Children of the State:
Reforming the care system.
New Labour and corporate parenting

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Abstract: *This paper is a development of the scene setting presentation made by Nick Frost, Professor of Social Work (Children, childhood and families), at the 'Fostering Matters' symposium that was held at the University of Salford in March 2007. By focussing on the stability of placements and education, the paper considers the Green Paper Care Matters: Transforming the lives of Children and Young People (DfES 2006a) and the subsequent White Paper Care Matters: a Time of Change (DfES 2007) in terms of New Labour's ideological approach to the modernisation of services. Although there have been criticisms of the government's policy, it is concluded that there has been a distinct shift away from the minimalist help that was offered to children who were unable to live with their families.*

Keywords*: foster care; corporate parenting; looked after children; care experienced people; independent practices*

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Introduction

Since coming to power in 1997, the New Labour government of the United Kingdom (UK) has pursued a reform agenda informed by an ideological approach known as 'third way'. Aiming to offer a middle path between the politically left and right (Giddens, 2006), the third way: demands a balance between rights and responsibilities; promotes independence through work; provides for genuine need; and encourages lifelong learning. This approach is associated with the construction of the 'social investment state' (Giddens, 1998, cited in Fawcett et al., 2004). That is, the population is understood as human capital, and state investment should facilitate social inclusion, particularly by means of participation in the employment market, as opposed to welfare dependency and social exclusion. In order to encourage independence and active participation in employment, the state is investing in a healthy and educated workforce (Jordan with Jordan, 2000, drawing on the work of Carling, 1999). This ideological foundation has informed the modernisation of the welfare services in general and the services to children and their families in particular (Anning et al,, 2006).

The goal that all children should reach their potential and become fully included and participating members of society is enshrined in the *Every Child Matters* policy (DfES, 2004) and related Children Act, 2004. This overarching policy framework and legislation requires local agencies to co-operate with a view to: improving the physical and mental health and emotional well-being of children; protecting children from harm and neglect; providing them with education, training and recreation; facilitating their contribution to society; and facilitating their social and economic well-being. Whilst it is expected that universal services will meet the needs of most children, children with more complex needs, such as those who are looked after by the local authority, will be offered focussed assistance.

The focussed assistance required by looked after children was set out in the Green Paper *Care Matters: Transforming the lives of children and young people in care* which was published in 2006 (DfES, 2006a). The issues that informed the content of this Green Paper as well as the proposed policy directions were discussed at a symposium held in March 2007 at the University of Salford. A version of this paper was presented by Nick Frost, Professor of Social Work (Children, childhood and families) at Leeds Metropolitan University, as a 'scene setting' introduction to the discussion. Here attention will be drawn to the ways in which the state has failed to act as a 'good parent' and research findings that have shown that young people cared for by the state have been at a heightened risk of becoming socially excluded as adults. The content of the Green Paper and subsequent White Paper *Care Matters: A time of change* (DfES, 2007) which aims to resolve this situation will then be outlined. Before the paper is concluded, some of the criticisms of the government's proposals will be acknowledged. Inevitably a relatively brief article limits the content of the discussion and only a few of the policy initiatives can

be addressed here: these are, child care placements, social work services, and the education of looked after children.

The state as parent

Throughout history there have always been occasions when a particular child could not be cared for by his/her own parents. On such occasions parental care has been assumed or shared, formally or informally, by kith and kin, charities, or the state. At this point in the discussion, the focus is not on why the state might take on the role of parent, but on how it carries out the responsibilities it has assumed. In the past, it was considered acceptable for the state to provide care by means of institutions. Since the 1950s, however, theoretical developments, empirical research findings and scandals have thrown this option into disfavour. Attachment theory (Bowlby, 1951) challenged the appropriateness of institutional settings, particularly for young children, on the grounds that they did not facilitate the development of a close relationship, an essential requirement for sound psychological development. In consequence, the placing of children with substitute or foster families has become the preferred form of state provision. Whilst Utting (1991) concluded that there remained a need for some residential care, as some children could not or should not be placed with families, scandals (for example, Levy and Kahan, 1991; Kirkwood, 1993) have not encouraged its use. Despite government initiatives and academic contributions encouraging the improvement of practice in residential settings and the appreciation of its contribution (see for example, Utting, 1997; Whittaker et al., 1998; The Violence Against Children Study Group, 1999; Berridge, 2002) it has continued to be an option of last resort (Jackson, 2002).

