

Minutes of the meeting of Council held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Friday 18 January 2019 at 10.00 am

Present: Councillor DB Wilcox (Chairman)
Councillor PJ Edwards (Vice-Chairman)

Councillors: SP Anderson, PA Andrews, BA Baker, JM Bartlett, WLS Bowen, TL Bowes, H Bramer, CR Butler, ACR Chappell, E Chowns, MJK Cooper, PE Crockett, PGH Cutter, BA Durkin, CA Gandy, DW Greenow, KS Guthrie, J Hardwick, DG Harlow, EPJ Harvey, EL Holton, TM James, PC Jinman, AW Johnson, JF Johnson, JLV Kenyon, JG Lester, MD Lloyd-Hayes, RI Matthews, MT McEvelly, SM Michael, FM Norman, CA North, RJ Phillips, AJW Powers, PD Price, P Rone, AR Round, A Seldon, NE Shaw, WC Skelton, J Stone, D Summers, EJ Swinglehurst, LC Tawn, A Warmington and SD Williams

Officers: Chris Baird, Richard Ball, Annie Brookes, John Coleman, Kate Coughtrie, Liz Elgar, Tim Marks, Caroline Marshall, Alistair Neill and Stephen Vickers

34. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors JA Hyde, PP Marsh, RL Mayo and PD Newman.

35. DECLARATIONS OF INTEREST

There were no declarations of interest.

36. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 10)

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

37. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 11 - 16)

A copy of the Member questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 2.

38. COURT JUDGEMENTS RELATING TO CHILDREN AND FAMILIES

Council considered a report from the chief executive which set out the details and issues relating to the recent court judgements of the His Honour Mr. Justice Keehan.

The Leader introduced the report and restated the council's apology to the young people who were the subjects of the court judgements. The council had accepted the judgements, recognised the failings outlined and expressed deep regret for the impact on the children. The council was very grateful for the work of adopters. It was

acknowledged that there had been problems and that when such issues come to light it was easy to assume that there were issues throughout the service. As councillors and corporate parents it was acknowledged that there would be disappointment in the judgements however it was also important to consider, in totality, the work undertaken by the children and families directorate. The positive impacts of the work of the directorate were evident in the school results which children in Herefordshire had achieved recently. Following the judgements the council was now taking action which included engaging with external providers such as the Doncaster Children's Trust and were open and honest about the improving services and ensuring that children received a good level of care. The scale of the challenge and the work that was needed required arrangements to be put into place to support those who work with children. As corporate parents all members were required to assist the council to identify the help and support required.

During the debate members made the following principal points:

- It was queried whether local residents were aware of the pressures that children's services were under and that there was a growing number of children who had suffered abuse or neglect and required the intervention of the council.
- There were currently over 300 children in care and those staff at the council who were responsible for administering the procedures around care were under significant pressure. Within a busy and pressurised working environment administrative and supervisory processes could fail. It was important for members to bear in mind the difficult work that many social workers carried out when considering the issues raised in the judgements.
- The improvements being undertaken to systems and processes and efforts around the recruitment and retention of staff were encouraging.
- The role of scrutiny in respect of the judgements was raised. It was queried how scrutiny could review such issues effectively if it was not aware until after the judgements had been published. A member contended that the role of scrutiny had been diminished over the last three administrations at the council. *The chairperson of the children and young people scrutiny committee explained that the work programme was agreed at the start of the municipal year but if issues arose which the committee were unaware of it could consider those items when they became apparent. There would be a discussion between the cabinet member, chairman of the children and young people scrutiny committee and the director children and families regarding how such matters could be handled, in a timely manner, by scrutiny in future.*
- It was noted that the children involved in one of the judgements had received a good level of care.
- During the implementation of required improvements the morale of employees should be considered and a positive spirit engendered. An important point in the report concerned the need to support members of staff and acknowledge the difficult and important work that they carry out.
- The extraordinary meeting of Council should have been convened without the need of a request from members. There was a need for the council to be open and transparent with the public about the issues contained in the judgements.
- The independence of the IROs was queried. In order to ensure independence it was suggested that IROs could be engaged externally, potentially through the NSPCC. A strong and independent department of IROs was seen as essential. *The cabinet member children and families (CM C&F) explained that having an IRO service within the council was standard practice. New processes and practices were being implemented to improve the challenge and support for IROs. Doncaster Children's Trust was assisting the council to assess the new arrangements that were being introduced and make further recommendations.*

