

## **ADCS response to Professor Munro's final report: *A Child Centred System***

### **Introduction**

The Association of Directors of Children's Services Ltd (ADCS) is pleased to respond to Prof. Munro's final report on child protection in England. ADCS is the national leadership organisation in England for directors of children's services appointed under the provisions of the *Children Act 2004* and for other children's services professional in leadership roles. The Association provides a national voice as a champion for children, with local and central government, and with the public.

The Association's response has been formulated through discussions in a variety of ADCS Policy Committees, at a meeting of ADCS Council of Reference, comments received from individual members and discussions throughout the ADCS annual conference (which took place from 6-8<sup>th</sup> July). The response begins with some general comments before addressing specifically each of the 15 recommendations made within the report.

### **General Comments**

The Association warmly welcomes the report which benefits enormously from being conducted independently of a particular case. The Association is particularly encouraged by:

- the acknowledgement that risk cannot be removed from the system;
- the systemic nature of the entire review and the systems approach adopted and recommended;
- the links made to the approach and experiences of other sectors, and the use of recent research to inform recommendations in a way not done before; and
- the attempt to reframe public and media discourse on child protection and social work.

Local authorities rightly feature strongly in Prof. Munro's recommendations. ADCS welcomes the emphasis on partnership working and on early help and intervention in providing better and more appropriate services to vulnerable children and their families. The report proposes substantial and long term changes to the way that social work is provided for children and families; the cultural, managerial and operational changes of the magnitude recommended will take several years to achieve and significant resource to get right. Interim milestones will need to be developed by the sector and central government to keep track of the impact of implementation.

We strongly support the primarily local focus in shaping the future delivery of such services, but it is important to note that Prof. Munro makes recommendations for the whole system, including central government. This is necessary to produce a culture of learning, rather than blame; an environment supportive of professional judgment rather than prescriptive guidance and sufficient investment in the long term development of social work and social workers to build a strong and confident workforce that is well trained and well supported and ultimately achieves greater stability in those parts of the workforce facing recruitment and retention challenges.

It is right that providing early help can reduce the need for child protection interventions that are more complex and more expensive, but this is over a long period, at a time when referrals to children's social care continue to rise and funding for early intervention has been reduced. If local authorities and their partners are to invest in early help, in developing the workforce and in developing a broader vision for providing help to children and families, central government will need to provide additional funding to make this possible. A particular challenge will be to ensure partners refocus as required in the context of changes to organisational roles and responsibilities and multi-agency relationships. And, as ever, change will need to be carefully managed and monitored to ensure it is embedded and

sustainable and that interdependencies, particularly with health service reforms, are carefully considered.

Some recommendations, such as those relating to serious case reviews, could be implemented immediately and we urge government to act quickly where this is possible.

## Comments on the recommendations

***Recommendation 1: The Government should revise both the statutory guidance, Working Together to Safeguard Children and The Framework for the Assessment of Children in Need and their Families and their associated policies to:***

- ***distinguish the rules that are essential for effective working together, from guidance that informs professional judgment;***
- ***set out the key principles underpinning the guidance;***
- ***remove the distinction between initial and core assessments and the associated timescales in respect of these assessments, replacing them with the decisions that are required to be made by qualified social workers when developing an understanding of children's needs and making and implementing a plan to safeguard and promote their welfare;***
- ***require local attention is given to:***
  - ***timeliness in the identification of children's needs and provision of help;***
  - ***the quality of the assessment to inform next steps to safeguard and promote children's welfare; and***
  - ***the effectiveness of the help provided;***
- ***give local areas the responsibility to draw on research and theoretical models to inform local practice; and***
- ***remove constraints to local innovation and professional judgment that are created by prescribing or endorsing particular approaches, for example, nationally designed assessment forms, national performance indicators associated with assessment or nationally prescribed approaches to IT systems.***

### ADCS Comments

We strongly endorse the approach Prof. Munro has taken in this recommendation, particularly with regard to the statutory guidance *Working Together*. Amendments to chapter 8 of *Working Together* and to the timescales and distinctions between core and initial assessments should be made ahead of full revisions to the statutory guidance. However, it is crucial that statutory and non statutory guidance in the entire process be considered in the same way and at the same time including guidance on the care planning and reviewing processes for looked after children, fostering and adoption. *Working Together* cannot be seen in isolation. The Children Act 1989 should remain the starting point for revisions of the full suite of guidance.

