

The Independent Review of Children's Social Care – Summary for Esmée Fairbairn Foundation Leaving Care Programme Participants

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Introduction

The Independent Review of Children's Social Care was published on 23rd May 2022. It comprises a Report, an Executive Summary, a Summary for Children & Young People and an Annex giving more detail on each recommendation. All these documents can be found at <https://childrenssocialcare.independent-review.uk/final-report/>.

There's good summary content on the [Care Review's twitter feed](#). And there's a video and a list of ways that interested members of the public can volunteer to support children in care at <https://childrenssocialcare.independent-review.uk/step-up/>

The scope of the Review is England, although some recommendations – such as that care experience should be a protected characteristic under the Equality Act (2010) – are relevant to all four UK nations.

The Government has committed to a full response and implementation plan by the end of 2022. The Government's immediate response Press Release is [here](#).

Overview – relationships protect

The Review's core message is that relationships should be at the heart of the care system. The Foreword from the Experts by Experience Group says, "This is our chance to reshape the system by placing relationships front and centre." (Foreword, p7).

Chapter 1 sets out the purpose of children's social care, "Where children cannot live with their birth parents, the state should support wider family networks to care for these children instead. Where those networks are not strong or safe enough, care from the state should surround children with loving, stable and safe relationships so that they can flourish. A central aim of care should be to strengthen lifelong relationships. The care experience should help to heal trauma, realise identity and achieve potential." (p18)

The review's approach is summarised as "This moment is a once in a generation opportunity to reset children's social care. What we need is a system that provides intensive help to families in crisis, acts decisively in response to abuse, unlocks the potential of wider family networks to raise children, puts lifelong loving relationships at the heart of the care system and lays the foundations for a good life for those who have been in care. Achieving this reset starts with recognising that it is loving relationships that hold the solutions for children and families overcoming adversity." (Executive Summary, p8).

The review sets out a suite of recommendations for changes in legislation and policy, underpinned by a reform programme comprising clear national direction from government, and £2.6bn of additional spending over four years. Implementation is expected to be phased from 2023 to 2027, with new primary legislation anticipated to be in place by Spring 2024.

The Government's Immediate Response

The Government has committed to set out a full response and implementation plan by the end of 2022. The Minister for Children and Families (Will Quince MP) made a Statement to the House of Commons on 23rd May in which he

- Committed to setting up a National Implementation Board of sector experts and people with experience of leading transformational change and the care system
- Agreed to a National Children's Social Care Framework to set a clear direction for the system and point to the best available evidence on supporting children and families
- Supported the principle of the review's proposed Early Career Framework for social workers, with a particular focus on child protection
- Agreed to take forward the data priority areas set out by the Review and announced the setting up a new digital and data solutions fund to help local authorities improve delivery for children and families through technology
- Committed to prioritising working with local authorities on the recruitment of foster carers, introducing pathfinder local recruitment campaigns that would build towards a national programme, and providing more support for carers during the recruitment process
- Reporting back to the House of Commons in a year's time on the progress of implementing the review.

Summary of Proposals

- a) **A revolution in Family Help** – multi-disciplinary community-based family support work, funded by an additional £2bn over the next five years and reaching about 500,000 children needing extra support, based on a national definition of eligibility for support and desired outcomes.
- b) **A just and decisive child protection system** – expert child protection practitioners (experienced social workers) working alongside the family help team. Supported by strengthened information sharing as a result of a five-year challenge to address barriers and use technology to improve data sharing. A new Child Community Safety Plan for those facing harms outside the home, and more transparency in the family courts.
- c) **Unlocking the potential of family networks** – a mandatory family group conference for every child before they enter the care system, leading to an option of a Family Network Plan, backed up by a new statutory financial allowance, legal aid and kinship leave for relatives looking after a child, and wider support for informal kinship carers.
- d) **Fixing the broken care market and giving children a voice** – LAs to be required to set up new Regional Care Cooperatives (RCCs) to both deliver and commission fostering, residential & secure care. Children will remain in the care of individual LAs. A national foster carer recruitment programme to approve 9,000 new foster carers over 3 years, and an entitlement to independent advocacy for every child in care.
- e) **Five “missions” for care experienced people** – loving relationships, quality education, a decent home, fulfilling work and good health. A wider range of organisations to act as corporate parents. Care experience to be recognised as a protected characteristic.
- f) **Realising the potential of the workforce** – an Early Career framework to provide progression for social workers linked to national pay scales. Work to reduce administrative tasks so that senior social workers continue working with children and families and reduce use of agency social work. A new Knowledge & Skills statement for family support workers and a new leadership programme and professional registration for children’s home managers.
- g) **A system that is relentlessly focused on children and families** – A National Children’s Social Care Framework to set direction & purpose, supported by meaningful indicators, and a National Practice Group to build practice guides. Schools should be included as a statutory safeguarding partner. Updated funding formula for children’s social care and permanent Regional Improvement Commissioners to oversee progress.
- h) **Implementation** – A five-year reform programme driven by a Reform Board, reporting on progress quarterly, and with an annual report by the Secretary of State for Education to Parliament. Additional funding is required over four years: £46m/£987m/£1.257bn/£233m.

