



Department
for Education

Consultation Response Form

Consultation closing date: 30 May 2014
Your comments must reach us by that date

Powers to delegate children's social care functions

If you would prefer to respond online to this consultation please use the following link: <https://www.education.gov.uk/consultations>

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Please tick if you want us to keep your response confidential.	<input type="checkbox"/>
Reason for confidentiality:	

Name: Holly Towell	
Please tick if you are responding on behalf of your organisation.	<input checked="" type="checkbox"/>
Name of Organisation (if applicable): Missing People	
Address: Roebuck House, 284 Upper Richmond Road West, London SW14 7JE	

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail:

consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's '[Contact Us](#)' page.

Please mark the category which best describes you as a respondent.

<input type="checkbox"/> Local authority	<input type="checkbox"/> Providers of social work services	<input type="checkbox"/> Social worker
<input type="checkbox"/> Social work educator	<input type="checkbox"/> Children representative body	<input type="checkbox"/> Social work representative body
<input type="checkbox"/> Local authority representative body	<input checked="" type="checkbox"/> Other (please specify)	

Comments:

Missing People is a UK charity which offers a lifeline to the 250,000 people reported missing to the police and other agencies each year. We listen in confidence, and support missing people and their families to explore their options and, where possible, to reconnect. For those left behind we provide specialised support to ease the heartache and confusion, and help search for their missing loved ones.

1 Do you agree that the draft regulations will give local authorities freedom to explore a wider range of approaches to discharging their social care functions?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure (please comment below)
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Comments:

Missing People is unsure that the draft regulations will necessarily provide local authorities with a wider range of approaches to discharging their social care functions. This remains to be seen, depending on the interest of new third parties in becoming providers of the services covered in the draft regulations, and whether they present worthwhile and effective alternatives.

We believe that improvements in social care hinge on attracting skilled professionals who are committed to promoting the wellbeing and development of children and young people, along with appropriate resourcing and investment. This does not necessarily correlate with increasing the ways in which local authorities are able to discharge their social care functions.

2 Do you agree with the proposed regulations?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Sure (please comment below)
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Comments:

Missing People believes that the state's duty to safeguard children is of utmost importance. It is clear that those in contact with social services represent many of the most vulnerable children within society, and as such they must be cared for and given tailored support to develop and thrive. Their safety and wellbeing is paramount here, and we believe that local authorities are best placed to provide these services – especially in view of their statutory responsibilities connected to children in their area – with support from not-for-profit organisations, such as charities.

Whilst the charity recognises that flexibility in delivering services can be a factor in the development of these, we believe that – as mentioned above – skilled professionals who are committed to promoting the wellbeing and development of children and young people, along with appropriate resourcing and investment to enable those professionals to respond to the wide range of needs a child may have, are the critical factors. We do not feel that the ability to delegate these responsibilities to private companies is the answer to improving children's services, as we are presently unconvinced that this will result in the innovation sought. Indeed, we are concerned that such a move may result in contracts being awarded to providers whose primary motivation is profit, rather than children's wellbeing. Furthermore, we are concerned that local authorities may find it challenging to balance the need for austerity and reduced social care budgets with delivering services, and that this may impact on decision-making when outsourcing.

Quality children's services, such as social workers, are a critical part of ensuring that vulnerable children are appropriately safeguarded and are provided with an environment within which they can fulfil their potential. Children requiring these services are likely to have multiple needs that need to be met, requiring a range of tailored services, and which need careful, committed and considered management. Local authorities should have existing contacts and relationships to oversee this to a high standard, for example, in referring children appropriately to health services and specialist education providers as needed; their memberships of Local Safeguarding Children Boards, Health and Wellbeing Boards, and local multi-agency safeguarding hubs (or their equivalents) should be particularly helpful here. We are unsure that third party providers would be able to match this, and are concerned at the prospect of children's services being viewed an opportunity for profit.

In addition, there are safeguarding issues that need to be considered around vulnerable children. Research highlights that issues that may lead children to being in touch with social services, such as conflict at home, are factors that can lead them to running away or going missing. Away from home or care, children are at risk of harm, including gang involvement, violence, drug abuse and sexual exploitation. Quality children's services are therefore required to help children avoid running away or going missing, and to deal with any issues they may have met with if they have. We again feel that local authorities are best placed to provide these with their existing relationships and the other services they provide, and the ethos of child wellbeing which underpins their work.

We are additionally concerned that delegating children's social care functions could create complications in information sharing and planning, with multiple agencies involved, and that ultimately children and young people may fall through the cracks. For example, if a child is placed in an out of area care placement, this could involve communication and information sharing between two local authorities, along with two externally contracted social care agencies, and a care home, whereby databases and information sharing methods may differ. This could lead to delays or failures in information sharing and planning, which could be detrimental for children and young people, and if they went missing, safeguarding opportunities may be missed (such as likely destinations or risk factors).

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply.	X
E-mail address for acknowledgement: holly.towell@missingpeople.org.uk	

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, please confirm below if you would be willing to be contacted again from time to time either for research or to send through consultation documents?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](#)

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
- departments will need to give more thought to how they engage with and use real discussion with affected parties and experts as well as the expertise of civil service learning to make well informed decisions
- departments should explain what responses they have received and how these have been used in formulating policy
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

If you have any comments on how DfE consultations are conducted, please contact Aileen Shaw, DfE Consultation Coordinator, tel: 0370 000 2288 / email: aileen.shaw@education.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed responses should be sent to the address shown below by 30 May 2014

Send by post to: Social Work Reform Unit, Department for Education, First Floor, Sanctuary Buildings, Great Smith Street, Westminster, London, SW1P 3BT.

Send by e-mail to: SocialServiceFunctions.CONULTATION@education.gsi.gov.uk