

**ADCS Position Paper**

# **CHILDHOOD MATTERS**

**February 2024**

**The Association of Directors of Children's Services Ltd**



## 4.2 million children are living in poverty

**48%**

of children from global majority groups live in poverty

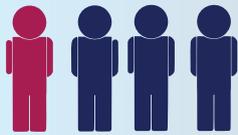
**70%**

of children in poverty live in a household where at least one adult works

**43%**

of children with two or more siblings live in poverty

Since 2017, the number of children living in destitution has **risen threefold**



**1 in 4** older young people had a probable mental health condition in 2022, up from 1 in 10 in 2017



**30%** of children living in the most deprived areas are obese by the end of primary school



**90%** of childcare providers say government funding doesn't cover delivery costs



Tooth decay is the most common reason **five to nine year olds** are admitted to hospital

**24%** of all pupils are receiving benefit related free school meals

**1 in 5** pupils are persistently absent, up **60%** on pre-pandemic levels

**High inflation** has wiped out the planned **15%** uplift in funding for schools

**£800m**

children's social care funding gap in 2022/23



**£4bn**

local gov funding gap over the next 2 years

Black children are involved in **20%** of police stop and searches, despite making up **6%** of the population



**9 in 10** girls were regularly exposed to unwanted explicit images or videos



Increases in children's services activity in 2021/22 compared to the previous two years:



Early help assessments



Children in need



Child protection enquiries



Children in care



Education, health & care plans

## **Executive summary**

Seven years ago, the Association published a policy position paper called *A country that works for all children* (ADCS, 2017) in an attempt to articulate the issues and challenges facing children, young people and families and put forward some solutions. Sadly, all seven of the recommendations in the paper still stand and the need for action on child poverty and the crisis in workforce and funding is arguably even starker than ever before.

This paper acts as an update, and an urgent call to arms, capturing the changes that have happened in the intervening years, including the publication of multiple different reviews, inquiries and reports on topics ranging from school exclusions, early childhood and the care system, to special educational needs. The Association has also put forward a series of recommendations for action during this time.

With a general election due within the next 12 months, we are at a pivotal moment in the nation's relationship with children and young people. We need to come together to invest in them, and their families, as well as the public services they rely on to help them to thrive. This investment not only benefits individual children and families but the country as a whole via increased earning potential, less reliance on, and cost to, the state and sustained progress on social injustices. All children and young people should be able to say:

- I have access to the same opportunities regardless of my background or family's resources
- My family and I do not live in poverty, we are not hungry
- We have an affordable, warm and safe home and environment
- I am supported to grow and develop. Education builds my confidence and prepares me not just for exam success, and the world of work, but for independence too
- I am supported early if I have any emotional, health and/ or physical needs
- I am protected from risks of neglect, abuse and exploitation
- I am not unnecessarily criminalised and professionals understand my circumstances, I am listened to and actively involved in any decisions they take about my life
- My contribution to my community and wider society is both valued and recognised.

Sadly, children's needs, their rights and outcomes have not been prioritised in recent years. There has not been any significant new legislation for children and young people since the passing of the *Children and Social Work Act 2017*, although a Schools Bill was both introduced and withdrawn in 2022. During the global pandemic, children's interests were either not differentiated in all age responses or overlooked entirely; pubs, restaurants and even golf courses reopened before most children returned to school in summer 2020. Millions of children live in poverty, with research clearly demonstrating that welfare policies are driving family distress, most notably the 'two child limit' on tax credits, which has affected over 1.5 million children since its introduction in 2017 (CPAG, 2023).

More can be done to support families to overcome the challenges they face and help all children and young people to thrive. In early childhood, the potential benefits of record investment in childcare are not being felt as this funding is spread thinly and not targeted towards the children and families who would benefit most from early education. Changing demographics mean that we have school capacity in the wrong places and years of under investment in school buildings is disrupting the education of tens of thousands of children educated in unsuitable buildings, including those made of defective concrete. The number of children missing education is at record highs as is the number of children with a broad range of mental health conditions. Recent uplifts in funding for schools and colleges have been more than wiped out by inflation and the national system for children with special educational needs is now profoundly broken. In the teenage years,

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and beyond, concerns about the safety of young people in their communities, and online, are growing.

More and more children and families require help and support from children's social care but central funding for these vital services has not kept up, risking them becoming a blue light service. Councils are facing growing challenges in securing the right homes in the right places for children in care, particularly for those with a multiplicity of complex needs. Leaders of children's services are increasingly worried about the growth of private equity backed provision, out of control profiteering and the risk of provider failure, which could be disastrous for the children living in those homes. Councils do not have sufficient resources to develop alternative strategies, in fact several are now effectively bankrupt, with more expected to follow suit. The recent uplift in council funding, including an additional one-off £500 million investment in social care, buys some breathing space but this is a sticking plaster, it is not a long-term solution.

