

CABINET

4 AUGUST 2020

OFSTED UPDATE REPORT – CHILDREN’S SERVICES IN MEDWAY

Portfolio Holder: Councillor Mrs Josie Iles, Portfolio Holder for Children’s Services
(Lead Member)
Report from: Ian Sutherland, Director of People – Children and Adults
Services
Author: Sue Brunton-Reed, Head of Special Projects and Improvement

Summary

This report provides the Cabinet with a progress update on improvement activity since the Ofsted Inspection of Local Authority Children’s Services.

1. Budget and policy framework

1.1. This report supports the Council Strategy 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’ (ILACS), the framework for inspecting local authority services for children in need of help and protection, children in care and care leavers. This framework outlines the responsibilities of both local authorities and Ofsted following an ‘Inadequate’ judgement.

2. Background

2.1. The Ofsted ILACS took place in Medway Children’s Services from 15 to 26 July 2019 and 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 overall judgement for Medway was rated inadequate.

2.3. 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 was appointed by the Secretary of State.

- 2.4. The Commissioner appointed for the DfE to act as the Medway Children's Services Commissioner is Eleanor Brazil.
- 2.5. The Commissioner submitted her first report to the Secretary of State on 2 December 2019 and her second report is due to be submitted in July 2020.
- 2.6. The report set out recommendations for the Council to focus on specific areas, which included wider Council leadership and front-line service delivery.
- 2.7. The Commissioner recommended in December that the Council be directed to work with a leadership improvement partner, Bracknell Forest, and to secure support through the Partners in Practice programme to support the required improvements. Essex County Council have been the Partner in Practice working directly with the service.
- 2.8. The Parliamentary Under Secretary of State for Children and Families, Department for Education, issued a new Statutory Direction to Medway Council in relation to Children's Services under Section 497A(4B) of the Education Act 1996.
- 2.9. Eleanor Brazil's term as Commissioner has been extended for a further 12 months following her initial report to oversee the development of a comprehensive work plan with the Leadership Improvement Partner and carry out a review of the arrangement at six and twelve months. Should the support not have the impact expected, the Commissioner will re-consider whether services would be better delivered outside of the Council's control.

3. Improvement Activity

- 3.1. Prior to, and since the publication of the ILACS there has been a broad range of work carried out and/or being implemented to support our improvement journey.
- 3.2. An Improvement Board was set up in October 2019, comprising Council Leader and the Lead Member for Children's Services, local authority officers including the CEO, and key partner agency representatives. The board meets monthly and is independently chaired by Rory Patterson, a former Director of Children's Services for Thurrock. The board is attended by Eleanor Brazil Children's Commissioner, Lauren Dobson, DfE Case Officer and Alison Michalska, LGA Principal Children's Advisor and membership includes key partner agencies as well as staff representatives. The Board oversees the progress on the Improvement Plan and provides challenge and support. The Improvement Plan has recently been refreshed and updated to reflect the

progress made over the last nine months and is attached to this report at Appendix 1.

3.3. Further substantial additional resources were agreed on a recurrent basis by the Council in February 2020 to support the delivery of the improvement plan. This included:

- Significant additional funding for the realigned service model, which was fully implemented in February 2020. This has increased 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. Caseloads have reduced, particularly in the assessment service where they were at an average of 32.3 at the time of inspection and are now 11.3 (June 2020). **NB** number of referrals have dropped during the Covid-19 pandemic and are expected to rise again in September;
- Resources to support the development of an Adolescent Service and an Edge of Care Team;
- Auditor capacity to provide reassurance that children are safe, and a plan is in place to support positive change;
- Dedicated recruitment programme of permanent social workers, including international recruitment and conversion of agency staff to permanent.

3.4. The Quality Assurance Framework has been reviewed and updated and work is underway with Essex as our Partner in Practice to further refine it. It provides for a range of quality assurance activity to assess the quality of our social work practice and its impact on children which includes:

- Regular programme of case audit, carried out by all managers, and moderated by senior leaders to provide a line of sight. These are showing early signs of improvement;
- A programme of 6 weekly safeguarding visits undertaken by the Director, Assistant Director and Lead Member;
- Weekly performance clinics across all service areas and a six weekly QA and Performance Improvement Board chaired by the Assistant Director;
- 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, and build their skill, knowledge and capability.

