

Agenda item no. 3 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Barrington, Hereford	Can the council indicate what disciplinary action will be taken against individuals criticised in Judge Keehan statement?	Cabinet member finance and corporate services
<p>Response: The council is currently undertaking its own learning review of what has taken place on both cases and, alongside this, specific externally-led reviews are already underway or being put in place. Appropriate action will be taken on the conclusion of these reviews, in accordance with the council's HR procedures, any relevant professional body requirements, and the law.</p>			
PQ 2	Ms Coda, Peterchurch	The Keehan judgements against Herefordshire Council are the latest examples of problems, including long standing difficulties in recruitment and retention of social workers, within our social services. In light of this history can councillors demonstrate that Herefordshire Council is a 'fit' body to run and improve our social services, particularly those that serve children?	Cabinet member children and families
<p>Response: The council is committed to maintaining high standards of conduct by its staff and councillors and has adopted a set of values that underpin its work, and which include commitments both to strive for excellence and the appropriate quality of service, care and life in Herefordshire, and to be open, transparent and accountable. These are not bland statements but guide how we work. Where things go wrong, we are open about the fact, and take action to understand the causes of any problem or failure, as well as what we need to do to make things better. We welcome challenge and seek to learn, not only from our own experiences, but also those of other councils across the country.</p> <p>There has been and is a lot of good work carried out by Herefordshire Council children's services. Ofsted's inspection of local authority children's services in Herefordshire in June 2018 highlighted a number of areas of work where this is the case, as well as areas for improvement. We regularly invite challenge from peers through the Local Government Association and the 2018 corporate peer challenge found that as a council we had an appetite to learn, a desire to improve, and an awareness of key areas for change. It also noted that a range of externally supported arrangements have been put in place to assist our improvement journey.</p> <p>Performance for children and young people is regularly reviewed, challenged and reported publically, and demonstrate that improvements have been made in a number of areas. In 2017 we strengthened the capacity of our scrutiny function enabling a greater focus to be given to our work with children and young people. This rigorous approach to performance will continue.</p> <p>The problems of recruitment and retention highlighted in the question are by no means unique to Herefordshire. There are national and regional issues in recruitment (in 2018 it was reported that there were 110 children's social worker vacancies in the West Midlands that were not filled either by agency or permanent employees). Herefordshire faces further difficulties given its location and infrastructure.</p>			

Improving recruitment and retention can't be solved by a 'quick-fix'. Herefordshire Council has a good record of recruiting and supporting newly qualified social workers who are often enthusiastic, hard-working and committed but need extra support. Caseloads have reduced with the use of agency workers. This should make the retention and recruitment of employed staff easier in the shorter term, but use of agency workers does not come without its own challenges. We have recently put in place additional retention and recruitment incentives for posts such as social workers where it is difficult to recruit and retain the staff that we need; we will continue to keep this under review. Our fundamental approach is to "grow our own" and keep them, recognising that this will take a number of years.

Supplementary Question

How does the number of social workers currently employed at the Council compare to the number previously employed and the number projected to be employed in the future? What proportion of staff are agency workers?

Response to Supplementary Questions

Judge Keehan acknowledged the challenge of recruiting and retaining staff. It was a pressure regionally and nationally. There are 700 permanent post vacancies in the West Midlands and 100 vacancies not filled by interim or agency staff. £1.6 million had been dedicated by the Cabinet to children services to attempt to increase recruitment and reduce the reliance on agency staff with a reduction from 54 agency staff in October 2015 to 15 in December 2018. There were still social worker vacancies of 19.77 full time equivalent (fte) which was 7.27 fte net of agency staff but the Council was proactive in seeking to dealing with the issue and was attempting to be creative in its solutions. This included a revised pay and incentive offer, an initiative to train and develop in-house members of staff and a campaign to promote the authority and the rural nature of the county was in progress. Other initiatives such as recommending a friend, social media campaigns, return to work programme and work with recruitment firms had been undertaken. In attempting to meet the challenge the Council was looking to learn from the practices of social worker recruitment in Cornwall which was of a similar rural nature to Herefordshire. Case-loads were decreasing in particularly case-loads for the Independent Reviewing Officers (IROs) were now within recommended levels. The investment from Cabinet had also allowed for an increase in the capacity of the legal team with the appointment of additional childcare lawyers, apprentices and a paralegal. The Council was always open to listen to new suggestions to increase recruitment.