- Support was expressed for the convening of a task and finish group and it was hoped that members would be forthcoming to be involved on the group that was established. Details of the terms of reference for the task and finish group and the timeline for its work were requested. *The chairperson of the children and young people scrutiny committee explained that the scoping document for the task and finish group would be agreed at the meeting of the committee on 4 February with a final report published before the end of the council term.*
- The importance of corporate parenting was emphasised and the need for all members to attend training on being a corporate parent and to act to advance the responsibilities of this role.
- Reassurance was sought that there were no further cases, similar to those under discussion, which would emerge concerning child protection at the council. *The CM C&F explained that she was not aware of any pending issues which was confirmed by the deputy solicitor children and families.*
- It was queried what systems were in place to avoid a recurrence of the issues. *The CM C&F confirmed that the new checks and balances had been put in place to ensure that decisions could be subject to review and reassessment if necessary. The deputy solicitor children and families explained that the service provided to children was now much stronger with more social workers in post and more robust management.*
- There was a requirement to undertake preventative work to support families in deprived wards where vulnerable children lived. The reduction of services in such areas were raised with the example of the withdrawal of 16-19 education at the Hereford Academy; the withdrawal of this provision was attributed to the social issues of attendees at the school. It was asked if the executive would invest greater resource in areas where there was a higher level of vulnerable children. *The CM C&F explained that early help and prevention priorities existed across all directorates at the council. Preventative work included supporting families in crisis and providing assistance before children were taken into care. This was a priority and assessments for early help services were increasing along with uptake of the services. This was causing an impact on the length of waiting times and families were prioritised depending on their level of need. It was confirmed that it was important for thresholds to be correctly set and observed for different levels of interventions to ensure that the capacity of the service was managed effectively.*
- The level of agency staff within social work teams was queried; figures provided as part of the member briefings appeared at variance with those provided by the cabinet member at the current meeting. The decrease reported to the meeting was queried in light of the continued difficulty in the recruitment of staff. *The director children and families explained that the figures previously reported referred to staffing in the assessment and child protection court teams rather than the overall directorate. The investment from cabinet had enabled the employment of more agency social workers in these critical teams. Work had also been undertaken on a regional programme in the West Midlands to bring in agency workers.*
- One member asked what steps the director children and families was undertaking in response to the judgements. *The Chairman confirmed that the director children and families would meet with the member to discuss actions underway in response to the issues in the judgements.*
- A recent freedom of information request relating to costs of non-disclosure agreements (NDAs) was raised and whether these related to individuals involved in the judgements. *The CM C&F advised that these were employment matters but that it may be reasonable to infer that costs associated with the*

NDAs included in the response to the freedom of information request were likely to relate to severance payments; a written response would be provided to clarify the point.

