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Ask for: Emily Kennedy
Date: 10 May 2023

Dear Member

CHILDREN'S, YOUNG PEOPLE AND EDUCATION CABINET COMMITTEE - TUESDAY, 16 MAY 2023

I am now able to enclose, for consideration at next Tuesday, 16 May 2023 meeting of the Children's, Young People and Education Cabinet Committee, the following report(s) that were unavailable when the agenda was printed.

Agenda Item No

10 **Response to Social Care Review consultation** (Pages 1 - 34)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint, circular stamp or watermark.

Benjamin Watts
General Counsel

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From: Sue Chandler, Cabinet Member for Integrated Children's Services

Rory Love, Cabinet Member for Education and Skills

Sarah Hammond, Corporate Director of Children, Young People and Education

To: Children's and Young People's Cabinet Committee - Date

Subject: Response to Social Care Review Consultation

Classification: Unrestricted

Past Pathway of report: Not applicable

Future Pathway of report: The Government will publish their response to the consultation in September 2023 where KCC will need to return the item to indicate potential implications for KCC.

Electoral Division: All

Summary:

Josh McAllister published the Social Care Review in 2022 where the Government provided a proposed response for consultation in early 2023. The consultation will end before Cabinet Committee in May 2023. The consultation was separated into three parts identifying;

- a) A more holistic and systemic multiagency proposed way of working with families
- b) Workforce strategy to be incorporated nationally
- c) National dashboard of data performance to support quicker acquisition of data and improved analysis

KCC wished to provide a response to each of the consultations where staff were consulted via local meetings and findings escalated through the line management. The final drafts of the consultations were approved by the Leader of the Council on 17th April 2023.

Recommendation(s):

Cabinet Committee is asked to note the contents of the consultation with a view to identifying a process for bringing any proposed changes to KCC's delivery of services as a result of the Social Care Review.

1. Introduction

- 1.1 The three reports provide KCC's collated response to the social care review, referencing opinions and suggested ways forward against each of the key recommendations.
- 1.2 KCC identifies the proposals are positive and the proposed pilots will be likely to identify what will be needed to implement the strategies and which aspects of the strategies are likely to be successful. KCC notes aspects which it does not agree and indicates how KCC operates to provide positive alternative approaches.

2. Responses to the Social Care Review

2.1 **Appendix A - A more holistic and systemic multiagency proposed way of working with families.**

The current delivery of case holding social work and early help services lends itself very well to the proposed government model of a Family Help system which ensures that children do not require to get over a particular bar to receiving support and intervention at the right time from the right partitioner. We support the principles of this model of support.

KCC is and has already implemented many aspects of the government's proposals, for example greater use of family care, and the right offer for Care Leavers. As a local authority we are currently in the process of understanding what it may be able to amend within current practices whilst understanding which pilots KCC may be able to apply to participate. Any such proposals requiring County Council oversight will be presented to CYPE Cabinet committee to advise the lead member in her decision making.

Appendix B - Workforce strategy to be incorporated nationally.

The proposals within this consultation would not apply until September 2024. KCC's position is that the proposals do not go far enough and will not see any improvement in what the strategy aims to address for a significant number of years. KCC identifies there will likely be a number of unintended consequences which will have a negative impact on the recruitment and retention of Social Workers, citing the strategy needs to be brought forward to 2023.

Appendix C - National dashboard of data performance to support quicker acquisition of data and improved analysis

The intention is positive and KCC is willing to participate. The response to the consultation raises concerns there is already a national drive to acquire data but this has proven logistically challenging to collate and publish within a timescale to make the data relevant and supportive of real time analysis.

3. Financial Implications

- 3.1 At this time, the government's final response to the Social Care Review is not available and will not be until at least September 2023. It is not clear at this time whether the government's response will be via guidance or legislation. Either way, KCC will need respond to the required changes..

4. Legal implications

4.1 Once the government publishes their response to the Social Care Review in September 2023, KCC will be able to determine the need for legal advice and better understand legal implications.

5. Equalities implications

5.1 This will be completed once KCC’s response to the Government is finalised.

6. Risk and Other Factors

Once the Government’s response is published in September 2023, KCC will be able to assess the risks associated with the Government’s response.

7. Governance

7.1 Changes to the governance structure will be identified when the Governments response is published.

<p>9 Recommendations</p> <p>9.1 Cabinet Committee is asked to note the contents of the consultation with a view to identifying a process for bringing any proposed changes to KCC’s delivery of services as a result of the Social Care Review.</p>
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10. Contact details

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APPENDIX A

Consolidated list of consultation questions throughout the Implementation Strategy Stable Homes Built on Love

7. Overall, to what extent do you agree these six pillars are the right ones on which to base our reforms for children's social care? [Select one from: Strongly agree; **Agree**; Neither agree or disagree; Disagree; Strongly disagree; Don't know]. If desired, please explain your response.

Overall, we agree the six pillars provide a clear foundation and principles that will support how children's social care is understood and delivered and a whole system approach. We welcome the recognition of the importance of early family help and the design and delivery of services that are local to the communities. Kent is one of the 75 local authorities set to receive government funding for Family Hubs. Building the skills of Family Help Workers needs to align with local practice frameworks and models of delivery. Reforms to special educational needs and education should dovetail with this strategy.

We agree with Pillar 2. A decisive multi-agency child protection system will enable clear thresholds and decision making and provide a stronger multi-agency approach and culture. Our current structures in Early Help/CSWS in Kent work well. In Kent we have positive practice which addresses risk within our current structure and do not agree with the Child Protection Lead Practitioner role. We welcome greater clarity on roles and responsibilities and accountability including child protection plans and statutory partners. We welcome consultation on how the role of education can be strengthened particularly given attendance, education and opportunities for learning are often key in supporting good outcomes.

Court delays are a continued challenge over the last few years and though we are out of the pandemic. This has negatively impacted on the child, the family, workers, resources, and timely decision making. We welcome the commitments to speeding this up and improving parental engagement including father inclusive practice which is promoted in Kent through our Parent Inclusion Co-ordinator.

We fully support Pillar 3 and positively exploring family networks throughout the reforms. Existing approaches including Family Group Conferences and Life-Long Links proved successful in identifying wider networks and enabling children to live within their communities with trusted adults in their lives. We will be interested into see the outcomes from the testing of Family Support Packages as part of the Families First Pathfinder and the resources accessible as part of the package. We support having a national kinship care strategy and further clarity on entitlements, training, and support (including financial) recognising there needs to be a range of options for permanency.

