



March 2021

Reviewing the reviews from residential child care

This publication brings attention to the demands being placed on a small sector from multiple concurrent reviews that appear to be without coordination.

It looks at each review and other demands on time and resources.

It provides 7 pieces of advice for 7 reviews

You wait 3 decades for a review of children's care and 7 come along at once.

Residential child care is facing several reviews each demanding attention

Considering all the reviews

Minds have been made up for so long and narratives about residential options have been projected, protected and promoted. In brief, residential options are presented as being 'bad', 'wrong', 'expensive', 'ineffective'.

The challenge for the reviews is for any of them, all of them, to look at their funders and audience and say, 'I think we have been mistaken.'

If the Care Review is starting from the idea that you get positive children's homes in a positive children's care system then we can be optimistic.

This would require extensive investment and planning. The Care Review has to advise as to its remit and/or understanding of the funding context. It is all important.

The question is not whether we can afford to invest in every child, it is whether we can afford not to. (Marian Wright Edelman - The Measure of our Success: A Letter to My Children and Yours (ed. Beacon Press, 2013))

Launching the Care Review Josh MacAllister said, *'The review must be workable, leading to deliverable reforms that are evidence based and demonstrate a measurable impact. It is vital that recommendations are made following consideration of the key questions of sustainability and how social care funding, workforce and other resources can be used most effectively to change children's lives and represent good value for money*

Early advice is needed from the Care Review as to whether the following has changed. (see page 5 for important update)

Given that children's social care was not mentioned in the Budget 2021 is it still the case that the Government's 'ambition will depend on the outcome of the next Spending Review'?

Treasury Minutes

Government response to the Committee of Public Accounts on the Eighty-Second and the Eighty-Sixth to the Ninety-Second reports from Session 2017-19

[CP 113 – Treasury Minutes – Government response to the Committee of Public Accounts on the Eighty-Second and Eighty-Sixth to the Ninety-Second reports from Session 2017-19 \(parliament.uk\)](#)

June 2019

5. PAC conclusion: the Department has not set out what overall improvement it is seeking in children's social care by 2022

PAC recommendation: the Department should write to us setting out the quality of children's social care it is seeking to achieve by 2022 and now it will measure this. It should specify a percentage target for many local authorities it is aiming for to rated as Good or Outstanding by 2022. It should do this in a fuller letter accompanying the Treasury Minute response to our report.

5.1 The Government disagrees with the Committee's recommendation.

5.2. The Department will write separately to the Committee about this recommendation. Having set out a clear public ambition to reduce the number of LAs rated inadequate to fewer than 10% by 2022, the Department agrees that it should also be aiming to see as many authorities as possible rated good or outstanding by 2022. However, the extent of that ambition will depend on the outcome of the next Spending Review, both in terms of the local government finance settlement and the Department's own programme budget.

(See page 5 for important update)

There is an urgent need for a clarification. Does the Care Review start with an appreciation of residential child care as an equal horizontal option or is there a pre-existing hierarchical appraisal that should be known about?

Currently the Care Review seemingly starts with a 'last resort' orientation, as an intervention. The Secretary of State advised on the first day of the care review that

the “aim will be to make sure that every child can grow up in a loving, stable and safe family”.

Early on with Sir Martin Narey understood there are a group of children who at some time for some reasons need something other than a family.

The Review’s themes and questions #4 explains that a focus of the review will be “what is needed for children to have a positive experience of care that prioritises stability, providing an alternative long-term family for children who need it and support for others to return home safely?”

At this early stage there is the need to have unequivocally that equal value is being given to all places children can grow up, right place right time, right child. This means a statement that equally valuing an alternative long-term family to residential child care/group living, and residential child care/group living as an alternative to a family.

Research, and the reading and reporting of research involving residential child care, has often not made clear enough that children’s homes are the correlation of what has happened before.

It is not only the content that has to be critiqued by the Care Review but also the processes of the knowledge production. The evidence cannot be taken at face value and needs interrogation. The content has a purpose, and that purpose has to be understood.

The reviews must appreciate that, in the case residential child care, ‘building on what we know and taking an evidence-led approach’ can be to build on foundations that are contested. For example, recent research reviews published by the What works centre regarding residential child care have been contested yet are presented as a basis for policy.

Wide and varied data, information and opinion must be collected from multiple sources to validate any findings and conclusions. The reviews must trace back the origins of how residential options for children have been placed in its current situation. The reviews must challenge the current situation as the correlation of what has happened before a child arrives at a children’s home.

