



# **NO RECOURSE TO PUBLIC FUNDS SERVICE REVIEW FOR LONDON BOROUGH OF LEWISHAM**

The Centre for Public Innovation

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The Centre for Public Innovation is a Community Interest Company that provides research, training, support and advice in the fields of health, social care, criminal justice and community development.

Our mission is to improve the outcomes of services for their users, with a particular emphasis on the most disadvantaged.

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# 1 Executive Summary

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## 1.1 Background

No Recourse to Public Funds (NRPF) refers to a restriction imposed on persons from abroad subject to immigration control, and which denies access to mainstream welfare benefits, public housing and assistance under the Housing Act 1996. In practice this cohort may still be assisted by the local authority under s17 of Children's Act 1989 or the Care Act 2014, and the effect of these restrictions has been to transfer the financial burden onto local authorities, which were severe. This is a complex area of business for local authorities, and in recent years the demands placed on councils have been amplified by other pressures commonly associated with the 'hostile environment'. In 2012 the nrpf restriction was imposed on Zambrano carers whose financial needs were subsequently left to by local authorities under s17 of the Children's Act 1989, and the right to rent restrictions imposed by the Immigration Act 2014 similarly forced many households to seek assistance from the local authority. Combined with the effect of delays in the processing of immigration applications by the Home Office such reforms led to a dramatic increase in local authority spending. In 2012 spending on households with the NRPF restriction stood at £2.2m and a year later this had more than doubled to £5.3m. This is a complex area of business for local authorities and many local authorities opted to carry out internal reviews of this emerging need

In Lewisham this was concluded in January 2014. The review recommended delivering a pilot NRPFs programme. The service has been subjected to significant external scrutiny and challenge since its inception including from third sector advocacy and support projects, local MPs and legal challenges in relation to some of the decision making. The current administration was also anxious to ensure that all services, whilst complying with relevant statutes also met the highest standards of the sanctuary borough. As a result, an independent review was commissioned to look at the robustness of safeguarding practice and to determine whether legal and ethical obligations are being met whilst complying with relevant statutory guidance.

The Centre for Public Innovation were commissioned to carry out this review as an independent party.

## 1.2 Summary of findings

This review does not find examples of cases where the decision making was illegal or not justifiable including the recent Human Rights Assessments. It does find in some historic cases that the tone of the reported discussion and the nature of the questioning may have had the effect of discouraging service users from re-presenting to the service. In more recent assessments there is a notable change in tone and emphasis though the review has still identified areas for improvement.

It is noted that the strategic focus under current management arrangements is much more heavily focused on regularising the immigration status of clients rather than what might be interpreted as gatekeeping. The review endorses this approach as the correct one and views the funding of an immigration solicitor to help support applicants to positively resolve their immigration as an example of good practice which can be built upon

Local community groups consulted noted that, among the clients that they had worked with, there were historic reports of a "hostile" approach being adopted by the NRPF team and an over-emphasis on credibility. There was a sense amongst these groups that the service had sought to discredit clients rather than assess need. The review's survey of clients also confirms this is a perception amongst a number of service users though the report also acknowledges many service users have been highly complementary. The survey canvassed anonymous feedback from clients covered a two year period so is not necessarily a commentary on current service delivery.

The recent Human Rights Assessment was thorough, measured and presented a balanced view by the local authority with clear rationale for their decision making. It is our opinion that this approach should set the standard for all assessments carried out by the NRPF team.

Historic assessments are detailed and thorough in respect of the financial circumstances, housing and immigration status of the families but are more limited so far as information about the child is concerned. Whilst this focus is understandable given the presenting needs it is important to note that financial and safeguarding needs intersect and cannot always be strictly demarcated such as in cases of modern slavery.

Though service user participation is usually limited in reviews of this nature but the response to the NRPF survey was unusually high. Of the 34 respondents who provided an answer, 68% (n=23) stated they were very satisfied or satisfied with the service they received. A fifth, 21% (n=7) stated they were

very dissatisfied with the service they received. It is probable given the improvements conceded by all stakeholders that a twelve-month survey would have yielded lower levels of dissatisfaction.

Though the Review acknowledges significant and positive changes in the operational delivery of the service more is still required to ensure decision making is transparent and that clients and their advocates have greater confidence in accessing the service. Whilst relationships with third sector providers have improved more work is required in order to establish better working relationships and ensure that this client group is not affected adversely. The review team encountered strong feelings on the historic relationship between the council and advocacy groups which we strongly feel need to be addressed as a priority.

The surveys and interviews have been comprehensive, but the anonymity of participants has been respected. Whilst no safeguarding risks relating to specific individuals were identified the lead consultant has identified cases where improvements in practice are necessary

## 2 Aims and Objectives

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The review aims to examine existing policies, procedures and practice to determine whether the NRPF service is fit-for-purpose and compliant with statutory requirements. The review addresses practice over the last two years.

The review was tasked:

- To consider how staff carried out assessments and made decisions.
- To ensure that service users have a voice and opportunity to share their experiences of the service.
- To consider the impact of the Home Office caseworker on the effectiveness of the service.
- To take into account views of key stakeholders including third sector groups working with this cohort.
- To make recommendations in relation to practice improvement, business processes, quality assurance, staffing, staff development, service development considering both present and future requirements.

The review is not a complaints investigation nor is it in any way intended to be part of evidence gathering for disciplinary processes.

### 3. Methodology

The following methodological components were used in the delivery of the review.

#### 3.1 Document review

CPI undertook a document review including examination of statutory guidance, policy and procedures documents, NRPF network practice guidance, team data including caseloads, supervision notes, job descriptions, internal background reports, and responses to complaints. Full independent access was provided by the local authority.

#### 3.2 Case file review

A dip sample of 100 casefiles including service users who received support and service users who did not receive support was conducted. The sample included assessments carried out by every worker including previous workers, and some assessments carried out by social workers on Children's Services files.

The focus of the casefile review was on:

- the quality of the assessment,
- examining whether the child's voice was heard,
- the rationale for the decision making, and
- the follow up with families who received support and evidence of improved outcomes.

#### 3.3 Team practice review

A deeper dive into team practices and responses to service users was conducted, including:

- shadowing the duty worker,
- practice observation of one interview,
- spending time in reception and waiting area,

- meeting with all caseworkers, social workers, project officer and managers.

The focus of the meetings was the history, their approach to practice, value base and a team health check.

### 3.4 Stakeholder consultation

Consultation was carried out with service users, community groups and stakeholders from the London Borough of Lewisham.