PQ 3	Name and address supplied	There appears to have been or is a culture within Children's Services of Herefordshire Council of "misleading" judges etc; what has the council done about this?	Cabinet member children and families
------	---------------------------	--	--------------------------------------

Response:

There is no evidence to suggest that there has been a culture of misleading judges. The AB case was taken to court by officers to allow the court to discharge the order rather than letting it lapse. This ensured that the court had oversight of the matter. This question has not been raised by judges themselves, nor by Ofsted or the Local Government Association following external inspections or reviews they have carried out. Many cases over a number of years have been before the courts and agreed without issue. Mr Justice Keehan made comments about specific cases and on practice, including noting the "open and forthright manner in which they [the Director for Children and Families, and the Assistant Director Safeguarding and Family Support] have responded to the diverse criticism made".

Supplementary Question

In the A & B case, Herefordshire Council accepted that it failed both young people “over a very prolonged period of time”. Regarding the separated twins case, the judge completely damned Herefordshire Council including for “submitting [reports for potential adopters] which were inaccurate, incomplete and misleading”. The judgements have been sent to Ofsted. Family courts are strictly private but presumably most cases would be contested. Parents may not contest even though they have been misrepresented. Is the cabinet member’s response to my original question itself “misleading” and demonstrates the “misleading” culture which is rarely made accountable by High Court judges?

Response to Supplementary Question

The cases contained in the judgements relate to instances of individual actions and does not represent widespread practice or constitute a culture at the Council. That would not be a fair assessment of the environment at the Council. To my knowledge there is no culture of misleading but if the questioner would like to meet with me in a different a forum to outline evidence of a culture of misleading I would look into the claims.

PQ 4	Dr Whalley, Hereford	The judgement by Mr. Justice Keehan referred to Herefordshire Councils “litany of errors”, “lamentable and astonishing failures”, “dreadful and irrational decision-making” and this has left Hereford citizens with some very real concerns about the nature of the “root and branch” reforms that the Director committed to carrying out . Precisely how have the issues raised in his report of poor supervision, excessive workloads, weak oversight, lack of grip and poor decision making been addressed?	Cabinet member children and families
------	----------------------	---	--------------------------------------

Response:

In his judgement, Mr Justice Keehan gave his view that he was reassured by the senior managers’ expressed commitment to a root and branch reform of children’s services in Herefordshire and a commitment to ensure that far more robust systems are in place to ensure compliance with good social work practice.

That commitment is being realised through actions that had already been put in place prior to the judgement and further actions that are in hand, some of which will not be ‘quick fixes’. The report on the agenda today sets out those actions. Cabinet has approved additional funding and we have increased the number of social workers (primarily through the use of agency staff in the first instance but with plans to create a more sustainable permanent staff base), business support, early help workers and management posts to provide more capacity for staff to carry out their roles. We have introduced a range of performance reports that managers are now using on a weekly basis to check on some performance areas. These are reviewed at an assistant director/heads of service meeting and then by the whole directorate leadership team once a month. Closer scrutiny of decision making is taking place, including through panels established by the assistant director and supported by legal services.

We are not closed to any further suggestions and if you have particular concerns about the reforms being made or proposed I or the senior managers would be pleased to meet with you to hear those concerns, and any suggestions for further improvements that you may wish to propose.

Supplementary Question

I note that the Director and Assistant Director will meet with the twins in the court judgement who have been given a basic financial restitution. There will be significant costs in respect of therapeutic care for the children and additional costs to the adoptive parents. When the Director meets with the twins in the court judgement will he provide assurance to the adoptive parents and the children that their needs will be prioritised and that personnel and resources will be made available to them?

Response to Supplementary Question

The figure set for restitution to the twins was ordered by the court. The Anna Freud centre had undertaken research in the co-location of twins in adoption and the following is a quote from the report produced, *'In summary, it is our view that the benefits of placing the siblings together is outweighed in this case by the likelihood that their high level of need could not both be met in one placement, that their separate placement but continued relationship offers them the best opportunity for recovery...'*. In the light of these findings the judge concluded that the separate placement of the twins had been a correct decision and that their development would be enhanced by this arrangement.

PQ 5

Ms Dean, Hereford

The findings state that *'In the autumn of 2008 Children's services in Herefordshire moved from paper files to electronic records. It was not discovered until January 2016 that the placement orders made in respect of both children had not been recorded on their electronic record'*. Has a full audit of all records been undertaken to ensure that no other records are inaccurate or missing?

Cabinet member
children and
families

Response:

Over the past ten years the council's children's safeguarding services have worked with more than 7,000 children and it would not be practicable to audit all these cases. We have carried out specific case record audits, including those relating to children under placement orders, and are continuing a risk based programme of reviews, prioritising our work on current cases and, within that, cases that may come before court or where we may need to review our approach as corporate parents.