It will be important that the evidence from the four trial local authorities (where the prescription of timescales and the distinction between core and initial assessments have been relaxed) which is due in the autumn, is gathered and analysed to inform the revisions to both the statutory guidance *Working Together* and *The Framework for the Assessment of Children in Need and their Families*. Some colleagues involved in these pilots have noted significant insecurity on initial removal of guidance as professionals 'relearn' their approach to their work. Some social workers will have never worked in this way before, and some have little knowledge of key areas of statute, including the Children Act 1989.

The transition away from process compliance will need to be a locally managed process to reflect the workforce needs in each area. Local authorities should consider transition plans for moving practice away from the current culture of compliance with process and excessive prescription to a culture of learning where the exercising of professional judgement has a much stronger role. Such a culture change will require all social workers in whatever field of practice they work, to adapt their approach to working with children, young people and families and to have the freedom to do so unconstrained by the demands of statutory guidance and targets.

Substantial work needs to be done to revise the assessment framework and we welcome Prof. Munro's emphasis on the quality of assessments above quantity. ADCS would like to work closely with government on establishing a framework for quality assessment and on the revisions to *Working Together* to strip it back so that it is both a useful and usable framework of rules and minimum standards required for an intelligent approach to child protection work.

This is a good opportunity to consider whole family approaches and family assessments with child elements. It is however useful and important to have a national framework for assessment setting out minimum standards, but not dictating practice, particularly:

- for middle managers as an indicator of performance and a means of flagging up where action may be required; and
- to assist in protecting budgets in tight spending rounds.

***Recommendation 2: The inspection framework should examine the effectiveness of the contributions of all local services, including health, education, police, probation and the justice system to the protection of children.***

#### ADCS Comments

We strongly agree with this recommendation and wholeheartedly endorse an improved multi-agency approach to inspection. The revised inspection framework for examining the effectiveness of multi-agency contributions to child protection must be integrated with the emerging framework for sector-led improvement which is being led by the Children's Improvement Board (CIB). Ideally the revised inspections should be conducted on a multi-inspectorate basis although we acknowledge this has significant resource implications.

It is clear from feedback from our members that the multi-agency element of the current safeguarding and looked after children inspection is valuable, particularly in giving local authorities and their partners a shared picture of the challenges faced and providing a focus for the efforts of strategic partnerships and for engaging elected members. In particular authorities welcomed the way that the three yearly safeguarding inspection examines the use of CAF and the involvement of other agencies in doing so. The current three yearly inspection appears to mostly only involve health agencies, rather than all the agencies that contribute to safeguarding activity, while a few authorities report that the police had been involved well in the current unannounced inspection. There is some concern about the approach of CQC to joint inspections, with some members reporting health colleagues receiving a separate inspection and report, with little joining up with Ofsted's feedback. Given changes to the way that CQC regulates and inspects institutions in its wider health and social care remit, there are questions as to the suitability of CQC for this work.

Involving multiple agencies in gathering inspection evidence of necessity increases the preparation required before an inspection, due to the increased need to arrange focus groups, visits and interviews with a number of agencies. This will need to be considered and managed if inspections are to become entirely unannounced.

***Recommendation 3: The new inspection framework should examine the child's journey from needing to receiving help, explore how the rights, wishes, feelings and experiences of children and young people inform and shape the provision of services, and look at the effectiveness of the help provided to children, young people and their families.***

ADCS Comments

We endorse the approach set out in this recommendation. ADCS looks forward to working with Ofsted on its proposals for revising the inspection framework to ensure it focuses more on the journey of the child, the practicalities of putting all children's services inspection onto an unannounced basis, achieves a reduction in the overall inspection burden and facilitates further dialogue being built in to the process. Clarity on processes for moderating and ensuring consistency will be important.