How is it possible that all of these reviews have emerged in such close proximity? More importantly do they appreciate that the responses that they will each receive will be limited by virtue of their competing demands for information and data from the same sources? It is inevitable then that the reviews will have flawed evidence by being incomplete.

The residential child care sector does not have the resources to respond to all of the reviews in the depth required. The sector is tiny compared to others. It has an independent provider representative organisation. Local authority homes do not have a direct representative body. Only NCERCC provides research analysis or policy interventions.

This leaves the response to overwhelmed individuals.

These individuals will likely be those who are also continuing to focus on the day-to-day care of their children entrusted to them with little time or a suitable vehicle to come together in order to offer a collective, informed response.

There is a serious issue here. There are obstacles that will prevent the sector responding in the depth and detail that will inform the reviews.

With time already pressed, do these individuals involve themselves with all reviews, or select and seek to prioritise with no clear route or clarity on how such prioritisation is to be effectively judged? To which review should they respond? If all, then their responses will inevitably be limited? If just one, on what basis do they judge the importance of which is most, or indeed least important? What is the focus of the differing reviews? Is there a unified focus? They may come to feel that they are in a beleaguered position. What is it that they should defend? What of the many qualities and unique (for some children) of residential care should they seek to promote? Failure to respond will not be an option because this might be taken to suggest that there is no defence. Diluting a response to each of the reviews will likely mean that the sector is evaluated as being short on evidence of the absolute worth and value of residential care to those children who have not and cannot thrive in, or can be found or simply do not want an alternative "...loving, stable and safe family".

With no coordination and no consistency across the reviews will we likely be confronted with contradictory conclusions; confusion and contention likely rather than consensus; top trumps - who, which is more credible, constructive? It's scenario where people could turn aside from involvement or from the outcomes and waiting for imposition from the one that results in being the most influential.

Even at this stage we can see there will be the need for a linking and co-ordinating mechanism. It is already clear that this will/would be a major task. As each, seeming uncoordinated and unchoreographed review moves toward potentially disparate conclusions should we, must we expect and demand a Review of Reviews.

All of this is to address 'things above the surface'; but is there something submerged amongst all this busyness that is unavailable to be seen. There is the unshaped thought that there is more to each of these, and all of these combined, than first thought. But what? An undeclared design that can be connected to by what comes forward as people say they want? For sure, there are blueprints and heavy-laden critiques of the care system that have yet to be categorically discounted.

And that is joined by another competing thought, will any of it make any difference? Will anything change? And if it does, will it just be what certain people wanted even before a care review was announced. Lurking in the shadows is the comment from Children's Minister, Vicky Ford, 'our review'. Who is this 'our'? Is it the children in, and yet to come into care? Is it those who have already experienced care? Or is the Government?

Speaking with people, a common experience is dealing with the opacity of the Care Review; people have read all the details and involved themselves in discussions and still cannot fathom what it is to be about.

Then there's the Wizard of Oz thought. Behind the curtains is just one person. But who is it?

NCERCC has been asking the question – what is the plural noun for care reviews? So far we have these as contenders; a confusion; a social distancing; a calamity; a car crash; a contention; a perustration, a juxtaposition, an obfuscation

Reviewing the reviews

Government Care Review

Government Care Review [The Independent Review of Children's Social Care \(independent-review.uk\)](https://www.independent-review.uk) described by its chair as a 'future facing "once in a generation opportunity to transform a system that is needed to give the most vulnerable children safety, stability and love.' So far there have been disputes around the experts by experience and the time limit for advice and evidence, the researchers remain unknown at the time of writing. There are those who are welcoming and optimistic though it hard to discern if this is tactical, those who are sceptical, and those who are oppositional. The terms of reference are not experienced as welcoming of the residential experience [Terms of reference for the independent children's social care review \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Update 17th March 2021

On 16th March, the government published a link to a contract signed by Josh MacAlister and DfE with redactions including Schedule 1 which sets out the work. A version of the contract without such redactions was published elsewhere [Children's Social Care Lead Reviewer \[Award\] \(bidstats.uk\)](https://www.bidstats.uk)

From Schedule 1 Conditions

4. "Recommendations must be affordable to [Her Majesty's Government]. DfE cannot assume any additional funding from the Exchequer to meet the recommendation".

5. Where the review has objectives currently supported by DfE programme spend (e.g. improving LA performance), the review's wider assessment of issues and potential solutions should include looking at how that money is spent, and the potential for reform.

