

Joint LGA / Solace response – Powers to delegate children’s social care functions

30 May 2014



About the Local Government Association

The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government. We are a politically-led, cross party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

About Solace

Solace (the Society of Local Authority Chief Executives and Senior Managers) is the representative body for senior strategic managers working in the public sector in the UK. We are committed to promoting public sector excellence. We provide our members with opportunities for personal and professional development, and seek to influence debate around the future of public services to ensure that policy and legislation are informed by the experience and expertise of our members. Whilst the vast majority of Solace members work in local government we also have members in senior positions in health authorities, police and fire authorities and central government.

Response

The LGA and Solace support the principle of greater flexibility for councils to deliver services in the way that works best for local children and young people. We believe that the regulations proposed in this consultation are a step in the right direction, giving councils the freedom to work creatively with local partners while retaining overall leadership and accountability for service commissioning and delivery. We are aware that service redesign already underway in some council areas would benefit from the freedoms proposed in this consultation, and agree that innovative approaches to the delivery of children’s social care functions should not be stifled by inflexible regulations.

We are aware of concerns highlighted in the media that these proposals risk leading to whole scale privatisation of children’s social care services. The LGA and Solace remain of the view that this is unlikely, and that limited capacity exists for child protection services, in particular, to be delivered by external organisations. The experience of councils and of other public sector bodies seeking to secure a strategic partner for service delivery is that the most complex and difficult tasks such as child

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protection do not readily attract commercial or not for profit providers. It is, however, crucial that we do not create a situation where the easy or profitable aspects of children's services are cherry picked, leaving councils with an unmanageable portfolio of disjointed and risky services. The experience of members with roles in the education and criminal justice sectors suggest this is a valid and substantial concern that must be borne in mind.

While we would not wish to see private sector bodies excluded from delivery of these services in future, we are concerned that the introduction of a perceived profit motive into decisions about our most vulnerable children and young people risks undermining public confidence in this hugely challenging work. We therefore believe it is crucial that any decision to commission out all or part of a service is taken by democratically accountable councils, and that councils continue to oversee and be held accountable for the delivery of those services.

It is clear that the majority of the experience and expertise in undertaking this work remains with councils, and councils should continue to be the driving force behind this type of innovation. Both the LGA and Solace remain committed to both the principle and practice of sector led improvement in children's services. The models emerging in areas such as Hampshire and the Isle of Wight, Richmond and Kingston, and Doncaster all retain clear local authority leadership and robust lines of accountability. Retaining this clarity of leadership and accountability and utilising the experience and expertise of the sector itself will continue to be vital to the success of any future initiatives.

In some cases, a council may judge that the needs of local children and families will be best served by commissioning all or part of a service from a third party provider. Councils have a strong record of effectively commissioning external providers to deliver services on their behalf across a wide range of service areas, and regularly make use of the expertise of organisations including private companies, charities, and voluntary organisations to help them deliver the best possible services. However, it is crucial that any decision to make use of alternative providers is left to local discretion, and local decision making must remain paramount.

We are aware that Professor Julian Le Grand will be examining the issue of capacity as part of his upcoming review of children's services improvement, and the new Innovation Fund is a valuable opportunity for the public sector to demonstrate its creativity in developing new models of social work practice. We look forward to working closely with government on both these initiatives over the coming months.



Submission