We fully support Pillar 4 and the promotion of placement choice within the local area, promotion of placement to mitigate further placement moves and support children to feel valued and loved. In Kent we promote the recruitment of foster carers including connected persons and, while many of our children are placed in foster care, choice and matching can be limited particularly for children with more complex needs. The strengthening of leadership and management within these settings is welcomed. We strongly agree with the 6 missions, strengthening of corporate parenting responsibilities and agree with a wider range of public bodies as noted in Scotland's corporate

parenting offer. We would want the local offer to care leavers strengthened in health and housing which can be challenging to secure. Kent is well placed to be one of the two Pathfinder Regional Care Cooperatives with a well-established Total Placement Service, the range of placements and placement and matching systems in place and the number of children in our care. We disagree there should be a “lifelong legal bond” as there are existing opportunities for relationships to endure and the Life-Long Links approach we use in Kent provides opportunities to identify key people and promotes connections and connectedness. Staying Put is also available for care leavers.

We fully support Pillar 5 and recognition the workforce is under pressure and steps to address this are welcomed so all children have an excellent social worker, who need one. We have several routeways into social work locally including social work degree apprenticeships, Step up to Social Work and exploring Frontline. We have a strong programme for AYSEs and Kent is well placed to be part of the DfE Early Adopter Scheme. KCC values all its employees and wishes to invest in their whole career beyond the first year and beyond 5 years of the Early Career Framework. Kent has a local training offer and a well-established Kent Practice Framework. Pathways for progression are clear. Support to improve working conditions and tackling work pressures including IT systems are welcome to enable social workers to spend more time in relationship-based practice which is strengths based and family inclusive.

We agree with Pillar 6 and the Children’s Social Care National Framework and the Children’s Social Care Dashboard indicators are clear in providing details on what local authorities should achieve. It would be helpful to have timescales for when the Ofsted inspection framework will be reviewed, changed and how the framework will influence focused inspections and JTAs including Ofsted Annex A requirements. Pillar 6 states there will be a new formula for funding children’s service. It would be helpful to understand if this will cover social care, intensive early help and family hubs. The framework states the expectations for multi-agency partners are clear in Working Together and we would support the strengthening of these expectations including information sharing to support improved data sharing and more consistent data capture across different agencies to better support multi-agency working and decision-making. It will be important the dashboard is made available to local authorities promptly after each data collection so the information is current. It will be important to have the ability to view information for other local authorities, especially for our region and statistical neighbours. This will then facilitate peer discussion and learning.

8. What more can be done by government, local authorities and service providers to make sure that disabled children and young people can access the right types of help and support?

Inclusion is the key to working with disabled children and young people and we should be ambitious for them and ensure complete access to society as a norm. The Social Model of Disability should be included as key principle across all partners and also in educating the public. Improvements could be made by incorporating multi agency Teams and pooling budgets in Social Care, Education and Health to prevent delay and siloed working. Proportionate assessments should support children and their families and not stigmatise or label them unnecessarily to receive services. In terms of placement stability there is a significant shortage of respite placements / short breaks / PA support for children with disabilities in foster care. In addition, carers do not have the flexibility of direct payments to fund a support package to support the child and them.

9. To what extent are you supportive of the proposal for a system that brings together targeted early help and child in need into a single Family Help Service in local areas? [Select one from: Fully supportive; **Somewhat supportive**; Neutral; Somewhat oppose; Strongly oppose; Don't know] If desired, please explain your answer.

We are supportive of having a focus on providing earlier access and support for children and families when they need it. We are well placed in Kent in our EH, CIN pathways and development of Family Hubs where Kent is one of the 75 local authorities who successfully apply. Pathfinders will need to take account of this and the different stages of other reforms. Having a multi-disciplinary workforce will require joined up policies and funding. Having a broader range of practitioners to be “case-holders” needs further exploration alongside current legislative requirements i.e., Children in Need and must ensure the service is proportionate and accountable.

Having clear expectations and a single framework across the whole continuum of support in children's social care would benefit a shared understanding including between multi-agency partners and agreed strategic priorities. It would also support rigour in decision making, assessment and management of risk and utilise local partnerships and resources. How this will be completed in practice needs to be confirmed.

10. Looking at the features of early help listed below, in your opinion or experience, what are the top 3 features that make it a supportive service for families? [Select 3 only]

- **The service is designed together with the input of children and families**
- **Early help is based in local communities and sits alongside other services such as education, libraries, citizen's advice services and housing services**
- Information and support are available and can be accessed online
- Information and support are available and can be accessed in person
- Early help is delivered by the voluntary and community sector as well as the local authority and their partners (police and health)
- Strong relationship with one key worker/lead individual for every family
- Having people with the right knowledge and skills available to help when needed
- **Having people with the right experience available to help when needed**
- Being able to access the right type of support
- Other [please specify]

11. Have you ever provided or received parental representation during child protection processes? [Select one]

- **Yes, my organisation have provided a form of parental representation**
- Yes, I am a parent and I have received or been offered a form of parental representation 161
- No, I/my organisation do not provide or facilitate any form of parental representation
- No, I am a parent who is or has been involved in a child protection process, and I have not been offered or was not offered or did not receive any form of parental representation
- Don't know
- Other [please explain]
- Not applicable to me

12. If you have had experience with a form of parental representation in the child protection process, please tell us about it.

In Kent, Parental participation in the child protection process is supported through the sharing of Child Protection Conference reports with parents and capturing their views within them. Parents can produce their own report for the conference where Kent co-produced a template with parents with lived experiences of the Child Protection status. Parents also meet with the child protection conference chairs before the day of the conference where possible and consider the best way to support communication where there are identified needs. Parents attend the conference and can also share their views and comments including in writing. Parents may choose to have an advocate however this can be challenging to arrange within timescales particularly for initial child protection conferences.

13. If you are happy to or would prefer to talk to us about this, please indicate your consent to be contacted in relation to this set of questions only (questions 11, 12 and 13): Yes/No. If yes, please ensure you provide your email address so that we can contact you.

14. In your view, how can we make a success of embedding a “family first” culture?

By investing in co-production and evidence-based practice to assess and understand what the family needs and redefining family to be more inclusive. We need to explore family network at the earliest stages and not just in a crisis. Kent piloted a Family Group Conference model which included managers/leaders from the community (including appropriate faith groups as according to the family’s beliefs) and multiagency which supported strengthening the family’s resilience. Training and support should be authentic focussing on the centrality of the family in our approach and how we enable the family in partnership and include service user experience. This includes considering the individual and family identity and potential barriers to engagement. Father inclusive practice is promoted in Kent through our Parents Co-ordinator. “Family first” needs to recognise different types of family systems and how the family’s identity integrates and relates with that of the community. We need to understand a family’s unique culture and how disparities within the community’s culture may impact upon them. It is vital to understand the family’s and community’s resilience factors so we may tap into valuable social equity/capital to develop capacity to mitigate risk and understand the child’s lived experience within the perceived risk. It may be a misunderstanding of culture will inaccurately understand the impact of the risk on the child’s lived experience. Equally, a stronger understanding of the family and community culture and identity supports a more influential discussion about the impact of culture on the child’s lived experience, thus supporting both the community and the family in finding safer ways to express and explore their identity and culture. This approach should be shared across multi-agency partners by providing a shared language and understanding of the principles of “family first”.