Nine different government departments and agencies lead on various aspects of policy relating to children, young people and families, and children's distinct needs and rights are not well understood by departments with wider portfolios. A number of different reviews commissioned by government, plus recent green and white papers, have correctly diagnosed some of the systemic challenges faced by children, and children's services, and have put forward sensible solutions, but the resulting recommendations are often only partially implemented, if at all.

In recent years, public policy making has become more reactive and driven by short-term decision making, risking a "doom loop" (IfG, 2023). Government does not yet pay enough attention to its role in creating the conditions for success in turning policy into practice in local areas, leading to an "implementation gap." All too often it seems that where investment in children's futures is needed, the bare minimum is on offer, whether that's to repair or rebuild school buildings or support children to recover from the pandemic experience.

So, what would help public services to better support children and families in the future? This paper reiterates previous calls for a comprehensive vision and plan for childhood accompanied by a long term, sustainable funding settlement. For the sake of clarity, the most pressing priorities for key government departments, and agencies, with a stake in child and family policy have been identified by ADCS members:

- **Cabinet Office** should develop and co-ordinate an ambitious, cross government plan for childhood, which pays specific attention to understanding, mitigating, and removing income, health, racial, geographical, and educational inequalities, alongside a resourcing and implementation strategy. This should be led from the centre of government, setting out clear, measurable milestones and objectives, with progress reported in a transparent way.
- **Treasury** should ensure sustainable multi-year funding predicated on a long-term view of the return on investment in children's futures for the whole public sector and the broader positive impact of investment in children on long-term economic growth and the future of the country.
- **Department of Levelling Up, Housing and Communities** should review the outdated methodology to funding local government, and children's services, to better reflect local contexts, populations and levels of actual need. This review must address both the scale of funding required as well as how it is distributed.
- **Department for Education** should reaffirm its role as a champion and advocate for children and young people across government and broaden the review of Section 17 of the *Children Act 1989* that *Stable homes built on love* committed to and take the opportunity to cement early or family help in statute, as it is for adult social care.
- **Department of Health and Social Care** should embrace integration with children's social care by delegating the resources and responsibilities for commissioning and provision of all children's community and mental health services to place based integrated partnerships.

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This could be achieved using existing legal flexibilities under Section 75 of the *NHS Act 2006*.

- **NHS England** should commit to a root and branch review of children's mental health services to ensure that in the future all levels of need are met at the earliest possible juncture by multidisciplinary teams working in the places and spaces that suit children's lives and preferences.
- **Department of Work and Pensions** should commission a full independent evaluation of the impact of the current welfare system on children, young people and families and use the learning to revise the system to ensure it supports the ambition of eradicating child poverty. DWP should also work with relevant departments on other opportunities to support system wide reform for children and families e.g. kinship care.
- **Department of Culture, Media and Sport** should maximise the universal opportunities for children and young people across their remit whilst transferring leadership on youth services to the Department for Education to align with education and wider children's services policy.
- **Home Office** should thoroughly assess the impact of any new legislation or national policy positions on all children and young people, noting and addressing any differences in application, such as use of stop and search by the police under Section 60 of the *Crime, Justice and Public Order Act 1994*. They should also transfer leadership of the National Transfer Scheme for unaccompanied asylum-seeking children plus policy areas relating to safeguarding and harms outside of the home to the Department for Education.
- **Ministry of Justice** should transfer leadership on youth justice policy, and the Youth Justice Board, to the Department for Education so 'Child First' aims can be realised in practice.

## **Where are we now?**

In 2017, the Association published a policy position paper called *A country that works for all children*. It aimed to articulate the issues and challenges facing children, young people and families, such as poverty and poor mental health, and what was needed to make progress and improve outcomes. A lot has changed in seven years; the country has had four Prime Ministers, eight Secretaries of State for Education and nine Children's Ministers. Multiple national reviews have taken place over this period, including: fostering (DfE, 2018), school exclusions (DfE, 2019), different aspects of the youth and family justice systems (various), early childhood (DHSC, 2021), children's social care system (DfE, 2022), and a review of the special educational needs (SEND) system (DfE, 2022). The Association has published several policy position papers as well.