#### 3.4.1 Service Users

In order to gauge the views of service users (current and past) a short self-completion questionnaire was designed. Service users were contacted via two mechanisms:

- a postal survey, and
- an online version

The survey was designed and managed by CPI but, for data protection reasons, was sent out via the NRPF team using the contact details they hold for clients (that is, no contact details were provided to CPI researchers for data protection/GDPR reasons). The link to the survey was also provided to a number of third-party organisations who work with NRPF clients to share with their clients.

The survey was completely anonymous and looked specifically at the views of service users who had come into contact with the NRPF service over the last two years and asked them about the process, the outcome and their overall experience of the service.

In addition to the survey, a number of interviews were carried out with service users who were identified by the community groups involved in the consultation. The interviews explored in more detail the experiences of the service users around the process, outcomes and overall experience of the NRPF Service.

We note that service users, having been identified and recruited by third sector organisations, are a non-scientific sample and cannot be said with any confidence to represent a true cross-section of service users.



### *3.4.2 Community Groups/third sector organisations*

A number of community/third sector organisations who work with or come into contact with people with NRPF in Lewisham (for instance through providing legal services, advice, housing and other forms of intervention) were identified by the NRPF team manager.

These organisations were contacted and invited to take part in interviews with the research team. Interviews were carried out either face-to-face or over the telephone. Key themes relating to how the NRPF service has been delivered over the past two years, how effective the service has been and how the service could be improved were explored as part of the interview process.

We note that, by the nature of the support that these organisations deliver, they will come into contact with a sub-set of NRPF clients – that is, they are not universal services who engage with all people who engage with NRPF. Given this, their feedback represents the experiences of a smaller cohort within the total number of clients supported by the service. It is to be expected that service users denied support would feel more reason to be aggrieved.

### *3.4.3 London Borough of Lewisham Stakeholders*

Interviews were carried out with other stakeholders within the local authority whose services come into contact with the NRPF service. Key council stakeholders were identified by the team leader of the NRPF Team and invited to take part in an interview with the research team. Interviews were carried out either face-to-face or over the telephone. As with the other consultations, stakeholders were asked to comment on their experience of the service over the previous two years, how effective the service is and how it could be improved.

## **4. The views of stakeholders**

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The following section discusses the findings of interviews held with a number of key stakeholders. The opinions were sought of both internal services in the council who have dealings with the NRPF team and also external stakeholders including voluntary organisations who are advocacy groups. Interviewees were asked about their experience of the NRPF team over the past two years, the

processes and procedures of the team and what the working relationships with the team are like, as well as the effectiveness of the service and what areas there are for improvement.

## 4.1 London Borough of Lewisham stakeholders

### 4.1.1 Perception of NRPF service

Interviewees identified that the NRPFs team had been born out of the need for better control over the council's spend on families with NRPF status and clearer assessment mechanisms. Previously, this client group had received services based within Children's Services. It was noted that a large number of families received financial support and it was a commonly held view that large sums of general fund monies were being spent without sufficient scrutiny. Stakeholders noted that this was a national issue and a particular challenge for largely London Boroughs. The escalating costs needed addressing leading to the council piloting a service for an initial period of six months which was then extended as it had not fully met the objectives at that time.

Interviewees referred to cases which had ended up in court, which whilst this was not an ideal outcome and an expensive measure for the council, one interviewee felt was necessary so that advocacy groups and voluntary organisations could see that the process being adopted was fair. Interviewees cited several occasions on which the council's decision making had been upheld

Those at a more senior level within the council defended the work of the team and felt that the rigorous approach had been justified as it was not about taking away services from those who were entitled but about making sure there was a consistency of assessment so resources could be put where it was most needed. The team were deemed to be making the right decisions rather than "easy" decisions. This was backed up by another interviewee who felt that the team were not doing anything wrong and had made "correct decisions" but accepted that the delivery of the messages could have been improved.

The introduction of new management arrangements to the service in 2018 was felt to have made a significant change with the service, especially around culture and customer service delivery. Some still felt that the team needs to work more collaboratively with other parts of the council. Interviewees noted that changes were happening across the NRPF team, and there have been real improvements in the service delivered. It is noted that since the team was placed within Housing Needs service, improving customer service outcomes has been a priority for the Senior Leadership team.

#### 4.1.2 Improvements to the service

When asked how the team could improve, stakeholders identified three main areas:

- Communication,
- Training and support,
- Processes and procedures

One of the key themes was communication from the team. Some stated that the team need to be more approachable in the way they deal with both internal and external customers. One stakeholder felt that the team needed to build on their relationships with the voluntary sector. Although acknowledging recent improvements, it was felt that there was some way to go. It was suggested by one interviewee that advocacy groups could be involved in the training of frontline staff. Most felt that there need to be clearer processes and procedures which identify what the team can offer and who the service is for.

It was suggested that leaflets or information on the website are needed to better promote the service. Furthermore, interviewees felt that there was a need to provide more information to service users where financial support was not agreed.

Overall, interviewees felt that changes made to the service over the preceding six months had positively changed the experiences of both the clients and staff working alongside the NRPFs team.

## 5.2 Community Groups and other external stakeholders

### 5.2.1 Perception of NRPF service

As noted in the method section, while community groups were engaged in the review process to determine their perspective of the NRPF service, their feedback is contextualised with regard to the fact that they do not engage with all NRPF clients – that is, they work with a sub-set of people those who have been assessed by the NRPF team. Given this, their views cannot be interpreted to be the experience of *all* clients. Furthermore, as the interviews were based on the experience over the previous two years, many of those interviewed had historic experience of the service (i.e. were commenting on the delivery of the service in the past rather than how it operates now).

All of those interviewed were of the opinion that the behaviour of the team had been, in its original pilot phase, “hostile” and “aggressive”. All those interviewed reported instances where they felt clients and advocates alike had been treated in “rude”, “disrespectful”, and “judgemental” ways. Furthermore, it

was felt that NRPF team, was too preoccupied with a fraud prevention approach to assessments had been trying to discredit clients rather than assessing their need. Several interviewees felt that there had been a shift in the team's attitude over recent months, albeit that they still had some concerns.

Most of those consulted stated that there needed to be a change of mind-set within the team. It was felt that staff would often give the impression that they were "doing a favour" rather than discharging their statutory responsibilities. One of the organisations interviewed felt there had been a marked improvement in the attitude of the staff, however they commented that there was still room for improvement.

Three of the organisations stated that they felt they dealt more with the manager now and would approach him directly with any concerns rather than the frontline staff.