15. In your view, what would be the most helpful forms of support that could be provided to a family network, in order to enable them to step in to provide care for a child?

Having a local network to support them that is trusted including of families in similar situations to share support and a feeling of connectedness. There should be support in behaviour management and practical support which is locally based and available at different times to support accessibility. Early identification of family network through Family Group conferencing and Life-Long Links with clear information about the rewards and support available and which enable families to make autonomous child centred decisions. Some families may not meet the 'statutory requirement' for intervention so it will be important there are other opportunities to support the family and give them autonomy. Formalising and expanding the SGO support offer, to make it easier for families to access when they have taken on children under an SGO. It may be helpful if this could be expanded to include Child Arrangement orders. Funding for Private Fostering arrangements under section 17 may also support such arrangements being sustainable. Mediation services would support dynamics within families which may be complex and change over time. The family network may be providing care under an SGO and usually family time arrangements are managed between them. There may be a need for more support where SGO carers feel unable to safely facilitate this and potentially risk placement instability. Some families may need practical support i.e. getting to school.

16. What support does your local authority provide to Special Guardians or to a nonparental party with a Child Arrangements Order? [Select all that apply] • [A means tested financial allowance](#) • [A non-means tested financial allowance](#) • [Access to training](#) • [Access to free legal advice](#) • [Access to information about becoming a kinship carer](#) • [Don't know](#) • [Other \(please specify\)](#)

Kent offer means tested allowance for both SGO and CAO, access to legal advice, access to information and options for kinship care, and the follow up support for SGO carers sits with Early Help. There is also the VSK offer for children who previously had a social worker. Connected Person carers receive the same training, support and payment as mainstream foster carers.

17. To what extent are you supportive of the working definition of kinship care? [Select one from: Fully supportive; Somewhat supportive; Neither supportive or opposed; somewhat opposed; strongly oppose; Don't know] If desired, please explain your response.

We are supportive of the working definition of kinship care noting the arrangement may be temporary or longer term. Kinship options can be confusing for families (and for children) especially non statutory and statutory options. This may deter some family members from either coming forward or maintaining the arrangement. Some children may be placed with family in a crisis and a system for advice, support and opportunities to discuss how to secure permanence is crucial during this time and where proceedings may be underway. Support arrangements like those in post adoption support may be helpful. We have several connected persons carers looking after children in Kent. Post proceedings some children continue in these arrangements. Steps to support enabling and securing permanency for them as early as possible would be beneficial.

The role of partner agencies supporting kinship care arrangements is significant including mental health support, mediation and managing family dynamics over time.

18. Overall, to what extent do you agree that the 6 key missions are the right ones to address the challenges in the system? [Select one from: **Strongly agree**; somewhat agree; Neutral (Neither agree nor disagree); Disagree; Strongly disagree; Don't know] If desired, please explain your response.

We strongly agree with the 6 missions and the emphasis on every care experienced child and young person having strong and loving relationships and achieve the best outcomes through a strengthened corporate parenting offer. A key challenge for Kent is the placement market and how we grow and support the service. There are significant challenges in recruitment of carers and local placements and we support any increase in high quality, stable and loving homes that are local and enable choice and matching. Training and support of foster carers is well established in Kent and we support any improvements so the package of training and support incentivises carers to continue through feeling valued, enhancing their skills and supporting resilience. Better wrap around services to prevent escalation would be supported by a strengthened and extended corporate parenting offer. This would also support carers feeling they can access the right services at the right time to promote placement stability including have more responsive mental health support.

19. To what extent do you agree or disagree that a care-experienced person would want to be able to form a lifelong legal bond with another person? [Select one from: Strongly agree; Agree, Neither agree nor disagree; **Disagree**; Strongly disagree; Don't know]

20. What would you see as the advantages or disadvantages of giving legal recognition to a lifelong bond?

We disagree with the need of a lifelong legal bond. In our view the emphasis should be relationship based. A sense of feeling connected and connectedness can be achieved without have a "lifelong legal bond" and may in turn get in the way of relationships by providing a further step that needs to take place to show there is love and care and this would also give another layer of responsibility. Whilst the intention is well meaning, this approach would require extensive resourcing unlikely to be available to implement. There are already cost effective and more timely approaches. Staying Put is available. There are existing opportunities for relationships to endure with some care experienced young people maintaining connections with ex foster carers and their family. Life-Long Links approach provides opportunities to identify key people and promoted connections. Kent's adoption of Life-Long Links stretches a number of years where outcomes for Care Leavers were identified by Ofsted to be positive with Ofsted grading Kent's Children in Care and Care Leaver Services Outstanding.

Advantages may include providing a level of security in the absence of having no-one. It would also provide a positive connection and may support advocacy and stability.

21. What support is needed to set up and make a success of Regional Care Cooperatives?

The growth of private sector has not been helpful in terms of quality of care for children. RCCs would require "buy in" from all partners with clear and transparent arrangements on the practicalities. There would need to be support to regulate the market and RCCs would need to be with neighbouring boroughs and geographically located to enable and facilitate the sharing of resources

including training. Education and health partners would need to also support sufficiency planning and meeting the needs of children placed locally. There would also need to be agreement between local authorities around priority for local children to be able to access the local resource available. A cap on costs would reduce reliance on agencies and having a shared commissioning framework would support clear expectations. There would need to be Project support, the sharing of and development of systems to enable partnership arrangements taking learning from Regional Adoption agencies. Kent is well placed to be one of the two pathfinder Regional Care Co-operatives.

22. Do you have any additional suggestions on improving planning, commissioning, and boosting the available number of places to live for children in care?

We would wish to see a growth in the public sector with local carers for local children being prioritised. Having a national framework, akin to the Valuing Care project in Norfolk, on prices of placements being linked to children's needs rather than their behaviours where price caps would support the market being more consistent and support forecasting and procurement with less reliance on spot purchasing. The development of the inspection framework would support consistency and promote high standards with clear expectations. Funding being linked to children's needs will likely refocus training and development leading to improved carer recruitment and retention. We would support incentivising carers to come forward and support for those to remain. Targeted advertising for example to support/youth workers may promote recruitment and potentially for single placements. Transition planning for children and young people needs to start early and for care leavers to know early on where they will be living and the support available. Promoting Staying Put would improve planning and the Sufficiency Strategy in identification of local needs. We would support local children being given priority to access local market resources and restricting other local authorities being able to place into certain counties where there are already high numbers of children in care e.g., Kent.

