

Agenda

Children and Young People Scrutiny Committee

Date: **Tuesday 11 October 2022**

Time: **2.00 pm**

Place: **Herefordshire Council Offices, Plough Lane, Hereford,
HR4 0LE**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Steve Tucker, Democratic Services Officer on 01432 260239 or e-mail Steve.Tucker@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Children and Young People Scrutiny Committee

Membership

Chairperson Councillor Phillip Howells
Vice-chairperson Councillor Jennie Hewitt

Councillor Graham Andrews
Councillor Toni Fagan
Councillor Helen l'Anson
Councillor Mike Jones
Councillor John Stone
Councillor David Summers

Wiktor Daron

Representative of the Archdiocese of Cardiff

Andy James

Parent governor representative for the special school sector

Sam Pratley

Representative of the Diocese of Hereford

Fiona Reid

Representative of Families

Agenda

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
2.	<p>NAMED SUBSTITUTES</p> <p>To receive details of members nominated to attend the meeting in place of a member of the committee.</p>	
3.	<p>DECLARATIONS OF INTEREST</p> <p>To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.</p>	
4.	<p>MINUTES</p> <p>To receive the minutes of the meeting held on 26 July 2022.</p>	9 - 12
<p>HOW TO SUBMIT QUESTIONS</p> <p>The deadline for the submission of questions for this meeting is 9.30am on Thursday 6 October 2022.</p> <p>Questions must be submitted to councillorservices@herefordshire.gov.uk. Questions sent to any other address may not be accepted.</p> <p>Accepted questions and the responses will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at www.herefordshire.gov.uk/getinvolved.</p>		
5.	<p>QUESTIONS FROM MEMBERS OF THE PUBLIC</p> <p>To receive any written questions from members of the public.</p>	
6.	<p>QUESTIONS FROM MEMBERS OF THE COUNCIL</p> <p>To receive any written questions from members of the council.</p>	
7.	<p>INSPECTION OF HEREFORDSHIRE CHILDREN'S SERVICES</p> <p>To present the recently published report detailing the findings of the inspection by Ofsted inspectors of Herefordshire Council children's services in July 2022 and to outline both the action taken immediately and since the inspection to address some of the concerns raised, and the implications of the Statutory Direction issued by the Secretary of State.</p>	13 - 36
8.	<p>PROGRESS REPORT</p>	37 - 64
9.	<p>DATE OF THE NEXT MEETING</p> <p>Tuesday 1 November 2022, 2.00pm.</p>	

The public's rights to information and attendance at meetings

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Please take time to read the latest guidance on the council website by following the link at www.herefordshire.gov.uk/meetings and support us in promoting a safe environment for everyone. If you have any queries please contact the governance support team on 01432 261699 or at governancesupportteam@herefordshire.gov.uk

We will review and update this guidance in line with Government advice and restrictions.

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- Attend all council, cabinet, committee and sub-committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting. Agenda and reports (relating to items to be considered in public) are available at www.herefordshire.gov.uk/meetings
- Inspect minutes of the council and all committees and sub-committees and written statements of decisions taken by the cabinet or individual cabinet members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting (a list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all councillors with details of the membership of cabinet and of all committees and sub-committees. Information about councillors is available at www.herefordshire.gov.uk/councillors
- Have access to a list specifying those powers on which the council have delegated decision making to their officers identifying the officers concerned by title. The council's constitution is available at www.herefordshire.gov.uk/constitution
- Access to this summary of your rights as members of the public to attend meetings of the council, cabinet, committees and sub-committees and to inspect documents.