The overall impression from those interviewed was that the processes of the team had been unclear, appeared unfair and that there had been little transparency regarding the service. Interviewees reported their clients, in the past, had been misinformed or provided with factually incorrect advice. They noted that they had worked with people who were refused an assessment or support without any explanation as to why or onward referrals to support them. Most of these examples seemed to relate to historic rather than recent cases

### ***5.2.2 Improvements to the service***

Three main areas for improvement were identified:

- Training,
- Clear policies and procedures,
- Building relationships

All of the organisations interviewed felt that the NRPF team would benefit from training including communication, customer service, how to treat clients, empathy and also around the requirements of NRPF.

The need for clear policies and procedures that could be shared with other organisations was identified by all of those interviewed. This includes the need for outcomes to be clearly explained and for signposting to other departments or organisations.

Stakeholders felt strongly that the need for building relationships between the team and the voluntary sector should be a high priority for the team and its management. It was noted that there had been good evidence of this over recent months.

## 6 The service user experience

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This section explores perceptions of the service among service users.

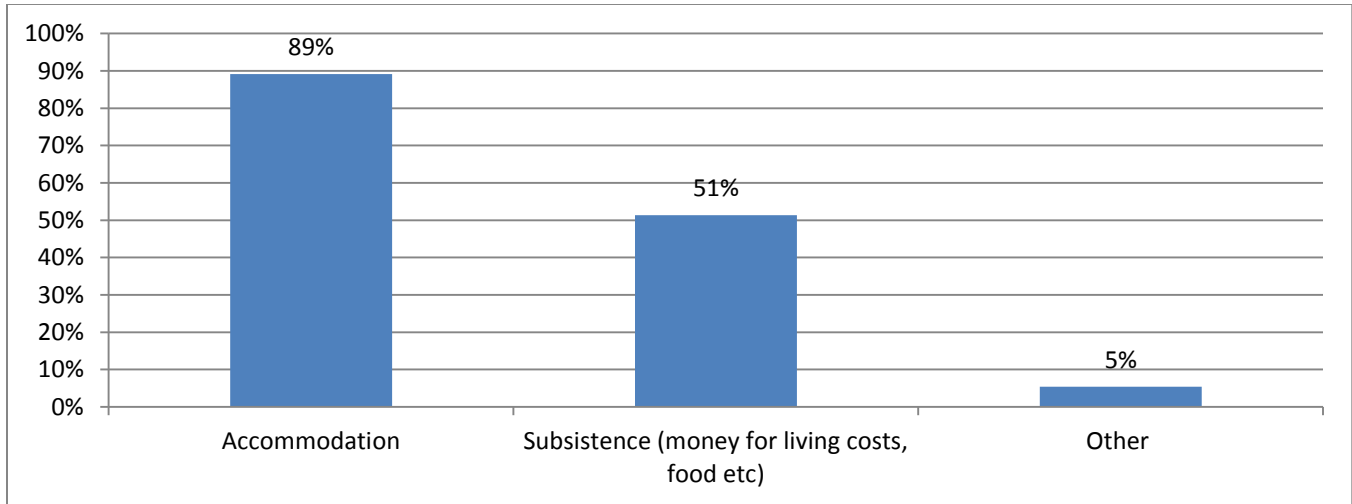
### 6.1 Service User Survey

In order to obtain the views of clients who have used the NRPF service, a short survey was designed and sent via the NRPF team to all the contacts they have who have engaged with the service in one way or another. The survey was also sent via some of the advocacy groups and voluntary sector. The purpose of the survey was to ask clients about the assessment process they went through, the outcome of that assessment and then information about any ongoing support that they may be receiving. In addition, respondents were asked to rate their satisfaction of the survey and were also given the option to provide any additional comments they may have. The following section provides the results to the survey. In total, there were 37 responses to the survey.

#### 6.1.1 *The Assessment*

Clients were asked to give their reason for approaching the NRPF team. The majority 89% (n=33) had contacted the service regarding accommodation. Just over half, 51% (n=19) contacted them regarding subsistence. The results are shown in Chart 1 (it should be noted that the total equals more than 100% as respondents were able to select more than one option).

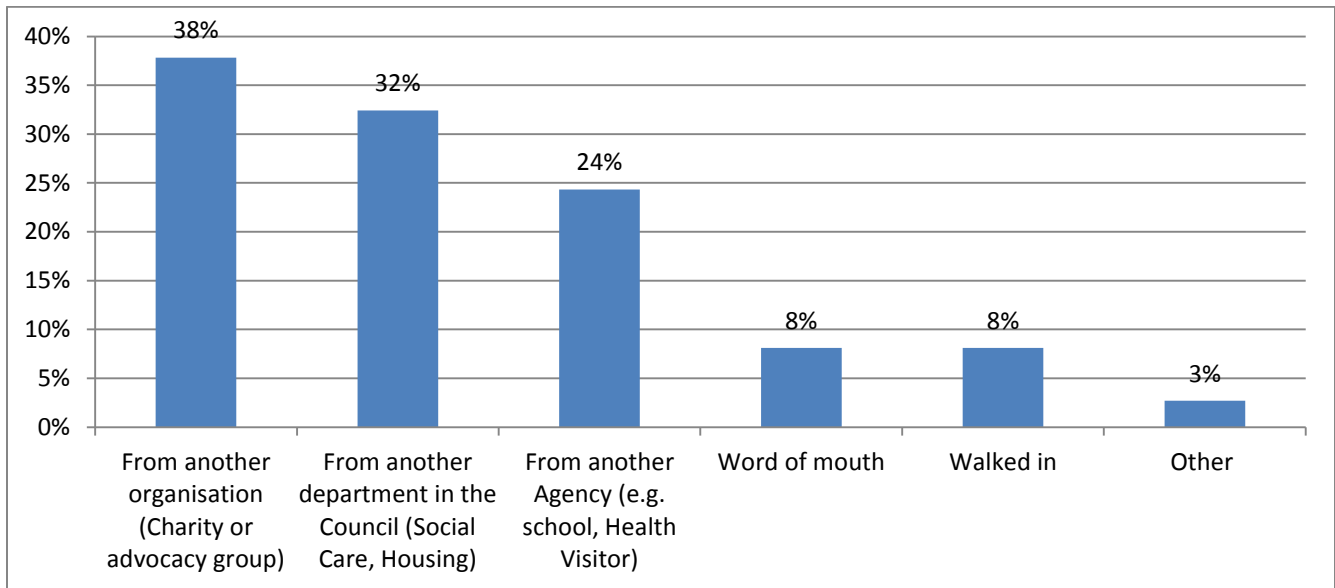
Chart 1: Why did you approach the NRPF Service?



Base=37.

