Dear Robert,

March 2018

I would firstly like to thank you for the recent opportunity to continue the important discussion about fostering and improving the outcomes of vulnerable children. The Education Select Committee's report and the Foster Care in England report by Sir Martin Narey and Mark Owers, alongside the government's current programmes of wider reform to children's social care, present an opportunity for us to focus on driving improvement that will make a real difference to the experiences and outcomes of children and young people in foster care.

It is clear from both reports, and the discussion we had on 14th March, that there is more that we could, and should, do to improve children's experiences of foster care. We need to:

- ensure that there are enough high quality fostering placements available in the right place and at the right time, to meet the needs of children in the care system;

- ensure that foster parents receive the support and respect they need and deserve, for the incredibly valuable role that they play in looking after children in care; and

- ensure children and young people are listened to, that their wishes and feelings are taken into account and they are involved in the decisions about their lives.

The Foster Care in England report looks at different options for ensuring the right oversight and scrutiny in the foster care system, including recommendations specific to increasing flexibility around the Independent Review Officer role and the presence of two social workers in long term fostering arrangements. Whilst not everyone agrees with these recommendations, I welcome the debate and discussion that they have prompted. I think it is right for us to consider whether we have the right checks and balances in place and whether they are working effectively to ensure that children and young people's rights are protected and they have access to their entitlements. Of course, as part of this, it is essential that
there is strong and clear leadership at every level to safeguard the needs of children and drive forward improvement.

The government commissioned the independent review to provide constructive challenge to government, as well as the sector, and to identify possible ways to improve the fostering system. Sir Martin Narey and Mark Owers spent 9 months gathering evidence from a diverse range of sources, including a significant number of meetings with a range of individuals and organisations. An evidence review was published in July 2017 that brought together existing data and research, and over 300 submissions were received in their call for evidence. The Children’s Commissioner undertook a survey of 100 children and young people, the findings of which form an annex to the report, and provides invaluable insight into young people’s views in addition to other meetings the reviewers held with young people. I am confident that Sir Martin and Mark drew their conclusions from careful consideration of a broad evidence base.

During our discussion, I committed to provide further information on a number of areas. I hope that the information below proves useful.

Early years workforce

I agree that we want young children to have both male and female role models in their early years and having a diverse range of people working in childcare has an important part to play in this. I am pleased to confirm that the early years workforce strategy was published on 3 March 2017, which included a commitment to set up a gender diversity task and finish (GDTF) group to consider the issue in greater detail. The GDTF group is expected to report to the department in the spring on the factors influencing the number of men in childcare and present possible solutions to increase this number. We will consider the GDTF’s response carefully before deciding what steps can be taken to address this issue. The early years workforce strategy can be accessed at: 
https://www.gov.uk/government/publications/early-years-workforce-strategy

Quality of early years practitioners in disadvantaged areas

There is clear evidence that the quality of early years provision is rising. The latest Ofsted data confirmed that 94% of early years and childcare providers are rated as good or outstanding - the highest proportion and an increase of 20 percentage points since 2012. Our study of early education and development (SEED) research also found that since 1998/99 there has been a general increase in the quality of settings for three- and four- year olds, and that children in deprived areas were equally likely to receive good quality provision as children in less deprived areas.

However, we are not complacent and our workforce strategy set out a number of commitments to support the development of the early years workforce. For example, we have recently consulted on criteria for new, more robust, level 2 qualifications and are now working with stakeholders to finalise these. Through the social mobility strategy we also announced a new £20m investment in school-led professional development activity to support pre-reception settings with a focus
on disadvantaged areas. This is complemented by the work of the employer trailblazer group in developing a new level 3 apprenticeships standard and the creation of the new T-level qualification in early years. We continue to support graduates into the sector by funding the Early Years Initial Teacher Training programme, including bursaries and employer incentives. We are also currently considering a range of approaches to supporting graduates in the early years workforce – including in disadvantaged areas.

Social Mobility

The Department of Education’s plan, ‘Unlocking Talent, Fulfilling Potential: a plan for improving social mobility through education’, was published in December 2017. As the Committee will be aware, where you are born all too often shapes your opportunities and there remain stubborn differences in outcomes for disadvantaged children and young people at all educational stages in different areas of the country. Our plans tackle this head on by addressing variations in the quality of services and outcomes by targeting key policies at disadvantaged areas. Examples of this include Opportunity Areas, careers hubs, and growing the coverage of teaching schools and national leaders of education in cold spot areas. Our social mobility strategy set out a comprehensive approach to tackling social mobility, including:

Early Years
- Evidence-based home learning environment programmes
- Training for health visitors and early years practitioners
- Professional development for early years practitioners
- English Hubs
- Early Years System Leadership Programme and support to improve take up of early years education
- ‘What Works’ fund with EEF
- Nursery capital fund