Recommendations specifically about care experienced young people (Chapter Six)

Conclusions and recommendations about care experienced young people are set within the overall message of relationships at the centre of the care system.

“Whilst the state can never provide love for a child, it should obsess over creating loving networks of people around them, to provide the support and care that every one of us needs as the foundation for a good life. The time has come to be much more aspirational, not just in words, but in specific and targeted action. This review considers loving relationships, education, secure housing, employment and good health into old age as the baseline of a good life.” P143

The proposals for change are set out in five detailed “missions” and two issues which underpin all aspects of care experience.

Five Missions (p149ff):

1. No young person should leave care without at least two loving relationships, by 2027.
2. Double the proportion of care leavers attending university, and particularly high tariff universities, by 2026.
3. Create at least 3,500 new well-paid jobs and apprenticeships for care leavers each year, by 2026.
4. Reduce care experience homelessness now, before ending it entirely
5. To increase the life expectancy of care experienced people, by narrowing health inequalities with the wider population

Broadening Corporate Parenting Responsibilities (p146)

The review argues that many more organisations should behave as “corporate parents”, and that the legal obligations to care leavers should apply beyond local authorities. It draws on the experience of Scotland where the law was changed in 2015 to name additional bodies such as police, schools, and primary care as corporate parents. It also proposes that the government should consider changing the language to “community parenting” rather than corporate parenting.

Recommendation: New legislation should be passed which broadens corporate parenting responsibilities across a wider set of public bodies and organisations.

Making Care Experience a Protected Characteristic under the Equality Act (2010) (p 146-8)

The review discusses the stigma and discrimination that people experience as a result of being in care or care experienced and argues that it is similar in nature to other groups that have a legally protected characteristic under the Equality Act (2011). It recommends that care experience should be made a protected characteristic to give employers, public services etc greater authority to put in place programmes to promote better outcomes for care experienced people. In the short-term, it recommends new specific guidance on the issue of access to social housing.

Recommendation: Government should make care experience a protected characteristic, following consultation with care experienced people and the Devolved Administrations.

Recommendation: National government should issue statutory guidance to local authorities setting out the priority that should be afforded to care experienced adults in accessing local services such as social housing.

Mission 1. No young person should leave care without at least two loving relationships, by 2027 (p151 - 156).

The review rehearses the evidence that relationships matter in enabling every child to thrive, and in overcoming adversity and cites the views of the care experienced young people about the relationships that meant the most to them. It notes that services can't provide these relationships, but that there is potential for more to be done to involve the wider community in offering support (drawing on the example of the charity "Pure Insight" which provides mentoring support in North West England).

It discusses the role of Independent Visitors, noting that only 3.5% of children in care were matched with an Independent Visitor. It recommends redesign of this service.

Recommendation: Local authorities should redesign their existing Independent Visitors scheme for children in care and care leavers to allow for long term relationships to be built.

The review goes on to argue that "solving the problem of young people leaving care with no adults around them requires a fundamentally new way of thinking, which places loving and lifelong relationships at the heart of the care system. Relationships are often weakened or broken altogether as children enter care and move through care" (p153).