Respondents were asked how they found out about the service. The results are shown in Chart 2. Over a third, 38% (n=14) knew about the service from another organisation or charity. These included Project 17 and the Citizens Advice Bureau.

Chart 2: How did you know about the service?



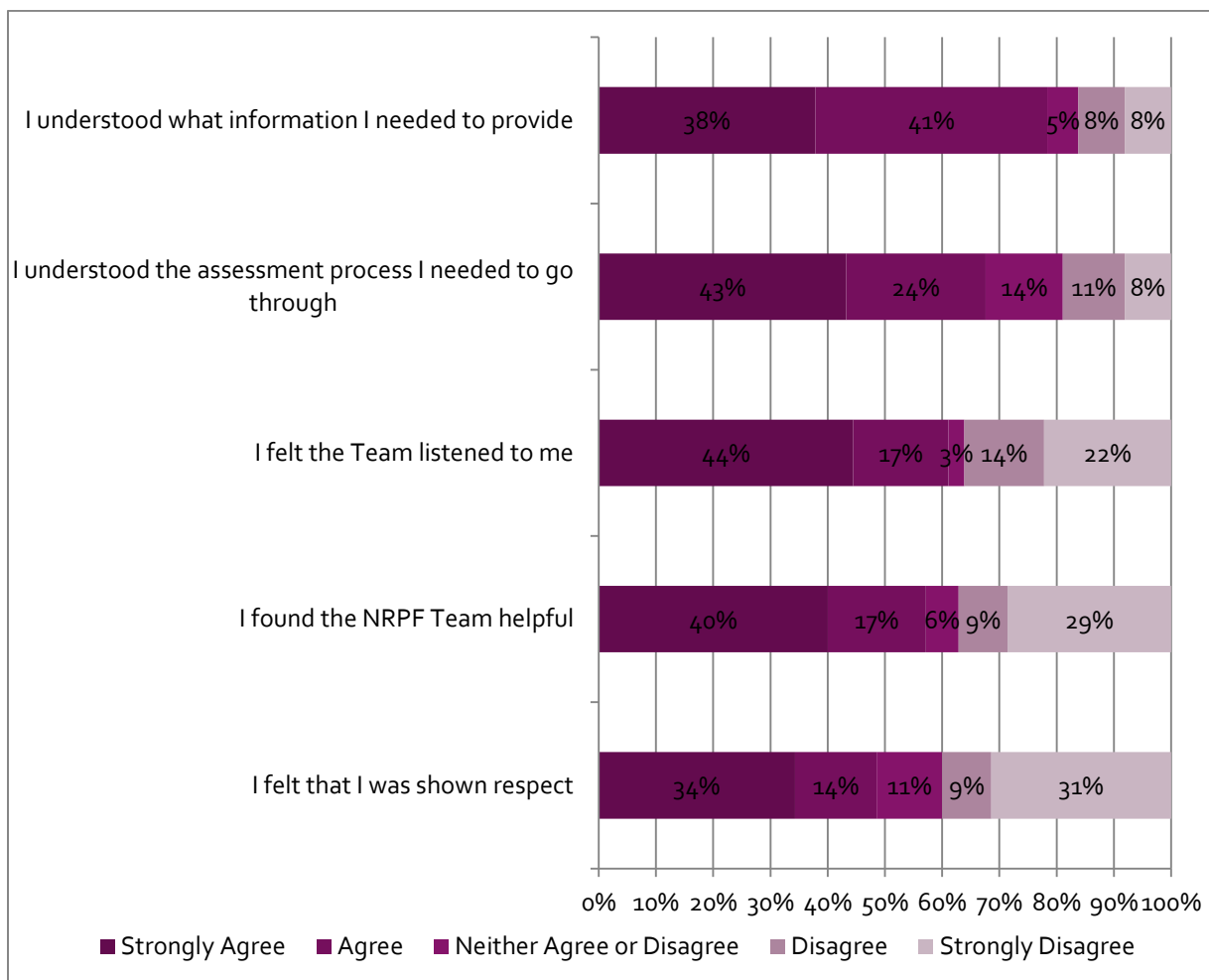
Base=37.

A further 32% (n=12) were aware from another department in the council.

Respondents were asked a series of statements regarding the assessment process and were asked to state whether they strongly agreed, agreed, neither agreed or disagreed, disagreed or disagreed strongly. The results for each statement are shown in Chart 3.

The majority of respondents agreed or agreed strongly that they understood what information they needed to provide, 78% (n=29); 16% (n=6) disagreed or disagreed strongly. A further 68% (n=25) stated that they agreed or agreed strongly that they understood the assessment process they needed to go through.

Chart 3: Thinking about when you met with the NRPF Team please select whether you agree or disagree with the following statements.



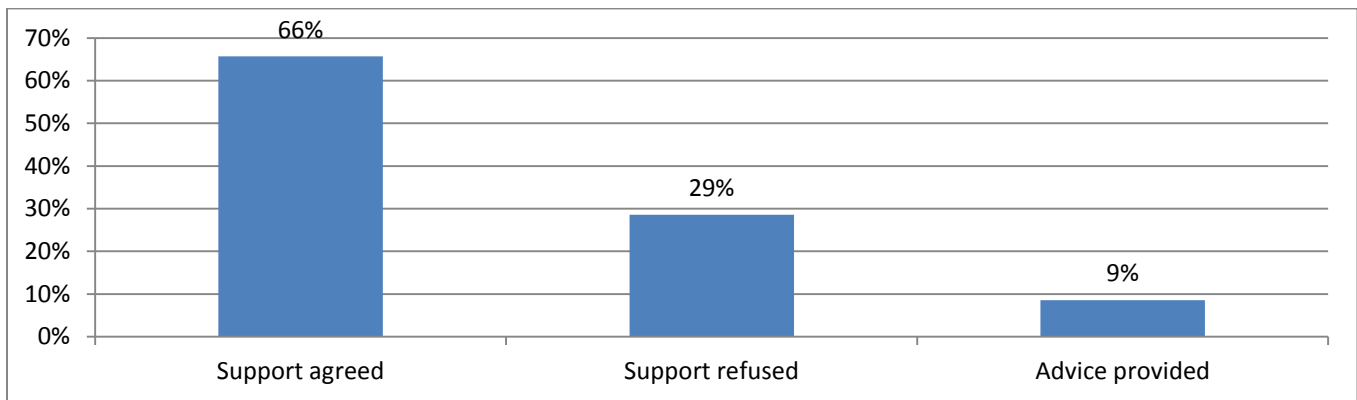


Just over a third, 36% (n=13) disagreed or disagreed strongly with the statement that they felt the team listened to them. Whilst 40% (n=14), stated that they agreed strongly that they found the team helpful, 37% (n=13) disagreed or disagreed strongly that they found the team helpful. Almost a third of respondents, 31% (n=11) stated that they disagreed strongly that they were shown respect, however a similar proportion, 34% (n=12) strongly agreed to the same statement.