Schools
- Teaching for Mastery
- Student loan reimbursement pilot
- Higher retention payment for maths teachers in challenging areas
- Supporting teacher recruitment and retention in schools with disadvantaged intakes
- Teaching and Leadership Innovation Fund
- Teacher Development Premium
- Targeting the MAT Development and Improvement Fund
- Teaching Schools in challenging areas
- NLEs in challenging areas
- EEF Research Schools
- Strategic School Improvement Fund
- Maths hubs
- Future Talent Fund
Post 16
- Strategic College Improvement Fund
- National Collaborative Outreach Programme
- Evidence & Impact Exchange for Widening Participation

Careers
- Collaborative ‘careers hubs’
- Development of Careers Leaders in schools
- Essential Life Skills programme in Opportunity Areas

Contact with birth parents

Many children value the relationships they have not just with family, but with friends, previous carers and other important people in their lives. What is clear is that decisions for contact need to be based on the best interests of the child – whether that is about contact or placement with siblings. For many children, being placed with siblings or having contact with birth parents is exactly what they need. It can often be very important to help children and young people develop their sense of identity and understand their lives. For others, it is not the most appropriate arrangement for their individual circumstances. What we want to see is proper consideration of the child’s best interests. It is important that contact arrangements are driven by the need to safeguard and promote the welfare of the child and take into account the evolving circumstances and emotional development of each individual child.

We believe that the current legislative framework puts this emphasis on the best interests of the child. Historically, there were concerns that some contact arrangements were driven by the perception that contact should take place, rather than on the basis of the individual needs of the individual child. That is why through the Children and Families Act 2014, we amended section 34(1) of the Children Act 1989, to make it clear that the duty on local authorities to allow reasonable contact between a child in care and their parents, guardians and certain others is subject to the duty on local authorities to safeguard and promote the welfare of looked after children in accordance with section 22(3)(a) of the same Act. The Foster Care in England report refers to this amendment. This amendment stipulates that “reasonable contact” can be arranged provided it does not directly undermine the welfare and safeguarding of looked after children. In the examples that the reviewers highlighted, it was apparent that decisions regarding contact did not have the welfare of the child at their centre. Many young people and foster carers have written to me and my predecessors with similar examples, which suggests that the best interests of the child are not always put first in forming these arrangements – this is why the 2014 Act amended the duty around contact and why we are keen to ensure that this is always the case.
Staying Close

As you are familiar with, Staying Put provides the opportunity for young people in foster care to remain with their foster carers to age 21. It allows those young people to benefit from the continuity of the relationship with their carer and to make a more gradual transition to adulthood, avoiding a ‘cliff-edge’ at age 18.

We want to provide an enhanced offer of support to those young people leaving residential care, which provides similar benefits to those provided by Staying Put. We asked Sir Martin Narey to consider how we could improve transitions from care as part of his wider review of residential care and he recommended that we introduce Staying Close, following piloting to determine its costs and how best to implement it.

Staying Close provides both an offer of accommodation that is as close as possible to the young person’s former children’s home, and a package of practical and emotional support provided by a member of staff from the former children’s home, who the young person knows and trusts.

DfE is providing funding of over £6m to support eight Staying Close pilots in: Suffolk, Portsmouth, Ealing, Bristol, North East Lincolnshire, North Tyneside, Hampshire and Norfolk. All of the pilots will begin implementation from April 2018 and will conclude between January and March 2020. The department is developing proposals to evaluate the pilots.

Pupil Premium

The department has developed an attainment gap index to allow for accurate comparisons in the attainment of disadvantaged pupils and other pupils over time – and I am pleased to report that at key stage 4 the attainment gap between disadvantaged pupils and others has decreased by 10.0% since 2011 and 3.2% in the last year. At key stage 2, the gap has decreased by 10.5% since 2011. Against the background of rising standards and higher quality qualifications, this improvement means better prospects for disadvantaged pupils.

I agree that it is difficult to prove direct causation between pupil premium and decreases in the attainment gap. Pupil premium has not had a control group of pupils to enable direct impact measurement or a comparison of outcomes. In addition, giving schools freedom to use the grant in any way they choose, including for whole-school approaches, and the number of funding streams schools apply for makes isolating the impact more challenging. However, we do know from the hundreds of applications for the annual Pupil Premium Awards that the pupil premium is making a measurable difference in schools where it is used well. Additionally, the characteristics of schools where disadvantaged pupils consistently do well were researched and published in 2015 by the National Foundation for Education Research (NFER). This report was well-received by school leaders and provides an evidence-based roadmap to maximising the pupil premium’s impact on narrowing attainment gaps. The report can be accessed at the following link: https://www.nfer.ac.uk/publications/PUPP02
In addition, the Education Endowment Foundation (EEF), established for a 15 year term with a £137m grant from the department, works in schools to establish what works best to raise the achievement of pupils supported by pupil premium.

