

ADCS President's opening address to NCASC 2019

Wednesday 20 November

Thank you, Councillor Jamieson.

Good morning and welcome to conference, colleagues. May I add my thanks to this year's conference sponsors. Your support of the work local government does for children and adult social care is greatly appreciated.

In previous speeches I've said that 2019 is a year of interesting anniversaries – it marks the 30th anniversary of two important breakthroughs in children's rights legislation. The United Nations Convention on the Rights of the Child and the Children Act 1989. Central to these documents was the idea that children's wishes, and feelings must be paramount when making decisions that affect them. Local authorities have taken these child-centric principles into the heart of all they do. There's been precious little evidence of that from our national politicians in their quest to achieve Brexit. And now we have another general election. Many promises will be made, including looking again at the welfare reforms that have created levels of cumulative distress in families that I have never seen before in my public service career spanning four decades. What a shame Ministers are not here; today is World Children's Day and it would have been great to extract some commitments from politicians on behalf of the nation's 12 million children and young people. The very first thing that I would want to extract from them would be a commitment to tackling the current shameful levels of child poverty – 1 in 3 of our children are living in poverty today, in 2019, and the majority of those children live in a working household. It's simply unacceptable.

Since the 4 November, ADCS has been publishing short written reflections from former ADCS Presidents reflecting on the 30th anniversary of The Children Act 1989 and on the 15th anniversary of The Children Act 2004. On Friday, we will publish the vignettes together in a collection reflecting on both of those very important Acts of Parliament that put children front and centre. The potent combination of austerity; rising demand; fewer resources and a government whose attention for almost four years has been largely focussed elsewhere, endangers the ambitious intentions of the Acts. There is still much to do if we are to become a country that works for all children. In this context, the system leadership role of the DCS to ensure a relentless focus on the lived experiences of children and to speak loudly for change, has never been more important. Children and young people are our present as well as our future. They deserve our support now.

Funding

In September we heard the outcome of the one-year spending review. It was, frankly, better than anticipated, with children's and adult social care sharing an additional investment of £1 billion between them. Of course one billion pounds is a drop in the ocean for children's services let alone for adults. If there is anybody in the Treasury listening – thank you for recognising our pressures but this does not mean JOB DONE.

We are still waiting for a long-term funding settlement. I don't just mean a three or even a five-year comprehensive spending review. I'm talking about the need to invest substantially and bravely in children's services – investment that transcends parliamentary cycles and general election rhetoric. We must move away from the current piecemeal approach to funding. Small, ad hoc, short-term pots of funding from central government in response to single issues, made available for some but not all local areas, are particularly unhelpful.

Increasing pressures in children's and adult social care need to be funded properly, but not at the expense of other key local government services that help create prosperous, independent and resilient communities. These wellbeing and Place-based services improve the lives of local people, helping them to live a good life, as well as prevent demand growing exponentially in our social care services, which is something we all want isn't it? Local authorities can, and do, join these services up locally to deliver improved outcomes for communities, but we need the right, long-term resources to continue doing this. Not just a bigger slice of the pie, we need a bigger pie!

Children's health and wellbeing

Children's wellbeing is a signal of the overall health of public services and of society. Tomorrow, ADCS will launch a position paper on children's health and wellbeing. That paper describes children's health as being poorly served, there are some shocking failures to deliver timely health care, linked to both demand (poverty and the stresses of modern life) and service failure. And, it's getting worse – we predict much worse. We need a Health & Wellbeing Board approach at national level; a joined up strategic response which ensures that the preventative early health services that children need to help them on their way into healthier, happier adulthoods are commissioned and provided locally. Failure to act now will only store up trouble for the future.

National politicians are not the only absentees from conference this week. Sir Simon Stevens is once again not able to join us. It's a shame because I would dearly love to debate on this stage with him, my premise, and that of ADCS members, that the health service is simply not doing well enough for children. Would I go so far as to say it is failing them? Yes, some of them, particularly those young people in need of mental health support services. Too many CAMHS services stop at age 16 and adult mental health services start age 18 – tough luck if you are 17! Some CAMHS services are more enlightened, extending services to age 18 or even to 25 in response to what young people are saying and the evidence about adolescence extending beyond the teenage years. We need others to do this.

As an aside, I was agog in the summer to learn from one of our members that a Judicial Review was being brought against a council by the BMA, seeking payment for the cost incurred by GPs in fulfilling their statutory obligations that arise from the Children Act 2004 in relation to safeguarding of children. The costs incurred largely relate to attendance at meetings and preparing reports as part of the safeguarding processes for children. Conference, doesn't that tell you all you need to know about where vulnerable children sit in the list of priorities for health commissioners and providers?

The ADCS position paper calls for a re-setting of the role of health in relation to children and young people and the services provided to them. We must find ways of enforcing the requirements on NHS services and commissioners to comply with what legislation already requires of them - sharing information, spending budgets on children and young people as a specific population, SEND duties and responsibilities, and their responsibilities towards children in care. Wouldn't that be a terrific way to start a new decade?

