

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

5 MARCH 2020

UPDATE ON PROGRESS MADE IN RELATION TO ILACS

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Summary

This report provides an update on progress made since the outcome of the Ofsted Inspection of Local Authority Children's Services (ILACS) inspection in July 2019. The inspection graded the service Inadequate overall, and as this was the second inadequate grading for Children's Services within six years, the last being in 2013, the Department for Education appointed a Commissioner, Eleanor Brazil. The Commissioner reported to the Minister in December 2019, and her recommendation, which has now been issued as a Statutory Direction, is that the Council has still failed to perform to an adequate standard in the provision of its children's services. An Improvement Partner, Bracknell Forest, has been appointed to provide training and coaching to the Council senior leadership team and key members. Eleanor Brazil, as Commissioner, will continue to provide advice and guidance to Medway and will assess the impact of the Leadership Improvement work, reporting to the Minister at six and twelve months from the date of issue of the Statutory Direction.

The service will continue to work with its Partners in Practice and ensure implementation of its Improvement Plan. Ofsted inspectors will undertake quarterly monitoring visits, starting in March 2020, to oversee and report on improvements made, and impact on children and families.

This report provides the Children and Young People Overview and Scrutiny Committee with oversight of actions taken to make the required improvements to the service in a timely way.

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.

2. Background

- 2.1 The Ofsted 'Inspection of Local Authority Children's Services' (ILACS) took place from 15 to 26 July 2019 and the report was published on the 27 August 2019.
- 2.2 The Committee considered the findings of this report at its meeting on 3 October 2019 and received progress reports at its December 2019 and January 2020 meetings.
- 2.3 The Council submitted an Improvement Action Plan to Ofsted on 28 November 2019 as required by them, which identifies priority actions to address the areas for improvement.
- 2.4 The Commissioner, Eleanor Brazil, submitted her initial report to the Secretary of State, on 2nd December 2019. Her findings were made public on 7th January 2020, when the updated Statutory Direction was also issued by the Secretary of State for Education.
- 2.5 The first quarterly monitoring visits by a team of Ofsted inspectors, will take place on 18th and 19th March 2020. The report of this visit will not be made public, but subsequent visit reports will be published.

3. Actions taken

- 3.1 An Improvement Board has been set up, comprising elected members, local authority officers, and key partner agency representatives. The board meets monthly and is independently chaired by Lucy Butler, Director of Children's Services, Oxfordshire County Council. The board is attended by Eleanor Brazil Commissioner, Lauren Dobson, DfE Case Officer and Alison Michalska, LGA Principal Children's Advisor. The Board oversees the progress on the Improvement Plan and provides challenge and support.
- 3.2 An Improvement Plan has been submitted to Ofsted, which sets out key actions over the coming twelve months, identifies lead officers and timescales, and provides baseline data and target indicators to measure progress. The Director is required to provide a monthly report on progress against the plan to the Improvement Board.
- 3.3 Additional resources have been agreed by the Council to support the delivery of the improvement plan. This includes:
 - Significant additional funding for a realigned service model, which will provide capacity across the service to reduce caseloads to a manageable level in line with industry average, and for the creation of specialist teams to work with children subject to child in need and child protection plans, children in care, and adolescents. The new structure went live on 3rd February 2020. Further work is continuing to fully scope the adolescent offer, which will involve partner agencies.
 - An enhanced business support model, to provide increased administrative support to social workers, enabling them to concentrate on social work.

