

**ADCS President's opening address
National Children and Adult Services Conference 2023
Wednesday 29 November, 10 – 11am**

Thank you Beverly. Good morning conference, I'm John Pearce, Corporate Director, Children and Young People's Service at Durham County Council and ADCS President. Following on from Councillor Gittins, Councillor Fothergill and Beverly, I'd also like to welcome you to Bournemouth, we have an impressive line-up of speakers planned for you over the next few days and I look forward to meeting many of you either in sessions or over coffee in the exhibition. May I add my thanks to this year's conference sponsors, your contribution to the event and your support of the work local government does for children and adult's services is greatly appreciated.

Conference, I want to start by acknowledging the efforts and the commitment of everyone in the room, along with your teams back at the ranch, for the work you do for children, families and communities. I have hardly known a more challenging time for local government or the people we serve, and yet everyone shows up each and every day with the simple aim of making things better. It would be understandable to become disheartened by some of the mountains we have to climb, so I really hope being here provides an opportunity to reflect, recharge and reenergise for what I'm sure will be an interesting 2024!

In my inaugural speech as ADCS President back in April, I said that the reality of life for an increasing number of children and families in England is desperately challenging. This statement is truer today than ever before as we continue to see an increase in the number of children living in poverty. The Joseph Rowntree Foundation recently published its fourth study on destitution across the UK, people are considered destitute if they have not been able to meet their most basic physical needs to stay warm, dry, clean and fed. The study found that around one million children in the UK experienced destitution in 2022, this is triple the number of children in 2017. One million children have experienced living in cold, damp and dirty conditions while also being hungry, it's unbelievable but also the lived reality for many families in our communities across the country. This is the context in which we are working.

How did we arrive at a place where one million children have not had their most basic needs met? It has become clear that many of the challenges we face have been created or exacerbated by national policy decisions, yet the government, both local and national, continue to spend significant amounts on mitigating the impact of poverty. This dichotomy in approach cannot be right for our communities or our long term national finances. So, the time for talk is over, we need to urgently address the drivers and causes of poverty head on, rather than doing, what is quite frankly, too little, too late.

We know that poverty impacts disproportionately, and children's services are dealing with the consequences. We are also desperately trying to mitigate the impact of changes to policy and spending priorities in other areas of the public sector such as mental health services, crime and justice, housing, welfare and immigration. This manifests itself in longer waiting times for mental health assessments or treatment,

increases in the number of children subject to deprivation of liberty orders, more children being excluded or operating on the margins of the education system, and an increasing number of children, usually from global majority communities, being disproportionately impacted by the biases that are present within the system within which we operate. I could go on, but I think you get the picture. Where is the clear vision and long term plan for childhood?

Now more than ever we are operating in a complex and messy landscape. I only have 20 minutes so I'll focus on some of the biggest challenges and opportunities that we face as we prepare to start the countdown to the next general election. We are told there is no legislative time for children in the current parliament, yet there are things that we can get on with that would make a significant difference but we need strong national support to do that.

Conference, I won't start with the money, let's delay the inevitable and first turn to schools and education...

You may remember that last year, the Schools White Paper landed and was largely welcomed by ADCS because of its focus on mainstream inclusion and its attempt to match local authority responsibilities with powers. The following day, the SEND and Alternative Provision Green Paper was also published and the link between the two was clear for all to see. The vision in the Green Paper was based on an education system that incentivises mainstream schools to support all learners, including those with additional needs. For the first time in a long time, we had a welcome and clear articulation of what an inclusive education system would look like, it all felt too good to be true and unfortunately it was! The Schools White Paper was put back on the shelf and the Schools Bill withdrawn. So, it remains unclear how the inclusive education which children need and want will be delivered. This is why ADCS has today published a vision for the future of the education system.

Education is about more than just gaining qualifications, important though that is, it has a critical role in preparing children and young people for the future, to become the active citizens we want and need in our society. Education doesn't operate in a vacuum, the relationship between schools and their communities is symbiotic, it seems absurd to have a system that doesn't recognise this or seek to utilise the strength of these relationships in a place-based way. That's not to say there isn't good practice that we can draw on, across the country there are areas where local education partnerships are working together to meet children's holistic needs, whether that's supporting children and young people with mental health needs to successfully access education or exploring system responses to the challenges around attendance.