Although substitute family care may be considered a more attractive alternative to residential care, research has shown that the rate of disruption in foster placements could be as high as 50% (Trasler, 1960; Parker, 1966; George, 1970; Napier, 1972, all cited in Simmonds, 1988). More recent research findings continue to show a high level of disruption (Selwyn and Quinton, 2004). The general level of placement disruption, irrespective of setting, has increased over recent times. Since the introduction of the Children Act 1989, the rate of placement change has doubled (Packman and Hall, 1998 cited in Jackson, 2002). Biehal et al. (1995) found that only one in ten of the young people in her research sample had remained in the same placement throughout their care career whilst '10 per cent had moved more than ten times' (Biehal et al., 1995, cited in Jackson, 2002, p.39). Between 1995 and 2000, the average number of placements experienced by those in the care system increased from 2.9 to 3.5 (DH, 2001, cited in Jackson, 2002). It has recently been concluded that some children who are looked after by the state experience as many as three placements in one year (DfES 2006b, cited in Munro & Hardy, 2007).

Placement change can occur for a variety of reasons. Drawing on the available research, Jackson (2002) suggests that a placement may breakdown if a child or young person requests a move or more usually if the residential workers or foster carers refuse to continue providing accommodation. This later example may be associated with the behaviour of the young person. Very often, however, moves are dictated by local policies, for instance, they may be the result of rules concerning short-term and long-term foster care or the closure of residential establishments. In terms of the latter, financial imperatives may be at work. In addition, the local authority does not always have control over the length of a placement, and delays in court procedures can impact negatively by preventing the move to a permanent arrangement. The rate of placement change has become an issue because numerous moves are considered to be detrimental to a child's development. Citing the work of Parker et al. (1991) and Harwin and Owen (2003), Selwyn and Quinton (2004, p.7) confirm the view that placement 'stability has been linked to better outcomes for children'. In consequence, the Department for Education and Skills recently commissioned a review of the literature on patterns of placement stability (see Munro & Hardy,, 2007). With reference to the work of Bowlby (see above), numerous placement moves are seen as inhibiting a child's ability to development and maintain relationships. Frequent change may make it difficult for a child to achieve a positive individual and social identity as contact with his/her family and community, as well as knowledge of his/her past may have been lost (see for example, Rowe et al., 1984, cited in Simmonds, 1988). Rapid turnover of social workers may also be detrimental. Furthermore, consistency in education and health care is considered beneficial if a child is to reach his or her potential. Although the state may have attempted to act as a good parent, research has shown that for many children stability and continuity of care has not been guaranteed. In addition, the state has also been criticised for expecting young people to become independent prematurely and for failing to support them adequately as they make the transition to adulthood (Wade, 2003). This may compound and/or contribute to the difficulties experienced by young people as they leave care to live independently.

The following summary of key research findings highlights the difficulties for specific categories of care leavers:

- Many care leavers have lower educational attainment, higher unemployment rates, more unstable career patterns and greater dependency on welfare benefits than other young people.
- Young women leaving care aged between 16 and 19 are more likely to be young mothers than other young women of that age group.
- Black, Asian and mixed-heritage young people may face additional problems due to lack of contact with their families and communities as well as experiencing racism.

- Young disabled people leaving care may experience abrupt or delayed transitions from care due to restricted housing and employment options and inadequate support (Stein, 2002, p.61).

In consequence, young care leavers are at a heightened risk of becoming socially excluded adults.