### 6.1.2 The outcome

Respondents were asked what the outcome of their assessment. Two thirds, 66% (n=23) stated that support was agreed while 29% (n=10) were refused. Three respondents (9%) were provided with advice all of whom had support agreed. The results are shown in Chart 4.

Chart 4: what was the outcome of your assessment?



Base=35

Over three quarters of respondents stated that the outcome was explained to them by the NRPF team (77% (n=27)). Of the eight respondents who stated the outcome was not explained to them, five had been refused support.

Respondents were asked if they had understood the decision made by the NRPF team, of those who responded, 60% (n=21) said 'Yes' they did understand, with 40% (n=14) saying 'No', they did not understand with nine of these respondents being those who were refused support. Respondents were asked to explain their answer. These responses are shown in Appendix 1.

As part of the outcome questions, respondents were asked if they were happy with the decision made by the NRPF team. Just over half, 57% (n=20) stated 'Yes'. Unsurprisingly the higher rates of dissatisfaction were expressed by those denied a service

### 6.1.3 Ongoing support

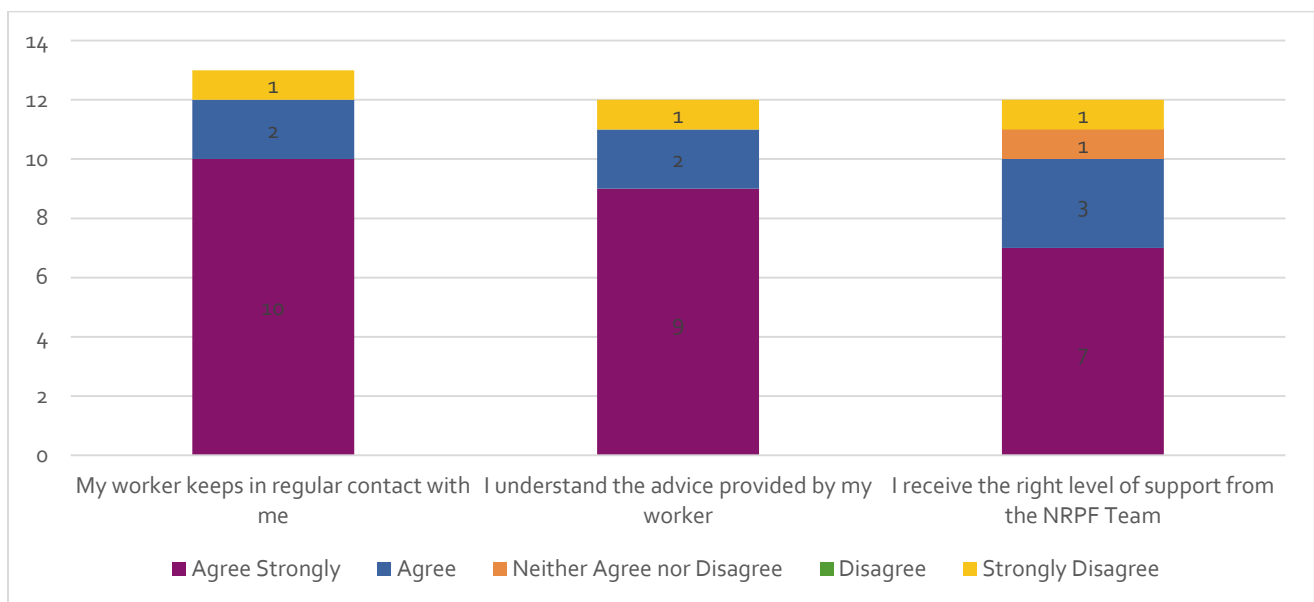
Of the 37 service users who responded to the survey, 13 (35%) stated they are receiving ongoing support. The following analysis is shown in counts rather than percentages due to the small number of responses.

Those respondents receiving support were asked to state whether they agreed or disagreed with a number of statements relating to the ongoing support they receive from the NRPF team:

- My worker keeps in regular contact with me,
- I understand the advice provided by my worker,
- I receive the right level of support from the NRPF Team

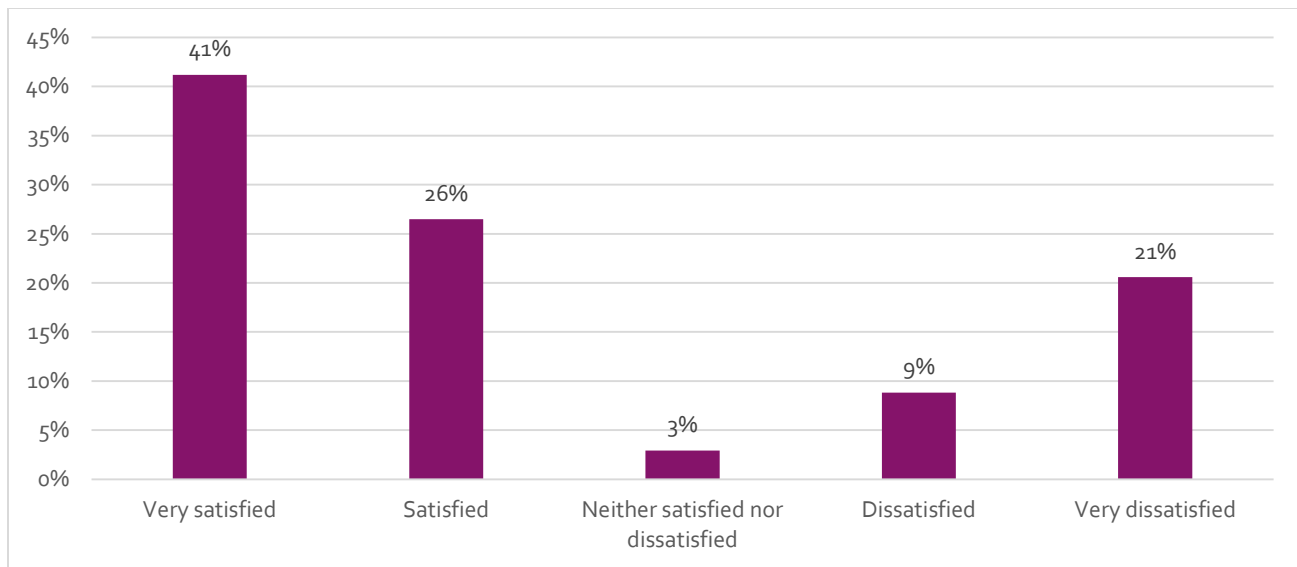
Overall, respondents either agree or agree strongly with each of the statements with the exception of one respondent who strongly disagreed with all three statements. The full results are shown in Chart 5.