Dozens of inquiries, learning reviews and reports have been published, as has a long-term plan for the health service (NHS England, 2019), plus new green and white papers on mental health, 'levelling up', SEND and education. In 2022, a Schools Bill was introduced but subsequently withdrawn. New laws, duties and legislation have come into force relating to domestic abuse, prevention of serious violence, homelessness, policing and crime and most recently immigration and online harms. In 2020 there was a global pandemic that impacted on almost every aspect of our daily lives, work, and communities. Society's health, social, educational, racial, geographical and generational inequalities became more visible as the pandemic progressed and are becoming more entrenched as time goes by. One in five pupils were persistently absent in spring 2023, up 60% since the pandemic struck. NHS England data show that rates of probable mental health disorders in older young people jumped from one in 10 in 2017 to one in four in 2022 (NHS Digital, 2022). This experience transformed the way children's services work with children and families, and other public services, with meetings and court hearings taking place virtually and online or hybrid learning now commonplace.

In recent years, it has become clear that children and young people's needs, their outcomes, and their rights, are not a national priority; children's interests were either not differentiated in all age responses to Covid-19 or overlooked entirely e.g. pubs, restaurants and even golf courses reopened before most pupils returned to school in summer 2020. Children and young people were ignored in the latest round of reforms to the health system, with the design of integrated care systems not recognising their distinct needs until after the go-live date, despite growing concerns about waiting lists for mental health assessments and treatment, infant mortality, childhood obesity and oral health. Further, the *Illegal Migration Act 2023* contradicts longstanding principles established via the *Children Act 1989* by looking to remove protections and entitlements for vulnerable children and young people who are seeking asylum in this country beyond their 18<sup>th</sup> birthday.

All too often it seems that where investment for children, young people, and the public services they rely on is made available, only the bare minimum is on offer. A consortium of children's charities recently called on the government to put children at the heart of policy making, backed by a step change in investment to transform childhoods (Action for Children et al, 2023). Higher running costs mean that pupils are not feeling the benefits of recent uplifts in school funding allocations in the classroom, while the impact of sustained reductions in school capital budgets has led the Department for Education (DfE) to escalate safety concerns about the condition of the school estate to the government risk register. The start of the 2023/24 academic year was disrupted or even delayed for tens of thousands of pupils due to risks associated with reinforced autoclaved aerated concrete (RAAC).

How we care for, educate, and support the children of today is an indication of how successful our country will be tomorrow. More and more children and families are experiencing poverty and destitution; in 2017/18 the Trussell Trust handed out food parcels to 385,000 children, in 2022/23 this figure had almost tripled to 946,000 children (Trussell Trust, 2023).

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We are at a pivotal moment in our nation's relationship with its children. Both local and central government must come together to ensure the public services they, and their families, rely on do not crumble under the pressures currently faced. Childhood matters, we must invest in children, families and communities now, and in the future.

All children and young people should be able to say:

- I have access to the same opportunities regardless of my background or family's resources
- My family and I do not live in poverty, we are not hungry
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- I am supported to grow and develop. Education builds my confidence and prepares me not just for exam success, and the world of work, but for independence too
- I am supported early if I have any emotional, health and/ or physical needs
- I am protected from risks of neglect, abuse and exploitation
- I am not unnecessarily criminalised and professionals understand my circumstances, I am listened to and actively involved in any decisions they take about my life
- My contribution to my community and wider society is both valued and recognised.

## **Supporting families to overcome challenges and help children to thrive**

*"It is hard to work with a family and support them to make meaningful and lasting change when their economic situation is going to remain the same. Sometimes we are able to pay off some debt or apply to a charity which will do this. However, the stress that some of our families are under is immense."* (ADCS and CPAG, 2020)

More than four million children currently live in poverty and the number of children living in destitution was recently found to have tripled between 2017 and 2022 (JRF, 2023). Research suggests the annual cost of tackling child poverty in Britain stands at £38 billion, up £8 billion since 2013 (Loughborough University, 2021). The impact on childhood is incalculable, children arrive at school hungry, families are queuing up at food banks and schools are routinely buying coats, shoes and even washing clothes for pupils and their families. This sum dwarfs the funding gap in children's services, which was £778 million in the last financial year, this is simply to stand still (ADCS, 2022).

Ongoing welfare reforms, aimed largely at the working age population, mean that some of the most economically fragile households are seeing reductions in their benefit payments or their benefits not keeping up with inflation. Universal Credit, which brings together out-of-work benefits, housing costs and in-work credits, was intended to "make work pay." However, in a stark reversal of historic trends, the majority of children living in poverty now live in a household with at least one working parent and over half of children with two or more siblings live in poverty. The 'two-child limit' on tax credits was introduced in 2017 and since then an estimated 1.5 million children have been affected by this policy (CPAG, 2023), which has been described as "ineffective at best and discriminatory at worst" (London School of Economics, 2023).