Improving state parenthood

It is important to acknowledge that since coming into office in 1997 the New Labour government has consistently been attempting to improve the quality of the care it has offered. The Quality Protects (QP) Programme (DH, 1998), was in part a response to scandals concerning abuse in residential care settings. Between 1999 and 2004 an investment of £885 million was made in the child care system on the basis of each local authority's detailed annual 'management action plans'. A core feature of QP was improving outcomes for looked after children that were measured by performance indicators. There was a particular focus on educational achievement and support for care leavers. Further support was offered to young people by means of the Children (Leaving Care) Act passed in 2000. It is by means of the Care Matters policy initiative, however, that the government has explicitly committed the state to improving outcomes for looked after children by providing the highest standards of corporate parenting:

> The State has a unique responsibility for children in care. It has taken on the task of parenting some of society's most vulnerable children and in doing so it must become everything a good parent should be (DfES, 2006a, 1.1)

> A good corporate parent must offer everything that a good parent would provide and more, addressing both the difficulties which the children experience and the challenges of parenting within a complex system of services (DfES, 2007, 1.20)

As indicated above, the *Care Matters* initiative aims to improve the state's performance as corporate parent by means of varied measures. The measures summarised here appertain to the enhancement of continuity in the lives of looked after children as well as the aim to increase the educational achievement of care leavers (see DfES, 2007).

The White Paper gives importance to the role of social worker in the state's performance as parent. Social workers are central to the provision of continuity. For children placed away form home they provide a crucial facilitative link with their families and communities. They can also act as an important, relational 'bridge' if

placement change has to occur. In consequence, it is proposed that social workers should visit the children in their care more often, irrespective of placement type. Given that at present social workers have only limited time for direct contact, the White Paper proposes that the Children's Workforce Development Council and the General Social Care Council should collaborate in the remodelling of the social care workforce. Finally, the establishment of new organisational partnerships termed 'social work practices' should be piloted on the basis that these independent arrangements might improve the delivery of social work services.

Given that a child is most likely to experience stability in the home of his/her birth parents (Schofield et al., 2000) the government proposes to invest resources in returning a child home whenever possible. In order to help children and young people to retain relationships with their own family and members of their community, it is proposed that local authorities should not be allowed to place them outside of their own locality unless it is in their best interests to do so. Furthermore, perhaps reflecting the recommendations that the local authority should use a wide range of placements, including residential (Laming, undated), specialist commissioning units should be established. It is intended that a greater number and variety of placements in each locality, will reduce the need to place children at a geographical distance. Finally, continuity in education is emphasised and it is proposed that a local authority's care planning should not disrupt a child's education. Moves between schools in years ten and eleven when crucial work for examinations is being undertaken should only occur in exceptional circumstances.

In addition to facilitating continuity in education as identified above, proposals within the White Paper aiming to improve the educational outcomes of young people include:

- High quality early years education should be available for all children in care
- A review of the educational position of children in care should take place in the academic year 2008-9
  Children in care should only be excluded from school as a last resort
- Alternative provision for excluded children in care should be available from the first day of exclusion
- The National Minimum Standards for foster and residential care relating to education should be raised
- The role of the designated teacher for children in care should be strengthened
- There should be a virtual school head teacher for children in care in each local authority
- Personal Education Plans should be established for all children in care
- Funding to pay for extra help for children in care who are not reaching their targets should be made available
- Specified services should be extended for children in care
- Home-school agreements should be enhanced

- There should be an improvement in services for children in care who are deemed to have 'special educational needs' (DfES, 2007, 4.10-4.56)

This brief summary hardly does justice to the width and depth of the *Care Matters* proposals relating to the education of children in care. In addition to what has been described, there are a range of proposals relating to further and higher education. In total, this appears to be a fundamental attempt on the part of the government to address poor educational outcomes for the care population. Despite this, critical comments on the White Paper have been made and it is to these analyses that attention is now turned.

Care Matters: Critical perspectives

Whilst the *Care Matters* initiative has in general been welcomed by lobby groups and voluntary organizations, two critiques have emerged. These critiques concern firstly, the plans for the making of social work independent of local authorities and secondly the reliance on 'outcome' evaluation.

As indicated above, it has been proposed that Directors of Children's Service should commission or purchase social work services from small, independent practices of social workers. The proposed arrangement of these practices appears to be similar to that of General Practitioners in the National Health Service (NHS). According to the *Green Paper*, social workers operating independently from the local authority might provide a more flexible and therefore improved service (DfES, 2006a, 3.17). However, the problems in social work provision concern the lack of continuity in the relationship between practitioners and children (Le Grand, 2006). Social workers do not see children enough and they do not see the same social worker over a period of time. This latter problem results from too high a turnover of staff: dissatisfaction with the deterioration in their employment context means that social workers are leaving their posts (see Harlow, 2004). This problem may be the consequence of excessive bureaucracy and the dominance of managerialism. This might stem from either poor management at the local level, which could be resolved within the current organisational form, or from the demands of central government, which would also impact upon independent practices. In short, re-organisation and the creation of independent practices may either not be necessary or may not provide the solution (Le Grand, 2006). Social workers as representatives of the corporate parent do not have to work in independent organisations in order to provide a good service.