It therefore recommends the development of universal quality family finding support – citing examples from North Lincolnshire Council's "You say who" project and Lifelong Links, a programme developed by Family Rights Group (p153 - 155).

Recommendation: As part of the National Children's Social Care Framework, all local authorities should have skilled family finding support equivalent to, or exceeding, the work of Lifelong Links in place by 2024 at the very latest.

The review then discusses the way in which the care system forces an end point on loving relationships which may have grown up through the care system itself, such as a relationship with a foster carer. It recommends the introduction of a new lifelong guardianship order for adults leaving care. It is intended that "young people who leave care will be able to demonstrate that they have legally and practically joined the family of another non-related adult that is important to them." (p155)

Recommendation: A new lifelong guardianship order should be created, allowing a care experienced person and an adult who loves them to form a lifelong legal bond.

A final recommendation under this "mission" is for Ofsted to take more account of the quality and nature of relationships held by young people in making their judgements, specifically by amending the SCCIF and ILACS inspection frameworks (p156)

Mission 2. Double the proportion of care leavers attending university, and particularly high tariff universities, by 2026 (p156 – 162).

The review notes that children in care face challenges throughout the education system, but has identified the inequality in the number of care experienced adults progressing to university as the key area of focus. It suggests a wider role for Virtual School Heads, proposes that Ofsted should do more to hold Virtual School Heads to account for educational performance of children in care, and recommends that Pupil Premium funding is more directed to evidence-based interventions such as tutoring and mentoring programmes (giving the example of the “First Star” university preparatory course). (p157 – 158)

Recommendation: As part of our recommendations about Ofsted inspection (Chapter Eight), Virtual School Heads should be held accountable for the education attainment of children in care and care leavers up to age 25 through Ofsted’s ILACS framework. Pupil Premium funding should be focused on evidence led tutoring and mentoring programmes.

The review discusses the potential contribution of independent and state boarding schools, giving the example of the Royal School Wolverhampton, a state boarding school which has developed partnership with local authorities to support local young people (p159).

Recommendation: Virtual School Heads should work to identify more children in care who might benefit from a place at a state or independent day or boarding school, and the Department for Education should create a new wave of state boarding capacity led by the best existing schools.

The review discusses the additional support that should be provided to care experienced university students, citing the example of the outreach and support offered by the University of York. It refers to the new kitemark scheme for higher education – developed by the Buttle Trust and the National Network for the Education of Care Leavers (NNECL). It refers to the 2019 report by the Leverhulme Trust & Sheffield University “Pathways to University from Care” which made specific recommendations to better support care experienced people into higher education and suggests that this should be the starting point for a new kitemark system, to be integrated into the regulatory framework for higher education (p160 – 162).

Recommendation: Introduce a new kitemark scheme for higher education to drive improvements in admissions, access and support for those with care experience.

Mission 3. Create at least 3,500 new well paid jobs and apprenticeships for care leavers each year, by 2026 (p162 – 164).

The review argues that the number of young people leaving care each year is small, so it should be possible to ensure everyone has the opportunity of well paid purposeful employment or education. It refers to the Civil Service Internship scheme and job opportunity pilots run by the John Lewis Partnership. Delivering 3,500 jobs for care leavers each year would require each local authority in England to set aside just 20-30 jobs each year for young people leaving care in their area; the NHS to make 0.3% of its workforce care leavers.

The review recommends a refreshed and improved Care Leaver Covenant, offering a focal point for employers to pledge their commitment to offering job opportunities to care experienced young people (p 163).

Recommendation: The Care Leaver Covenant should be refreshed to align with the five missions set out in this report and co-produced with care experienced people. Employers should be able to apply for a new government led accreditation scheme which recognises their commitment to supporting care leavers into well paid jobs.

The review discusses the growth of apprenticeships and notes that care experienced young people are not taking up apprenticeships at the same rate as their peers. While care leavers aged 16-24 are eligible for a £1,000 bursary, many apprenticeship programmes last three or four years and new costs might arise during that time (p164).

Recommendation: An annual care leaver bursary should be made available to all apprentices up to the age of 25, and employers should be allowed to use unspent apprenticeship levy funds to tailor support for those with care experience.