Other welfare policies are impacting on children and young people's lives and future life chances, from the removal of the spare room subsidy, meaning the loss of a quiet space to study at home, to cuts to housing benefit meaning that care experienced 18-21-year-olds can find it difficult to access basic housing options. The DfE spends significant sums mitigating the impact of poverty on children's wellbeing and their educational outcomes, from pupil premium payments and the provision of free period products to free school meals; latest data show that a record 23.8% of pupils attending state schools are now eligible for means-tested free school meals (DfE, 2023).

The movement to 'poverty proof' the school day is growing, with the cost of buying uniforms, and keeping them clean, equipment and school trips increasingly becoming practical barriers to inclusion. Access to opportunity is also a concern, with the loss of hundreds of youth centres, children's centres and other community-based services being particularly felt by children and families who can't afford to travel or live too far away to benefit from the provision that still remains. Budget cuts in other areas of council services, including libraries, leisure and culture, impact children and families and the very fabric of our communities. Access to safe and suitable housing options, and its costs, are increasingly contributing to family distress. The deteriorating state of housing in this country has recently been described as a crucial issue for child health by the Royal College of Paediatrics and Child Health, while persistently high housing costs and the cost-of-living crisis means that many more families are struggling now to make ends meet.

England's most recent child poverty reduction strategy expired in 2017 (DfE, 2014). The *Welfare Reform and Work Act 2016* envisaged a life chances strategy would take its place, but this was shelved in favour of a social justice green paper, which has yet to be published. In contrast, the devolved governments in Scotland, Wales and Northern Ireland all have child poverty reduction plans and are making progress. An interim evaluation of the Scottish Child Payment – initially £10, now £25 per child per week for households already in receipt of other means-tested benefits - has had a number of positive impacts for children and families in reducing financial pressures and enabling social and educational participation (Scottish Government, 2022).

## Early childhood

The first five years of childhood shape the people we become in later life. Childcare has been a consistent policy priority in recent years. Sadly, boosting the number of working adults is the driving focus rather than boosting children's outcomes. It is true that access to childcare can support parents and carers to work, which can be a route out of poverty, but only if it is reliable and pays sufficiently well. Socio-economic inequalities in child development can be seen in the second year of life and have an impact by the time children enter school, persisting and deepening during the school years (Marmot, 2020). Post-pandemic, more focus is needed on early education and on the importance of the home learning environment as high quality early childhood education plays a vital role in closing the gap for children from more disadvantaged backgrounds.

The government's annual investment in childcare via the 30-hour entitlement offer will exceed £8 billion by 2027/28. This is potentially a transformative sum. However, it continues to be poorly targeted and spread too thinly, with a recent survey showing 90% of providers said 2022 funding rates did not cover the actual cost of delivering government funded childcare places (EYA, 2022). This is affecting the viability of both individual providers and the whole sector. The government's own Social Mobility Commission, and others, have raised concerns about quantity coming at the expense of quality and the recent relaxation to staffing ratios in childcare settings adds to these concerns.

The recent £300 million investment in family hubs to develop "baby-centred services" was limited to 75 councils, and even small, targeted areas within those chosen councils, meaning that the majority of children and families stand to miss out on this support. The loss of health visitor funding and capacity over the last decade is a significant concern, as is access to perinatal mental health services. The latest *State of Care* report shows almost two thirds of maternity services inspected by the Care Quality Commission are not safe enough, with the experiences of global majority mothers in particular, not good enough (CQC, 2023).

## The school years

In 2017, a shortage of school places was a shared challenge, however, birth rates have sharply fallen and school closures are now being seen, particularly in areas of the country with high housing and living costs. There are growing concerns about the ability to recruit and retain staff, from senior leaders and teachers to teaching assistants, while the pandemic, long running pay negotiations and industrial action are symptoms of a system that is not functioning effectively. Outside of the classroom, schools offer a wide range of support to pupils and their families who are struggling, with a recent survey showing 97% of heads and 89% of school staff said that child poverty had increased in their school over the last two years (CPAG, 2023).

The impact of the pandemic on children and young people's lives, and their education, will be felt for years to come. In 2021, Sir Kevan Collins was asked to come up with a national recovery plan for schools, recommending £15 billion of investment. When the government's response came with a funding package equivalent to just a tenth of that sum, Sir Kevan resigned. We still do not have a multi-year recovery plan and what funding has been made available is focused on tutoring. Although there is no single cause of falling school attendance, deteriorating behaviour in classrooms and rising exclusions, there are obvious links back to the Covid-19 experience.

