference from the 4th – 6th July 2023.

LGA Plan Theme: Putting people first

Recommendation

That the Board notes the contents of the report.

Contact details

Contact officer: Clive Harris

Position: Senior Adviser

Phone no: 07747 636931

Email: clive.harris@local.gov.uk

Children and Young People Board activity at LGA annual conference 2023

Background

1. At the request of Children and Young People Board Lead Members, this paper provides a summary of the children and young people-focussed sessions that are taking place as part of the LGA annual conference from the 4th – 6th July 2023.

Sessions

2. Tuesday 4th July

Tackling the crisis in children’s social care – the role of chief executives and council leaders, 16:45 – 17:35, Bayview Suite

Cllr Patricia Bradwell OBE, Vice Chairman LGA Children and Young People Board and Executive Councillor for Children’s Services, Community Safety, Procurement and Migration; Cllr Louise Gittins, Chair LGA Children and Young People Board and Leader, Cheshire West and Chester Council.

The Department for Education published its plan for children’s social care reform in February 2023. While it indicated a positive direction of travel, it failed to deliver the scale of funding needed or to address the urgency of the crisis facing services. This session will consider the role of chief executives and council leaders in delivering the services our vulnerable children and families need, in a continuing context of soaring demand and spiralling costs. We will look at those issues all chief executives and council leaders need to be thinking about, as well as discussing the latest updates from Government on its children’s social care implementation plan.

3. Wednesday 5th July

Supporting people to have good mental health throughout their life, 11:30 – 12:15, Purbeck Lounge

Kadra Abdiniasir, Associate Director of Children and Young People’s Mental Health, Centre for Mental Health; Phill Adams, Service Manager, Economic Inclusion, Skills and Knowledge Economy, Devon County Council

Councils are essential to supporting people to have good mental health throughout their life. They are working hard with the NHS, schools, employers, and other local partners, to support the mental health and wellbeing of their residents of all ages.

Mental health has an impact on all aspects of life including education, training, accessing and sustaining employment, community, and family. It is estimated that mental health problems cost the UK economy at least £117.9 billion annually. This is equivalent to around 5 per cent of the UK's GDP. So, there is both a social and economic case for prevention of mental health conditions and supporting people early when it occurs. We will explore how mental health needs affect individuals throughout their lives and what the touch points are for councils to support them, thereby reducing long-term service involvement and promoting positive mental health. We will look at the current policy landscape and how council's leadership, statutory and non-statutory roles and responsibilities and understanding of place can help promote good mental health; and how young people are being supported into education, employment or training.

Improving the SEND system for children, young people and their families, 12:25 – 13:10, Bayview Suite

Deborah Glassbrook – SEND Improvement Adviser, Local Government Association;
Dame Christine Lenehan, Director, Council for Disabled Children

The Government's Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) improvement plan contains a number of proposals that seek to improve the performance of the systems that support children and young people with Special Educational Needs and Disabilities. This session will allow delegates to discuss the likely impact of those proposals and whether it will be possible to come to a shared understanding of what a 'good' local SEND system and how it can best meet the needs of children with SEND.

Conference plenary, the Rt Hon Gillian Keegan MP, Secretary of State for Education, 15:45 – 16:15, Windsor Hall

Skills, skills, skills... for life and work: local government's role in making education, employment and training work for people, places and the economy, 16:25 – 17:10, Tregonwell Hall seminar suites

Cllr Lucy Nethsingha, Deputy Chair, LGA Children and Young People Board, Leader, Cambridgeshire County Council and Board Member, Cambridgeshire and Peterborough Combined Authority; Cllr Kevin Bentley, Chair, LGA People and

Places Board and Leader, Essex County Council and; Jane Gratton, Head of People Policy, British Chambers of Commerce

Good education and training is vital to help people realise their potential, whether it's to deal with everyday life and access online services, or to keep up with an ever-changing jobs market. It is crucial to employers too as they consider their skills needs right now and in coming years, and whether they continue to stay in an area or move elsewhere. Local government wants the best for its residents, communities and local economy so good and accessible local services – early years, schools, further and higher education and adult learning centres – are all essential for residents, whatever their age, to learn new skills. But critically important is how they connect up with one another, meet the needs of employers and can adapt to the needs of local people. How do we enable this to happen and what is the role of local government in joining all of this together?

Implications for Wales

4. There are no implications for Wales arising from this report.

Financial Implications

5. There are no implications for the LGA arising from this report

Equalities implications

6. Every effort is made to ensure that a diverse range of speakers participate in LGA annual conference sessions.

Next steps

7. There are no next steps arising from this report.