ADCS agrees that there is a need to refocus inspection on the effectiveness of help given, rather than on the processes adhered to. Previous frameworks have continued to focus on compliance with process rather than on outcomes and we agree with Prof. Munro that this has distorted practice among managers and practitioners. The use of the phrase "in accordance with statutory guidance" in feedback from the current unannounced inspections emphasizes this focus on compliance with guidance rather than the effectiveness of practice.

There has been some feedback from our members suggesting that since the publication of Prof. Munro's final report (10 May 2011) there has been a change in the way inspectors are judging local authority services against the current inspection framework – with increased discretion in looking at the effect of the assessment or service rather than the implementation of it. We welcome this change and support further measures being introduced that assist inspectors in making these judgments, such as the simplification of *Working Together* statutory guidance and a central inspection judgment that focuses on the impact of the help received.

***Recommendation 4: Local authorities and their partners should use a combination of nationally collected and locally published performance information to help benchmark performance, facilitate improvement and promote accountability. It is crucial that performance information is not treated as an unambiguous measure of good or bad performance as performance indicators tend to be.***

ADCS Comments

We agree that this is a sensible approach to data. Data are crucial in allowing a local authority to "know itself" and to monitor and drive improvement. However it is important to recognise that data have limits and we fully support Prof. Munro's call for performance information rather than targets, and the identification of data as the starting point for a conversation about performance rather than an end in itself.

We continue to support the principle that data should be collected once and used as many times as possible. However, the information that each local authority needs to drive its own improvement will vary, depending on the priorities locally and this needs to be considered in the development of the dataset. This local data may not be the same as that required nationally for accountability purposes. There is a strong argument therefore for the development of a twin tracked dataset.

We believe that the current draft dataset proposed as an appendix to the Munro review is not as strong as it could be in its focus on outcomes rather than process. The finalised dataset

must be constructed in a way that allows heads of local authority services to benchmark, improve and be held accountable for outcomes achieved.

We strongly urge government to work with the sector and Ofsted to build up a dataset that meets the needs of local authorities, inspection and national accountability.

***Recommendation 5: The existing statutory requirements for each Local Safeguarding Children Board (LSCB) to produce and publish an annual report for the Children's Trust Board should be amended, to require its submission instead to the Chief Executive and Leader of the Council, and, subject to the passage of legislation, to the local Police and Crime Commissioner and the Chair of the health and wellbeing board.***

ADCS Comments

We agree with this recommendation in principle; the governance relationships between LSCBs and Health and Wellbeing Boards will be crucial in helping to hold health professionals, including clinical commissioning consortia, to account. It will be important to clarify whether those in receipt of the LSCB annual report will be required to take any action once presented with the annual report.

***Recommendation 6: The statutory guidance, Working Together to Safeguard Children, should be amended to state that when monitoring and evaluating local arrangements, LSCBs should, taking account of local need, include an assessment of the effectiveness of the help being provided to children and families (including the effectiveness and value for money of early help services, including early years provision), and the effectiveness of multi-agency training to safeguard and promote the welfare of children and young people.***

ADCS Comments

We agree in principle with this recommendation, however in strengthening the 'challenge' role of LSCBs there are a number of considerations to be borne in mind, including:

- how resources for training, including multi-agency training, and increased monitoring should be made locally available with responsibility for resourcing falling equally on all statutory partners in the locality and not expecting the LA alone to resource this strengthened role for LSCBs;
- LSCBs are currently struggling to resource their role in monitoring the effectiveness of safeguarding;
- many areas are continuing with Children's Trusts arrangements which may be better placed to discharge this duty;
- the role of Health and Wellbeing Boards and relationship with LSCBs must be clear;
- the definition of 'early help'.

We are not entirely convinced that independence is the most important attribute for an LSCB Chair – competence and understanding of the issues and system are more important. Local determination on the best candidate for this role should be maintained.

