

## ICHA response to Narey report

That children's homes do a good job, and choosing a children's home can be a positive choice, was motivating for the sector. It was recognised that this was the first positive comment towards children's homes from a Government source. We are looking forwards to the formal Government response being similarly warm and positive, concerning the essential place of Residential Child Care as a positive option for young people. Sir Martin's positive regard and evaluation was much appreciated and motivating.

We strongly support the ADCS in their response to the Narey report in assertively observing, 'For too long residential care has been seen as a placement of last resort but for some young people for whom fostering and adoption is unsuitable, it can be the right placement option' and 'the recognition of the need to improve the status of the children's residential sector and of the professionals working in this field is welcome and long overdue.' We welcome and join with such positivity.

Children's homes are the place where what is happening in Children's Services become open to observation, a place of unique correlation. Thinking systemically, you get positive children's homes in positive children's services: if there is something that needs doing in residential care, then it suggests the solutions do not only lie within it and you have to address all the factors. By also addressing the wider system surrounding residential care, the Narey report intimates this; he makes some clear connections, but not all necessary.

This response indicates some of the things that already exist and others that are challenges to the sustainability of the sector.

The Narey review is not a complete analysis; he makes recommendations on what he found in the time allotted. Residential Child Care is not addressed in its entirety and there are some notable omissions, for example, he does not comment on disability, or Residential Special Schools. With further time and with mechanisms for evidence and experience to be sought and scrutinised, the report may have been able to explore more extensively. Whilst it may have been an ambition for the report to be the culmination of a 'deep dive', partly because of the wide range and depth of residential provision, and partly a result of time and resources, observations, though some are lengthy, are seen as from the surface only.

The report does have the potential to raise dialogue, and this ICHA response has been purposefully delayed awaiting for this to occur so that these could be taken into account. Writing mid-November, it is disappointing that a discussion has yet to start, maybe this response will provide a substantial point of reference. We look forward to a substantial and positive Government response taking forwards the substance and positive direction found in the report.

We need to use the Narey report as the starting point from which to start the reconstruction of our Children's Services. What is it we need the role and task of Children's Services to be? The ADCS position statement 'What is care for?' is now dated, at the time needed more detail, and has had little development since. As the recent National Audit Office report shows, we do not have a national strategy for children's services that ensures the delivery of core care for every young person that needs it. We do not have one for Residential Child Care.

A major piece of legislation is due. Every generation has seen a new piece of legislation that meets the presenting needs, with matching legislation giving guidance as to what is needed and how it is to be achieved.

It is for these reasons, we want to start with a recommendation that is crucial to the achievement of all of the recommendations and the wider work needed.

## System leadership

**Recommendation 34: The Department for Education should establish a Residential Care Leadership Board. It should report to the Minister for Children, be supported by officials from the Department, and comprise academics; providers from local authorities, the voluntary and the private sector; commissioners and other experts.**

This board must be independent: but in dialogue with the sector and Government. Appointments should be skills, knowledge and experience based. In this way, it builds the confidence of the sector, from young people, from politicians, from the public.

To make good policy, it needs theory and practice, research and operations, people who are thinking and people who are doing. It needs experienced people, people who know what comes after next and after next, and people who will ask critical common sense, uninformed questions. It needs people who are committed to transformation and those who see the merit of what is happening today yet ready to move if convinced. Importantly, it needs young people who have just left and are still living in children's homes.

It has to use the evidence that exists to explain the primary task of Residential Child Care, which cannot and must not be compromised. What is distinctive and provenly effective about Residential Child Care? Its distinctiveness and effectiveness, proven over decades, is its ability to offer what no other placement can. It provides solutions, alternatives, supplements and substitutes to other options and for other options to be able to continue. The board has to be able to respond to those who seek to disaggregate its parts and assert the efficacy of the integrated whole. The board has to explain that Residential Child Care is not a separate service but an essential children's service.

It has to explain that there is no such thing as a standard children's homes as each is unique, creativity, diversity are to be expected. Conformity and compliance are to be watched for as unhealthy functioning. It has to uphold the mixed economy of care, independent and local authority; each has an identified role and function.

The board has to be the champion for Residential Child Care responding with evidenced theory and practice.

Its work must be open and transparent with an ability to engage in reflection on matters to be agonised over, sophistication is expected not simplification, emerging with common answers, having not descending into antagonism where there is only stand-off and no answers.

We note the ADCS response to the report includes the observation, 'Residential care is a subject which has been considered at length several times over recent years, but little action has been taken to act on the recommendations of reviews and research to date'.

The board has to make and lead a convincing narrative and strategy for the positive use of children's homes.