- The responsibilities of councillors to challenge and scrutinise the performance of children's services was raised. The performance challenge briefings were highlighted and the potential for increasing access to these sessions. *The CM C&F explained that the performance challenge briefings provided an effective and robust exchange of views involving all councillors. Consideration of different options, including the distribution of information from these sessions, to improve the manner in which the sessions operated could be considered.*
- The difficulty of convening a quorate case conference to review care cases was raised. *The director of children and families explained that the range of organisations and representatives at case conferences reflected those local agencies with safeguarding responsibilities. Attendance levels at the conferences were being monitored and poor attendance would be raised through the safeguarding board.*
- The use of new forms of IT to assist social workers to keep case records and notes up to date were raised. The new IT equipment was seen as a positive step in making improvements to the work of social workers. *The chief executive and the director children and families confirmed that voice recognition software and equipment was being introduced for social workers to improve record keeping around visits.*
- The need to maintain a balance between offering support and assistance to staff who were under pressure and ensuring that there was effective performance management was expressed. It was queried how poor performance had not been identified at the time. *The CM C&F explained that reviews to determine how the system had failed had been undertaken and measures were being put in place, including those through the Ofsted action plan, to address the issues.*
- It was queried whether the executive would make provision in the budget for key worker housing for social workers. *The CM C&F confirmed that key worker housing for social workers was supported and initial work on such a proposal had been undertaken at Cabinet.*
- It was queried whether the cabinet would lobby central government for additional funding for children services. Successive increases to the precept to support local services were not sustainable and it was noted that the LGA was aware of the pressures involved in the funding of children's services nationally. Children's services across the country represented a significant pressure upon local government finances with £2bn shortfalls by 2020. *The CM C&F explained that the cabinet had allocated additional resources to children and families which it was committed to sustaining into the long term.*
- A member stated that similar issues to those contained in the judgements had been a problem at the council for a number of years. The scope containing the task and finish group's terms of reference should examine delegations from the Leader down and include consideration of the 'culture' at the council.
- There was deep concern expressed regarding the member of staff who set out in the submission to the court that they were threatened with disciplinary action if they sought independent legal advice.
- Scrutiny of improvements that had been achieved were urged. It was suggested that the scrutiny committee could review cases selected at random to ensure that new processes and procedures were being observed. *The CM C&F would raise this suggestion with the director children and families but acknowledged the confidentiality of the information contained in the cases may undermine its feasibility.*

- A member raised the importance of moving away from a blame culture to one in which people felt empowered to admit to mistakes and raise issues freely. A further member explained that a responsibility culture was required at the council, responsibility which started at the level of Leader of the Council and cabinet member down through the organisation.
- It was explained that investment alone would not rectify the issues identified in the judgements. A full review of the problems was required to ensure that investment was properly informed and targeted effectively. *The CM C&F explained that the £1.6 m additional funding from cabinet was carefully planned investment in the children and families directorate with the intention of realising tangible improvements.*
- A member explained that there had been a number of problems for over ten years in children's services and the cause had been regularly identified as the culture in the service. *The CM C&F explained that she had been appointed as cabinet member in April 2018 and the council was on an improvement journey. The outcome of the Ofsted inspection in 2018 of requiring improvement was noted as the first time the council had retained this status.*

In summing up the Leader welcomed the debate and explained that the planned improvements were an appropriate response. The response to the judgements demonstrated that the council was willing to make improvements and allow external examination of those improvements.

In closing the debate the CM C&F read a statement from a child in care which spoke of their thanks for the care and help of social services at Herefordshire.

The Chairman put the recommendation to receive the report to the vote which was approved unanimously.

RESOLVED: that the report is received.

The meeting ended at 12.05 pm

Chairman

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>			

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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
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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
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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 <i>'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'</i> . Has a full audit of all records been undertaken to ensure that no other records are inaccurate or missing?	Cabinet member children and families
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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.

Agenda item no. 4 - Questions from members of the council

Question Number	Questioner	Question	Question to
MQ 1	Councillor CA Gandy, Mortimer	What effect will or has there been following these two court cases, which have come so soon after the S20 cases, on the retention and recruitment of social workers in Herefordshire?	Cabinet member, children and families
<p>Response:</p> <p>We have no evidence to date that retention and recruitment of social workers in Herefordshire is being affected by the court cases.</p> <p>Many social workers take their work very seriously and feel deeply about it. There is a desire amongst our staff to do a really good job for children and young people and this has been evidenced whenever Ofsted or external reviews take place. The council has put in an increased retention offer over the last six months and also improved its package to attract permanent staff. This continues to be kept under review.</p> <p>Experience from other councils who have received adverse publicity shows that a demonstrable willingness to learn from mistakes made and make changes helps to achieve more speedy progress in improvement thus making recruitment easier. That said, the national challenges around the social care workforce supply, taken together with the particular Herefordshire challenges of location and infrastructure mean that recruitment and retention of social workers will require sustained focus and action.</p> <p>As the chair of the children and young people’s scrutiny committee I know that you and your committee members have given really valuable challenge and suggestions to our plans for improvement following the section 20 cases and your input is reflected clearly through our action plans. I very much hope that this welcomed input will continue.</p>			
<p>Supplementary Question</p> <p>Does the portfolio holder believe a task and finish group, which should be composed of members of all the political parties at the Council, should be set up to consider the issues surrounding the judgements?</p>			
<p>Response to Supplementary Question</p> <p>I would be delighted for a task and finish group to be established following the helpful work that was undertaken by the section 20 task and finish group. Scrutiny offers the opportunity for a detailed examination of the issues and for recommendations to emerge from its work to take forward.</p>			