***Recommendation 7: Local authorities should give due consideration to protecting the discrete roles and responsibilities of a Director of Children's Services and Lead Member for Children's Services before allocating any additional functions to individuals occupying such roles. The importance, as envisaged in the Children Act 2004, of appointing individuals to positions where they have specific responsibilities for children's services should not be undermined. The Government should amend the statutory guidance issued in relation to such roles and establish the principle that,***

***given the importance of individuals in senior positions being responsible for children's services, it should not be considered appropriate to give additional functions (that do not relate to children's services) to Directors of Children's Services and Lead Members for Children's Services unless exceptional circumstances arise.***

ADCS Comments

We agree strongly that the status of the roles of director of children's services (DCS) and lead member must remain statutory and that the DCS post must be carried out by a Chief Officer. However, local authorities must be free to determine their own structures in order to reflect individual local circumstances. Whatever structural arrangement a LA has should be subject to an 'assurance process' (triangulated by evidence from peer challenge and review as part of the emerging sector-led improvement framework, and by Ofsted judgments on leadership arrangements and capacity). As part of this 'assurance process', each local authority should satisfy itself that its structure delivers a clear, single line of professional and political accountability for outcomes for children, and whatever the structure, that the arrangements aid rather than hinder interagency and partnership working, and that there is a clear "spine of accountability" for safeguarding in particular. ADCS looks forward to continuing to work with DfE on revisions to the statutory guidance on the roles and responsibilities of the DCS and LM.

***Recommendation 8: The Government should work collaboratively with the Royal College of Paediatrics and Child Health, the Royal College of General Practitioners, local authorities and others to research the impact of health reorganisation on effective partnership arrangements and the ability to provide effective help for children who are suffering, or likely to suffer, significant harm.***

ADCS Comments

We agree that research in this area would be extremely useful. It is essential that safeguarding and child protection remain central considerations of the health reforms and that DoH participates fully in this research programme. Given the pace and diverse nature of policy change in both the Department of Education and the Department of Health, and the importance of coherence between them, we would hope that this programme of work would be undertaken jointly, such that both departments can accept and build on the outcomes.

***Recommendation 9: The Government should require LSCBs to use systems methodology when undertaking Serious Case Reviews (SCRs) and, over the coming year, work with the sector to develop national resources to:***

- ***provide accredited, skilled and independent reviewers to jointly work with LSCBs on each SCR;***
- ***promote the development of a variety of systems-based methodologies to learn from practice;***
- ***initiate the development of a typology of the problems that contribute to adverse outcomes to facilitate national learning; and***
- ***disseminate learning nationally to improve practice and inform the work of the Chief Social Worker (see chapter seven).***

***In the meantime, Ofsted's evaluation of SCRs should end.***

ADCS Comments

We agree very strongly with the recommendation that Ofsted's evaluation of SCRs should end immediately in their current form. The evaluations do not add value nor do they provide any assurance about practice (about which they make no judgment), and they consume disproportionate amounts of time and resource at Ofsted and local authority level.

Consideration of the effectiveness of SCRs and their successors should form part of the revised Ofsted inspection framework of children's services and should be focused on how effectively the learning from them has been applied to practice. If government feels it might need other forms of assurance about serious cases and how the learning from them is being used by LSCBs in the meantime, there are other more effective ways that can be provided.

We agree that a systems methodology is a far more effective learning tool in reviewing serious cases as it allows the formulation of different, more challenging questions than the existing model and as a result yields more detailed and useful findings and is a far more effective means by which professionals can challenge themselves, resulting in more ambitious and robust action plans and more useable and probing findings for LSCBs to consider.

It is important that case reviews are undertaken by a multi-agency team rather than a single reviewer and that the reviews involve professionals from all relevant agencies as well as engaging families in a way that is not tokenistic. ADCS is keen to work closely with government and others on the supply and accreditation of skilled independent reviewers.

As noted elsewhere in this response, the current prescription in Chapter 8 of *Working Together* prevents local authorities taking full advantage of this alternative approach to learning. Chapter 8 should be amended ahead of full revisions to the statutory guidance.