6) For any recommendations that require new funding (including transition funding), DfE must include as robust and detailed an evidence base as possible to demonstrate how, and over what time period, this would be offset by savings across national and/or local public services (including LG CSC need to spend). DfE will need to work with other departments to ensure projected savings are realised within the specified time period, for any recommendations Her Majesty's Government adopts.

7) Ministry of Housing Communities and Local Government officials must be involved throughout the review to support the modelling of any direct and indirect costs of potential recommendations to LAs. Before any recommendations are implemented, DfE would need to agree them and their funding mechanism with MHCLG and Her Majesty's Treasury, noting the parameters above.

8) DfE must share early findings of the Review ahead of Spending Review 21 to inform the department's SR bid. This will need to be in line with the submission of DfE's SR bid, the date of which will be set by HMT through the launch of SR21.

9) DfE must agree with HMT the governance structure of the review, both for official and Ministerial engagement.

10) The supporting panel must include the following skill sets: financial background and experience in cost control; local government delivery experience; representatives from the What Works Centre and Social Finance. The Chief will approve the final list of panel members before they are announced.

11) The Chief Secretary will be sighted on the recommendations before they are submitted to the Prime Minister and approve the government's response before it is submitted to the Prime Minister.

From the published contract the scope of the review is much wider than the published Terms of Reference.

The contract states, "the review will consider the contribution and impact of the family court and legal process on the experiences and outcomes of the child".

There is no mention of the family court and the legal process in the document on the review's website..

The contract states the supporting panel must include the following skill sets: financial background and experience in cost control; local government delivery experience; representatives from the What Works Centre and Social Finance. (Elsewhere it states that a judicial representative of the family courts, and a legal practitioner with expertise in care proceedings should be considered for the panel.

Neither personal experience of receiving children's social care services, or professional experience of directly providing a children's social care service, are included.

The What Works Centre for Children's Social Care has published reviews of residential child care that have received criticism.

The work of Social Finance has centred on the Social Impact Bond model which has received criticism in its application to residential child care as it struggles to overcome the attribution and contribution difficulties.

The contract states: "Family Justice Young People's Board is identified to the review's expert panel as an important group to involve from the earliest stage and

that early consideration is given to how the review will engage with children in the youth justice system”.

There are restrictions and permissions given: “To avoid any conflict of interest arising from the Contractor’s current employment at Frontline, the Contractor has agreed to resign from their current post before taking up the role. The Contractor warrants that he will not receive any pecuniary or non- pecuniary benefit from Frontline during the term of this Contract save as expressly agreed by the Department. Upon expiry of this Contract, with the prior written consent of the Department, the Contractor may recommence his employment with Frontline on condition that he shall not carry out any Lobbying for a period of 6 months after expiry of this Contract”

The lead reviewer payment for the contract, to be completed by 31 March 2022 “unless otherwise agreed in advance with the Secretary of State for Education, the Chief Secretary to the Treasury, Chancellor of the Duchy of Lancaster and the Prime Minister” is to be paid £141,329.

Competitions and Marketing Authority

An investigation by the Competitions and Marketing Authority will examine the lack of availability and increasing costs in children’s social care provision, including children’s homes and fostering. [CMA launches study of children’s social care provision - GOV.UK \(www.gov.uk\)](http://www.gov.uk) The CMA is inviting comments by 14 April 2021. The study will examine the lack of availability and increasing costs in children’s social care provision, including children’s homes and fostering to see that the supply of placements, including whether the current balance of local authority, private sector and third sector provision is working well for children and local authorities. If the CMA is able to report on an environment for investing in the system to ensure sufficient appropriate places are available for all children who need them in the future, and the measures that should be taken to improve this, it will have provided a service for young people. The CEO of the CMA observed, “Children’s care is not a market like any other - our clear and overriding priority will be about identifying ways children can get better care.”

A worry is that it does not take a wide view and the report is narrow. This is a potential as there is considerable pressure to project solely to voluntary sector providers. For example, the CMA will examine concerns around what are seen as high prices paid by local authorities and inadequate supply of appropriate placements for children in their care. The CMA are advised to be looking at budgetary pressure on the ability of local authorities to provide the appropriate accommodation and care which children need. The launch of the study comes after concerns have been expressed by the LGA, ADCS, Children’s Commissioner about private sector provision of children’s social care making high profit margins; prices will be scrutinised. The study will examine whether high levels of profit have been made at the expense of investment in recruiting and retaining staff, and providing quality services.