23. Are there changes you think would be helpful to make to the existing corporate parenting principles?

Currently there is no consequence for partner agencies if they don't provide an offer. We would support that it is made mandatory for partner agencies such as Health and Housing to have a local offer for care leavers. It would also be helpful for care leavers to be given priority for local housing. The Corporate Parenting offer in Scotland included in the consultation papers offers a positive framework to build on and one we would support being extended.

24. Which bodies, organisations or sectors do you think should be in scope for the extension of the corporate parenting principles - and why?

All public services: police, fire service, health, education, housing, universities/colleges and Sport England and Creative Arts particularly in relation to offering mentoring, employment opportunities, apprenticeships, emotional wellbeing and local offers of support for care leavers. This would open further a range of resources and opportunities.

25. Do you have any further feedback on the proposals made in the 6 missions of this chapter?

We welcome support to have a national campaign for the recruitment of foster carers which is funded centrally and in achieving much greater public awareness nationally. We would support this having links to local authority websites. We welcome greater support for care leavers and addressing recruitment and retention issues amongst foster carers and social workers.

26. Overall, to what extent do you agree that our proposals on the social worker workforce address the challenges in the system? [Select one from: Strongly agree; **Agree**; Neutral (neither agree or disagree); Disagree; Strongly disagree; Don't know]

We agree there needs to be a strong social care and public sector workforce that understands prevention and safeguarding as everyone's responsibility. The social worker workforce should be well trained and supported with opportunities to remain in practice which will support relationship-based practice. Building knowledge and skills is important and social work training needs to be balanced with theory and practice. KCC values all its employees and wishes to invest in their whole career and not just the first 5 years of the ECF. We agree actions in the immediate need to be taken which support consistency and quality assurance to the use of agency workers. In our view, national rules for agency staff should be applied in September 2023 rather than from spring 2024.

There will always be a need for local authorities to use agency social workers, however, they must not be reliant upon this to function effectively and guidance may assist around the percentage of agency staff compared to permanent staff i.e., 10-15% ratio. The proposal to develop an 'experienced practitioner role' which defines 'experienced' as 5 years post qualifying presents a new potential problem for Local Authorities who may lose those experienced social workers to a new threat from agencies recruiting experienced staff to 'sell back' to Local Authorities to fulfil child protection roles.

KCC is generally in agreement with the proposals for social workers not being able to work as agency social workers for up to the first 5 years after qualifying.

We agree there is a need to demonstrate a minimum of 5 years post qualifying but needs to relate to all SWs in order to both immediately feel the impact and future proof the system. If we allow the current proposal, we won't feel the benefit of the proposal for several years, with marginal gains observed each year until that time. Those allowed to work locum when they are not 5 years qualified would not have been engaged with training and development to hold integrity against the implied reference of being locum, which this proposal is seeking to address. In order to feel the full impact of the proposal, it needs to relate to all SWs with less than 5 years post qualifying experience within social care where we acknowledge there will be a skills gap for those returning to permanent employment and LAs will need to recover their development. This will both develop recruitment of SWs whilst develop resilience within the workforce.

Proposals must be considered alongside strategies towards manageable workloads and staff wellbeing whilst ensuring safeguarding. We agree case management systems should support workloads and relationship based- practice as highlighted by Munro and which support retention to help keep practice experience. Local workload drivers should not contribute to unnecessary

workload drivers so we capture and record what is important and informs good assessment, planning and outcomes.

In Kent we support a number of routeways into social work that offer opportunities for applicants across the community including placements supported by practice educators; a well-established AYSE programme; Step up to Social work programme and Social Work Degree Apprenticeships. We do consider that 500 Apprentices nationally may not be sufficient considering there are 150 plus LAs.

There remain persistent issues in child deaths which highlight multiagency working/ information sharing and a lack of professional curiosity. We support joined up approaches across the continuum of multiagency working including Early Help and multi-agency child protection.

We support the ambition to have a workforce which represents the communities they serve at all levels.

27. If you want the proposals to go further, what would be your top priority for longer term reform?

By having clear and equitable funding that enables planning and delivery with dedicated funding and IT and management information systems that align across partnerships.

28. Beyond the proposals set out in this chapter, what would help ensure we have a children's social care system that continues to share and apply best practice, so that it learns from and improves itself?

Multi-agency training to share best practice and continued opportunities to share and learn within and across local authorities including IT systems.

29. In your opinion, how can we ensure the delivery of reform is successful?

By having a clear communication strategy for both the Childrens Social Care Workforce about the reforms and having methods for feedback on reform that enable the workforce to feel engaged, supported and heard. LAs not involved in the Pathfinders should be able to inform the delivery models being tested so they consider applicability in different contexts/regions.

30. Do you have any overall comments about the potential impact, whether positive or negative, of our proposed changes on those who share protected characteristics under the Equality Act 2010 that we have not identified? Where you identify any negative impacts, we would also welcome suggestions of how you think these might be mitigated.

31. Do you have any overall comments about the potential impact, whether positive or negative, of our proposed changes on children's rights?

We consider the impact for children's rights will be positive in that they will have excellent social workers when they need one who are well trained and supported. The reforms support keeping children within their family and family network where safe to do so and support re-unification. Ensuring the child's lived experience is considered needs to remain a key focus and their welfare is safeguarded where concerns are noted.

We do not agree with a “legal bond” as indicated earlier.

APPENDIX B

Child and Family Social Work Workforce Consultation

Following the publication of the Independent Review of Children's Social Care the Government are consulting on ways to reduce overreliance on agency social work resource in order to provide more stable relationships for children and families and reduce costs.

This consultation invites views on a set of national rules on the engagement of agency social work resource covering:

- * Price caps on what local authorities may pay for an agency worker
- * Post-qualified experience needed for an agency assignment use of project teams
- * References, notice periods, and movement between agency and substantive roles collection and sharing of pay and agency data.
- * Adherence of procurement routes with the national rules

The questions within the consultation are set out below. As an online response many of the answers are framed as agree or disagree without the opportunity for commentary.

1. Q1 Our aim is to move to a more stable and sustainable workforce model by reducing local authority spend on, and improving the quality assurance of, agency social workers. Do you agree in principle that the introduction of a set of national rules on the engagement of agency social work resource will support these aims?

Agree / Disagree

2. Q2 Do you agree that we should set out the national rules in September 2023

Agree/ Disagree

3. Q3 Do you agree that local authorities, and all procurement routes used by LAs to engage agency social work resource, should comply with the national rules from spring 2024?

