

CABINET

3 SEPTEMBER 2019

OFSTED INSPECTION OF MEDWAY'S CHILDREN'S SERVICES

Portfolio Holder:	Councillor Mrs Josie Iles, Portfolio Holder for Children's Services (Lead Member)
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Summary

The Ofsted Inspection of Local Authority Children's Services (ILACS) took place in Medway from 15 to 26 July 2019.

This report sets out details of the outcome of the Inspection, provides information relating to the statutory direction issued by the Department for Education and gives an overview of the completed and planned actions.

1. Budget and Policy Framework

- 1.1 This report supports the Council Plan priority "Supporting Medway's people to realise their potential' to achieve the outcome 'Resilient Families'.
- 1.2 In January 2018, Ofsted launched the Inspection of Local Authority Children's Services' of ILACS, the framework for inspecting local authority services for children in need of help and protection, children in care and care leavers.
- 1.3 On this occasion it has not been practicable to provide 28 clear days' notice, nor 5 clear days' notice, therefore Section 11 (Cases of special urgency) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 has been complied with. The Chairman of the Children and Young People Overview and Scrutiny Committee has agreed that consideration of this report is urgent and cannot be reasonably deferred until the next Cabinet meeting on 24 September to enable the Cabinet to formally receive and consider the outcome of the inspection and the statutory direction at the earliest opportunity.

1.4 Therefore, the Cabinet is asked to accept this item as urgent for the reasons set out above.

2. Background

2.1 The Ofsted 'Inspection of Local Authority Children's Services' (ILACS) took place from 15 to 26 July 2019. The inspection team comprised 6 Ofsted Inspectors and a Quality Assurance Inspector attended for 2 days. The report was published on the 27 August 2019.

2.2 Ofsted provide judgements against three discrete domains and then provide an overall judgement. The table below outlines these areas and the judgement is received.

2.3 Judgement Grade

The impact of leaders on social work practice with children and families	Inadequate
The experiences and progress of children who need help and protection	Inadequate
The experiences and progress of children in care and care leavers	Requires improvement to be good
Overall effectiveness	Inadequate

3. Key Findings

3.1 The published report highlights areas for improvement and strengths.

3.2 The published report identified 10 areas for improvement:

- Senior managers' oversight and understanding about vulnerable children's experiences, including through the quality, accuracy and effectiveness of audits
- Staffing capacity across children's social care, early help hubs and leaving care teams
- The response to risk for children who have experienced neglect, those exposed to parental domestic abuse and young people in danger of exploitation
- The coordination and management oversight of early help services to support children to receive the right help at the right time
- The quality and effectiveness of management oversight and supervision to make sure that children are protected from significant harm
- The effectiveness of managers' formal permanence planning and decision-making at every point in the child's journey
- The system for tracking children who go missing from home, care or education

- Services to help care leavers access suitable accommodation, education employment and training and to understand their rights and entitlements
- The strategic relationship with health services, and operational delivery across a range of health functions to support children and young people in care and care leavers
- Leadership direction and assertive action to improve and develop the services to foster carers and prospective adopters.

3.3 Some of the strengths highlighted include:

- Marked improvements in the First Response Service since the Ofsted Focused Visit in February
- Early signs of improvements in our work in the area based social work teams (pods)
- Recruitment and retention of staff has been a key priority
- Social workers know children really well
- Stable foster placements and well supported carers
- Care leavers were unanimously positive about the support they get from their Personal Advisors
- Disabled children receive an effective service
- Virtual school – potential to improve education outcomes for Looked After Children
- Allegations made against professionals and the associated risks to children are managed well by the designated officer. The response to referrals is both prompt and proportionate. Outcomes are well recorded, with detailed analysis. This is a vast improvement since the previous inspection.

3.3.1 The report recognises that the service has ‘Committed workers and frontline managers who strive to provide children with a good service’. It also comments that morale is high amongst frontline practitioners and their managers.

3.4 The Ofsted report is set out in Appendix 1.

4. Statutory Direction

4.1 The Department for Education (DfE) issued a statutory direction to Medway Council on the 27 August 2019, due to poor performance in Children’s Social Care Services. As such, an independent Children’s Services Commissioner has been appointed by the Secretary of State.

4.2 The commissioner appointed for the DfE to act as the Medway Children’s Services Commissioner is Mrs Eleanor Brazil.

4.3 The Council is required to comply with any instructions of the Secretary of State or the Children’s Services Commissioner in relation to the improvement of the Council’s exercise of its Children’s Social Care function and provide such assistance as either the Secretary of State or the Children’s Services Commissioner may require.