Local authorities (and others, Government and Ofsted) are active in their part of the creation of this situation, and have potential to resolve it e.g. open homes of their own to meet high level needs. A conclusion could be that local authority commissioning include its own settings to ensure it is effective in securing appropriate placements for children. It would move all placement options on to a level playing field.

The CMA will look at all 4 nations. The characteristics of care are different in each nation.

Inquiry by the House of Commons Education Select Committee

[Children in care homes: Education Committee to launch new inquiry - Committees - UK Parliament](#)

Launched in February 2021 the Committee's inquiry is likely to examine areas including:

- The data on academic outcomes and progression to destinations such as employment, apprenticeships and higher education for children and young people living in children's homes.

(Needs to be contextualised as there is considerable continuation of all that has happened e.g. serial placements resulting in a lack of secure base from which to engage with learning, or not happened – appropriate assessment to ensure the right place at the right time [earlier, we suggest than is currently the case]. Taking only the exit data will not provide a basis for a judgement. Children's homes need to be considered in relation to the role and function they provide for the care system).

- What can be done to improve educational and longer-term outcomes for children and young people living in children's homes.

(The recent Ofsted report into the education of children in children's homes has received a critical appraisal. It does not include how the care decisions taken for children with high level needs disables their learning development. It reports that children are in Good schools. However there are omissions from the Ofsted dataset on which it is based. It does not provide insight into whether the curriculum is accessed positively. It does not include the reasons why providers have created their own schools, to overcome delay in admissions and to ensure access.

- The disproportionately high rates of criminalisation of young people in children's homes.

(This is a contentious matter. The Howard League are campaigning and claiming the data recently made public shows improvements that are a direct result of their work. Ofsted reports show there have been few concerns. Provider and Police data shows a low incidence of offending involving children from children's homes and it is declining. It is thought the Howard league data includes semi and supported accommodation, hostels, and unregistered and unregulated settings).

- What further support is needed to improve outcomes for children with special educational needs in children's homes.

(SEND needs can sometimes only be recognised when the child settled. Children in children's homes frequently have a high number of moves. (Why is this? See previous comment about 'the right place at the right time').

- The quality of care, support and safeguarding in children's homes.

(See sustaining of Ofsted inspection outcomes over many years as 97% meeting standards, 75%+ Good or Better, 20% Outstanding)

- The impact of the covid-19 pandemic on the children's residential care sector, and on the demand for children's home places.

(Regular reports made from providers. Nothing known from practitioners available. Also not to stop too early, often emotional exhaustion occurs after the crisis)

All Party Parliamentary Group for Looked after Children and Care Leavers

[Become](https://become.org.uk) | [APPG Spotlight Inquiry \(becomecharity.org.uk\)](https://become.org.uk)

This will be putting the spotlight on exploring care and community.

The website has the following:

Care-experienced young people often report feeling less connected to their communities – dislocated from where they may have been before and stigmatised where they may be now. Navigating messy concepts of identity and belonging is often even more difficult for care-experienced people given the instability, inconsistent relationships, and lack of agency experienced by many before, during and after their time in care.

The care system is too facing a moment where it risks destabilising further young people's connections to the communities that matter to them. Recent years have seen a sharp increase in the number of children living outside of their local area, complicated by a deepening postcode lottery of support and provision, and continued public misunderstanding about what it means to be in or leaving care.

The APPG is coordinating a series of online regional evidence sessions, chaired by local MPs, to gather evidence and hear about some of the innovative work happening across the country. These meetings will welcome care-experienced young people and adults, carers, professionals and others with an interest in improving the care system to feed into the review of children's social care.

If you're part of or supporting a group of children in care or care leavers – possibly as a children in care council or care leaver forum in a local authority, participation group through a fostering or residential care provider, a charity, community or peer group, through a place of education or elsewhere – and you'd like to contribute to the Inquiry through your own online session, please let us know through the form linked above or by emailing appg@becomecharity.org.uk.

House of Lords vulnerable children inquiry

[Call for evidence - Committees - UK Parliament](https://www.parliament.uk/committees/house-of-lords/children-in-care)

The committee is keen to hear from those working directly with children and families or frontline services, or community-level initiatives and the role of the private, voluntary and charitable sectors in the delivery of services to children and families.

The committee is especially interested in collaboration – or lack thereof – between local authorities, social services, the voluntary sector, the NHS, the education sector, the police and other public services working with children and families. This includes:

children with special educational needs, disabilities and/or poor mental or physical health; young carers; children at risk of or experiencing neglect or abuse; children living in homes where domestic abuse is taking place; children living in deprivation, children without access to digital technologies, children in the care system; children at risk of or experiencing criminal exploitation; children experiencing homelessness; and children at risk of any other serious harm.