Agree / Disagree

This should be as soon as possible and ideally when the national rules are applied in September 2023.

4. Q4 Which of the following measures at a national level would support LAs to comply with the national rules and reduce overreliance on agency social work resource and spend?

- Commercial and HR support
- Toolkits
- Best practice materials and case studies on agency usage
- Forum to discuss agency workforce issues and market concerns with other local authorities/ regions and seek commercial/HR specialist advice?
- Recruitment materials
- Best practice materials and case studies on effective retention strategies.

5. Q5 Do you agree with the proposal that LAs must require and provide references for all candidates, including a fully comprehensive reference that relates to the standard of practice of any agency worker for assignments that are three months or longer, using a standard template?

Agree / Disagree

6. Q6 - Do you agree with the proposal that LAs must not engage agency workers for a period of three months after they have left a substantive role within the same region?

Exemptions include staff moving to substantive roles in other authorities within the region; workers who have been made redundant by their last LA employer; or workers who may choose to take up an agency assignment in a different region.

Agree – The South East Memorandum of Understanding operates a longer time period (6 months)

7. Q7 Do you agree with the proposal that LAs must make provision for a minimum six-week notice period for agency social workers via a reciprocal arrangement between agency workers and LAs?

Agree / Disagree-

Generally, agree or should be in line with minimum period for notice by social workers in KCC which is 2 months to allow completion of work and planned transition to another social worker. There is specifically a concern where we need to end agency contract due to performance and would want to undertake this within a shorter timeframe.

If performance is poor? 6 weeks seems a reasonable compromise.in order to plan case transition appropriately.

8. Do you agree that all procurement routes used by LAs to engage agency social work resource should adhere to the proposed national rules?

Agree – If left to regional arrangements there is concern that the rule could be circumvented.

9. What would be the most effective approach to ensuring procurement routes adhere to the national rules?

Please select all that apply:

* **A new national framework agreement**

* New regional framework agreements - **No**

* **Working with existing framework operators to embed the national rules**

* **Standard clauses for local authorities to use in procurement contracts**

10. What, if any, challenges and opportunities do you anticipate may arise from procurement routes being required to adhere to the national rules?

KCC agrees there should be national procurement rules. There is concern around potential lack of compliance due to no consequence for breaking the agreement as seen in the Regional Memorandum of Understanding in areas.

This standardises the expectations on potential agency workers and their agency.

11. Do you agree that there should be greater consistency between LAs in terms of basic pay to substantive employees for the same role profile type (for example: 'team manager', 'senior / specialist social worker') etc?

Agree/**Disagree** - Salaries need to reflect local circumstances. Organisations left the NJC for a variety of reasons and part of that was to have control over how pay was set in its authority to reflect regional requirements.

12. Do you agree that agency workers' pay should be brought more fairly in line with the average substantive employee pay for the same role profiles?

Agree/ Disagree

How would this be enforced? What are the expectations to this rule. -

A national framework would be able to set out average national and regional pay variables and take into consideration the need for regional adjustments. The DFE alongside ADCS should look at ways in where continual breach of the national framework is breached by a local authority can be enforced, including financial penalty in the most extreme cases.

13. Do you agree with the proposal to introduce a cap on agency and framework fees in addition to a cap on the "pay to worker" component.

Cap on agency fees- **Agree/** disagree.

Cap on framework fee – **Agree/**disagree.

14. Do you agree there should be different price caps between LAs or regions for the same social worker agency role profile?

Agree/ Disagree - where there are very significant regional variations in price it causes problems in terms of supply where there is potential high mobility of agency workers.

15. Do you agree there are reasons why LAs should be allowed to exceed the national price cap when engaging agency social workers?

Agree/ **Disagree** Generally not, however there may be reason to allow this should a local authority fall below nationally agreed guidance around safe and acceptable staffing levels. A national framework would allow openness and transparency to applying this and for peer challenge where necessary.

16. Do you agree with the proposal that to qualify for an agency appointment, social workers who graduated in or after April 2024 must demonstrate a minimum of five years post-qualified experience working within local authority children's social care and have completed the Assessed and Support Year in Employment (ASYE)?

Agree/Disagree.

We agree there is a need to demonstrate a minimum of 5 years post qualifying but needs to relate to all SWs in order to both immediately feel the impact and future proof the system. If we allow the current proposal, we won't feel the benefit of the proposal for several years, with marginal gains observed each year until that time. Those allowed to work locum when they are not 5 years qualified would not have been engaged with training and development to hold integrity against the implied reference of being locum, which this proposal is seeking to address. In order to feel the full impact of the proposal, it needs to relate to all SWs with less than 5 years post qualifying experience within social care where we acknowledge there will be a skills gap for those returning to permanent employment and LAs will need to recover their development. This will both develop recruitment of SWs whilst develop resilience within the workforce.

17. Do you agree with the proposal that in order to qualify for an agency appointment in England, international recruits must demonstrate a minimum level of post-qualified experience working within local authority children's social care?

Agree/Disagree.

This could be linked to the development of the new ASYE programme over 5 years with progression and attainment between years 3-5 for practitioners working towards experienced practitioner status and be over seen by Social Work England in line with registration

18. Do you agree with the proposal that LAs must not use project teams for child and family social work?

Agree / disagree.

19. Do you agree that these are the right data to monitor the impacts of the national rules on child and family social workers and to support workforce planning?

Row per worker for the following data:

- * Agency worker job type and pay rate.
- * Substantive worker job type and pay rate.
- * Vacancies by job type.
- * Use of market and other supplements.
- * Substantive worker full time equivalent (FTE).
- * Leavers FTE; and
- * Agency worker FTE

Please select all that you agree with.

- These are the right data to collect on agency social workers

-These are the right data to collect on substantive social workers

- These are the right data to support workforce planning

Other please specify, for example specific data items listed that should not be collected and/or additional data items that should be collected.

There should be guidance around the use of expenses such as living accommodation travel expenses for agency social workers. Whilst these may provide a helpful attraction in areas struggling with workforce challenges this should not be used to top up and circumvent any price cap levels put in place.

It may also assist to develop a measure to understand the stability of structure work force e.g., 2 years, 3 years.

Turnover rates for agency social workers to capture longevity of assignments.

20. Are you aware of any equality issues or of any particular group for whom the proposals could have either a detrimental or differential impact?