Mission 4: Reduce care leaver homelessness now, before ending it entirely (p164 - 170)

The review notes that “There are big gaps in official statistics on the number of care experienced people who experience homelessness. However, the latest data found that 26% of the homeless population had spent time in care (Ministry for Housing, Communities & Local Government, 2020).” It recommends a new care experience cohort study which also captures health and mortality outcomes (see mission 5) and says that as soon as reliable data is available, the government should develop a plan to eradicate care leaver homelessness. (p165)

The review refers to programmes like Staying Put and Staying Close as some of the most positive developments in the care system in recent years, citing the example of the St Christopher’s Staying Close pilot. It also refers to the evaluation of supported lodgings schemes and recommends that there should be a legal entitlement to these types of schemes up to age 23.

Recommendation: There should be a range of housing options open to young people transitioning out of care or who need to return, such as Staying Put, Staying Close and supported lodgings. Staying Put and Staying Close should be a legal entitlement and extended to age 23 with an ‘opt-out’ rather than ‘opt-in’ expectation.

The review notes that there are a number of criteria which a local authority might use to assess whether someone is entitled to social housing. One of these is the “local connection” test, which might not apply to a young person who has been placed out of area, or who enters care at 16 or later. Another is the “intentionally homeless” test, which has the effect of preventing a care leaver in unsuitable accommodation being unable to argue for better provision (p168).

For those renting in the private sector, many care leavers do not have funds to pay a deposit, upfront rent, and/or do not have a guarantor if required for a private rental contract.

The review also notes that the value of the leaving care grant, intended to help care leavers set up home, has not been updated since 2013 and is often unrealistically prescriptive. It recommends annual review and more flexibility in its operation (p159).

Recommendation: Introduce a stronger safety net against care leaver homelessness by removing the local area connection test, ending intentionally homelessness practice, providing a rent guarantor scheme and increasing the leaving care grant to £2,438 for care experienced people.

Mission 5: To increase the life expectancy of care experienced people, by narrowing health inequalities with the wider population (p170 – 175)

The fifth mission covers the issues of mental and physical health of care experienced young people. It suggests that there is limited data to indicate how factors such as poor housing, employment and health and a lack of good quality relationships combine to affect the life expectancy of adults that had spent time in care as children. (p170).

It lists a number of poor mental and health outcomes experienced by care experienced young people and says that “A reasonable hypothesis is that these stark and unacceptable outcomes are due to a combination of trauma or complex trauma experienced in childhood, a failure to consistently surround those with care experience with people who love them, and substandard support and provision when they reach 18 years of age.” (p171).

It goes on to say that mental health was one of the top issues raised by young people in and leaving care, and refers to the results of the Children’s Commissioner’s “Big Ask” Survey, which suggested that 23% of children in care aged 9-17 were unhappy about their mental health. The review notes that unaccompanied asylum seeking children told the review that the stress of navigating the immigration system also had a significant impact on their mental health (p172).

The review notes the commitments to additional funding in the NHS Long Term Plan, but says that current expenditure varies too much between local areas. It also recommends upskilling a much larger number of professionals in basic mental health techniques, including social workers, foster carers, persona advisers, advocates and Independent Visitors (p173).

Recommendation: The identification and response to poor mental health issues should be a core part of training programmes for any professionals working with children and young people that have involvement with children’s services.

The review recommends that local authorities should ensure that its leaving care teams have expertise in physical and mental health, giving as an example Middlesbrough Council, where a Therapeutic Practitioner is part of the Leaving Care team, working with young people until age 25. Mental health support should also be provided to any care experienced person of any age when accessing their care records. In addition, mental health outcomes should form part of the National Children’s Social Care Framework (described in Chapter 8) (p173 - 174).

Recommendation: All local authorities must improve care leaver mental and physical health support, and the National Children’s Social Care Framework should promote the most effective multidisciplinary models of doing this.

More widely, the review notes that the NHS Long Term Plan already makes specific provision for care leavers to be supported into adult health services. It argues that Integrated Care Board plans to implement this should be developed quickly, backed up by the new corporate parenting responsibilities and the introduction of protected characteristic status for care leavers. It makes the case for exempting care leavers from prescription charges (p175) and for collecting better data on the health outcomes of care experienced young people.