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MQ 2	Councillor BA Durkin, Old Gore	What assurances can the cabinet member children and families provide, going forward, that the new management team will deliver on their assurances to prevent any repetition of the lamentable shortcomings illustrated in the decision of this hearing?	Cabinet member, children and families
<p>Response:</p> <p>I can provide a number of assurances that the commitments made, and recognised by Mr Justice Keehan, to reform children’s services and ensure far more robust systems are in place to ensure compliance with good social work practice are being delivered.</p> <p>A number of actions have already been implemented as detailed in the report before Council today; these include:</p> <ul style="list-style-type: none"> a) The Assistant Director Safeguarding and Family Support chairing a weekly Placement Panel that reviews individual child cases and also looks at cohorts of children, for example those placed with parents or in kinship care. This includes children who are the subject of placement orders whose cases will be reviewed on a six-monthly basis. b) The agenda for Adoption Reviews has been strengthened to reflect that the review takes place in the light of the guidance set out in section 1 of the Adoption and Children Act 2002 to establish if the court approved care plan has been changed. c) The legal department holds six-monthly legal review meetings of all children under placement orders. This should ensure that decisions are not made without Adoption Decision Maker (ADM) consideration. d) A sibling separation tool is being introduced for managers to ensure the decision to recommend to separate considers all relevant matters before it is presented to the ADM and is clearly recorded on the Mosaic system. The completed sibling separation tool will be required at panel. e) Changes have been made to the way electronic case records are updated so that changes are visible as changes rather than deleting/replacing previous information. f) The Independent Reviewing Officer (IRO) service has been strengthened by increasing management oversight and implementing robust processes to ensure any concerns of the IRO are raised and appropriately responded to. An externally led review of the service, as part of our work with Doncaster Council, is underway. g) All IROs have received, by email and in a laminated hard copy, legal guidance for IROs on challenging decisions of the council. The guidance makes it clear that the individual IRO is personally responsible for activating the dispute resolution process. A clear 			

expectation has been communicated to IROs to record their work, including any dispute resolution concerns and activity. A more effective escalation process has been put in place.

Additionally a learning exercise on the cases is underway. The wider learning will be reported to members, and taken to all staff. We will adopt this approach for any cases in the future that we need to get a clear understanding on the presenting issues, what may have happened in the past, and what may need to change in terms of current practice.

We have an Ofsted Improvement Plan that details a range of actions that children and families scrutiny will review, we will also review progress and what more needs to be done at the members performance challenge sessions. Ofsted will also receive reports on progress and every year Ofsted will formally inspect services either through focused visits, joint targeted area inspections or inspections of local area children's services.

Our local senior Judge HHJ Plunkett meets with the Director, Assistant Director and Deputy Solicitor to the Council every three months and he has commended the efforts the council are making.

Assurance on delivery of improvement action and performance standards will continue to be subject to regular challenge from senior management and members at an operational level, through the regular directorate performance challenge sessions and the corporate performance reporting process.

We will never be able to give a guarantee that poor decisions and practice will not occur again, but we will continue to improve the system and drive up standards consistently, and I would ask all members to continue to actively engage in providing constructive challenge and support to this process.

Supplementary Question

Being aware of the important role of an IRO can the cabinet member outline the training and measures introduced to improve practice?

Response to Supplementary Question

The IROs are crucial to children's services and an action plan to improve practice has been in place for the service through the Ofsted action plan which predated the court judgements. Training was taking place on the fundamentals of the IRO role and to encourage challenge and for IROs to act as effective advocates for children in care. Work is ongoing with Doncaster Childrens Trust as a partner in practice to asses any weaknesses or failings in the work of the IROs and bring improvement and support. Details of operational matters and the training undertaken are set out in the report.