Chart 5: Please state whether you agree or disagree with the following statements regarding your ongoing support



All of the respondents were asked how satisfied they were with the service they received from the NRPF team. Of the 34 respondents who provided an answer, 68% (n=23) stated they were very satisfied or satisfied with the service they received. A fifth, 21% (n=7) stated they were very dissatisfied with the service they received (shown in Chart 6).

Chart 6: Overall, how satisfied are you with the service you received from the NRPF Team?



Base=34.

All respondents were asked to provide any additional comments they would like to make about the service they received when applying for NRPF. Of the 37 respondents, 24 provided additional comments.

## 6.2 Service user interviews

Through the contacts made with the advocacy groups, interviews were carried out with four service users who had been through the NRPFs process over the last two years by AFRIL and Project17. Two had been approved for support, one had been turned down and the other was still waiting to hear back from the service. Two clients had approached the service over 12 months ago, whilst the other two were within the last nine months. As the service engages approximately 130 families a year on average this represents a small proportion of total service users

All of the families interviewed were asked about the assessment process they had been through. One client was initially refused support but on representing were provided with subsistence and accommodation at a later date.

An interviewee gave a detailed account of trying to get access to the team and an assessment only to be turned away several times by desk clerks without seeing anyone from the NRPF team. On their third

visit, accompanied by an advocate, they were told that they had to wait to see someone. They reported that they found the environment “very hostile” and that they were interviewed in what they felt was a “very hostile manner”.

All of the clients interviewed stated that they found the questioning hostile and that many of the questions did not seem relevant to their requests for financial support. One client spoke of their child being interviewed separately and returning visibly upset from the experience. All of those interviewed complained they had not been given an assessment report at the end of their assessment.

Clients reported a mixed experience in relation to the emergency temporary housing they were provided with - either being housed or offered housing a long way from their children’s schools and other amenities. One family described being given keys to a room some way from where they were based but had no money to travel to the property.

Both clients who had been approved for support from Lewisham NRPF team reported inconsistencies in the payment of their support. Both stated that the payment date had changed from a Thursday to a Tuesday; however, this had not been communicated to them in advance.

Both families interviewed who were receiving ongoing support were hesitant about contacting the NRPF team if they had any queries. Both gave examples of contacting the team and feeling very uncomfortable about the way they were spoken to. One interviewee was not made aware that they were being re-housed and was forced to get a taxi to the new address without any notice or information from the NRPF team. All those interviewed felt that the communication with the team was poor.

## **Review of delivery of service**

This section reports on the delivery of the NRPF service and draws on consultation with team members.

### **7.1 Team operation**

The team has five caseworkers, two social workers and a project support officer. The line management arrangements are within Strategic Housing and the social workers have professional supervision from managers within Children’s Services. There is no Home Office embedded caseworker as this post was deleted.

The team describe a collaborative approach with a duty system whereby one caseworker is on duty and another named as a “back- up” duty officer. In practice that means that caseworkers will be on duty for two or three days a week. The social workers seek to ensure that one of them is always available for the duty worker so that service user interviews are conducted jointly (noting that additional safeguarding concerns may arise which require the intervention of a qualified social worker). As the team manager is not social work qualified, the social workers have professional supervision from team managers within Children’s Services. These managers do not look at NRPF assessments and it seems to be used for reflective practice. There did not seem to be formal notes available from these reflective practice sessions and it was unclear whether this was an effective arrangement.

Most of the families requesting support present at the office (called walk-ins). The caseworker who sees them on duty follows the case through to its conclusion wherever practicable, whether there is a need for further information or whether support has been agreed pending an assessment. We note that this approach appears to work well and means there is continuity for the service user, however it can mean that new allocations are not spread evenly across the team. In interview, caseworkers and the team manager stated that this is the best approach as the initial interview is such a key interview and therefore it would not be helpful to hand over the case to another worker.

For families where support is declined, if they re-present, they are processed through the duty system again and therefore it is likely that they will be seen by a different worker

The social workers do not usually have cases allocated to them although at present there is one person allocated on account of their vulnerability. The role of the social workers is to carry out assessments in conjunction with caseworkers and follow through on any safeguarding concerns or requests for s20 accommodation. Caseloads are stored on the Council’s SharePoint system. We note that this is not a caseload management system and is rather more of an electronic filing cabinet.

Management are aware that the system is not fit-for-purpose and intend to move to a new electronic system that is being brought in within housing rather than the more obvious solution of using the current Integrated Children’s System (Liquidlogic). The rationale for this was unclear and missed an opportunity to address a number of practice issues which would be helped if the team were recording on the same system as Children’s Services. This issue was raised with senior managers and following discussions with Children’s Social Care it was agreed that cases would be transferred to the integrated children’s system with built-in audit requirements and safeguards

## 7.2 Team practice

In interview with NRPf team members, the team were clear that the background to the NRPf team was the financial burden on the local authority of the increasing numbers of people seeking support and the need to have clear assessment processes in place. They described a situation in which, prior to the programme, social workers had been overwhelmed by competing demands ( in March 2015 there were 15% more child protection plans than in the previous year) and that comprehensive support was often agreed without the kind of scrutiny that would ideally take place. This meant that financial support and accommodation continued without review or the kind of targeted assistance which might have led to access to mainstream benefits or a human rights assessment

This context is informative in terms of the terminology used by team members – the language used was centred on legal compliance rather than “needs-led assessments”. The manager has indicated this elision as an area that needs to be constantly monitored and is clear that caseworkers have the autonomy to exercise their professional judgement.

When asked about their relationship with clients, they did not agree that service users were treated negatively in the past and they feel that they have been the subject of a lot of unjustified criticisms from external organisations. It was clear from our discussion that the team are tenacious on behalf of service users, seeking to resolve their immigration status and to support families, for example, if there were difficulties with the accommodation provided. We note that they do a difficult job and some of them felt the burden of responsibility to make correct decisions when spending significant amounts of council money and when deciding on the future support for families. Having consulted the select committee report which was the catalyst for setting up the NRPf service this is entirely understandable. A concern over escalating costs is palpable, and clearly signalled, especially at a time when Council resources are severely stretched.