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Public transport links

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The location of the office and details of city bus services can be viewed at:
www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services-

The seven principles of public life

(Nolan Principles)

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Minutes of the meeting of Children and Young People Scrutiny Committee held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Tuesday 26 July 2022 at 2.30 pm

Councillors Physically Present and Voting:	Councillors: Helen l'Anson, Jennie Hewitt (Vice-Chair), Phillip Howells (Chair), Mike Jones, and John Stone
Councillors in remote attendance:	Councillors: Graham Andrews, Toni Fagan
Co-Optees in attendance:	Wiktor Daron, Representative of the Archdiocese of Cardiff Sam Pratley, Representative of the Diocese of Hereford Fiona Reid, Representative of Families

Remote Attendees: Jenny Dalloway, Programme Director – Mental Health, Learning Disabilities and Autism, NHS Herefordshire and Worcestershire
Maria Hardy, Programme Manager, HWICB

Officers: Service Director for Improvement, Service Director for Safeguarding, QA and Improvement, Interim Statutory Scrutiny Officer, Principal Casework Manager, Assistant Director for Education, Development and Skills

93. APOLOGIES FOR ABSENCE

Apologies were received from Andy James (Parent Governor Representative Co-Optee) and Cllr Diana Toynbee (Cabinet Member for Children and Families).

94. NAMED SUBSTITUTES

None.

95. DECLARATIONS OF INTEREST

None.

96. MINUTES

The minutes of the meeting held on 26 April 2022 were agreed as a correct record and signed by the Chair.

The Committee expressed concern regarding the action log and recommendation tracker, insofar as there were a number of overdue items, including some for which the allocated work owners were no longer employed by the Council. There were also items marked as complete for which the Committee could not recall having had sight of the response, or where the response given had been unsatisfactory. Item 16 of the action tracker was highlighted as a particular example of this. It was agreed that the Chair, Vice-Chair and Officers would review the lists outside of the meeting and aim to bring an updated tracking document back to the next meeting of the Committee.

97. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 8)

Questions received and responses given are attached as appendix 1 to the minutes.

98. QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions received from Councillors.

99. CHILDREN'S SOCIAL CARE AND EARLY HELP IMPROVEMENT PLAN 2022-2024 [VERBAL UPDATE & PRESENTATION] (Pages 9 - 22)

In accordance with section 4.1.31 of the Constitution, it was moved by the Chair that the order of business be varied to promote the Improvement Plan verbal update and presentation item above subsequent business on the agenda. The variation to the order of business was put to the vote and carried.

The Committee received a verbal update and presentation on the Improvement Plan Outline, delivered by the Service Director for Improvement. A copy of the presentation is attached as an appendix to the minutes. It was confirmed that whilst the Plan has been signed off, it was a working document and would be subject to ongoing refinement and revision as appropriate.

It was suggested by some Members that the Committee would benefit from seeing a form of prioritisation matrix in order to better understand where the Plan may be able to deliver 'quick-wins', and which areas may present longer-term challenges to deliver against. The Committee noted that Ofsted are currently conducting an inspection into children's services and suggested that this represented an ideal opportunity to embrace its findings and move the Plan forward constructively.

Most Committee Members broadly welcomed the vision and intended outcomes of the Improvement Plan, but insisted that it must be underpinned by soundly evidenced baseline performance measures to enable the Committee to effectively scrutinise progress and delivery against these indicators. In the absence of such measures, there was concern that the Plan would represent a 'tick-box' exercise without demonstrating tangible improvements. It was suggested that the six key Work Programmes identified in the presentation could provide distinct areas of performance measurement. The Committee further identified an interest in how the budget set aside for the Improvement Plan is being used, and how the measures in the Plan serve towards meeting the Council's current corporate objectives.

The Committee expressed concern that delivery of the Plan and the attempts to embed an improved working culture may be impacted by the instability of having numerous interim staff members in place rather than permanent recruits. Some Members also felt that more emphasis was required on preventative measures. Concern was also raised regarding the capabilities of the IT infrastructure to support the needs of the service. Officers confirmed that they were working to maximise the efficiency and outputs available from their current system, but the option to potentially accelerate a move across to a system with enhanced performance capabilities was being looked into.

Officers confirmed that a range of identified performance measures had been drawn up and these would be subject to further discussion and circulation prior to the next meeting of the Committee to ensure that they adequately capture the key areas of attention for the Committee for ongoing evaluation.