* Yes

* **No**

* Don't know If yes, please specify what these issues are and for which groups. (250 words max)

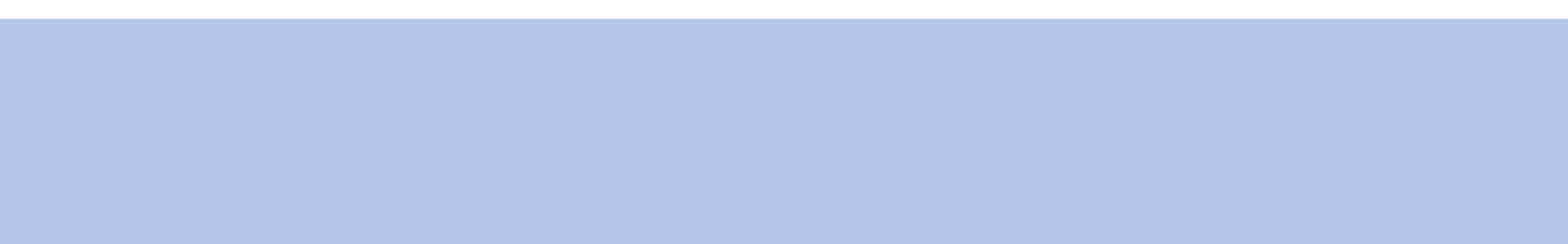
21. Please provide any further comments on these proposals, including challenges and opportunities arising from the proposed national rules.

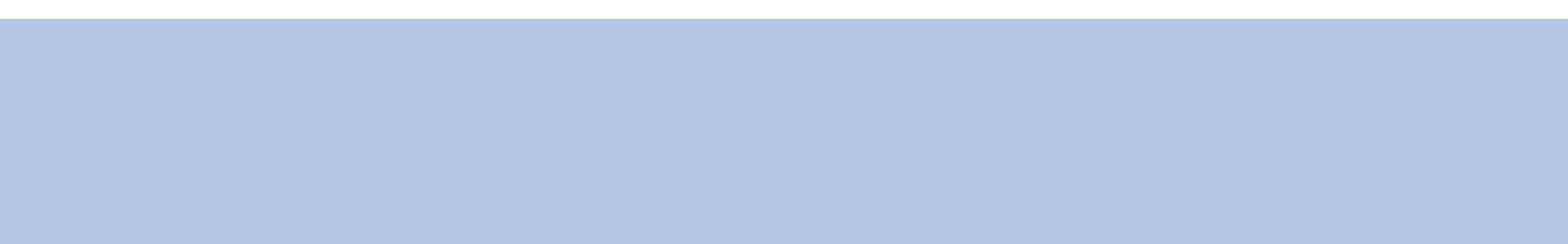
The implementation of national framework and collection of data should not be overly burdensome and require significant investment in resource to provide data.

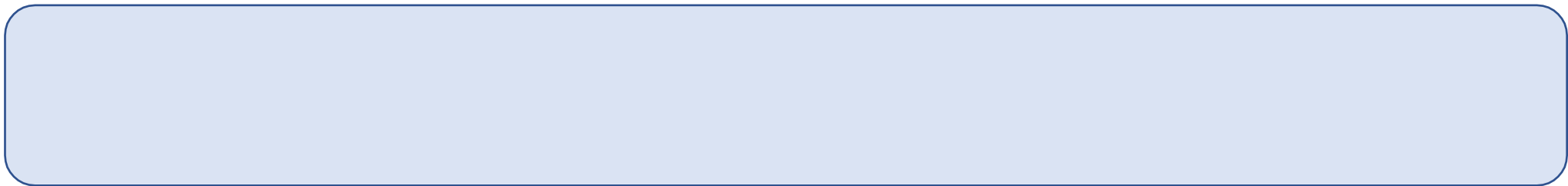
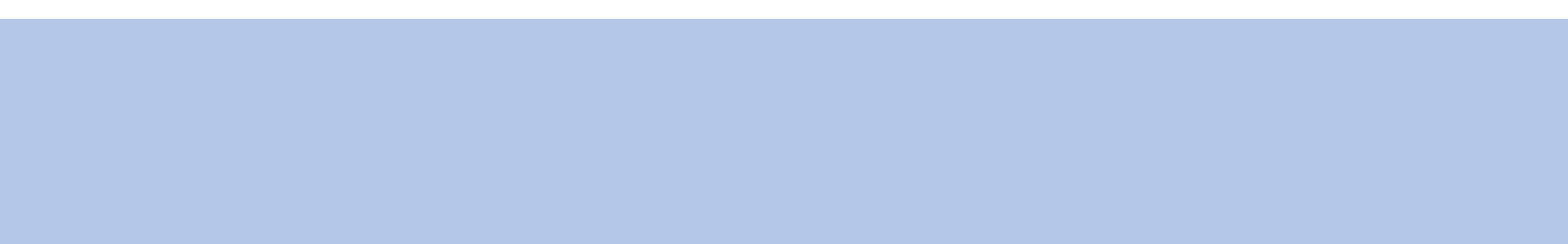
KCC is generally in agreement with the proposals for social workers not being able to work as agency social workers for up to the first 5 years after qualifying. As a flexible and progressive employer this provides KCC with an opportunity to develop different career progression opportunities alongside a development and training pathway for social workers during this period. This provides investment opportunities for both the employer and employee.

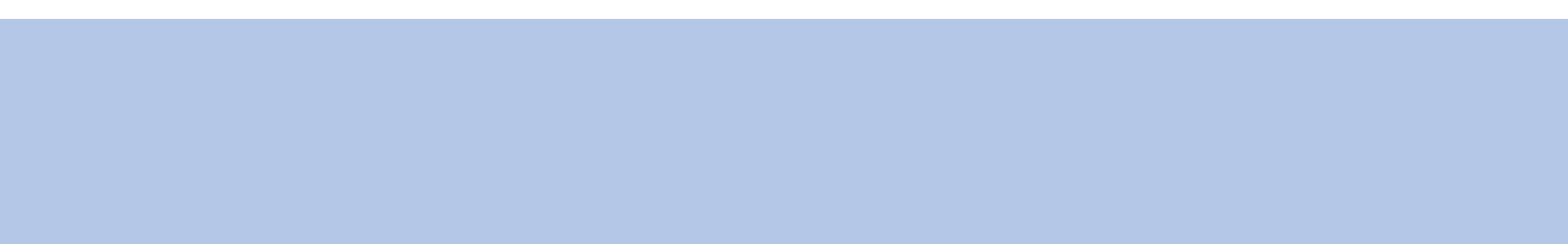
There will always be a need for local authorities to use agency social workers, however they must not be reliant upon this to function effectively, and guidance may assist around the percentage of agency staff compared to permanent staff i.e., 10-15% ratio.