***Recommendation 10: The Government should place a duty on local authorities and statutory partners to secure the sufficient provision of local early help services for children, young people and families. The arrangements setting out how they will do this should:***

- ***specify the range of professional help available to local children, young people and families, through statutory, voluntary and community services, against the local profile of need set out in the local Joint Strategic Needs Analysis (JSNA);***
- ***specify how they will identify children who are suffering or who are likely to suffer significant harm, including the availability of social work expertise to all professionals working with children, young people and families who are not being supported by children's social care services and specify the training available locally to support professionals working at the frontline of universal services;***
- ***set out the local resourcing of the early help services for children, young people and families; and, most importantly***
- ***lead to the identification of the early help that is needed by a particular child and their family, and to the provision of an "early help offer" where their needs do not meet the criteria for receiving children's social care services.***

#### ADCS Comments

We agree with the spirit of this recommendation but any new duty placed on local authorities must be funded. The duty on local authorities should be framed in such a way that it empowers the local authority to secure resources from other local statutory partners to secure the sufficient provision of early help services for children, young people, and families. It is right that the local authority is the lead agency in ensuring sufficient provision, but government must think very carefully about a read-across to health provision and the current health reforms if such a duty is to be binding on all agencies and not just the local authority. We urge a note of caution too with regard to the, as yet under-developed, proposals for elements of the Early Intervention Grant (EIG) to be paid by DfE to local authorities on a Payment by Results (PbR) basis. If EIG PbR goes ahead this could severely limit a local authority's ability to fulfill the duty described in this recommendation.

### **Early help in schools**

ADCS strongly welcomes Prof. Munro's emphasis on the role of schools in offering early help and in supporting the identification of children and young people in need of either early help or more specialised services. Despite some changes to the regulations surrounding partnership working with schools, it is important to note as Prof. Munro does, that schools retain a duty to ensure the safety and wellbeing of children and young people. This duty should be fulfilled through the retention of designated safeguarding leads, the provision of evidence based early help, ensuring staff have access to social work expertise and the training and knowledge to refer children appropriately for more specialist help. We are concerned at the downgrading of safeguarding in schools within the inspection framework though we note that the safety of pupils is still contained in the framework – we wait with interest to see how far inspection continues to consider schools' safeguarding duties.

Local authorities have a clear role to play in supporting schools in fulfilling these duties, through provision of training and CPD for safeguarding leads and support in identifying and commissioning evidence based early help services. Local authorities will need to work with schools, both academies and maintained, to support access to social work expertise and strong referral and feedback processes for vulnerable children. It is currently unclear where responsibility for such provision lays, both in terms of accountability and in terms of resource, particularly as regards academies. These responsibilities should be considered as part of the identification of roles and responsibilities related to the funding formula for schools and local authorities.

***Recommendation 11: The Social Work Reform Board's Professional Capabilities Framework should incorporate capabilities necessary for child and family social work. This framework should explicitly inform social work qualification training, postgraduate professional development and performance appraisal.***

#### ADCS Comments

We strongly support the work that the SWRB has already done to develop the Professional Capabilities Framework. Further clarification is needed on where this will fit with the Qualification and Curriculum Framework.

***Recommendation 12: Employers and higher education institutions (HEIs) should work together so that social work students are prepared for the challenges of child protection work. In particular, the review considers that HEIs and employing agencies should work together so that:***

- ***practice placements are of the highest quality and – in time – only in designated Approved Practice Settings;***
- ***employers are able to apply for special 'teaching organisation' status, awarded by the College of Social Work;***
- ***the merits of 'student units', which are headed up by a senior social worker are considered; and***
- ***placements are of sufficiently high quality, and both employers and HEIs consider if their relationship is working well.***

#### ADCS Comments

We agreed in principle with this recommendation. Partnerships between employers and HEIs are crucial to the reform programme; the challenges of doing so in places like London, where there are a great many HEIs, should not be underestimated. ADCS and SWRB should have a proactive role in strengthening links with HEIs. Links between local authorities and HEIs should focus on:

- ensuring courses include the most up to date legislative and practice developments with a strong emphasis on the management of risk;
- ensure courses produce graduates who are research literate with good appreciative inquiry skills;
- providing good quality training placements (ADCS would like to work with government on defining the elements of 'good quality' placements); and
- advising on recruitment of trainees – a similar role is proposed as a role for schools in the recruitment of trainees for Initial Teacher Training courses in the DfE Initial Teacher Training Strategy Document published Monday 27<sup>th</sup> June.