For some children and families, the social contract with schools was damaged by lockdowns and the disruption from enduring social distancing measures. For others, poor mental health and wellbeing, undiagnosed needs, caring responsibilities, poverty, or a combination of these factors, are the concern. The number of children missing education is at a record high, yet the government has not implemented a register of these children despite repeated commitments to do so dating back to 2019. The DfE's own estimates show almost 100,000 children were known to be home

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educated in summer 2023 (DfE, 2024). The RAAC experience risks compounding this situation as uncertainty and disruption returns to a growing number of children and young people's lives.

The current SEND system is not working well for too many children and young people. The 2014 reforms were ambitious, extending support from birth up to 25 years, but the intended outcomes have not been delivered in part due to broad application and underfunding. Demand for education, health and care plans is growing year on year. Capital investment for, and the building of, new special schools has not kept pace, and a bureaucratic free school process is adding to delays. This is leading to record home to school transport costs and a growing reliance on the more costly independent sector, which has come under increased scrutiny following the cover up of abuses of vulnerable learners with complex disabilities at a group of independent residential special schools over a number of years (Child Safeguarding Practice Review Panel, 2022 and 2023). Despite record levels of spending, there is growing dissatisfaction with how the reforms are working on the ground and the government's review of the SEND system (2022) and subsequent improvement plan (2023) acknowledges this reality. Change is slow and a growing number of councils are overspending in this area, with high needs block deficits now widespread. The end of the 'statutory override' means that these deficits are set to appear on council's books in 2026; without action, this has the potential to tip large numbers into bankruptcy overnight.

In terms of resourcing, the largest, sustained reduction in spend per pupil in four decades was seen between 2009/10 and 2019/20 and record inflation means the planned 15% uplift in school funding between 2019/20 and 2024/25 results in per pupil spending power actually being lower than in 2009 (IFS, 2023). School capital investment is at a historic low and the budget for the DfE's rebuild programme allows for 50 schools per year to be rebuilt, meaning it will take 448 years to replace all existing state funded schools in England. In the decade to 2020, post-16 per pupil funding fell to levels last seen back in 2004 for colleges and 2002 for sixth forms (IFS, 2022). As with schools, high inflation is eroding the value of planned uplifts in post-16 spend between 2021/22 and 2024/25. There are also concerns about vocational education, from the quality and effectiveness of new T-Levels, and the premature withdrawal of other vocational qualifications (Ofsted, 2023), to concerns about the quality of apprenticeships and the unrealised potential of the levy for employers.

Despite myriad reforms and initiatives in recent years, including structural changes and curriculum overhauls, there is no overarching vision or consistent strategy for education and schools, yet stubborn challenges persist. These include a widening attainment gap between richer and poorer learners and the fact that children in care, those with additional learning needs or from global majority backgrounds continue to be much more likely than peers to be excluded. The system does not sufficiently incentivise mainstream schools to meet the needs of all learners, particularly those with additional needs (ADCS, 2023).

### The teenage years and beyond

A new vision for a *ChildFair State* was developed by a group of young leaders who undertook a review of the country's social support system. They found that neighbourhoods have been hollowed out, with the loss of youth and community centres leaving a dearth of safe spaces and places for young people to go and be with friends or for intergenerational mixing. Children and young people also shared their worries about their safety, often related to knife crime and gang activity (Children England, 2023). Recent research found that almost half of children and young people were victims of, or witness to, violence, with a similar number (47%) reporting the fear of violence impacted on their daily lives (YEF, 2023).

Concerns about violence against women and girls persist, with a thematic review into sexual abuse in schools and colleges finding a reluctance amongst some students to report abuse to staff as it was so commonplace. Few spoke positively about the relationship education they received and

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school leaders shared their struggles to apply guidance in the real world (Ofsted, 2021). The same year, the police inspectorate looked at the effectiveness of police engagement with women and girls, finding an “epidemic of violence” (HMICFRS, 2021). Months later, the case of ‘Child Q’, a 15-year-old Black girl who was strip searched at her school by police officers, shocked the country. Action is urgently needed to address the social, cultural and moral issues that sit at the root of these abuses and attitudes.

A growing number of young people have mental health needs; more than one in five 16-year-old girls were in contact with NHS mental health services, including learning disabilities and autism services, in 2021/22, double the rate just four years earlier (IFS, 2023). The national treatment targets of meeting the needs of at least 35% of children with diagnosed mental health conditions need urgently reviewing. The Health and Social Care Select Committee’s inquiry into children and young people’s mental health found that “significantly more ambition is needed” and given around half of all mental health conditions become established before the age of 14, the Committee noted that “mental health services in general – and children and young people’s mental health services in particular – have been disappointingly overlooked in the recent Spending Review” (H&SC Select Committee, 2021). Growing waiting lists to access mental health assessments and treatment is directly causing increased need for support from children’s social care (ADCS, 2021). Mental health support teams in schools have been well received but access remains limited, and rollout is still too slow.