During our discussion we touched on the scope of the pupil premium, and the fact that eligibility ceases at the end of year 11. The Government is determined to ensure disadvantaged students are properly supported in their post-16 education at college or sixth form. The national funding formula for 16-19 year olds includes extra funding for disadvantaged students. This funding is provided to colleges, schools and other providers specifically for students with low prior attainment and those who live in the most disadvantaged areas, as defined by the “Income deprivation affecting children index” (IDACI): in 2017/18, around £520million is being allocated to enable institutions to support, attract and retain disadvantaged 16 to 19 year olds, and to support students with special education needs and disabilities.

We have also allocated £130 million in 2017/18 to institutions for Discretionary Bursaries to help disadvantaged young people to access education and training, with a further £34 million allocated for free FE meals.

**Automatic Enrolment**

In addition to the specific pupil premium plus eligibility we have in place for children in care and those who have left care through adoption, pupil premium funding is attracted to schools based on the numbers of pupils claiming Free School Meals (FSM). We want to make it as simple as possible for schools and local authorities to determine eligibility for this. Schools and local authorities have worked hard to encourage all eligible families to register for free school meals. We have highlighted and will continue to disseminate best practice from these schools and local authorities for other schools to use, including a model registration form and guidance: [https://www.gov.uk/government/publications/free-school-meals-and-pupil-premium-registration-form](https://www.gov.uk/government/publications/free-school-meals-and-pupil-premium-registration-form)

The department provides an Eligibility Checking System (ECS) to make the checking process as quick and straightforward as possible for schools and local authorities. We will also provide guidance to Jobcentre Plus advisers so that they can make Universal Credit recipients aware that they may also be entitled to wider benefits, including free school meals.

Under the provisions of the Education Act 1996, free school meals can only be given to a child once a request has been made on their behalf. The legislation therefore prohibits automatically registering a child for a free school meal, as this request must be received first (usually from the child’s parents). Alongside the legislative position, there is a question of privacy. Some parents on low incomes may not wish their child’s school to know that they are in receipt of certain benefits or that they have an income below our new threshold. The current system requires parents’ consent before their income and benefits data can be used for this purpose. In addition, automatic enrolment would also require the government to
undertake complex new IT development to match households' income and benefits data against pupil and school data.

**Early Intervention**

Thank you raising the important issue of early help to provide support as soon as a problem emerges, at any point in a child's life, to mitigate the risk of escalation to children's social care and reducing the risk of harm.

*Working Together to Safeguard Children* sets out that early help services should form part of a continuum of help and support to respond to different levels of need of individual children and families. We are clear that local areas should undertake early help assessment of children and their families where necessary and should have a range of effective, evidence-based services in place to address assessed needs early. Specific early help services will typically include family and parenting programmes, assistance with health issues and help for problems relating to drugs, alcohol and domestic violence. Services may also focus on improving family functioning and building the family's own capability to solve problems.

The guidance also sets out that the Local Safeguarding Children Board (LSCB) should publish a threshold document, which has been agreed with the local authority and its partners, that sets out the levels for the different types of assessment and services to be commissioned and delivered. This should be based on understanding the prevalence of the local area. We also require LSCBs to monitor the effectiveness of early help provision.

The government is currently running a communications campaign, *Together we can prevent child abuse*, in order to increase public understanding of the signs of abuse and what to do if they see them. The department also part funds the NSPCC to run Childline and the NSPCC helpline — services which help the public to discuss abuse and neglect and work through what action to take.

In addition, we are currently reviewing the support for children in need to help us to understand why their outcomes are so poor and what further support they might require. We specifically want to develop the evidence to understand what makes a difference to the educational outcomes of children in need and what works in practice to improve those outcomes. As part of the review we launched a call for evidence and released new data and analysis on children in need. This can be accessed at the following link:


Once again, I am grateful to the committee for your report and for raising the profile of these very important issues. We already have underway an ambitious programme of reforms to children's social care, in residential care and social work for example. I am delighted that we now have an opportunity to improve the
outcomes for children living in foster care and for those working to support our young people in care. Our goal must be to ensure that any reforms we introduce have a direct and sustainable improvement to the lives of children and young people. As such, I am committed to ensuring that the child is placed at the centre of our policy development and of decision-making nationally and locally. It is imperative that central and local government work together on this wide programme of reform, hand-in-hand with the many other essential agencies in the social care system. I look forward to working with local authorities, independent fostering agencies, foster parents and of course young people themselves as we develop our government response and set out our ambitions for children and young people in foster care.

Yours sincerely,

Nadhim Zahawi MP
Parliamentary Under-Secretary of State for Children and Families