4.4 The Children's Services Commissioner is expected to take the following steps:

1. Issue any necessary instructions to the Council for the purpose of securing immediate improvement in the Council's delivery of Children's Social Care; to identify ongoing improvement requirements; and to recommend any additional support required to deliver those improvements;
2. To bring together evidence to assess the Council's capacity and capability to improve itself, in a reasonable timeframe, and recommend whether or not this evidence is sufficiently strong to suggest that long-term sustainable improvement to Children's Social Care can be achieved should operational service control continue to remain within the Council;
3. To advise on relevant alternative delivery and governance arrangements for Children's Social Care, outside of the operational control of the Council, taking account of local circumstances and the views of the Council and key partners; and
4. To report to the Parliamentary Under Secretary of State for Children and Families by 1 December 2019.

4.5 The statutory direction issued to Medway Council is set out in Appendix 2.

5. Intervention

- 5.1 When a Local Authority's Children's Services are judged inadequate, Ofsted is required to carry out monitoring activity that includes an Action Planning visit, quarterly monitoring visits and a re-inspection after a period of around two years.
- 5.2 The quarterly monitoring visits will focus on where improvement is needed the most. The inspectors will be on site for two days to monitor and report on the local authority's progress since the inspection.
- 5.3 Inspectors will also check that performance in other areas has not declined since the inspection. If new concerns emerge, inspectors are likely to look at these on the monitoring visits.

6. Progress since the Inspection

- 6.1 As an immediate response, the Council has started developing a draft Action Plan which identifies priority actions to address the areas for improvement identified within the inspection over the next twelve months. This will facilitate the development of an Action Plan which we are required to submit to Ofsted by 28 November 2019.
- 6.2 Medway aspires to deliver good and outstanding services that keep children and young people safe and give them the right help, at the right time in their lives. In doing this, we will show strong leadership, we will challenge performance, and we will build a culture of continuous reflection and improvement.

- 6.3 Improving the quality of services to children is a key corporate priority and we are fully committed to working with our partners to deliver this plan and achieve more positive outcomes for children and young people in Medway.
- 6.4 Five core priorities will underpin the systemic and cultural change needed to drive improvement:
1. Quality and effectiveness of our practice – purposeful social work assessments, plans and interventions with families;
 2. Capacity and capability of our workforce – sufficiency of practitioner posts, manageable workloads, appropriate training, and practitioners who are well-supported, curious and child focused;
 3. Effective leadership and management – to ensure decisions are timely, resources are used effectively, systems are in place to track progress and provide insight into quality of practice, and performance is robustly and respectfully challenged;
 4. Quality Assurance and Performance Management – oversight, challenge and line of sight into practice, and the experience of children in contact with our services and
 5. Partnerships and engagement – early help services support statutory provision, staff, children and families are engaged and views influence service delivery, and partners understand the role they play and commit to supporting improvement.
- 6.5 Working closely with partner agencies is fundamental and the recently established police and other partners within the Medway Task Force will help support our work to safeguard children, particularly in relation to Child Sexual Exploitation and Missing Children.
- 6.6 We are already working with another local authority which is providing improvement support in relation to areas identified within the inspection report.
- 6.7 Planning is underway for an extra training session every month (one half day session) for Practice Managers which will focus on leadership qualities. This will address the improvement priorities with a particular focus on management oversight and supervision.
- 6.8 We have arranged a scoping discussion, in the first week of September, with an organisation to discuss a review of Early Help to inform development of a robust strategy.
- 6.9 An Improvement Team, comprising Sue Brunton-Reed - Head of Specialist Projects, Jackie Brown – Head of Business Change (People) & ICT and Elizabeth Renwick – Project Support Officer has been created to support the delivery of rapid improvement.
- 6.10 An Improvement Board will be introduced to replace the existing governance structures overseeing and driving improvement within children’s services. The Improvement Board will support the development of the Action Plan and

monitor its implementation. In discussion with the Children's Commissioner the Council will appoint an independent chair for the Improvement Board.