It was unanimously resolved that:

- i) The content of the verbal update and presentation be noted; and**

- ii) **Baseline key performance measures to enable the Committee to scrutinise delivery of the Improvement Plan be prepared by the Children's Services department for the next meeting.**

100. ROLE AND OBJECTIVES OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

The Committee gave consideration to the report as set out on pages 33-38 of the agenda and pages 3-6 of the agenda supplement, which provided a summary of the role of the Committee, in accordance with the Council's Constitution, and the key strategic objectives for the Committee, in accordance with the overall strategic objectives agreed by the Scrutiny Management Board on 16 June 2022.

It was unanimously resolved that:

The general role and remit of the Committee be noted, and the Children and Young People Scrutiny Committee Objectives for 2022-2023 be agreed.

101. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES - AUTISM PROVISION AND NURTURE HUBS (Pages 23 - 36)

The Committee gave consideration to the report as set out on pages 3-14 of the agenda supplement, and received a supplementary presentation from the Principal Casework Manager on current autism provision and nurture hubs in Herefordshire alongside areas under development. A copy of the presentation slides is attached as an appendix to the minutes.

The Committee noted that expenditure to provide placements at independent and non-maintained special schools (INSS) specialising in autism provision has increased significantly in the last five years from £400k to £2.9m, which is closely linked to the issue of insufficient provision locally. There is also a significant related cost to the Council's transport budget to transfer pupils to these settings. It was intended that the proposal to create a separate hub managed by an existing school in Herefordshire with highly trained staff qualified in the teaching of autistic pupils would help reduce reliance on the use of INSS. The Committee noted that the Council will be seeking expressions of interest to run the autism hub, and the Committee queried how schools or other organisations would be able to make an application to be a part of this, what criteria would be used to select the preferred partner and what the timeframe would be. This detail was not available at the meeting but was noted as an information request to be forwarded to the Head of Additional Needs.

The Committee also noted that to date, 38 schools have been trained or been given a date for training on autism awareness, with a further push planned to have the vast majority of Herefordshire schools engaged. The Committee queried what the reason might be for any reluctance on the part of schools to engage with the training, and the Principal Casework Manager suggested that this was likely to be down to schools being extremely busy and managing competing priorities.

The report and presentation also included an update on the SEND Green Paper 'Right Support, Right Place, Right Time' which was published in March 2022. It was considered that Herefordshire is generally well placed to implement the recommendations contained within the Paper, although there are some challenges around strategic leadership where it was considered that the Scrutiny Committee may be able to add value. It was confirmed that the Council is now due an Ofsted SEND inspection which would review the service areas of health, social care and education, with the last inspection having taken place in 2014, and the Committee noted that it is in their Work Plan to consider preparedness for such an inspection at its meeting in January 2023.

The Committee acknowledged the various challenges facing the service and the mitigations set out within the report, and identified that a key theme running throughout the debate had been the issue of inclusivity. Particular attention was drawn to the need for fuller engagement in the SEND agenda by senior leaders and greater encouragement to be given to mainstream schools to be more inclusive. On that basis, the Chair suggested that a report could be drafted on behalf of the Committee for consideration at the next meeting to sum up the Committee's work and key findings on this matter. It was suggested that this could include a possible recommendation that the Executive take a more proactive approach to engaging with schools to consciously promote inclusivity of pupils with identified SEN support needs.

It was unanimously resolved that:

The content of the report and presentation be noted.

102. CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE ANNUAL WORK PLAN 2022-23

The Committee gave consideration to the draft annual work plan 2022-23, which had been drawn up in earlier consultation with members of the Committee.

It was suggested that given the number of items identified for scrutiny, the delivery of the work plan might be aided by the arrangement of an additional meeting to take place in February 2023, subject to identification of appropriate topics for inclusion.

It was unanimously resolved that:

The Annual Work Plan 2022-23 be approved.