3.5. Elected Members are participating in a programme of training and development to support them to fully exercise their roles and responsibilities and provide challenge and scrutiny. The training programme has been developed through working with the LGA and Democratic Services and has

been adapted for delivery on line during the Covid-19 social distancing restrictions.

- 3.6. A programme of development has been commissioned specifically for the Corporate Parenting Board to help Board members to effectively carry out their responsibilities as a Corporate Parent.
- 3.7. A Workforce Development Strategy has been developed with a strong focus on recruitment, retention and engagement activity to realise the ambition to reduce the proportion of agency staff working in the service.
- 3.8. Essex County Council are working with Medway as a Partner in Practice. Senior staff from this 'outstanding' Local Authority have undertaken diagnostic exercises in the Early Help service, the front door and the assessment service, the 0-25 children with a disability service and the Fostering service. Sets of recommendations for improvement have been agreed by the Children's Services Improvement Board and Children's Management Team and are being implemented, with ongoing support from Essex. This work will also support the development of an Early Help strategy together with our partner agencies. Essex will be our practice Improvement Partner for the coming year, funded by the DfE.
- 3.9. There has been a focused approach to reviewing children subject to a child protection plan to ensure that only those who require that level of intervention are subject to a plan. The numbers have reduced from a high of 475 in April 2020 to 434 in June 2020.
- 3.10. The Adolescent Service is now in place, working with our most vulnerable young people who are at risk of harm outside the home, including exploitation, missing, and substance misuse. To support their work, agreement was secured to commission an additional 'Edge of Care' service which became operational at the start of April.
- 3.11. A permanent Assistant Director, Children's Social Care, Dr. Lee Anne Farach took up post in May, and the appointment of all Heads of Service has resulted in a permanent management team being in place.
- 3.12. Signs of Safety was agreed as the Practice Model and a programme of training and development is underway for all staff.
- 3.13. An app based tool, Mind of My Own, has been procured to promote improved engagement directly with children and young people who use our services. Additional funding for this over a three year period has been committed, which includes a training programme for social workers on more effective use of this important communication tool with children and young people.

3.14. The current Improvement Plan has been refreshed and updated to reflect the progress made and the priorities for moving the service forward over the next twelve months. This updated plan, which is attached at Appendix 1, has been signed off by the Improvement board on 23rd July 2020.

4. Intervention

4.1. 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.

4.2. 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.

4.3. 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.

4.4. The quarterly monitoring visits by a team of Ofsted inspectors were due to take place on 18 and 19 March 2020 and on the 11 and 12 June 2020. Both these visits were postponed due to the Covid restrictions, but the first visit has now been re-scheduled for the 20 and 21 August, when the focus will be on Assessment and the interface with Early Help and Child in Need plans. The report of the first monitoring visit will be shared with the Council but will not be published by Ofsted, unlike subsequent reports

5. Impact of Covid-19 restrictions

5.1. Steps are in place to manage the identified risks arising as a result of the Covid 19 Pandemic, and actions have been agreed in order to keep children and our staff as safe as possible.

5.2. A Risk Assessment has been completed for every child which identifies whether the level of risk requires face to face contact or whether it can be managed through other means of contact including phone or video call. All children subject to child protection plans are now being seen face to face.

5.3. In accordance with government guidelines staff continue to work from home wherever possible and are maintaining contact with colleagues, managers and partners using technology.

5.4. Regular contact is being maintained with other partners including schools and health colleagues to ensure all known risks to children are shared and contact with families is managed in an efficient way.

5.5. During the last half of the summer term, twice weekly consultation was offered to schools to address any concerns they had about their children. These will re-commence when schools return in September. Child Protection conferences and other partner agency meetings have continued on-line and attendance has been positive.

6. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Actions are not implemented in a timely manner	<p>If the actions within the Improvement 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.</p> <p>This is an enhanced risk due to the Covid restrictions which mean that purposeful direct work with families is not possible due to limited face to face contact with them.</p>	<p>The Improvement Board will monitor progress and will hold people to account if progress is not positive.</p> <p>Regular management oversight within the service, and increased quality assurance activity will provide assurance of individual children's safety.</p> <p>Clear Covid Operating Procedures which set out arrangements for seeing and maintaining contact with children, and regularly reviewing the level of risk</p> <p>Recovery planning is underway to prepare for an expected surge in referrals when children return to school in September.</p>	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
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	<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 Leader of the Council, Chief Executive and Lead Member will ensure</p>	C3

Risk	Description	Action to avoid or mitigate risk	Risk rating
	to bring about sustainable improvement, unless there are compelling reasons not to do so.	<p>they are well informed, will work positively with the Leadership Improvement Partner and Commissioner, and will hold the DCS and their leadership team to account for the quality of practice and the challenges in the local area. 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 supportive 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>	
Recruitment and retention	Challenges relating to recruitment & retention of Social Workers increase due to the Ofsted judgement, and to the current Covid pandemic.	<p>An engagement forum has been introduced, and continues virtually under current arrangements to support staff and ensure they recognise they are valued and their views are welcomed.</p> <p>HR continues to actively pursue the recruitment strategy during this time and offer online interviews.</p> <p>The Workforce Development Strategy has been agreed which supports a rebranding and relaunch of targeted recruitment activity, and a robust career development pathway to support staff to advance their careers within Medway.</p>	C3
Financial implications	Improving Children's Services will bring with it financial implications. This will create additional budget pressures for the authority.	Identify appropriately skills to ensure effective budget oversight and management and identify all opportunities for efficiency in service delivery.	B2

Risk	Description	Action to avoid or mitigate risk	Risk rating
	The additional obligations to maintain a service during the Covid pandemic will also have financial implications	Ensure an accurate record is maintained of all expenditure directly relating to Covid pressures.	
Caseloads	Whilst additional resource has been introduced to reduce caseloads, there is a risk that the pressure of the Covid restrictions will create additional stress in families and lead to an increase in the number of referrals, which will require further Social Work resource.	Ensure engagement with partners and community support resources is increased to support provision of services to children and families and reassure all that safeguarding children is a priority for Medway. Continue to plan for recovery, addressing all anticipated risks to the service.	B2

7. Implications for Looked After Children

- 7.1. The realignment of the service, with the introduction of specialist teams for children in care, is offering Medway's Looked After Children an improved service, with dedicated time for visits and direct work and an increased focus on permanence.
- 7.2. Practitioners will continue to prioritise permanency planning and direct work, which will support better outcomes for our children in care. The percentage of children with long term fostering as a plan, where the child is in a long-term fostering placement has increased from 39% (July 2019) to 63% (June 2020).
- 7.3. The planned improvements to the Fostering Service will increase choice and availability of local placements.

8. Financial implications

- 8.1. Improving Children's Services has created additional budget pressures for the Council. Improvements to the service have required investment and the identified budget for Children's Services has been increased. There is a continuing need for urgency and pace, in order to demonstrate that the Council has the capacity to make the required changes.

- 8.2 Improvement activity requiring additional investment was identified in the Improvement Action plan and through the 2020-2021 budget setting process. £7.6m of additional funding has been made available to the service in the 2020-2021 budget, to substantially increase the staffing establishment for Children's Social Care (including the budgets which form part of Children's Social Care but reside within Children's divisions) as well as the non-staffing budgets, such as budgets that relate to financial support for care leavers as an example.
- 8.3 The service is working closely with corporate finance colleague to ensure accuracy and enable robust forecasting and budget monitoring.
- 8.4 The directorate management team will continue to 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, the improvement steps taken so far, and the progress made, and to note the updated Improvement Plan, attached at Appendix 1 to the report.

11. Suggested reasons for decision(s)

- 11.1 To formally notify the Cabinet of the progress made in relation to improving Children's Social care services.
- 11.2 To ensure Cabinet are aware of the feedback from and the ongoing involvement of the Children's Services Commissioner and the Statutory Direction from the Secretary of State.

Lead officer contact

Sue Brunton-Reed, Head of Special Projects and Improvement, 01634 334160,
sue.bruntonreed@medway.gov.uk

Appendices

Appendix 1 – Refreshed Improvement Plan

Background papers

None