

Adfam response: Powers to delegate children's social care functions

This is Adfam's response to the Department for Education consultation on allowing Local Authorities to delegate (ie outsource) children's social services functions to third party providers. It was submitted to the Department for Education as an official response form, and is reproduced below for ease of access.

Q: Do you agree with the proposed regulations?

A: No.

In this response, Adfam echoes the concerns of Children England:

“Children and young people's right to be protected from harm is one of the most fundamental human rights they have. Taking action to protect them is one of the most powerful duties of any state. Investigations and decisions about any child thought to be at risk of abuse or neglect are some of the most sensitive, skilled, highly-pressured and difficult professional judgments being made every day in our society. Such important public functions must never be open to the real, or even perceived, risk of being done in the pursuit of profit.”

Although privatisation may not be the stated aim of the new measures, it could easily be a consequence of opening up any market to 'third party' providers, as has already been demonstrated by the involvement in – and even dominance of – large private companies in other Government reforms like Transforming Rehabilitation (in the probation service) and the Work Programme (in employment support).

Making decisions about the welfare of vulnerable children is a complex and highly skilled job, requiring in-depth knowledge of family circumstances, nuanced risk assessment and successful joint work with other local agencies; this profession must be supported through effective qualification and training programmes, effective and ongoing supervision and professional development and, in many cases, years of experience on the job. When drugs and alcohol are involved – as they often are in social work caseloads – it can be an even trickier area of practice. On a daily basis, social workers must make decisions on issues like which services and support the child and family need to access, where they should be referred, and whether they should be kept together. This complex decision making process should not be distorted by any factor other than the best interests of the child, but opening up the market and introducing financial considerations risk precisely this.

The introduction of third party providers could also be problematic for the partnership working and information sharing which is so vital for effective social work. Families may move between different areas of the country and it is important that the transfer of social work responsibilities is smooth and unencumbered by blockages in the flow of information; introducing new providers would complicate this process. No information about families should ever be able to be classed as 'commercially sensitive' for a private provider of social work services.

The social care workforce is already undergoing significant changes and is the subject of ongoing reforms intended to improve practice; for example the recommendations of the Munro Review, the appointment of Chief Social Workers and the ongoing work of the College of Social Work and the British Association of Social Workers. Progress made over recent years should not be sacrificed in the name of more top-down reforms which risk creating inconsistencies and deteriorations in the professional standards of the workforce, which must be upheld and improved in order to keep children safe. Though innovation, reform and change are all positive developments, it is Adfam's view that this is best delivered by those with the best understanding of the nature of social work and extensive experience in delivering it; the current system does not be dissolved through the introduction of private companies in order to improve.

As much as the decisions of individual social workers about the welfare of children should not be made with one eye on cost, neither should the decisions of (potentially new) social work employers be dictated by financial considerations and the need to trim a wage bill. In involving third party providers, there is also a clear risk that a primary focus of commissioning decisions will be costs. Such an emphasis on cost savings is pitted against long-term outcomes for children. Social work caseloads are already at breaking point: in a survey by Community Care magazine, 88% of social workers said budget cuts in their local area had left children at increased risk of abuse. Low staffing levels, high turnover and high caseloads can all impact negatively on the quality of service for vulnerable children, and staff losses in the name of cost-cutting pose an obvious risk to children.

The pursuit of profit must not enter into decisions made about children's lives. One example is the placement of children with relatives (particularly grandparents) when their birth parents are unable to care for them, as often happens when parental substance use is a factor. Such arrangements are much cheaper than taking children into care, but these kinship carers must not be used as a cost-saving mechanism and put under undue pressure to take parental responsibility for vulnerable children without an appropriate package of support measures, including financial help. Many kinship carers Adfam has spoken to over the years have complained of being used as the 'easy option' to place a vulnerable child, and this would be exacerbated if there was an added financial incentive for third party providers looking to save costs to the care system. Any support service provided for children costs money, so if a private company's first instinct is to reduce the costs of such work, then children will be the ones who suffer.

The consultation states that all delegated functions must be 'discharged by or under the supervision of registered social workers', and that 'it is for local authorities in conjunction with their third party provider to decide how best to manage this'. Although flexibility is a worthy aim, this particular wording leaves almost unlimited room for manoeuvre, as 'supervised by' could quite easily be stripped down to dilute the influence of experienced, dedicated, properly trained and supervised social workers on everyday decision-making, to be replaced by a cheaper workforce with a form of 'expert oversight' or the use of 'advisory roles' at local authority level. This would not improve practice or the safety of children.

The people who know the most about social work – and who possess the 'expertise' the consultation claims is wanted – are social workers themselves. Social work will succeed or fail on the skills of its workforce. The sector has already been the subject of intense debate and raft of practice recommendations, including those sponsored by the Department for Education in the Munro Review of Child Protection; imposing new structural changes like the introduction of third party providers with no experience of frontline child protection work in order to 'innovate' risks losing positive progress being made in the social work sector, and alienating an already stretched workforce.



The 'freedom to explore a wide range of approaches' to any given problem is not an unqualified good, so it is disappointing to see one of only two questions in the consultation document devoted to this. The obvious suspicion is that, in analysing responses, the Department for Education will claim support for the outsourcing proposals by quoting the 'positive' responses to this effectively rhetorical question. Of course the regulations will give local authorities more freedom; but unless carefully and properly managed, and unless appropriate restrictions are imposed on profit-making companies, such 'freedom' for local authorities could result in poor outcomes for the vulnerable children that we have a collective responsibility to protect.

At the simplest level, decisions about children's safeguarding should not be made by people or companies who stand to profit financially from these decisions. For this reason, Adfam opposes the new proposed regulations.

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25 Corsham Street
London
N1 6DR

W: www.adfam.org.uk

E: policy@adfam.org.uk

T: 020 7553 7640