MQ 3	Councillor RI Matthews, Credenhill	<p>“The IRO’s primary focus is to quality-assure the care planning and review process for each child, and to ensure that his/her current wishes and feelings are given full consideration. To be successful, the role must be VALUED by senior managers and operate within a supportive service culture and environment. An effective IRO service should enable the local authority to achieve improved outcomes for children”</p> <p>Are we providing a supportive service, culture and environment, and are our IRO’s being fully valued by senior management?</p>	Cabinet member, children and families
<p>Response:</p> <p>Senior managers do value the IRO service. We have increased management capacity to provide additional support and oversight. We have provided a clearer escalation policy that values the views of IROs. We have an improvement plan in place for this service as part of our overall Ofsted improvement work; this work will not only secure operational improvements, but ensure that the work of the service is appropriately recognised. Doncaster Children’s Trust are currently undertaking a review of the service and how it is supported within the council; this will inform future improvements.</p>			
<p>Supplementary Question</p> <p>The role of the IRO is that they are empowered to act on behalf of the child and where appropriate challenge the local authority. Can the IROs be considered to be truly independent if they are appointed by a local authority? Have alternative methods of providing a better IRO service been considered or will they be investigated in the future?</p>			
<p>Response to Supplementary Question</p> <p>The role of the IROs is crucial and it was national practice to make internal appointments to the positions. Given the difficulties involved in recruitment, internal appointments offered the opportunity to take advantage of internal resources at the Council to recruit to the posts. There is no problem in making an internal appointment but it is necessary to ensure the checks and balances around the work of the IRO are robust to enable the individual to be effective in their challenge and advocacy. The work ongoing with Doncaster will examine and strengthen these arrangements. During the cases in the judgements checks and balances were in place but there were not being adhered to and this lack of confidence and robustness need to be addressed. During 2016/17 staffing changes and fluctuating caseloads, above the recommended limits, contributed to the problems. The extent of the work of the IROs over this period should also be borne in mind with the chairing of a number of LAC reviews; it was important to look at the issue in context. Testimony from a care leaver was read out which contained messages of thanks for the valued and effective support provided by an IRO.</p>			

MQ 4	Councillor NE Shaw, Bromyard Bringsty	The LGA have reported that 86% of children's services nationwide are over budget. Ours is no exception. To what extent do you consider that resource constraints forced by budget cuts may have contributed to these cases arising?	Cabinet member, children and families
<p>Response:</p> <p>Like other councils, Herefordshire Council has had to make significant cuts over the past ten years and more. Alongside the cuts, costs and demand in relation to looked after children and care leavers has risen. At times the council has had to employ agency workers and these do cost more and carry additional challenges in ensuring our children receive stable and consistent social worker support. Additionally there are increased costs to delivering services across a large rural area. In retrospect some of the cuts in staffing meant that some areas of service were under pressure because of increased demand and the level of work that the service was already undertaking.</p> <p>That said, Herefordshire is now in a better financial position than many councils overall and, recognising in 2018 that children's safeguarding and family support services and legal services for children needed to be prioritised, Cabinet made additional resources available to increase capacity for workers and managers. The Ofsted inspection carried out in June 2018 and the Local Government Association peer reviews also reflected that to help improve services we needed to invest more in the right capacity for support workers, social workers, management and leadership. This is continuing into budget setting for 2019/20.</p> <p>It is important to understand though, that resource and capacity are not the only contributing factors in these cases. We need to have high quality staff, who have the tools, training and supervision and support to carry out their work effectively and a performance culture to deliver and manage the improvements we have identified so that our looked after children have the best start in life.</p>			
<p>Supplementary Question When does the Cabinet Member expect to see the impact of the additional investment take effect and move the service in a different direction?</p>			
<p>Response to Supplementary Question The extra investment has allowed the service to increase capacity where it was needed. The results of this investment are already being seen. A number of performance indicators from the implementation Ofsted improvement action plan showed progress including a reduction in social worker caseloads, timeliness of visits to children with a child protection plan, reduction of the number of children inappropriately referred in to the multi-agency safeguarding hub and improvement of the completion of assessments within timescales.</p>			