A first task for the new Board must be to revisit the Innovation Programme document, 'Rethinking support for adolescents in or on the edge of care.' Its focus in matching support to needs is exactly right. Here we read of a 'positive, more integrated approach to the use of residential care and greater diversity of provision'.

**The chapter headings are useful in advising us what is included. If you're reading it, then some of the subjects are discussed in other places and some throughout. I'll say something about each of the chapters, as it is in the report and as it is in reality.**

**Chapter 1: Obtaining better value for money in the commissioning of children's homes**

**Chapter 2: Closeness to home, the size of homes and secure care**

**Chapter 3: The criminalising of children; staff confidence; setting boundaries for children; and the use of restraint**

**Chapter 4: Ofsted**

**Chapter 5: Staff qualifications, pay and recruitment**

## Chapter One: Obtaining better value for money in the commissioning of children's homes

### **Facilitate the improvement of local and regional commissioning consortia and skills**

Regional consortia exist, but maybe fragmenting as individual Local Authority contracts emerge. There are a reducing number of placements made on the regional frameworks, more off list. The reasons relate directly to austerity, anxiety attrition on fees rather than assuring optimum sustainable levels. The economic viability of providers is being seriously jeopardised. See ICHA State of sector reports – another one is forthcoming.

It is important to note that Narey gives an important prologue to his consideration of 'aggressive negotiation' to excise 'significant discounts' from providers. The prologue has been notably absent when this aspect of the Narey report have recently been discussed, attention solely being given to the reduction rather than the relationship.

It is relational commissioning that will be successful in delivering effective and efficient child care through its administration and financing.

Given what is perceived by providers as an attritional relationship, the words 'aggressive negotiation' to excise 'significant discounts,' were read with trepidation in that they could mistakenly be taken to be giving a green light to further adversarial working by local authorities.

Sir Martin, in that all important prologue, gives an advised methodology for building relationships and negotiating reductions – all Local Authorities to do a needs analysis, share the data with providers co-producing what we need and where we need it. That is the only way to get ourselves from where we are to where we need to be – the right child in the right place at the right time at the right costs. If there is a business case and optimum flow of young people cost can be adjusted.

Many of the hypotheses that abound around Residential Child Care can be tested with a needs analysis, not the least that far from the current unevidenced belief, and which is contradicted by demand for places outstripping supply, that we need fewer, perhaps we need more, children's homes. This may seem to heretical in our current state of knowledge but it may prove to be prescient in the light of new information. Maybe not more of what we already have, and maybe in other places, we need to ascertain and secure the business case for the necessary diversity we need.

Diversity needs be emphasised, almost half of providers have only one home and a further small percentage have two. This is a sector of small providers responding creatively to need. Commissioning arrangements are becoming onerously bureaucratic; the time needed to meet their instrumentalism is acting to weigh

against smaller providers. To be fair and equitable commissioning arrangements must work for all providers.

There are no discounts to be had when your income is flat-lining or in the negative. If we want more placements nearer, we must know what we want where we want it. It takes around a million pounds to open a home – the issue is not profit but also debt. How do we enable philanthropy? If we want homes in London or the shire counties, it will require the capital costs to be relieved from providers, London needs a children's homes building fund.

The National Audit Office reports note the need to look at ways of demonstrating value for money. The pursuit of the reduction of absolute cost that is happening now is too risky for the care and welfare of our most vulnerable young people. The analysis has been attracted to simplification and what is required is sophistication. There is every difference in seeing costs when defined as 'expensive' or 'intensive.'

The excellent work of Rome and Stanley concerning unit costs is brought to your attention and we are advised a new analysis of costs is about to be published. Alongside this is to be read the ICHA State of the market survey results. These will show the continuing financial pressures the sector is facing.

We need to distinguish the meeting of needs and the marketplace. In reality, it is not a market but a monopsony or oligopoly. Local Authorities determine referrals and fees and much more, they have the power to commission. We have done little commissioning. Most of what is called commissioning is in reality procurement.

Narey showcases the Cross Regional Project – a clear example of the future is mutual, relational, collaborative, co-production working, a move beyond provider and purchaser to active parenting, promoting care and welfare of young person, sharing risk and reward, effective child care, excellent outcomes and efficient spend. No doubt the ICHA had this in mind in their response to the Narey report in observing, 'the sector would be interested to adopt systems that provide the opportunity for more intelligent commissioning of placements.'

In sum, a new way of working is needed to get the value for money Narey sees possible. These changes and practical proposals are explored on the website Rethinking care commissioning.

### **Link Maker**

Link Maker was developed for adoption matching. In our view, there is the need for a great deal of development for it to fit the task needed for Residential Child Care use. We do need a standardised system used by all local authorities that direct the referrals to the most appropriate placements; this principle of the Children Act has to be the guiding idea of any such system.