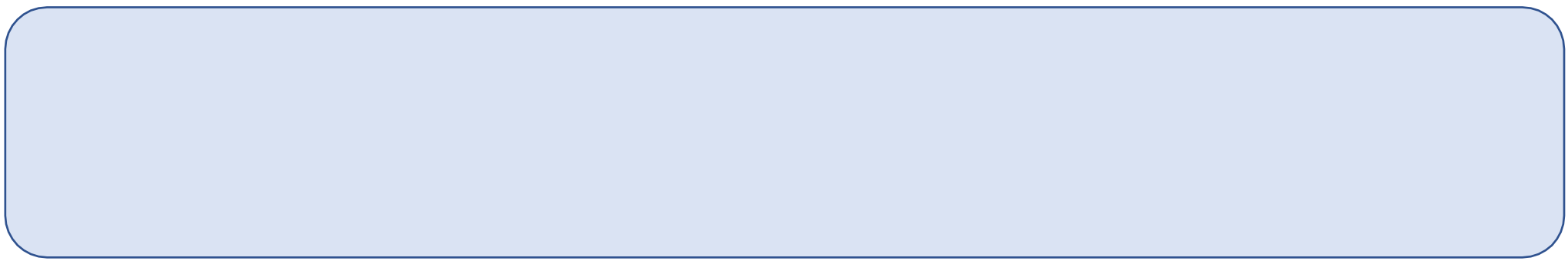
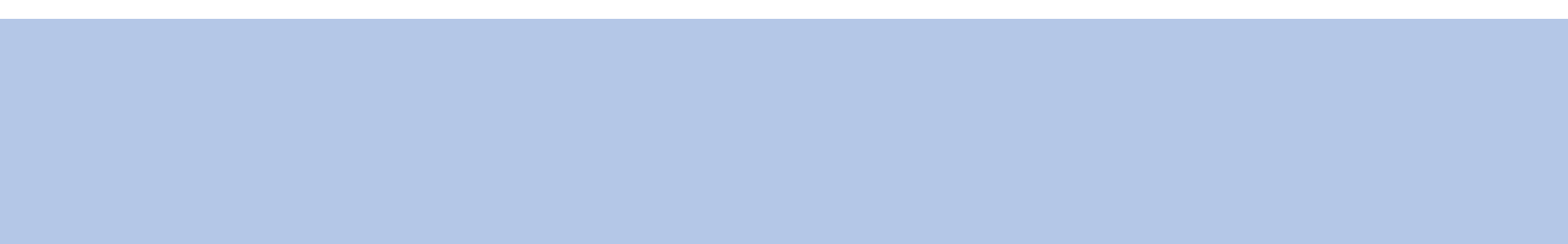
The proposal to develop an 'experienced practitioner role' which defines experienced as 5 years post qualifying presents a new potential problem for Local Authorities who may lose those experienced social workers to a new threat from agencies recruiting experienced staff to 'sell back' to Local Authorities to fulfil child protection roles. Proposals must be considered alongside strategies towards manageable workloads and staff wellbeing whilst ensuring a safe to service users. KCC values all its employees and wishes to invest in their whole career and not just the first 5 years.

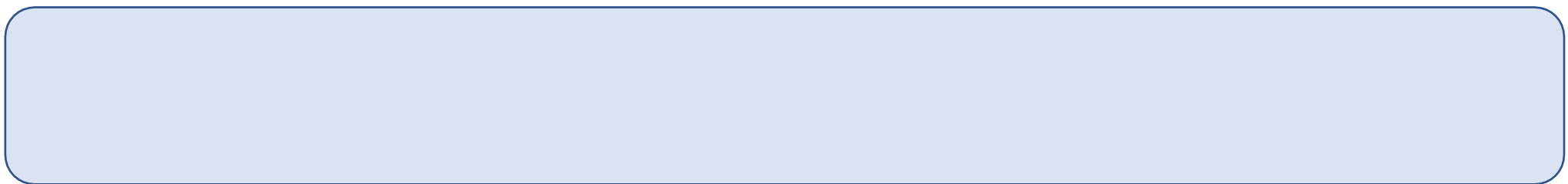
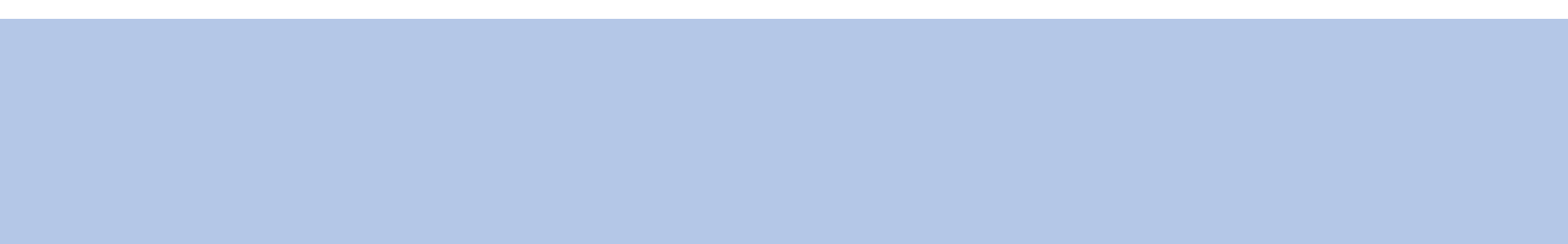