We have a number of concerns regarding the proposed system of Approved Practice Settings and teaching organisation status, namely:

- the risk of limiting the variety of training placements available. Trainees should be able to benefit from a wide range of placements to ensure that they are ready to practice in the setting they find employment in on qualification;
- any pool of accredited providers must be regularly refreshed;
- the risk that in tight fiscal conditions, local authorities might be reluctant to invest in trainee social workers – but we applaud those local authorities with 'grow your own' initiatives for training social workers and thus help to ensure that the cost balances out over time. Many local authorities however lack the capacity to develop and implement effective local solutions.
- the risk of adding an unnecessary layer of bureaucracy.

With regard to training placements, the ADCS Workforce Development Policy Committee proposes consideration of a more sophisticated model that enables a broad range of local authorities to be involved in training placements in a managed way. This could take the form of an accredited lead within each region who can identify and develop training opportunities in a range of settings across the area and manage placements.

***Recommendation 13: Local authorities and their partners should start an ongoing process to review and redesign the ways in which child and family social work is delivered, drawing on evidence of effectiveness of helping methods where appropriate and supporting practice that can implement evidence based ways of working with children and families.***

#### ADCS Comments

We agree with this recommendation and note that many local authorities are already doing this. DCSs see it as a key part of their leadership role although we recognise that it is easy to lose sight of the review and redesign of processes particularly in financially challenging times.

Multi-agency integrated working and induction are more important than ever, particularly in bringing together different parts of the children and families workforce to identify need and provide early help.

It is important to support and develop the children and families workforce as a whole because it is the contribution and skills of a wide range of staff that are central to effective early help and child protection. But, it is also important to acknowledge that the needs of, and pressures on, children's and adult social work services differ. A differentiated approach will therefore be appropriate.

It is crucial to develop networks of practitioners across regions to enable sharing of emergent practice. HEIs must also invest in researching and disseminating good practice.

***Recommendation 14: Local authorities should designate a Principal Child and Family Social Worker, who is a senior manager with lead responsibility for practice in the local authority and who is still actively involved in frontline practice and who can report the views and experiences of the front line to all levels of management.***

ADCS Comments

We agree in principle with this recommendation and see that this post could be akin to a 'consultant social worker' who is a senior, practicing social worker with a protected caseload, and with a role in mentoring, coaching and challenging other social workers. We acknowledge that the intention of this recommendation is to contribute to the professionalisation of the social work workforce. The post holder will need to have credibility and capacity to raise issues regarding front line practice with senior managers

Consideration should be given to sharing the learning with regard to similar posts in other professions, for example advanced skills teachers. Local authorities in Scotland have for some time had such posts and it would be helpful to learn from their experiences.

***Recommendation 15: A Chief Social Worker should be created in Government, whose duties should include advising the Government on social work practice and informing the Secretary of State's annual report to Parliament on the working of the Children Act 1989.***

ADCS Comments

We agree in principle, however significantly more detail is required on role, function, links to and complementarity with existing external bodies (e.g. National College of Social Work). This role must add value rather than duplicate existing efforts and costs.

Given that the scope of the proposed role would cover children and adults we would wish to engage with both relevant central government departments on ensuring that such dual key arrangements work smoothly and how the post-holder time would be proportioned across the children's and adults' aspect of the work particularly given that the nature of social work in adult services is so very different to that in children's services.

If this post is to be hosted in a central government department we believe that should ideally be within DfE, although consideration could be given to locating this post in the National College of Social Work.

The skills and experience required of the post holder will depend on further discussion about the nature and purpose of the role. This will determine whether a greater emphasis should be placed on active social work registration and recent practice experience, or on strategic leadership experience of a broader range of services. If the post holder is to have active registration as a social worker Government may wish to consider establishing the post as a two year secondment.

The Chief Social Worker must be able to both challenge government to influence policy and challenge the profession to influencing practice.

Efforts should be made to consider what can be learnt from the experience of the establishment and functioning of similar roles in the devolved administrations - the Chief Social Worker in Scotland, and the head of the SSI (Social Services Inspectorate) in Wales who fulfils a similar role.