Here's something else that we really need to get right in the 2020s.

Inclusive schools

Currently, we seek to invest in what works – quite rightly, but how about investing in what matters? Like incentivising, nay rewarding inclusive schools. I strongly believe that the government's education reforms have completely lost sight of inclusion. Let's not forget that state-funded schools are community assets.

The new school inspection framework is shining a light on the use of formal and informal exclusions and will hopefully help to turn the tide on rising exclusions. It wouldn't be the first time that I'm about to make myself unpopular, but I think it's time to review head teachers' powers to exclude pupils unchecked.

What I sincerely hope we are moving towards, albeit in painfully slow steps, is a schools system that works for all pupils. Schools that do not exclude, that do not illegally off-roll pupils. Schools that do not 'strong-arm' parents to home educate, schools that do not seek to engineer their intake before pupils are even on roll; schools that value the richness that comes with educating children with SEND in mainstream settings, not seeking to hive them off to ever more specialist provision, or worse into expensive non-maintained special schools the efficacy of whose offers are to the best of my knowledge anyway, unevidenced.

I mentioned home education; yesterday, ADCS launched the outcomes of our 2019 elective home education survey. It shows that:

- **78,800** children were known to be home educated at some point during the 2018/19 academic year, which is a slight increase on the previous year. That's a lot of children.
- Over the past five years, the EHE cohort has **increased by an average of 20% each year**. However, in 2018/19 we saw a 14% increase from the previous year.

Placements for children in care

I want to talk briefly now about placements for children in care and the support we provide to our care leavers.

The nature of the placement market for children in our care, particularly residential children's homes and independent fostering, is changing in terms of quality and cost as well as availability. Private equity is driving some of these rapid changes in ownership, financial models and service delivery. Although children's services have long operated in a mixed economy with private, voluntary, charitable and community providers involved in the delivery of services locally, the entry of private equity into the provision of fostering and residential care placements is a relatively recent development and a source of considerable worry for ADCS members.

The level of profit being generated by some companies from the care of vulnerable children turns my stomach and is difficult to reconcile as austerity continues to bite in local government. However, the level of risk now apparent in the system is my overriding concern.

There has been a lot of media coverage about the use of unregulated placements for children in care. Some of the media narrative has been irresponsible – children are not left languishing alone and abandoned without support in unregulated settings. Usually, these settings, which offer a degree of semi-independence are used for 16, 17, 18-year-olds. I am no apologist for poor practice however, and I know that a small number of younger children have been placed in these unregulated settings as an absolute last resort. The use of

unregulated and of unregistered placement settings is rising because of the lack of placement capacity in registered and regulated provision. There has been a clear lack of appetite amongst successive governments to lead a joined-up response to help local authorities collectively to provide and commission flexible responses that can meet the most complex adolescent need.

Many councils are investing in the recruitment and retention of in-house foster carers. This is a big task that government could help with – but, as the age profile of our children in care population changes, we will need different kinds of placements. What does 'foster care' for a teenager look like? What does the foster carer of the near future look like?

Care leavers

Recent governments have rightly placed significant emphasis on better support for care leavers. Limited funding attached, of course, nevertheless an important signal. We have the care leavers' covenant; we have many organisations in the public, private, and voluntary sectors offering guaranteed internships and apprenticeships to care leavers. All fab, but as one of my Barnsley care leavers said to me recently, "*Rachel it is great that you use your national position to keep shining a spotlight on child and family poverty, but do you know how many of your care leavers live in poverty?*" I confess I didn't know, but I found out. There's something we could all do to help - over 100 councils in England already exempt their care leavers from paying council tax until age 25. If your council has not yet made the decision can I urge you as good corporate parents to give it some serious thought as you set your budgets locally. If every council in England was to do this, then care leavers who live out of borough, or even out of region, would not be disadvantaged by their postcode.

And what of unaccompanied migrant children who become our care leavers? For the last 12 months we have been in the position where we are supporting more UASC care leavers than UASC. We are now three years down the line since the Home Office began its review of funding rates for UASC and still no outcome on the care leaver rate, which remains woefully inadequate at £200 per week. This lengthy prevarication by the Home Office is not the action of a responsible corporate parent!

Conference, it's time to draw my speech to a close.

Conclusion

In the absence of a clear national vision for children services, local government must be in the vanguard of developing and leading a bold vision for the future of children's services. I might be bold myself and suggest that one strand of that national vision might be to address demand pressures. The focus on efficiency and variation is a distraction, and an asset-based approach to care and re-orientate professional practice to a state that allows for the development of trusting relationships that facilitates a preventative approach to working with children, young people and their families should be prioritised instead.

Colleagues let me end where I began. Children and young people are our present as well as our future. They deserve our support now. Thank you, conference.