6.11 We will work with managers at all levels to promote accountability, compliance and promote quality of practice

6.12 The following improvements have been made since the inspection.

- The local authority has funded 8 additional social work posts to offer immediate support to reduce caseloads within the assessment teams.
- Average caseloads in assessment service have reduced by 20% since the time of the inspection.
- All legal (Public Law Outline) cases have been reviewed, and a monitoring panel will meet monthly to continue to monitor and push progress.
- Permanence Panel is now meeting regularly and we have a revised process for convening permanency planning meetings to ensure that decision making is timelier in these cases.
- We have followed up every case highlighted to us by Ofsted and assured ourselves that in all of these cases risk is being appropriately managed and care planning is being effectively progressed.
- Additional support and training has been made available for our auditors to improve consistency of audit grading, and a moderation panel is now in place to ensure validated rating of the quality of social work practice.
- Revision of management structure to improve functional interface between the front door and early help.
- Our plans for a communications strategy are well underway to ensure that that all key stakeholders are kept fully informed of the progress in relation to the Improvement Programme, with a particular focus on the engagement of all staff within children's services.

7. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Actions are not implemented in a timely manner	If the actions within the Action Plan are not implemented in a timely manner then Medway's vulnerable children & young people may remain at risk or living in situations of harm	The Improvement Board will monitor progress and will hold people to account if progress is not positive	B2
Resource is not in place to deliver rapid improvement	The authority cannot evidence it is sufficiently strong to maintain the necessary long-term sustainable improvement to Children's Social Care	The Local Authority and its partners will commit to support the improvement journey	C3

<p>The Council loses control of Children's Social Care Services.</p>	<p>In cases of persistent or systemic failure there is a presumption that children's social care services should be removed from local authority control, for a period of time, in order to bring about sustainable improvement, unless there are compelling reasons not to do so</p>	<p>The leadership of the council will prioritise the needs of children. This will be reflected in corporate decision-making, action and active attendance at key committees and boards</p> <p>The chief executive and lead member will ensure they are well informed and will hold the DCS and their leadership team to account for the quality of practice and the challenges in the local area</p> <p>Strategic leaders will ensure that relationships with key partners including the health community, the police, schools, Cafcass and the family courts provide a helpful and effective context for social workers and practitioners to work effectively with children and families</p> <p>The local authority will continue to be an active, strong and committed corporate parent – in line with the corporate parenting principles</p>	<p>C3</p>
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Recruitment & retention	Issues relating to recruitment & retention of Social Workers increase due to the Ofsted judgement	Introduce an engagement forum to support staff, ensure they feel valued and have a voice	C3
Financial Implications	Improving Children's Services will bring with it financial implications. This will create additional budget pressures for the authority	Maximise the use of the skills and expertise of colleagues within the council to improve Children's Services as opposed to commissioning external consultants Continue engagement with Partners in Practice to learn best practice and introduce this in Medway	B2
Caseloads	Whilst additional resource has been introduced to reduce caseloads, there is a risk that the published judgement will bring with it an increase in the number of referrals, which will require further Social Work resource	Ensure engagement with partners is increased and discussions regarding the outcome take place to reassure them that safeguarding children is a priority for Medway	C2

8. Financial implications

- 8.1 Improving Children's Services may create additional budget pressures for the Council. However, as suggested in section 7, maximising the use of the skills and expertise of colleagues within the Council as opposed to commissioning external consultants will reduce potential cost. We must anticipate, however, that there are likely to be some areas that will require external support to enable improvement.
- 8.2 Furthermore, as mentioned in section 4.3, the Council is required to comply with any instructions of the Secretary of State or the Children's Services Commissioner in relation to the improvement of the Council's exercise of its

Children's Social Care function and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require.

- 8.3 The directorate management team will work with colleagues from across the Council to identify opportunities to use resources more effectively, in order to deliver service improvement.

9. Legal implications

- 9.1 The Secretary of State for Education has powers in the Education Act 1996 and the Children Act 2004 to appoint a Commissioner for Children's Services and for the Commissioner to make directions to the Council to ensure the children's social care functions are performed to an adequate standard.

10. Recommendations

- 10.1 The Cabinet is asked to note the content of this report and improvement steps taken so far.
- 10.2 The Cabinet is asked to note that a further report will be submitted to Cabinet in December 2019 subject to the receipt of the feedback from the Children's Services Commissioner to the Secretary of State.

11. Suggested reasons for decision

- 11.1 To formally notify the Cabinet of the outcome of the inspection.
- 11.2 To ensure the Cabinet is informed of the feedback from the Children's Services Commissioner.

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Appendices

Appendix 1 – Ofsted Inspection of Medway's Children's Services July 2019
Appendix 2 – Department for Education Statutory Direction August 2019

Background papers

None