Recommendation: Integrated Care Boards should publish their plans for improving the mental and physical health of those in care and leaving care and routinely publish progress. As part of these plans and new corporate parenting responsibilities, the Department of Health and Social Care and the NHS should exempt care leavers from prescription charges up to age 25.

Recommendation: As part of recommendation in Chapter Eight (improving data collection), the Office for National Statistics should collect and report data on the mortality rate of care leavers and care leaver health outcomes. Government should also launch a new cohort study which tracks the health outcomes of care experienced people and helps to gather other missing data on housing, education and employment outcomes.

The chapter on care experience concludes by recommending that Ofsted should update their inspection framework to take account of the work that local authorities do to maintain relationships with care experienced people beyond age 25. It argues that this will encourage local authorities to continue to provide support and advice to older care experienced people, such as North Yorkshire Council has done through its “Always Here” programme (p176).

Funding the Care Leaver Recommendations

Chapter 9 (Implementation) sets out the costs of each recommendation in terms of costs to the public purse. The table below (p236) demonstrates the requirement for additional investment in Years 2 and 3 of the reform programme, and stable additional investment in later years (figures are in £m). More information about the assumptions underpinning these figures is in the Recommendations Annex.

	Years									
	1	2	3	4	5	6	7	8	9	10
Care Leaver Missions	-5	-74	-99	-44	-31	-35	-35	-34	-34	-31
Scaling up a family finding program	0	-58	-54	2	-1	-6	-6	-6	-6	-5
Extending Staying Put arrangements	0	0	-7	-16	-17	-17	-17	-18	-18	-18
Extending Staying Close pilots	0	0	-14	-6	13	22	25	27	30	33
Scaling up supported lodging programmes	0	-9	-16	-16	-17	-17	-18	-18	-19	-19
Increasing the setting up home allowance	-4	-4	-5	-5	-6	-7	-8	-8	-9	-10
Care leaver bursary for apprentices	-1	-1	-1	-1	-1	-1	-1	-1	-1	-1
Extending free prescriptions to care leavers	0	-2	-2	-3	-3	-3	-3	-3	-3	-3

Selected Recommendations with particular relevance to young people with care experience

Section 3.3 Tackling extra familial harms (p73ff)

Section 3.3 focuses on changes that need to be made to protect children from extra-familial harm, noting that teenagers are the largest growing cohort in both child protection and care.

The review notes that “the cliff edge of support at 18 makes it harder to engage older teenagers (The independent review of children's social care, 2022c). Exploitation and extra familial harm does not stop at 18 so this drop off of support can be a particular risk point (Firmin et al., 2019).” (p75)

The review takes the view that the basic legislative framework to tackle harms outside the home is sufficient, but suggests that the policy and practice framework that sits beneath this should be changed to give greater clarity and support in how areas should deal with extra familial harms. It suggests that areas should develop a model where work continues beyond the young person's 18th birthday, up to the age of 25 or earlier if the problem is resolved sooner (p76).

The review recommends a new statutory framework for working with young people experiencing or at risk of extra-familial harm – the Child Community Safety Plan. This would ‘have the same legal underpinning of section 47 and so would be a version of a child protection plan, but would provide for a different approach that makes clear that the primary harm is not attributed to the home, and puts emphasis on a more proactive approach from all partners to both keep the child safe and address contexts where children are at risk of harm. It should also provide for plans to continue beyond 18 where necessary.’ (p76)

Further recommendations relate to streamlining funding for tackling extra familial harm, reforming the National Referral Mechanism for those potentially experiencing modern slavery, and simplifying processes for young people in the youth justice system. (p78 - 79).