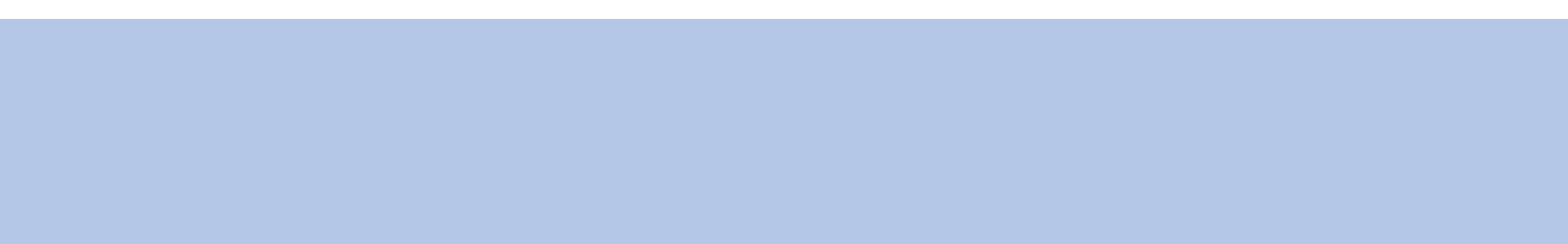


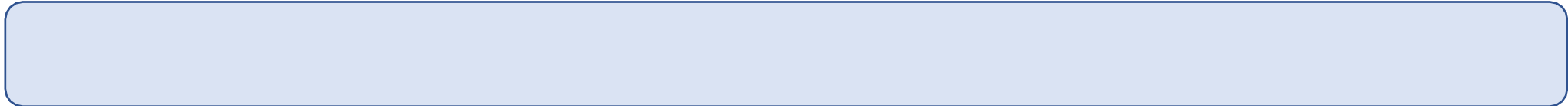
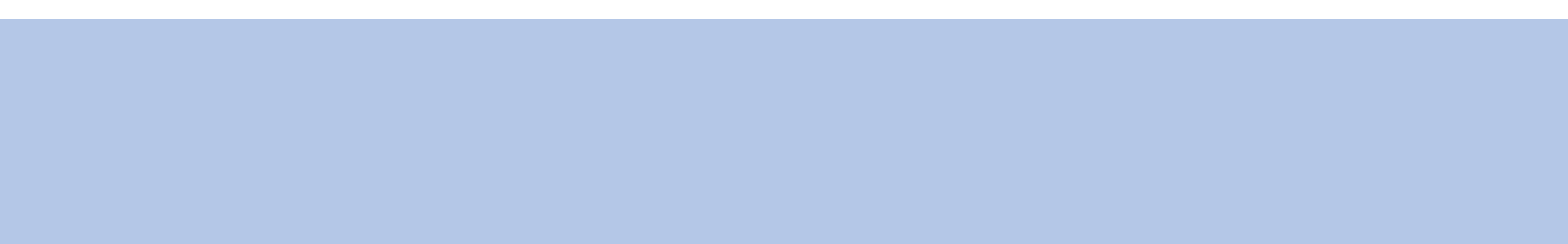


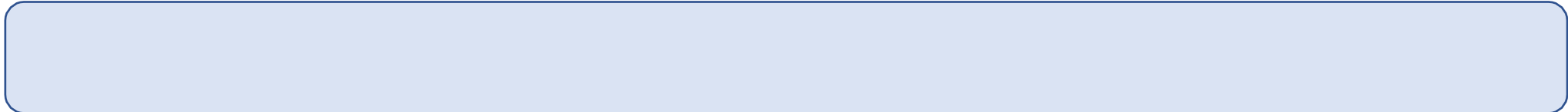
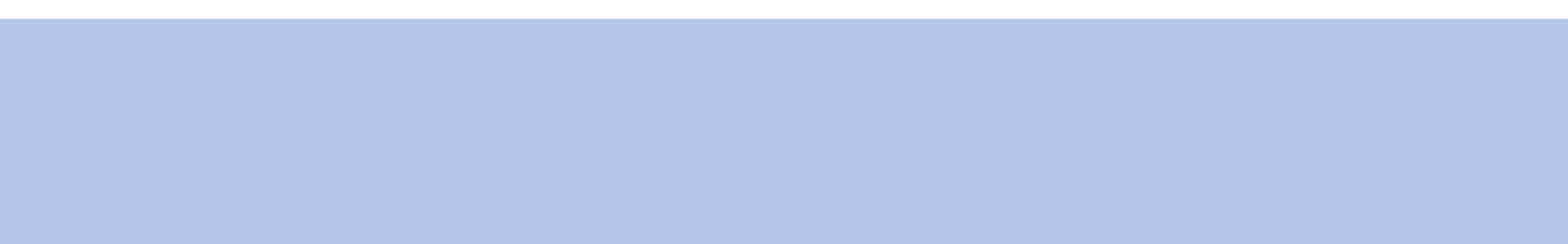


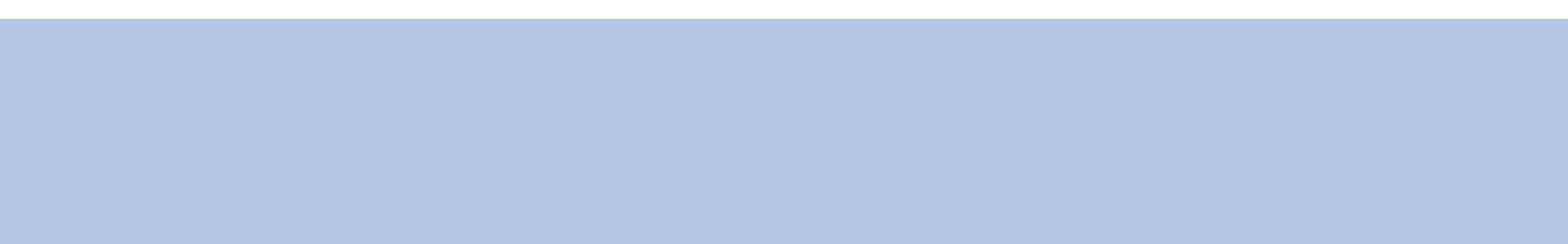


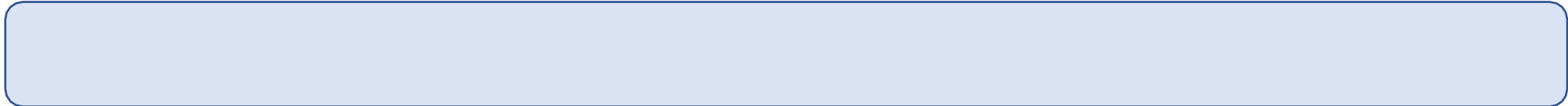
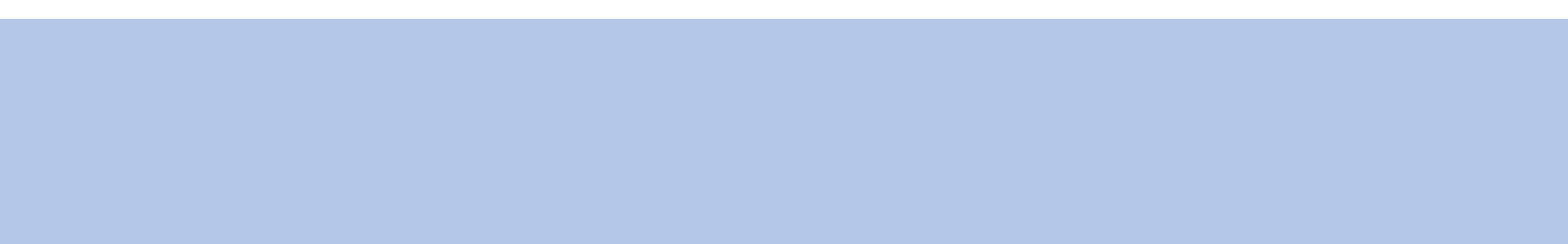












Enabler 1

social worker turnover

agency social worker rates

social worker caseloads