The current team manager considered most of the complaints unjustified and found some of the advocacy groups’ tactics and social media posts inappropriate and counterproductive. He also considered that many clients had been badly advised and ill served by aggressive and premature litigation. He recounted in particular his frustration at having to spend time dealing with lawyers even when the council was still undertaking enquiries and had not refused support. He was of the clear opinion that this was not in the best interests of the families and indicated that he found it easier to respond in a considered manner without such interventions.

Whilst presenting as open to partnership working (this is corroborated to an extent by external parties in the community) he also expressed concern that the team was frequently the subject of unwarranted hostility and that it was unfair local authority staff were effectively being stigmatised for carrying out a difficult but legally prescribed duty.

### 7.3 Referral Pathways

Most referrals are self-referrals with people presenting to the council offices. Some referrals are processed by the Multi-Agency Safeguarding Hub as the Single Point of Contact for the local authority; if there are no immediate safeguarding concerns then the case would be transferred to NRPf and closed to social care. Given the NRPf team are carrying out assessments under s17 Children Act 1989 it is our firm view that *all* referrals should come from the MASH. This was raised with Senior managers and it was agreed during the review process that this would become the default position. The adjustments necessary will not be burdensome in practice given the NRPf service retains two seconded social workers, and their role has already recently been enhanced. The threshold in the continuum of need document for a Child in Need assessment criteria includes “Clear evidence that a family is destitute” whereas in other local authorities the wording is more about the impact of homelessness, transience or temporary accommodation on the parenting capacity.

If ongoing support is agreed the cases remain the responsibility of the NRPf team and any safeguarding concerns are dealt with by the social workers. This means that social care services are provided to families outside of the Children’s Services recording system. Many local authorities use Children in Need plans for this cohort although they may have different practice standards in relation to frequency of visits or review. In the current recording system there are no plans evident on the casefiles but this deficit can be easily remedied by the agreed integration with Children’s Social Care systems. It is accepted that this cohort as well as intentionally homeless families (a large problem for all social services teams in London) occupy a special status and would not require the same level of support as families presenting with safeguarding needs unrelated to an inability to access housing and welfare entitlements

Families who are assessed as not eligible for support are given advice and guidance and some are signposted to other agencies in relation to their immigration status, financial and accommodation needs. We note that there is limited evidence on the casefiles that support in relation to other needs are

addressed with families or that the cases are stepped down to Early Help. This practice is not congruent with Children's Services practice and means that families may be missing opportunities to receive support as some would benefit from Team Around the Child meetings. Given the current focus on improving prevention remedies this can be easily remedied and would not constitute a step change from existing initiatives such as the commissioning of immigration advice, and tenancy sustainment work. We note also that some of the payments are for rent arrears and that these pragmatic responses at an early stage can both materially reduce distress to families and also afford advantages to the local authority in terms of reducing crisis presentations and more costly s17 expenditure. These are steps in the right direction but practice needs to be reflected in written protocols and procedures.

#### 7.4 Assessments

The approach to assessment has changed over time. At the start of the pilot there was a clear distinction made between eligibility which was the remit of the caseworkers and need assessment which was the responsibility of social care. These distinct assessments were recorded on different systems.

There is no reference to eligibility in the Children Act 1989 although under Working Together 2018, local arrangements should include a thresholds (also known as continuum of need) document so that transparent decisions can be made as to whether the level of need warrants assessment (s17) or enquiries (s47).

Lewisham's continuum of need document includes "clear evidence that a family is destitute" as an indicator that a Child in Need assessment is appropriate, whereas indicators for Targeted Support include:

- NRPF and homelessness,
- temporary accommodation, and
- Families' financial resources seriously compromise child's basic physical needs being met/their general well-being.

Given that the financial support and accommodation for children with NRPF is provided under the s17 duty, it is unclear why these factors are in the Target Support indicators rather than the specialist/acute example indicators. This distinction is different from some other local authorities (for instance the practice in the London Boroughs of Southwark and Barking and Dagenham) where the above indicators are indicators that a Child in Need assessment should be undertaken. This statement in the document seems to support the approach taken by caseworkers to triage families presenting as destitute, in that



they want clear evidence of destitution before carrying out an assessment. It has supported the historic use of the term “destitution assessment” and the current team manager has sought to move away from using this terminology. Given that the emphasis is on Targeted Support for these families, it is unclear why none of the NRPF workers seem to refer anyone to Early Help. It should be noted the current manager does not actually adhere to the notion of a destitution assessment and current practice direction do emphasise a legitimate role for prevention interventions of the kind that would fit with an early intervention model but this is not yet reflected in operational guidance. We understand a full redrafting was delayed pending the conclusion of the review and would recommend these changes are formalised and integrated with the new service model

The current written procedures use the term “Initial assessment” to be carried out by a caseworker with input from the social worker when considered appropriate. The team, when consulted, noted that the current approach to assessments is that they are joint assessments and that the social worker is always present throughout the interviews with the caseworker. As there are only two social workers in the team this is not always the case and, in practice, caseworkers sometimes start interviews then the social worker joins and is present for part of the time.

Styles differ as to how joint assessments are managed. On some occasions the social worker leads the interview whereas in other cases the caseworker takes the lead. The caseworkers, when consulted, were clear that they were “their” assessments although also stated that they were joint assessments. The social workers emphasised that the assessments were child-centred and they carry out the agency checks, for instance with schools and health visitors, as part of the assessment.

There is an agreed format for the recording of the assessment which is different from the Single Assessment used by Children’s Services and the caseworker completes most of the document with a small section completed by the social worker. The way in which assessments are written up would appear to reflect the current balance of practice - specifically that the caseworker’s assessment is dominant. Therefore the assessments are detailed and thorough in respect of the financial circumstances, housing and immigration status of the families but are fairly cursory so far as information about the child is concerned. The child’s voice is not standardly part of the assessment and there is little sense of the child’s lived experiences. It is unclear whether the impact of trauma and the family history, the possibility of trafficking or exploitation has been considered. Some of the follow-up actions undertaken indicate these risks have been factored in but the summaries do not adequately reflect the safeguarding due diligence and require improvement.

There are situations (for instance because of safeguarding concerns) where the social workers carry out the Children's Services single assessment. The detail in these assessments is fuller in relation to the child's welfare and the parenting capacity. However in our opinion these assessments would still benefit from more detail in relation to the child's lived experiences and the child's outcomes, the impact of the parenting capacity and the impact of diversity. Some local authorities would use the Single Assessment format for NRPF assessments which should ensure that the domains of the Common Assessment Framework are considered.

