

Nagalro Response to Care Crisis Review

A sector-led review of the rise in applications for Care orders and the number of children in care facilitated by Family Rights Group

Introduction and structure of response

Thank you for asking Nagalro to respond with our comments to your Care Crisis Review initiative. We had replies from fifteen of our members. Many of these extended to several pages and contained detailed analysis of their views on the reasons for the rising tide of applications to court for care proceedings and the unprecedented numbers of children now being cared for by the state. They also offered their thoughts on realistic approaches that could help to ameliorate this situation. Some provided case examples that illustrated how changes in practice, policy, training and resources contributed to less than optimum outcomes for children. I have included some of those verbatim in this document, with the permission of the authors.

Most of the respondents are experienced social workers, working either as children's guardians or ISWs, many having been qualified thirty years or more. Many replies contained a noticeable tone of disappointment and frustration that the profession in which they have practiced for so many years was now being rendered hostage to bureaucracy, neglect by central government and the legacy of austerity in public spending.

There was quite a lot of repetition by respondents, especially to the question of what in their view is going wrong. Therefore the replies to the first part of the question are grouped by sub-headings that gather similar themes together.

Below are responses to the first part of the consultation question

To identify specific changes to local authority and court systems and national and local policies and practices that will help safely stem the increase in the number of care cases coming before the family courts and the number of children in the care system.

Changes in practice

- The reduction in early prevention: closure of sure start, family centres, youth services, library etc is limiting many family entry / access to services



- Social work is more lambasted than ever....so when they are involved in child deaths they raise the bar for rehab even more. Also LAs have no resources at the front door to conduct family meetings / FGC as a matter of course so end up paying dearly once families arrive in court.
- Social work and the courts now often see permanence in a simplistic one size fits all model, namely adoption and nothing else.
- Many judges and some professionals are no longer **pro child**, but pro adoption or pro rehab.
- As LAs have now effectively drawn up the bridge to all but S17, 31 or 47 etc case work on the wrong assumption that the EHA / CAF TAF etc would pick up the slack, which means that many children / families simply receive no service and fall off the radar
- Many professionals reduce the complexities of family dynamics to simple binary equations and miss all the grey and uncertain bits which need to be recognised, understood and considered to inform an appropriate plan to move forwards.
- The demise of local offices and community work
- Where funds are lacking a culture of fear sets in
- Using voluntary care as quasi Care Orders increases the number of cases coming before the court
- Data driven managerialism creates a mechanistic rather than person centred style of practice resulting in social workers lacking confidence in their own judgment and to exhibit 'genuineness, warmth and empathy', basic social work standards of practice.
- Default position of LAs is to oppose rehabilitation of child and parents. An outside and in depth ISW assessment frequently results the LA changing their view
- Considerable variation in the way care proceedings are dealt with in different parts of the country
- Reluctance by LAs to undertake parenting assessments with the child in situ at home as considered to be too risky.
- LAs subject to confirmatory bias in only giving weight to evidence that supports their hypothesis and not keeping an open mind

- Family court assessments seems to be formulaic and consisting of a standard set of stock phrases (e.g. parents being unable 'to meet the needs of the child within their timescales') without ever coming to grips with the intricacies of particular cases.
- Lack of objectivity in viability assessments. The starting point seems to be to give reasons why the interested party would be unsuitable rather than giving all information a fair hearing
- Lack of appreciation of lifelong consequences to the child of being removed from their family
- Decision making function held by senior manager not by case accountable social worker
- Local authorities to be able to admit to their difficulties and short comings without fear of punitive reprisals in the expectation that they will be helped not punished
- Lack of analytical rigour displayed in assessments, emphasis on parents not on child
- Lack of continuity in social work with individual families
- Lack of understanding around mental health and learning disabilities
- Lack of rehabilitation plans for children coming into care

Changes in policy

- The creation of children's trusts is simply the academisation of children's services.
- The government holds on to the CA 1989 but in every incarnation of WT since 2010....they have watered down the stat guidance and funding necessary to provide regional, and national safeguarding structures in place.
- The current government / previous coalition have cut ended, NSDU, Contact, White paper on Education, upended regulation 3 times, closed down the CSW and applied fees to SW undergraduates, etc etc this government and most MPs don't give a hoot about children in need of support or protection.

- The rot set in with ECM, an over ambitious premise, and resulted in Children's Social Care and Education Services being placed under the same Government Department. When 'every child matters' the focus on the children in serious need has been lost. Structural changes usually bring more problems than they solve.
- Cafcass taking over the Children's Guardian service and diluting the independence of the CG
- Government's fixation on measuring performance rather than supporting practice (with material resources and valuing staff) is evident in the proposals for the accreditation scheme. This is ill thought through and an expensive distraction for the real work that is needed.
- Local authority league tables encourage a culture of competition that appeals to currying the favour of the state and elected members but denying core social work values
- HCPC becoming another stick with which to beat social workers

Equipping social workers to undertake complex assessment and court work

- More supportive, trusting relationship between worker and supervisor
- Lack of practice educators and patchy implementation of ASYE
- Newly qualified, inexperienced social workers taking on complex assessment and court work before they are ready and without enough support

National, political and financial influences

- Austerity across the board is reducing the abilities of the population as a whole, particularly families, to cope with every day struggles.
- How public services now in private hands, leisure centres, play centres are too expensive for many family to engage with.
- Many schools are doing a great job but with the 8% cut across the board this coming year many have had to let go of teachers, assistants, etc. the continued growth in academies has done nothing to slow this process of attrition.