- Auditor capacity to review open cases and provide reassurance that children are safe, and a plan is in place to support positive change.
- 3.4 Essex County Council are working with Medway as a Partner in Practice. Their consultants have undertaken diagnostic exercises in the Early Help service, the front door and the assessment service, and a set of recommendations for improvement will be agreed and implemented, with ongoing support from Essex. This work will support effective step up and down between early help and statutory children's services.
 - 3.5 Essex will also be our Improvement Partner for the fostering service, and this work will start in April 2020
 - 3.6 The Quality Assurance Framework has been reviewed and updated. It provides for a range of quality assurance activity which includes:
 - Regular programme of case audit, carried out by all managers, and moderated by senior leaders to provide a line of sight.
 - A programme of 6 weekly safeguarding visits undertaken by the Director, Assistant Director and Lead Manager.
 - Weekly performance clinics across all service areas, chaired by the Assistant Director, which review performance indicators and consider other qualitative measures which are impacting on practice improvement.
 - Themed and focused audits in response to identified practice concerns.
 - Regular workshop activity with both practitioners and auditors to address any practice issues identified in the audit findings.
 - 3.7 Engagement events are taking place termly with staff and senior officers to seek their views and ideas; these have been incorporated into plans for improvement including realigning the service. A Staff Reference Group has been established which meets monthly. Two representatives from the Staff Reference Group sit on the Improvement Board.
 - 3.8 A programme of training and development is underway from February 13th, to support the roll out of a practice model across all service areas: Signs of Safety. This is a well-researched and evidenced programme of intervention which builds on family strengths but clearly identifies concerns and supports focused safety planning
 - 3.9 Interviews have taken place and appointments made to the permanent Assistant Director role and the remaining Head of Service role.
 - 3.10 Elected members are participating in a programme of training and development to support them to fully exercise their roles and responsibilities.
 - 3.11 The training programme is being developed through close working with the LGA and Democratic Services.
 - 3.12 An app based tool, Mind of My Own, has been identified to promote improved engagement directly with children and young people who use our services. A business case has been developed and funding agreed for this over a three year period.

4. Advice and analysis

- 4.1 The Committee is requested to note the actions taken in response to the Ofsted recommendations and to continue to support and challenge improvement activity.

5. 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, or do not have impact on children and families, then children & young people may remain at risk of harm.	The Improvement Board will monitor progress and will hold the service to account if progress is not positive. Regular management oversight within the service, and increased quality assurance activity will provide assurance of individual children's safety	B2
Resource is not in place to deliver rapid improvement	The authority cannot evidence it has sufficient capacity 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
The Council loses control of Children's Social Care Services	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	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 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	C3
Recruitment & retention	There are ongoing challenges relating to recruitment & retention of Social Workers, due to the Ofsted judgement and continued high caseloads	Support staff, to ensure they feel valued and have a voice. Realign the service to offer opportunity for more specialised area of work. Reduce caseloads and introduce good career development opportunities	C3

Financial Implications	Improving Children's Services will bring with it financial implications. This will create additional budget pressures for the authority	Continue engagement with Partners in Practice to provide additional capacity and expertise into Medway. Identify appropriately skilled resource in the Council to support changes in the authority to support the Improvement Programme as an alternative to commissioning external resource	B2
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6. Implications for Looked After Children

- 6.1 The planned realignment of the service, developing specialist teams for children in care, will offer them an improved service. Practitioners will be enabled to prioritise permanency planning and direct work, which will support better outcomes for our children in care.

7. Financial implications

- 7.1 Improvements to the service require investment over and above the current 2019-20 in-year budget for Children's Services. There is a need for urgency and pace, in order to demonstrate that the Council has the capacity to make the required changes.
- 7.2 Improvement activity requiring additional investment was identified in the Improvement Action plan and additional funding was immediately made available to the service.
- 7.3 A detailed, fully costed proposal for the realignment of the service setting out the gap between the current workforce establishment, and the requirements for the new structure, which supports manageable workloads was developed. In the longer term, this model, will create conditions for improved practice, which is more efficient and will make permanent recruitment more successful reducing the financial pressure on the over reliance of agency staffing.
- 7.4 Additional funding of £3.882m was agreed as part of the MTFS. However, this proposal led to the immediate significant additional funding of a further £3.730m to enable the realignment of the service and enhanced business support.
- 7.5 The current financial position of the authority was taken into consideration when developing these proposals. The service will continue to work closely with corporate finance colleagues to ensure the accuracy of the financial modelling imbedded in the proposals is accurate and to better enable robust forecasting.

8. Legal implications

- 8.1 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 issue directions to the Council to ensure the children's social care functions are performed to an adequate standard.

9. Recommendation

- 9.1 The Committee is asked to note the report.

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Appendices

None

Background Papers

Improvement Plan –

<https://democracy.medway.gov.uk/mgconvert2pdf.aspx?id=50080>