The deadline for submissions is on Friday 19th March, and you can see the full call for evidence [here](#).

SEND Review

Appraised by those closest to it to be opaque, without Terms of Reference or call for evidence; not seen as independent, seen as Treasury-led.

Reforms to improve the SEND system were introduced in 2014. The Children and Families Act 2014 recognised that support must be joined up effectively across education, health and social care, where necessary from birth to 25. The Act and the statutory SEND Code of Practice introduced major changes; one system of EHC plans from 0-25; co-production and parental choice put at the heart of plan creation and assessment, with Parent Carer Forums created to work with LAs on local offer; one category of non-statutory support, SEN Support; right of appeal extended 0-25; joint commissioning introduced, with NHS Trusts and CCGs having a duty to cooperate; duty to assess for a plan if it *may* be necessary for special educational provision to be made.

In 2019, six years on from the 2014 reforms, the review aimed to improve services available to families who need support, equip staff in schools and colleges to respond effectively to their needs, and end the variation of support across the country. The review is looking at the how the system has evolved since the 2014 reforms and how it can be made to work best for all families, especially joined-up health support in collaboration with the DHSC and NHS England.

The SEND Review set out to look at five key areas, with momentum towards the final area-localism; ambitious outcomes for children to thrive and prepare for adulthood; parental confidence in the SEND system; Needs met at the right time and in the right place - how SEND services can be changed so needs can be met through an efficient, effective and sustainable system; Building capacity, ensuring the SEND system has the necessary knowledge, skills and resources to be able to provide for children and young people with SEND; Local performance, supporting all local areas to deliver a high quality SEND system

These lead to DfE backing high quality outcomes supported by the most appropriate service across education, health and care, backing mainstream schools to better meet the needs of the majority of children with SEND, whilst making the EHCP process more streamlined and consistent and increase capacity in the specialist sector to place children close to home, at a sustainable cost. (By placing this review amongst others, it can be seen that these are agendas that run across health, care and education, children and adults0.

What comes with each of these?

High quality outcomes supported by the most appropriate service in education, health and care

- Identification of need: Offer greater clarity on how needs should be identified and categorised.
- Outcomes for children: Identify appropriate, but stretching, outcomes measure for children and young people with different types of need to support preparation for adulthood.
- Early Intervention: Support to identify and support children with SEN at a far earlier stage, so that appropriate support can be put in place to enable children and young people to achieve the best possible outcomes.
- Engagement with Health and Care: Developing a common framework to define, identify and support needs would help joint assessment, commissioning and delivery across services.
- Post 16 and employment: Any reform to the SEND system will need to take account of the specific needs of post 16, with explicit focus on the post-19 population.

With co-production with children, young people, their families and carers to continue being the underpinning principle.

Back mainstream schools to better meet the needs of the majority of children with SEND

- Universal Offer: Set out what support we expect schools and colleges to offer to pupils and embed quality teaching approaches, with access to the specialist workforce as required.
- Mainstream funding and accountability: Aligning responsibility, funding and accountability must be a core principle of any reforms.
- School Groups: Find ways to help schools to pool resources to offer the best possible support to those with SEND.

Make the EHCP process more streamlined and consistent, and increase capacity in the specialist sector to place children close to home, at a sustainable cost.

- Purpose of the EHCP: We need to focus the EHCP as a means of providing joined up support across education, health and care for those with the most complex needs, with every partner playing their part.
- Management of the EHCP Process: Streamlining and modernising the EHCP process so that it works more effectively for everyone.
- Special school availability and funding: Consider how the specialist sector is used and funded to ensure high quality, good value for money provision is available locally for those with the most complex needs.

Reflecting on the SEND review the thought emerges that the headings and bullet points could be applied to any of the other reviews.

When ruminating earlier about an undeclared design it might be there is an archetype that is to be found in all of the reviews.

Maybe what connects all the reviews is not so much a destination as a direction.

All of this is not to say there is a hidden hand behind but that there is a theme to be observed, a spirit of the age. It is written from a particular philosophical political view. There are others. What we have are reviews that both respond to a created and perceived need, and which serve a purpose beyond the immediate. Neoliberalism does not have a plan that is being followed, it is an approach that is continuously unfolded. There is no destination only a direction that is individualist and market based.

Then there is a 7th review announced.