Beneath the headlines about big falls in first time offences and the overall youth custody population, the proportion of global majority children who are stopped and searched by the police, who offend and reoffend continues to disproportionately grow. Significant concerns about the health, safety and wellbeing of children in some of the larger youth custody settings remain, with several settings closing down, or receiving an ‘Urgent Notification’ following an inspection, in recent years. Since 2019, the government has had a ‘Child First’ goal for the youth justice system, but this is not translating into practice. Levels of violence in the youth custodial estate are persistently higher than in adult prisons and ministers are considering plans to allow staff to carry and use PAVA, a type of pepper spray, on children. HM Chief Inspector of Prisons recently described this move as “a worrying step in the wrong direction” (HMIP, 2023) and the Association is clear that this would not be compatible with the UN Convention on the Rights of the Child.

### Helping children and young people in need of support and protection

Since 2017, activity and demand for children’s social care services has continued to rise despite the pandemic context; recent research shows there were 2.77 million initial contacts received by children’s social care teams in the year ending 31 March 2022, an increase of 10% on the previous two years, while the number of children in care rose by 3% over the same timeframe (ADCS, 2022). Teenagers are now the fastest growing cohort of children in care, in part due to the criminal exploitation of young people by unscrupulous adults, rising homelessness, and growing numbers of unaccompanied asylum-seeking children arriving in this country, adding to the need for care and protection as the system’s only response.

Although our child protection system was designed to work with younger children facing risks in the family home, practice responses to harms outside of the home, most notably contextual and transitional safeguarding, as well as trauma-informed practice, are all evolving at pace. The *Independent review of children’s social care* highlighted the need to do more here. Online enabled risks and abuse, from publishing and sharing indecent images of under 18s, to grooming and exploitation, are a growing feature in child protection work, but policy, practice and legislation are struggling to keep up with advances in technology, as are parents, carers and schools.

Councils are facing growing challenges in securing suitable placements for children in care. The Competition and Markets Authority recently reported on the dysfunctional nature of the children’s

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social care market and drew attention to the “materially higher than expected” profits being made by the largest independent providers of both residential and foster care placements (CMA, 2022). The rapid changes in ownership and the high levels of debt held by private equity backed providers carries huge risk for the sector and for children in care, underlining the need to act on profiteering. Councils alone cannot address these fundamental market issues and the Association would question if the regional consortia model put forward in the *Independent review of children's social care* would have the impact needed. Without decisive action, the direction of travel will see a large number of councils go bankrupt in the medium term. Councils are facing a particular set of challenges in finding placements for a small cohort of young people with a multiplicity of complex needs, who have often experienced significant trauma and abuse in either early childhood, exploitation in their teenage years, or both. These care packages can involve very restrictive regimes for the child's safety, cost tens of thousands of pounds per week and require the inherent jurisdiction of the family courts. The way the system responds to young people with complex trauma is no longer working but no single council, and no single government department, can resolve this alone.

Over the last seven years, new entitlements and support for care experienced young people, including the extension of support up to age 25 years, *Staying Put* and *Staying Close* and a focus on boosting employment options via apprenticeships and internships, have been seen. The *Independent review of children's social care* made some ambitious proposals to improve the lives of care experienced people, which will not all be taken forward by government. However, individual councils continue to pursue local initiatives in this space, from council tax exemptions and rent guarantor schemes to local backing for protected characteristic status.

Funding for children's services has not increased in line with the levels of need being seen, nor has it expanded to reflect increased responsibilities or the new or growing cohorts being helped and supported by children's services. In relation to immigration alone, the Association has previously estimated the funding councils receive from the Home Office for the care of unaccompanied asylum-seeking children covers around half of the actual costs (ADCS, 2016), while vulnerable families with No Recourse to Public Funds (NRPF) are routinely denied a safety net and face destitution. However, under the *Children Act 1989*, children's services have a legal duty to step in and offer support. The actual number of NRPF families councils are working with in this way is not captured or reported nationally.

### **What would help public services to better support children and families?**

The government continues to articulate a range of ambitions for children, young people and families but has not yet developed a clear vision or strategy to support its aims. Nor has it sufficiently invested in the infrastructure for delivery. As a result, the legislation and policy frameworks that drive these ambitions can often conflict with one another, or operate in silos, which limits impact. The lack of new legislation means that practice is evolving ahead of guidance and key regulations are falling further out of date. There is a rich tapestry of regulation, accountability and scrutiny in the sector, and in the absence of national policy responses, other bodies are shifting expectations and practice, including the courts and tribunals service, ombudsmen and the inspectorates.