Toynbee (2006) is also critical of this proposal on three main grounds. Firstly, there is enough reform in children's services taking place in the UK at the moment. The *Every Child Matters* agenda is demanding, but progress is being made and this

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progress should not be disrupted. Secondly, the proposed reforms would create extra costs. In addition to the cost of the social work services, there would be the cost of the commissioning body. Finally, according to Toynbee, similar organisational experiments in the NHS have largely failed. For Toynbee then the system should be left largely as it is with the *Every Child Matters* reforms being given the opportunity to take effect. It might also be argued that the proposal for independent social work services would create fragmentation and erect barriers between the practices and the rest of the local authority provision. This would occur at a time when the more general shift is towards 'joining-up' services (see Frost, 2005).

The second critique concerns the over-reliance on the simplistic measurement of outcomes for care leavers that underpin the *Care Matters* proposals (Stein, 2006). Although Stein has advocated for improvements in corporate parenting, particularly in relation to young people leaving care (Stein, 1997; Stein & Wade,, 2000), he is critical of the state care being held solely responsible for their long term welfare. According to Stein (2006), holding state care as solely responsible is flawed because firstly, many young people only spend a brief period in care and this brief period cannot be expected to have any significant impact on their long term welfare or educational achievement. Secondly, many of those who leave care between the ages of sixteen and eighteen come into care between the ages of ten and fifteen years, often from disadvantaged backgrounds and with already disrupted educations. Thirdly, there needs to be a distinction between three groups of care leavers: those who move on – and often have successful outcomes; those who 'survive' and may do well if adequately supported; and those who are highly vulnerable – who form perhaps five per cent of the care population, but whom are strongly associated with a 'failing' care system (see Action for Aftercare, 2004). Fourthly, outcomes may improve as young people mature. Having surmounted the usual challenges of youth, some care leavers may achieve personal objectives and become fully participating members of society. In consequence, longitudinal research is required in order that outcomes for care leavers might be more fully explored. Finally, current outcomes measures are too crude as they detach young people from their backgrounds and fail to take into account the difficulties they have already endured.

Both Toynbee (2006) and Stein (2006) conclude that the children and young people who are cared for by the state have to be understood in the light of their background. This means that any assessment of the state as corporate parent has to take this into account, but also attempts to improve the social inclusion of care leavers must address the wider social issues such as poverty and a poor education system in general.

Conclusion

The proposals outlined in both the Green and White papers are further indication of the UK government's attempt to reform and modernise the organisation and delivery of welfare services. Without any empirical evidence to support the measure, the shift towards the independence of social work services to 'looked after' children appears to be ideologically driven. Whether this stance is more reflective of neo-liberalism than the 'third way' ideology that is said to inform New Labour is a point for discussion. Nevertheless, the 'third way' as described above, is clearly evident in the *Care Matters* agenda.

In order to reduce the risks of young care experienced people becoming socially excluded, the government is taking seriously its responsibility as a corporate parent and attempting to improve its performance. By attending to the question of placement stability and relational continuity, the state is endeavouring to provide positive foundations from which children and young people can develop. By investing in the education of children in care as well as assessing and purposively managing their progress into post-school provision, it is intended that qualifications and training will facilitate long term employment and non-dependence on the state. In this way, young people with experience of the care system will take on their responsibilities as citizens and become active social participants.

Although there have been criticisms of the government's proposals, there is a good deal to be applauded. In particular, there has been a distinct shift away from the stigmatised, minimalist approach that historically informed the provision that was made available to children who were unable to live with their families. In addition to new policies, plans and material resources, the emphasis on the state as corporate parent is enhanced. The state as parent is represented, not only by central and local government, but all members of the children's workforce. All of these professionals are now explicitly required to, not only 'care for', but 'care about' the state's children (DfES, 2007).

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