This partnership approach needs to be the rule, not the exception. Our current system is fragmented by design so ADCS is calling on government to set out the framework for an area-based partnership model, along with the associated functions, so that all children, young people and communities can benefit from a system built on genuine collaboration, not competition.

Too often the education debate is too narrowly focused on schools, at the expense of early years settings and further education colleges, each of which have an equally important role in inclusion. The early years provide the best opportunity to close the attainment gap between disadvantaged children and their more affluent peers. It allows our highly skilled early years professionals to identify any additional needs so that children can access the right support at the earliest opportunity. The government has announced major investment and reform for childcare, but it's based on getting parents back into work, rather than giving children the best possible start in life. This must be the goal above all else if we are to address issues of school readiness that have been escalated by the pandemic.

The same is true of further education. For many young people, vocational routes offer the best opportunity for study and development. It can also help to re-engage those young people whose talents lie outside of traditional academic routes. There is no information yet on the recently announced Advanced British Standard so we will wait to see what additionality this will bring. It is clear that the education system needs change. It needs a long-term vision and crucially, it needs to work for all children and young people, not just those who can fit into a narrow set of expectations set by national government. Many of the answers are already there in the government's own work, such as the Timpson Review and the Schools White Paper, these offer significant opportunities and now is the time to revisit them. ADCS is ready to work with government to shape the future for education.

And so, on to the money...

Councils up and down the country are considering their financial future with dread, facing the real prospect of issuing Section 114 notices and the biggest financial risks now lie in the service areas we are responsible for, those we provide to children and adults. Unfortunately, there was no respite or solutions offered in the Autumn Statement.

It shouldn't be surprising that the demands on children's services have increased. For families to thrive, many need the support of strong and responsive public services and yet this is exactly what has been eroded year on year in response to funding challenges. The Children Act 1989 is the corner stone of everything we do in children's services; it is an all-encompassing piece of legislation and we hold it dear, yet it has created a perverse incentive in allowing others to retreat in the knowledge that children's services will provide a safety net. The significant cost pressures on children's services are in the main driven by either national policy, or the retrenchment of our partners in to what they regard as their 'core' business.

Many local authorities may be able to avoid the nuclear option by rearranging the deckchairs but this is simply delaying the inevitable, it's not a long-term solution. In children's services, this will mean moving more funds away from essential early help and prevention offers in the community into the statutory end of the business. This is a false economy as we learnt through the first wave of austerity, but in reality, without additional funding, many more local authorities will be facing this impossible decision. While our statutory services sit at the core of what we do, we are not and should not be a blue light service. The funding quantum simply isn't enough to meet

the level of need we're now seeing in our communities and the way in which it's distributed doesn't work. Government has been promising a new funding formula for years, it's time to bite the bullet before it's too late.

The financial pressures we see now, particularly in relation to the cost of children's homes, the costs associated with the agency social work workforce along with demand for and provision of SEND services, are like nothing the sector has previously experienced and they all require national intervention to resolve them. Looking at it positively, they can be resolved if there is the will at national level!

ADCS has long been vocal about the sufficiency challenges both in finding the right homes for children who are in our care and the workforce. It isn't any coincidence that the areas where we are struggling to develop sufficiency, are also those areas where private firms are making significant profit. For the avoidance of doubt, it is the business models employed by such firms that allow them to generate unacceptably high profits on the back of vulnerable children that ADCS is opposed to, not good, child focused professionals who should be appropriately paid for the work they do.

The government recently published its response to the child and family social worker workforce consultation and ADCS welcomed this as a positive step in the right direction to recalibrating the system to help manage the agency market. We would have liked the proposals to go further and continue to see no positive case for members of project teams to have a statutory case holding role, a point that we will continue to debate with the Department, but for the time being, there is a plan which now needs to be implemented at pace.