Children's services, and our partners in health, education, and the wider public sector, need government to pay more attention to its role in creating the conditions for success in enacting new policies and reforms in local areas, to close what has been described as “the implementation gap.” A number of different reviews plus green and white papers developed during this time by government have correctly diagnosed some of the challenges children, and children's services, face but too many of the resulting recommendations have not been implemented. Policy making has become increasingly reactive and focused on short-term gains, which limits opportunities for co-production, scrutiny and consultation and does not allow for the development of comprehensive

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guidance or a full cost analysis. In the absence of a child poverty reduction strategy, piecemeal mitigations with time limited funding are devolved to local areas e.g. hardship funds or holiday activities with food. This makes it hard for public services, and children and families, to plan.

The trend towards distributing new funding via competitions, which will ultimately see only a handful of councils' benefit, is another example of this short termism; entrenched social issues, such as domestic abuse or criminal exploitation, sadly exist everywhere and cannot be solved in the two or three years this money is available. The Institute for Government's latest assessment of the fragile state of public services warned of a "doom loop" if future governments do not change course and commit to multi-year budgets, a long term capital programme, a stable, long-term policy agenda and an improved approach to workforce planning and pay (IfG, 2023).

Resourcing is key to creating the conditions for success, both in terms of overall quantum and how it is joined up across policy areas and government departments. When funding is limited, it is essential that policies allow funds to be spent efficiently and effectively. For example, the home to school transport duties placed on councils are laid out in an Act of Parliament passed in 1944. Updating the relevant legislation would ensure that the policy is fit for the 21<sup>st</sup> century and that available funding can be spent in a way which best meets the needs of children travelling to school in 2024. A host of issues ranging from long running public sector pay freezes and the cost-of-living crisis, to the pandemic and Brexit, have contributed to challenges in recruiting and retaining a skilled workforce in children's services, most pressingly in teaching and social work. These difficulties are replicated right across the public sector, which is affecting the safety net available for the growing number of children, young people and families who are struggling.

Since 2010, funding for local government has fallen by almost half in real terms and several councils are now effectively bankrupt, with more expected to follow suit. An estimated £4 billion blackhole will emerge in council finances over the next two years (LGA, 2023), and while local politicians have tried to protect children's services budgets, over time more and more is spent on child protection and care, meaning there is less for offers of early help and support, despite the fact that this would prevent future misery, harm and spend. Emergency one off uplifts to council funding have become more regular, such as the additional £500 million for social care, announced just weeks after confirmation of the local government settlement for 2024/25. This money offers some breathing space, but it is a sticking plaster, it is not a long-term solution.

Children's services are also spending more trying to mitigate the impact of changes to policy or resource decisions in mental health services, crime and justice, housing, welfare and immigration on the lives of children, young people and their families. The *Independent review of children's social care* called for £2.6 billion to reimagine early help over the next five years but just £200 million has been made available so far for testing new models over two years. A sustainable, equitable, multi-year funding settlement for all councils, and for all children, young people and families, is urgently needed. Schools, the police, the health service and other public agencies also need the same certainty and stability to better support children, young people and families. Consistent capital investment right across the public estate is essential, as the RAAC crisis has shown.

The ongoing involvement of multiple government departments and agencies in policy relating to children, young people and families ultimately does not serve them well. Their distinct needs and rights are not well understood and often overshadowed in departments with wider portfolios and all age priorities. In the Ministry of Justice, for example, concerns about the performance of parts of the youth custodial estate and the delays in the family courts are eclipsed by the challenges in adult prisons or criminal courts. Similarly, the Department of Health and Social Care does seem to recognise the need for, or benefits of, closer integration between health services and children's social care, yet is immersed in the pressures of acute services and delayed discharges. The *Children Acts 1989 and 2004* and more recently *Stable homes built on love* promote multi-agency

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working and shared leadership to improve outcomes for children, young people and their families. This is important, and needed, but the diffuse accountability and gaps in governance in the current arrangements are allowing other priorities to crowd out children's needs and rights. A Department for Children, which assumes the role of champion and advocate for children across government, in effect the role of director of children's services at a national level, would be a welcome addition.

Every child deserves a happy, safe childhood in which they can thrive, not just survive, regardless of where they live or how much money their families earn. Some will need more help and support from the state to secure their wellbeing, and keep them safe from harm, and councils are ambitious about improving children's lives and their future life chances. If the significant instability that has characterised politics and government in recent years, as illustrated by there being no fewer than five holders of the office of Education Secretary in 2022, is the new status quo, the existence of a comprehensive, strategic plan for childhood would mitigate some of the worst effects of this uncertainty for us all. Similarly, having a long-term strategic plan for childhood would offer a consistent framework for policy development, decision making and spending and allow us to make real progress on the social injustices that are the drivers of poor outcomes and life chances, including poverty, health inequalities, racial disparities and access to opportunity across all regions. Childhood matters, it's time to put children at the top of the agenda.