Chapter 5 Transforming Care (p112ff)

This chapter sets out recommendations relating to homes for children in care. It recommends:

- “new universal care standards should be introduced covering all types of care. These standards should guarantee care for every child in care, and provide the flexibility needed to ensure homes can meet the needs of children
- the commissioning and running of children's homes and the recruitment and training of foster carers, must be moved into new Regional Care Cooperatives. The scale and expertise of these local authority owned regional bodies will mean a wider choice of homes for children closer to where they live. It will also bring an end to profiteering in the children's social care market
- a “new deal” for Foster Care. This will involve recruiting thousands more foster carers, making more foster homes feel like loving family environments for children, and providing significantly more support for foster carers
- a new ‘opt-out’ legal right to advocacy for all children in care, which allows them to influence the decisions made about them, and have their voices heard.” (p111 -112).

There is specific discussion about “unregulated accommodation”, with the Review arguing that there should not be any homes which do not provide care, and therefore no unregulated accommodation (p115 - 116).

Chapter 8: A system that is relentlessly focused on children & families (p194ff)

This chapter deals with system-wide issues and recommends:

- “establishing a National Children’s Social Care Framework to give national leadership and direction about what success looks like, supported by a balanced scorecard and a more coherent regulatory landscape and rulebook
- strengthening multi-agency working to achieve genuinely integrated support for children and families
- addressing structural problems in how social care is funded
- improving the role of Ofsted as a driver of accountability and intervening more effectively when services are not good enough
- establishing a National Data and Technology Taskforce to drive improvements in priority areas such as case management systems, data sharing and use of data” (p194)

There are some suggested objectives for the National Children’s Social Care Framework, including one about young people leaving care:

“6. The impact of care experience is recognised and our collective efforts are focused on ensuring every young person leaving care has at least two loving relationships, a good home, access to well paid purposeful work, double the chance of attending university and a life expectancy equal to the wider population” (p190)

It is proposed that these objectives are supported by outcomes, and a balanced scorecard of indicators for learning & improvement, and by practice guides (a bit like NICE guidelines) bringing together evidence and learning from research & practice, and using regional improvement arrangements to embed learning cycles (p197 - 201).

Additional recommendations in this section include

- streamlining national learning bodies through integrating EIF and WWCSC (p201 - 202).
- a process for local authorities to identify areas where rules & regulations can be removed, where blocking actions that are in the best interest of children and families (p202 - 203).
- Strengthening multi-agency working by reinforcing the strategic role of safeguarding partners and giving greater clarity on their operational role, widening role of DCS to be champion for children & families, strengthening transparency of partnership meetings, making education a statutory safeguarding partner and incentivising pooled budgets. (p203 - 211)
- Moving family policy & youth justice policy to DfE (p212 - 213)
- Updating the children’s social care funding formula to better direct resources where they are most needed (p213 – 214)

Section 8.6 covers the role of inspection. There is a specific recommendation relating to care leavers. “For care leavers, Ofsted should introduce a standalone care leaver judgement (something they are currently consulting on) that reinforces the missions we have set out for care experienced adults.” (p216).

Chapter 9: Implementation

The review forecasts that the impact of its recommendations will mean that 30,000 more children will be able to stay with their families or family networks (p230).

The review proposes a single comprehensive reform programme called “Relationships Protect”. This is phased as resources and legislation come on stream (p232ff):

First Steps (by end 2022)

- Government publish a White Paper setting out a full Govt response, and consulting on changes in a new Bill in the final session of this Parliament.
- Relationships Protect as a major programme – putting lived experience at the heart
- Launch a new foster carer recruitment programme
- Develop a National Children’s Social Care Framework with objectives, outcomes, indicators & practice guides – especially setting up the National Practice Group

Roll Out (by Spring 2024)

- Finalise National Framework & amend Working Together
- Confirm resources so LAs can deliver recommendations such as family finding and Family Help
- Roll out social work Early Career Framework
- Peer support & training for kinship carers
- Leadership programme for residential children’s home managers
- Deliver foster care recruitment and approve within RCC footprints

Full Flight (Spring 2024 – 2027) (assumes Royal Assent by Spring 2024)

- Introduce Family Help teams
- Legislation kicks in on Family Network Plan, mandatory FGCs
- Regional Care Co-operatives should be fully operational by early 2025
- Legal right to request a Staying Put or Staying Close until aged 23
- New care standards will mean that by 2025 all children in care will be living in homes where they receive care
- National Social Worker Pay scales

Legacy (2027 and beyond)

- Ring Fenced Family Help Grant