- In times of austerity multi-agency working comes under huge strain as agencies fight for their own survival.
- Increase in relationship breakdown and increasing numbers of children not living with both parents by the age of 16. This impacts on the ability of the current generation of young parents to cope with the demands of parenting adequately
- Negative impact of public media and social media

To do so in a way that retains focus on achieving the best outcomes for children and families and takes account of the current national economic, financial, legal and policy context that impacts on families and on local authority and court practice.

- Social workers working generically protected them from the constant high-end child safeguarding and court work leads to a more rounded, grounded and knowledgeable route into experienced practice
- We don't require a new act as the 1989 Children Act is still fit for purpose, puts child's needs at the forefront the problem is inadequate resources and service delivery
- Change is required in ideology rather than wholesale restructuring. We need a visionary new Children Act.
- Positive trend is recognition of the concept and impact of 'emotional harm'
- Greater central monitoring of judgments across the country and their rationale to achieve a more consistency in decisions
- More community based rather than residential based assessments (need for long term work - for example working with a family for 6 years including 2 years in foster care and supported rehabilitation to the care of father and new partner
- More creativity in seeking best solutions for alleviating risk avoiding the binary mentality of either foster care or a home
- Devolve decision making from exclusive realm of senior managers so that frontline workers who know the family can have more influence.

- Improvement in IT systems; less complicated to use and containing more essential rather than bureaucratic information
- Better knowledge for families and for outside agencies about how the court system works.
- Raise minimum age of qualification for social workers
- No SW to take on court work until at least 2 years qualified
- Empathy and honesty by social workers contributes to safe and sensible decisions and a sensible rather than avoidant reaction to risk
- There are professional standards and our social work core values to maintain and organisations should be reminded of those. However, the HCPC appear content to focus on the individual social worker rather than the Organisation. This arrangement may benefit from change
- Lack of resources is not always an acceptable excuse. The models used by organisations is not conducive to working with families and the community. Revision of the threshold criteria needs to change and be reminded of current case law
- HCPC and Ofsted need to audit supervision records to ensure social workers are receiving high quality supervision
- Positively promote social work in the media.
- Higher number of skilled practice educators would mean better quality 'on the job' training and better choice of placements.
- Multi - agency training across LA – training with colleagues from health, police, education and the voluntary sector is invaluable for learning and development

- The social worker to the child should remain consistent rather than the case files pass from team to team.

Practice Examples

- This is an example which highlights similar problem across children's services. I am undertaking a parenting assessment for a LA. From reading the previous parenting assessment I was unclear what the risks (I could assume from the referrals) to the child were and what was the conclusion and recommendation. There was no focus on the child or their journey. This child is 2 ½ years with no primary carer and no permanent home base. The minutes of the 5 child protection conferences are inconsistent and contradictory with no clear planning - different Chairs for each conference with no continuity or no one taking responsibility or leadership. The social worker despite the structures in place feels very much on her own with this case. She tells me the father intimidates her and the mother phones her up to 7 times a day. The social worker sought legal advice and to receive this she needed to prepare a court report, chronology and attend Panel to be told the case doesn't meet the threshold criteria. I can foresee this child coming into the care system in the not too distance future because there is no clear plan and no clear leadership or management of the case which can bring together the family and professionals to safeguard this child and keep him safe within the family.
- This is one example highlighting the manner in which some parents are treated following a 'failed' parenting assessment. This mother was living in the residential assessment where I work. She 'failed' the assessment and a court hearing was held in her home LA - a distance of 3 hours by train. She made the journey to court by train alone knowing the likelihood the court will agree with the LA and the parenting assessment that her son should be removed permanently from her care. This mother suffers anxiety and depression which increased during the residential assessment but she found the courage and attended court. The court decision was final that her 10month old son will be removed and placed in foster care. She was then expected following the devastating news to return alone to the residential centre the same day by train to collect her belongings and say goodbye to her son. Her son was removed and she had to wait a further 2 hours for the taxi to arrive paid for by her home LA to return her home some 3 hours away. This mother was found in the empty flat in the residential centre in a foetus

position screaming. She then made the taxi journey alone back to the home LA.

- A further example which highlights a national case work problem is the actual number of professionals who can become involved in a case but whom do very little in the way of reducing risks or supporting the children and the family. I recently managed a case where there was a CP plan and an interim order in place. It wasn't a particularly complex case but there were at one time 25 persons involved which including mainly professionals with 5 family members. I am highlighting one case where social workers now are carrying more than 10-15 cases – that's a lot of people to manage even if you're experienced but could be particularly difficult if you're newly qualified. Also, those persons involved in the case were not particularly helpful in the management of risk but whom I needed to report to/share information with and/or provide reassures too. There were around 3 professionals who were actually doing any preventative and constructive work with the children and family.

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