### Conclusion and recommendations

The seven recommendations the Association put forward in 2017 still stand: a call to act on the funding gap in children's services; policy coordination and a marshalling of resources across the multitude of government departments and agencies with responsibility for different aspects of children's policy; requiring local health plans to prioritise children's mental health; the development of a 'child impact assessment' to be applied to new policies right across government; coherent workforce and early years strategies; and, urgent action on reducing the shocking levels of child poverty.

The countdown to the next general election has begun, the Association recognises there are many competing priorities and issues which impact on children, young people and families and the public services on which they rely. For the sake of clarity, the Association has identified the most pressing priorities for each government department with a stake in child and family policy:

- **Cabinet Office** should develop and co-ordinate an ambitious, cross government plan for childhood, which pays specific attention to understanding, mitigating, and removing income, health, racial, geographical, and educational inequalities, alongside a resourcing and implementation strategy. This should be led from the centre of government, setting out clear, measurable milestones and objectives, with progress reported in a transparent way.
- **Treasury** should ensure sustainable multi-year funding predicated on a long-term view of the return on investment in children's futures for the whole public sector and the broader positive impact of investment in children on long-term economic growth and the future of the country.
- **Department of Levelling Up, Housing and Communities** should review the outdated methodology to funding local government, and children's services, to better reflect local contexts, populations and levels of actual need. This review must address both the scale of funding required as well as how it is distributed.
- **Department for Education** should reaffirm its role as a champion and advocate for children and young people across government and broaden the review of Section 17 of the *Children Act 1989* that *Stable homes built on love* committed to and take the opportunity to cement early or family help in statute, as it is for adult social care.
- **Department of Health and Social Care** should embrace integration with children's social care by delegating the resources and responsibilities for commissioning and provision of all children's community and mental health services to place based integrated partnerships.

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This could be achieved using existing legal flexibilities under Section 75 of the *NHS Act 2006*.

- **NHS England** should commit to a root and branch review of children's mental health services to ensure that in the future all levels of need are met at the earliest possible juncture by multidisciplinary teams working in the places and spaces that suit children's lives and preferences.
- **Department of Work and Pensions** should commission a full independent evaluation of the impact of the current welfare system on children, young people and families and use the learning to revise the system to ensure it supports the ambition of eradicating child poverty. DWP should also work with relevant departments on other opportunities to support system wide reform for children and families e.g. kinship care.
- **Department of Culture, Media and Sport** should maximise the universal opportunities for children and young people across their remit whilst transferring leadership on youth services to the Department for Education to align with education and wider children's services policy.
- **Home Office** should thoroughly assess the impact of any new legislation or national policy positions on all children and young people, noting and addressing any differences in application, such as use of stop and search by the police under Section 60 of the *Crime, Justice and Public Order Act 1994*. They should also transfer leadership of the National Transfer Scheme for unaccompanied asylum-seeking children plus policy areas relating to safeguarding and harms outside of the home to the Department for Education.
- **Ministry of Justice** should transfer leadership on youth justice policy, and the Youth Justice Board, to the Department for Education so 'Child First' aims can be realised in practice.

A host of specific recommendations relating to different service areas or cohorts of children and young people are included in the eight policy position papers or statements the Association has published in recent years: education ([2018](#), [2023](#)), the children's services workforce ([2019](#)), health system ([2019](#)), serious youth violence ([2019](#)), Covid-19 ([2020](#)), care ([2021](#)), and the youth justice system ([2021](#)). ADCS, and its members right across the country, stand ready to work with government, and our partners, to take forward these asks because childhood matters.

# All children should be able to say...

I have access to the same opportunities regardless of my background or family's resources

My family and I do not live in poverty, we are not hungry

We have an affordable, warm and safe home and environment

I am supported to grow and develop. Education builds my confidence and prepares me not just for exam success, and the world of work, but for independence too

I am supported early if I have any emotional, health and/ or physical needs

I am protected from risks of neglect, abuse and exploitation

I am not unnecessarily criminalised and professionals understand my circumstances, I am listened to and actively involved in any decisions they take about my life

My contribution to my community and wider society is both valued and recognised

## The Association of Directors of Children's Services Ltd (ADCS)

ADCS is the national leadership  
association in England for statutory  
directors of children's services and  
their senior management teams



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