The recent Human Rights Assessments by contrast were thorough, measured and presented a balanced view by the local authority with clear rationale for their decision making.

Children's Services is rolling out Signs of Safety as an assessment model and it was confirmed by the local authority that the NRPF team is to be included in the training. This is a model of risk assessment which may not seem best fit with the assessment priorities of the NRPF service. However, it is crucial that risk management is considered as part of the assessment and therefore assessments should be informed by this model.

The team manager reads all of the assessments and presented as well informed on particular cases. We note that there is no section for manager's comments or sign-off so that management oversight is not evident on the assessment document. The use of the Single Assessment document would ensure that management oversight is evidenced.

## **7.5 Embedded Home Office worker**

As part of the pilot, an Home Office worker post was included in the team as part of the Service. This was felt to be important as it meant that information on immigration status could be triangulated quickly to inform the assessment.

The Home Office worker is no longer part of the team and this arrangement was ended by senior leaders as it was not felt to be consistent with Lewisham being a Sanctuary Borough. We note that the diversion of spending on the retention of an immigration solicitor was agreed in the aftermath of this decision and provides a better fit with these aspirations. Discussions with the manager and a review of throughput within the caseload indicates this may yield significant savings to the local authority if targeted correctly.

The team have access to NRPF Connect, which is an information management system, however team members advised us that this does not include all the information that the Home Office worker had been able to supply. It is not clear why this is the case. It may be that the Home Office worker was able to undertake a more thorough review of records (for instance using different surnames) and make more links across with other service users.

The current system takes three to ten days to supply information so this can mean that the assessment takes longer. There is no evidence that the Home Office worker made it more likely that support was refused.

Some other London Boroughs have continued to use Home Office workers in their NRPF service. We note that, while the Home Office worker could add value retaining this post would not be consistent with Lewisham's "sanctuary" borough status.

## 7.6 Management and Quality Assurance

The management style is supportive and professional. Staff development opportunities have been provided aimed at raising awareness of the needs of service users and improving practice, in addition to keeping updated in relation to current case law and legal framework.

Although the manager can be described as "hands-on", the management oversight of the case work needs to be more evidenced on casefiles. The implementation of Liquidlogic will assist with this. In addition, there needs to be other checks and balances including more a systematic approach to file reading and practice observations in addition to formal supervision.

While requests were made to senior leaders, the quality assurance frameworks for Strategic Housing and Children's Services had not been made available to the Review team at the time of reporting. It does not appear that there is a Quality Assurance Framework in place for the service. Given that the team are carrying 517 cases, one option is that these are included in the Quality Assurance Framework for Children's Services as it is essential to include some independent scrutiny of these cases including learning from complaints and legal challenges. Senior leaders need to be clear that there is an infrastructure in place for the service so that there is not over-reliance on the abilities of the manager. There also needs to be some consideration given to succession planning.

## 8. Conclusions and recommendations

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### 8.1 Conclusions

This review does not find examples in current practice where the decision making was illegal or not justifiable, including the recent Human Rights Assessments. It does find that, in some instances, the tone of the reported discussion and the nature of the questioning may have appeared to be off-putting and had the effect of discouraging service users from re-presenting to the service.

We found many examples of families who found the advice helpful and who found that following the advice helped them to resolve their housing or immigration difficulties. There were families where support was provided and in some of these cases constructive support could have been provided at an earlier stage. There is evidence of more proactive early intervention, but this needs further development and integration with Early Help strategies.

The review found that staff were knowledgeable and experienced but would benefit from more reflective opportunities and a shift away from overly legalistic terminology. In particular, their assessments need to be more child-focused and they need to be more reflective on their use of language.

We note that the process of building bridges and developing more effective relationships with the third sector has commenced but there is still some way to go as there continue to be concerns raised. It is also important however that partner agencies do not raise expectations that service users will receive financial support as this can cause additional distress if that support is not agreed.

We find that there is learning for Senior Leaders as to what checks and balances need to be in place to ensure that service delivery is of high quality and how a learning environment with reflective practice can be promoted with robust escalation of concerns when appropriate. However, there is good practice and we could see that the service is on a journey and has made many advances but some more work is still needed.

## 8.2 Recommendations

Drawing on the information gathered in the review a number of recommendations have been made.

The recommendations address the concerns about the quality of recording systems, referral pathways, the depth of assessments and their compliance with Children Act 1989, and the practice standards in relation to ongoing support for families and follow up when support is not agreed. During consultation with Senior Leadership team it was agreed there would be immediate implementation of several recommendations, most critically the integration with the MASH pathway and this change in itself will remedy other areas we have identified for improvement. Cumulatively, these point to a seamless integration with other areas of CYP business and ensure the NRPF cohort is subject to the same quality assessment framework and standards of oversight.

- 1 Explore use of other venues for walk-in sessions to see NRPF duty worker.
- 2 Improve the information used by the team to include values, procedures and practices. Information to be available on the website
- 3 Managers to carry out exit interviews with clients (at end of assessment and/or involvement).
- 4 Agree a series of meetings with third sector organisations to improve working relationships and review progress and improvement.
- 5 Case files should be held on the Children's System currently Liquidlogic; implementation to include timescales for historic cases to be uploaded.
- 6 Develop a more comprehensive value base for practice and clear practice standards.
- 7 Introduce reflective practice sessions for the whole team with challenge about language and attitudes.
- 8 As part of the Liquidlogic implementation agree referral pathways (considering whether all referrals go through MASH) and decide whether the Child in Need plans will be used or develop an alternative plan template.
- 9 Amend the wording of the Continuum of Need document to better reflect a needs led approach to homelessness.
- 10 Develop clear practice standards about seeing the child as part of an assessment, sharing the assessment reports with families, frequency of visits to the child and review of the plan.

- 11 Ensure that NRPF workers are clear about step down to Early Help procedures and practice, develop links with the children's workforce and provide information to families about the Early Help offer.
- 12 Assessments to be completed on the Single Assessment format and include a social worker's analysis and recommendations and the manager's comments and sign off.
- 13 Assessment training for whole team to ensure compliance with Children Act 1989 to include Signs of Safety model, impact of trauma, consideration of child's daily lived experiences, impact of parental behaviour and impact of diversity.
- 14 Develop a Quality Assurance framework with clear reporting systems, data collection and scrutiny, case file audits and practice observations including some independent scrutiny.
- 15 Ensure Team Manager has sufficient support and development opportunities with strong links with Children's Services to ensure he is updated with relevant practice learning.
- 16 Develop an action/improvement plan which links clearly to the workforce strategy and has performance and impact measures.