Children's Commissioner "Beveridge Report for children"

The new Children's Commissioner has launched another 'once in a generation' "Beveridge Report for children" with an ambitious call to rebuild childhood after the Covid-19 pandemic

The following seem to duplicate the Care Review for a larger population of children

- To identify the barriers preventing children from reaching their full potential, put forward solutions to improve children's lives and to develop tough targets to hold Government and others to account.
- 'The Big Ask' is said to be the biggest children's consultation ever. It will 'The Big Ask' will take place after the Easter break. An online survey will be distributed to all schools, posted on the Oak National Academy (the Children's Commissioner has a website), and advertised via social media, child-facing charities and other communications channels. To reach children outside mainstream settings, it will be sent directly to youth custody organisations, CAMHS inpatient units and children's homes. Face-to-face interviews and focus groups will be conducted with children who are under-represented and harder to reach.
- 'The Childhood Commission' will identify the barriers preventing children from reaching their full potential, propose policy and services solutions and develop targets by which improvements can be monitored.
- The Commission will address policy shortfalls - how the pandemic changed their lives for better or worse, what children's aspirations are and the barriers to reaching them, how things are at home, how their communities and local environment could be improved, and how they feel about the future and the challenges facing the world.
- This consultation will drive the subsequent phases of the Commission.
- The Children's Commissioner will publish an interim report before the summer, setting out children's expectations and aspirations, and the barriers

to attaining them, informed by the results of the consultation, an evidence review and data analysis.

- A subsequent report will propose solutions, investment, metrics, and set out the challenge to society to pay back to this generation of children and re-set their future.

The following is not as tentative as the Care Review.

- The Commission will argue that the prospects and welfare of children must be put at the heart of our economic recovery and show the way to do it. It will re-cast Beveridge's 'five giants' for children today, identifying the barriers which prevent them having the best childhoods, the best preparation for successful futures, and a better life than their parents. It will propose a 10-year plan with annual metrics to monitor progress, across the sweep of childhood and the span of government.

Dame Rachel de Souza, Children's Commissioner for England, launching 'The Childhood Commission', said: "Our response to the trauma of the Second World War was to create a blueprint for a social service system and a National Health Service that improved our lives. We have the chance to do the same again now for children. There is a huge opportunity to remake our social settlement which won't come again for decades, and we must seize it.

"I want the Childhood Commission to have the spirit and the ambition of the Beveridge Report – something that leads to long term changes that improve the chances of every single child, whatever their early standing in life and wherever they are in England.

"My ambition is for the Childhood Review to not just reveal the barriers that are holding children back, but also to help Government and others to provide policy solutions. It will also set out metrics and targets I will be using to hold them to account.

"I want to see childhood right at the top of the Government agenda. That means every speech from the Prime Minister and Chancellor mentioning children, and every Government department constantly pushing to improve the lives of children."

"We will start by listening to children, holding the largest consultation with children in England that there has ever been. We want to hear from children from every background about their hopes and ambitions for the future, and to hear what is holding them back. Their views and experiences and ideas will help shape the way we deliver better outcomes not just for them, but for all our children in the decade."

It must be observed that this work is already being addressed

This ground has been covered by The Children Society The Good Childhood Report [The Good Childhood Report | The Children's Society](#), and by Children England 'Towards a Childfair state' [The ChildFair State Inquiry | Children England](#) that explicitly identifies the inspiration of Beveridge. The Children's Commissioner

mirrors Children England in form of words chosen viz. “Children England is in what William Beveridge once called ‘crusading spirit’. We’re on a mission to fundamentally review and redesign the welfare state - so that it can work better, more sustainably for the 21st Century; and so that it can better serve the rights and needs of its youngest citizens”.

Children England Young Leaders completed the research, analysed their findings and proposed new values and ways of organising services that respond to children and young people's needs

The emerging conclusions for each 'branch' of the welfare state (published 4th February 2021) for health, neighbourhoods, education, social security, housing are here [The ChildFair State Inquiry - visions for change | Children England](#)

Children England weekly newsletter (17th March 2021)

Forging links with the Children's Commissioners new review

Following news that the incoming Children's Commissioner Rachel de Souza plans to conduct '[a Beveridge-style review of childhood](#)' in the wake of the pandemic, Children England and many supporters of the ChildFair State Inquiry have been [vocal in celebrating](#) the work already done by our Young Leaders in reviewing and re-imagining how the state supports children. Although Rachel didn't know about the [findings](#) and [visions](#) of the Young Leaders of the ChildFair State, she does now - and we're hopeful that this immense piece of ongoing work by young people will get the recognition and influence it deserves in the Children's Commissioner's new initiative. [Young Leaders and Sounding Board members](#) are certainly keen!