In several meetings, the ICHA proposed various necessary expansions and safeguards to Link Maker.

A single tool will, in effect, be a monopoly National Dynamic Purchasing System. It needs safeguarding by being mutually owned and managed or through a Board of Governance of users and external experts, with a robust Data Protection Protocol, with a single contract with co-produced terms and conditions, with agreed analytical assessments needed for referrals, with full disclosure of needs assured, avoiding providers receiving hundreds of referrals a month, streamlining Local Authority commissioning.

Our discussions with Link Maker have left all of the above unresolved. Both Sir Martin and the DfE were advised of this being the case before the publication of the report.

Importantly, sounding out members for this response, the point was repeatedly made that what is needed is a return to individual social workers who know their child choosing the best place for their child. The social worker legally has parental responsibility for the young person and we have the ambition that this will always be expressed in a warm and close nurturing parent-child relationship. It should be worrying to us all, as corporate parents for Children in Care, if we substitute software for sensitivity and administration for attunement. In some local authorities, social workers are removed from placement decisions. We wish to see the parent/social worker child consideration central to the task.

### **Innovation Programme to ease entry for voluntary sector providers**

There is great concern across the residential sector that one of the stated ambitions of the Innovation Programme at the onset was the reduction of the residential sector. In the light of the Narey report, it is vital that there is an explicit statement resetting a positive ambition.

Firstly, the Residential Child Care sector is essentially creative, endlessly innovative. Investments have to be seen to add to the sector, some projects have duplicated existing provision and destabilised the sector.

Secondly, there are voluntary sector providers in the sector, many fewer than in previous decades; it is said as a result of the hardship in making ends meet, and the reputational risk of Residential Child Care today. The voluntary sector has to act within the commercial environment that applies to all.

There is another sector that needs our support too, the local authority homes. A national strategy will take a new look at the role these perform, bring them into the whole picture rather than keep them separate.

Overall, the recommendation is diversion from what is needed, a needs-led strategy for Residential Child Care used as a positive intervention for young people. Let's not be diverted from the main event.

## **Chapter Two: Fostering, closeness to home, the size of homes and secure care**

### **No Wrong Door hub approach**

The hub approach is not new. It is rediscovered and refined every decade or so. There have been well developed similar projects before. It is usually effective working with the range of needs it does. It does not work with the entire range. Residential Child Care has always been able to offer alternative, substitute and supplemental opportunities. NWD is about recognising the diversity of Residential Child Care settings and using it earlier as other countries do.

North Yorkshire has some important features notably the continuity of staffing and the culture of the Local Authority. There is much more to be learned about NWD and we must avoid putting it on a pedestal. NWD needs time to grow.

### **Fostering**

There are some young people who are not best placed in a family at a particular point in their life. They may go on to be able to live well in a family. Family based and residential Group Living, in all their varieties, provides an opportunity for young people. We need to ensure the right children are in the right placement. Family based placements are not always the solution. We have known for decades the children who need a residential solution. The Narey report advises a needs-led use of all placement options, too often currently placements have been led by ideology and/or the weighting of cost. The predicament in which we place some young people, the average age for residence is over 15, many have tens of fostering placements, is illustrated by the action being taken by ICHA writing to all DCSs advising them that for some referrals, providers will respond through ICHA

*In our expert opinion, the needs of this young person have been allowed to become so extensive, complex and enduring that there is little realistic chance of being able to achieve positive change.*

The name and date of birth of the young person will be made known to the DCS, to Ofsted and the LSCB.

### **Recruiting, retaining and paying the best possible foster carers**

We need the best people doing this most important task in all sectors and settings. Residential Child Care Workers (RCCWS) are amongst the lowest paid workers in the country as a result of low fees. They do not get the tax allowances foster carers

do, at the cost of many millions to the Treasury, an unacknowledged additional cost for every fostering placement.

We have written repeatedly to various Chancellors asking for equal treatment for RCCWs but have been refused. We are doing so again for this Government, who are working for everyone.

### **Fostering is overdue a fundamental review and this should be a priority for the Department for Education**

The stocktake needs Residential Child Care input, as fostering colleagues have contributed to reviews of residential options, this would be equitable. Importantly, it may enable discussions to overcome the disconnects between services and settings observed by Dartington Social Research Unit.

### **Placement distance and to recognise that the right placement for a child is more important than location**

20 miles was a number used for an entirely different research purpose. It has no foundation in evidence. In our research review, we concluded what is most important is 'felt security', the child knows their care plan and why they are where they are. This outperforms stability and continuity put together. Distance can be a positive factor for specialism, safety and sometimes choice. Distance is psychological not geographical.