However, there is no such plan in relation to the unmanageable costs of children's social care homes. It cannot be right that the largest 20 independent providers of children's social care homes made more than £300 million of profit last year, every penny of which came directly from the public purse. This isn't the first time the level of private profit has raised eyebrows, the Competition and Markets Authority and the Independent Review of Children's Social Care both called this out for what it is, profiteering. They also highlighted the risks associated with the private equity models that are ultimately driving this and do nothing to serve the best interests of the children who we care for.

We need government to act on this now, it cannot wait for implementation of the proposals in Stable Homes, Built on Love. Earlier this year, ADCS developed an alternative vision for regional care cooperatives and called for government to deliver the national conditions needed for success. There is no silver bullet here, but only central government has the levers needed to realise change at pace. Ultimately, we need a national set of rules to drive a level of transparency through the system that enables local authorities to develop and operate commissioning models which are rooted in the needs of children, rather than shareholders.

The children's social care reform programme set out by government is predicated on a strong and effective early help offer yet the reality is, the financial context means that this is where many local authorities are now being forced to make further savings. Local authorities aren't the only organisations trying to balance the books,

there is a broader issue across partners about the retrenchment into core activity. While this is understandable, it becomes deeply problematic when partners do not interpret their fundamental safeguarding responsibilities as core to their functions, a good example being the Right Care Right Person programme being implemented by the Police. The updated Working Together guidance must be clear about the expectations of safeguarding partners and their responsibilities to children and young people. Without this, the children's social care system will be overwhelmed.

We have seen in adult services how models of integration can support organisations to come together and work as a system to focus on joint areas of priority, take for example the Better Care Fund. The prevalence of mental health distress amongst children and young people has never been higher and yet, despite investment, waiting lists for both assessment and treatments continue to grow resulting in more and more children tipping into crisis. Very rarely is a single agency response enough but we don't have the models available to us to respond in a way that I am sure both children's social care and health colleagues would want to. A shared endeavour with the creation of an integrated response through a children's better care fund could provide a delivery vehicle for some of this work, pooling money towards joint priorities, removing organisational barriers and taking a more holistic focus around the needs of some of our most vulnerable children. This doesn't need legislation, but it does need us to think a bit differently, I'm not sure about you but I'm up for that!

Another area where we desperately need to think differently is the national transfer scheme. Conference, the NTS was established as a voluntary scheme in the summer of 2016, which seems like a lifetime ago, with the laudable aim to place separated migrant children more equitably across the country. It was not designed to deal with the huge increase in numbers of children arriving in Kent and a small number of other ports of entry. There are fundamental flaws with the scheme with no consideration given to how local authorities can respond to the demands placed on them. While the recent High Court judgment has significant implications for the functioning of the NTS, not least for our colleagues in Kent, it helpfully clarified the primacy of the Children Act 1989 and the duties local authorities owe to all children in this country, regardless of where they were born or how they arrived here. The judgment also has significant consequences for the Illegal Migration Act and it's clear children's needs must always be front and centre in everything we do, not just morally but also legally.

So, to summarise, if government is not able or willing to provide funding to meet the substantial financial pressures in children's services, they must make some difficult decisions on our duties and expectations. As a minimum government should urgently;

- Set out national conditions to intervene in the children's residential care market;
- Ensure the successful implementation of the agency workforce reforms and revisit the issue of project teams;
- Revisit the 2014 Children and Families Act and SEN Code of Practice to remove the drivers of demand that have overwhelmed the system;

- Modernise the home to school transport legislation, the core of which dates back to 1944;
- Revisit the impact of the ever growing inspection regimes on the system; and,
- Remove the fragmentation by design in our education and health systems to integrate at local level.

These are all things, and there are many more, that can be done with little or no cost if there is the will to take difficult decisions for our long term future!

Six years ago on this very stage, one of my predecessors, Alison Michalska, published an ADCS policy paper called 'A country that works for all children'. Since then, the idea of centring children, and their rights and needs, has been held dear in all that we do. We're currently in the process of bringing that up to date to act as a blueprint for future investment and change. A lot has changed since 2017 but too many of the same challenges, many of which I've already touched on today, remain or are even more severe. Look out for that in the new year.

Conference, as I draw my remarks to a close, I would like us all to hold on to the message that despite all of the challenges, there are opportunities to resolve them that we must grasp working together with government. I hope you have an enjoyable and enlightening three days, thank you.