Plus there are other urgent demands on time and resources.

A forthcoming DfE consultation on new minimum for semi and supported accommodation. These have quickly becoming known as the ‘Minus care’ standards, as that is what is proposed. The results of which could destabilised regulated care. See [Analytical report: consultation on unregulated provision for children in care and care leavers \(publishing.service.gov.uk\)](#) and Article 39 website for critique and commentary

Responding to an Ofsted research report on the education of children in children's homes

[The education of children living in children's homes - GOV.UK \(www.gov.uk\)](#)

It has become too easily mistaken and accepted to be saying that poor education outcomes can be attributed to children's homes in the face of the evidence that children arrive at a children's home aged 14.5+, stay 6 months, with cases of schools finding ways of circumventing the Admission Code. The research does not look at, nor has other previous research, at the recovery of learning when in a settled environment. NCERCC coined the approach needed as being ‘Emotional security precedes educational engagement, advancement, achievement and attainment’.

Early analysis of the Police crime and sentencing and courts Bill

It contains provision on Secure Schools as follows:

The Bill will introduce a measure to ensure that operating as Secure School can be a charitable activity (But still may not meet the charity's aims and objects)

This measure will provide confidence to charitable providers that they can operate Secure Schools in line with both their charitable objectives and government's Secure Schools vision. (Dependent on what the charity's A&Os state)

It will also introduce a measure to establish a clear statutory basis for the temporary release in Secure Children's Homes in England and Wales. (What does this mean and will it be open to all children in SCHs? If so what is the relationship to the Care Order? How will the Court be involved? For the Secure School, as SCH, does it mean release on licence and will there be any conditions e.g. tagging for the individual, or to registered addresses e.g. semi/supported hostels, will these be covered by the new 'Minus care' NMS in which case they are only to receive support but those released are likely to need continuing care and support)

Secure Schools are a planned new form of youth custody which will align the youth custodial estate with international evidence that smaller, more therapeutic units are more successful in rehabilitating offenders and reducing reoffending. (That is true, but advice has been given and ignored that it is not possible at Medway as the buildings do not allow for the type of small settings that the research sees as effective. It is the relationships that are crucial, as are the staffing ratios, recruitment, training, and supervision and leadership. It is the design and detail of these that is important especially from a provider with no previous knowledgeable or experience of such provision, and who has struggled to get any interest from suitably knowledgeable and experienced people, many have declined to be involved when approached by recruitment agencies. The Responsible Individual and Registered Managers (there will need to be one RM for each home? Ofsted cannot approve no managers and have only one across the estate, though they have precedent in some RSS for disability). Ofsted will need to approve of the provider as capable of providing the required regulated service. These elements will have to be scrutinised by the regulator at the point of application for registration and to be proven to be effective rather than registration given only by being available. There is the matter of the monthly scrutiny by the R44; this will be crucial as will the regulator inspection visits. The 6 monthly R45 will need to be scrutinised closely. What will happen if one of the homes is seen as Inadequate? Admissions are usually stopped. What will happen if the site is seen as Inadequate? The Medway inspections in its previous incarnation were adverse yet it continued its operation. This cannot be allowed to occur under an Ofsted inspection as it would be outside of the framework as applied to all other settings. That all young people should have advocates is essential).

Secure Schools will be dually established as Secure Children's Homes and secure 16 to 19 academies and run by specialist (the award is to a non-specialist), child-focused providers who will provide a therapeutic (What is the definition of 'therapeutic' How does it meet the international definition (*below*)? Environment (It cannot be given the site's limitations) in a secure setting (Is it just the environment? In TCC terms 'environment' encompasses everything from management to relationships). Providers will place education, health and purposeful activity at the heart of youth custody. (There is no mention of care? What of safeguarding? Do all

of the Quality Standards apply without modification? If they are modified then why was this not possible for the unregulated settings that seem likely now to have new 'Minus Care NMS imposed?')

“Therapeutic residential care involves the playful use of a purposefully constructed, multidimensional living environment designed to enhance or provide treatment, education, socialisation, support and protection to children and youth with identified mental health or behavioural needs in partnership with their families and in collaboration with a full spectrum of community-based formal and informal helping resources”. (Whitaker et al 2016)

Then there are 2 reports from the LGA.

Profit making and risk in independent children's social care placement providers

[Profit making and risk in independent children's social care placement providers | Local Government Association](#)

This study examines the evidence that is available in relation to the financial performance of the largest independent sector children's social care provider organisations operating in England.