### **Size**

Big or small is a diversion. Ofsted outcomes show that the size of the home does not necessarily affect the judgement, the most important factors are as identified in the NCERCC research review 'What works in Residential Child Care'; culture, theory of practice, clarity of purpose, leadership, relationships, and always starting from the needs of the child.

The evidence is we need homes of all sizes and numbers. We need to know the needs and the right settings to meet them. It is matching of needs to settings, felt security, that is important.

Smaller homes, often those offering the little crisis intervention we have, are facing desperate times in terms of viability. We stand to lose them in an unplanned way. This is symptomatic of the sector. We need a strategy.

### **Secure accommodation**

We need secure accommodation to be integrated with Residential Child Care and fostering too. We can no longer continue with the disconnects, e.g. a different team at DfE. Undoubtedly we need more social care and welfare secure accommodation. We have empty secure children's homes now. Why? There is an independent sector provider now and there can be more. But it's about the most positive support or

intervention for all young people. We do not need to increase secure accommodation as a solution for not doing what we know needed doing.

### **Chapter Three: The criminalising of children; staff confidence; setting boundaries for children; and the use of restraint**

The ICHA has been promoting the South East protocol for the decriminalisation of Looked After Children for years. The independent sector works closely with many police colleagues. Restorative practices were pioneered in this country by Residential Child Care.

Narey is right when he states there is no evidence of homes criminalising young people. We conducted research and the evidence is not there. There is an incidence and it is low and it is declining.

#### **Keeping children safe by preventing them leaving homes at time of danger**

There is work taking place reviewing what is justifiable as a physical intervention.

### **Chapter Four: Ofsted**

#### **Inspection once a year for Good or better homes**

There is a child care focused, evidence informed, practice driven need for two inspections a year. A home judged Good or better can experience many changes in young people and staff, its culture can become stressed. Caution is needed; safeguards and thresholds need to be clear, e.g. change of RM, more than two staff or children change. This implies a closer relationship and dialogue between inspector and home.

#### **Requiring Improvement meets the Quality Standards**

The Local Authority interpretation of 'Only Good is good enough' is having serious effects. Some Local Authorities will only place in Good or better homes. Ofsted do not say placements must only be made in Good or better homes.

What are the effects of only placing in Good or better homes?

Local Authorities are reducing their search for homes.

Providers are reducing their thresholds so as to accept young people who will not jeopardise a Good inspection outcome.

Confidence can come through a 'Getting to Good' action plan.

There is a question we need to research – where are young people placed who are not able to be placed in children’s homes? We think this is an issue for the Leadership Board, Ofsted, CQC and the Children’s Commissioner.

### **Placements counter to the Registered Manager (RM) decision – RM veto**

This is an odd recommendation as it the reverse of the Quality Standards. In our view, it would require legislation to be changed.

## **Chapter Five: Staff qualifications, pay and recruitment**

### **Recommendation 4: staffing at key times of the day**

This is most problematic. The young people need our preoccupation when they are with us. When they are not, staff are preparing, recording or communicating. We do not know of any provider who would not have looked at staffing to get the most out of it.

### **Graduates, social work qualified managers and RCCW professional development**

Would a graduate be a better carer because of possessing a degree? The return of the Residential Child Care placement will assist social worker experience and understanding. We see social work and residential child care as distinct professions. We know who makes a good residential worker; capacities include possessing empathy, resilience and creativity. We are actively looking for these people. The issue is having recruited the right people, how then can we assist them to rise to the highest level of attainment. Structured training is of an enormous benefit in knowing and applying theory to practice.

There are many more accredited courses than listed in the Narey report. We need to link them up.

There is a great deal of existing learning that can be applied to the current situation to address how to provide structured professional development and progression. Retrieving the learning of the Children’s Development Workforce Council would be a tremendous boost to the thinking. It is not that new thinking is needed. Practical plans already exist for the professional development and accreditation of Residential Child Care work and with a Government funded CWDC this could be taken forwards speedily.

A question – we have Government funded recruitment campaigns for social workers, teachers and foster carers – will the leadership board enable one for residential child care?

## Chapter Six: Staying Close rather than Staying Put?

There are already existing examples of Staying Put in children's homes. It is not a discussion that can be won though, e.g. costs for Staying Put were wildly inflated.

Staying Close offers the opportunity to retain the primary care relationship with that person who made all the difference, who is crazy about me and knows me better than I know myself.

Staying Close makes a more general question to all of us who are corporate parents, and I take that to be all of society.

The Care Enquiry was only a few years ago and its main finding was that relationships matter.

Bowlby writes of the making and breaking of attachment.

How is it for the most vulnerable we have created a system where we systematically make and break relationships and attachments?