“We are increasingly concerned about the levels of debt and indicators of financial risk in some of the largest provider groups, as well as the lack of market oversight which means we have no clear understanding about how profit, consolidation and risk are affecting either the market or experiences of and outcomes for children in care”.

However the report states ‘this model of ownership and financing, properly monitored, appears not to be extracting significant funds from operating cashflows’ and on page 24 ‘Cash and profit generative businesses can subsidise loss making or start-up businesses within the group, and that the combined financial position can be used to raise external bank finance’

LGA Newgate

[Childrens Homes Research - Newgate.pdf \(local.gov.uk\)](#)

The Local Government Association commissioned Newgate Research to undertake research into the policies, barriers and facilitators for local authorities and smaller independent providers in establishing children's homes. This research involved a targeted literature review, interviews with a selection of strategic stakeholders from across the public sector, voluntary sector and academia, and interviews with a range of practitioners and professionals to understand practice at more of a local and regional level.

This is saying what many of us have been saying for a long time. Now it's been said by someone outside of the sector and funded by the LGA perhaps the content will be better received?

It is not being given the attention of the 'profits watch' report. It is a vital piece of corrective for all of the current inquiries.

Conclusions

This publication brings attention the demands being placed on a small sector from multiple concurrent reviews that appear to be without coordination.

7 pieces of advice for 7 reviews

1. Start from the idea that you get positive children's homes in a positive children's care system. Look at the specific and trace it back.
2. Is residential child care being appreciated as an equal and valid option for some children at some time of their life?
3. Appreciate that the outcomes currently are the result of a correlation of factors before arrival at a children's homes. Search out and consider the contribution and the attribution of the various parties involved.
4. Does the review start from an appreciation that the current evidence base is insufficient and incomplete? More input must be gained, somehow.
5. Consider residential options in their context, their current role and function for the care system. This approach applies to all matters from outcomes to markets and prices. In all cases it is necessary to look not solely at the children's homes but also the other parties e.g. Outcomes arriving at 14.5 with many previous placements and staying 6 months; e.g. local authorities are active agents in market creation and management. It is not solely the actions of children's homes providers that must be the focus; currently there are invisible agents e.g. engagement or lack of by local schools.
6. Appreciate that children's homes are not a singularity they are a plurality, and necessarily so to meet the needs of all children who need them. Every home is unique in that it responds to a set of needs. There is no such thing as a children's home that can be applied to all circumstances.
7. Is the review considering "*whether we can afford to invest in every child*" or "*whether we can afford not to*"? Is the thinking of the review funding-capped? Does 'the extent of ambition will depend on the outcome of the next Spending Review'?

The multiple reviews produce obstacles to the efficient and effective production of the evidence each review requires.

There is repetition in the reviews, and there are slight changes that make for a completely new submissions being necessary

Avoiding duplication and overlap, and bureaucracy has recently been seen as an aid to democratic involvement.

The number of reviews present a serious issue. There are obstacles that will prevent the children's homes sector responding in the depth and detail that will inform the reviews.

We repeat the outline of the challenge facing the few individuals who will have capacity to respond

With time already pressed, do these individuals involve themselves with all reviews, or select and seek to prioritise with no clear route or clarity on how such prioritisation is to be effectively judged? To which review should they respond? If all, then their responses will inevitably be limited? If just one, on what basis do they judge the importance of which is most, or indeed least important? What is the focus of the differing reviews? Is there a unified focus? They may come to feel that they are in a beleaguered position. What is it that they should defend? What of the many qualities and unique (for some children) of residential care should they seek to promote? Failure to respond will not be an option because this might be taken to suggest that there is no defence. Diluting a response to each of the reviews will likely mean that the sector is evaluated as being short on evidence of the absolute worth and value of residential care to those children who have not and cannot thrive in, or can be found or simply do not want an alternative "...loving, stable and safe family".

A review of reviews?

With no coordination and no consistency across the reviews will we likely be confronted with contradictory conclusions; confusion and contention likely rather than consensus; top trumps - who, which is more credible, constructive? It is scenario where people could turn aside from involvement or from the outcomes and waiting for imposition from the one that results in being the most influential.

Even at this stage we can see there will be the need for a linking and co-ordinating mechanism. It is already clear that this will/would be a major task. As each, seeming uncoordinated and unchoreographed review moves toward potentially disparate conclusions should we, must we, expect a necessary Review of Reviews?