103. ESTABLISHMENT OF SOCIAL CARE RECRUITMENT AND RETENTION TASK AND FINISH GROUP

The Committee gave consideration to the establishment of a task and finish group to explore the issue of recruitment and retention in the social care sector, as set out in the Committee Work Plan.

It was suggested by the Chair that consideration of a potential task and finish group should take place at next meeting of the Committee, since it was noted that in order for the Committee to establish any task and finish groups it would be necessary to be in a position to appoint its membership and draft terms of reference should also be formulated in advance.

It was unanimously resolved that:

The establishment of a potential task and finish group be considered at the next meeting of the Committee.

104. DATES OF FUTURE MEETINGS

The Committee noted its meeting dates for the remainder of the 2022/23 municipal year.

The meeting ended at 5.32 pm

Chairperson



Title of report: Inspection of Herefordshire Children's Services

Meeting: Children and Young People Scrutiny Committee

Meeting date: Tuesday 11 October 2022

Report by: Cabinet member children and families;

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To present the recently published report detailing the findings of the inspection by Ofsted inspectors of Herefordshire Council children's services in July 2022 and to outline both the action taken immediately and since the inspection to address some of the concerns raised, and the implications of the Statutory Direction issued by the Secretary of State.

Recommendation

That the Committee receive and note the Ofsted inspection report.

Alternative options

1. There are no alternative options. The Department for Education have issued a statutory direction and Herefordshire Council is directed as follows:
 - a) 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 functions and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;
 - b) To co-operate with the Children's Services Commissioner, including on request allowing the Commissioner at all reasonable times access:

Further information on the subject of this report is available from
Darryl Freeman. email: darryl.freeman@herefordshire.gov.uk

- i. to any premises of the Council;
 - ii. to any document of, or relating to, the Council; and
 - iii. to any employee or member of the Council,
- which appears to her to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference.
- c) To provide the Children's Services Commissioner with such amenities, services and administrative support as she may reasonably require from time to time for the carrying out of her responsibilities in accordance with the Terms of Reference, including:
 - i. providing officers' time or support;
 - ii. providing office space, meeting rooms or computer facilities;
 - d) To co-operate with a Commissioner-led review as to the most effective way of securing and sustaining improvement in Herefordshire, including whether to remove the control of children's social care from the Council, and/or put in place an alternative delivery model.

Key considerations

2. Herefordshire Council children's services were inspected by Ofsted inspectors during the period 18 to 29 July 2022.
3. Previous inspections of the service over the past ten years and the overall outcomes are as follows:
 - a) 2012. Inspection of local authority arrangements for the protection of children. Judgement: Inadequate
 - b) 2014. Inspection of services for children in need of help and protection, children looked after and care leavers. Judgement: Requires Improvement
 - c) 2018. Inspection of children's social care services. Judgement: Requires Improvement (with the impact of leaders being Inadequate)
4. Ofsted carried out three Focussed Visits since the 2018 inspection, in January 2019, December 2019 and July 2021 (most Ofsted inspection activity was paused during the national lockdown periods). The December 2019 and July 2021 reports are clear that the local authority had made little progress in improving the quality of practice for children in need and those subject to child protection planning since the inspection in 2018.
5. Previous inspection and Focussed Visit reports are available [online](#).
6. In March 2021 Mr Justice Keehan delivered a Judgement (26 March 2021) with leave for the same to be published that identified serious failings in Herefordshire Council's children's services.
7. On 18 May 2021 the Department for Education issued the Council with a [non-statutory improvement notice](#).
8. The most recent inspection followed the Inspecting Local Authority Children's Services (ILACS) framework, details of which are [available online](#). The inspection considered activity and improvement over a four year timeframe, since the last inspection in 2018.

9. The inspection report (Appendix A) was published by Ofsted on 21 September 2022, and concluded that the overall effectiveness of the service was inadequate.
10. Whilst the overall outcome of inadequate will not come as a surprise to Members, who have been briefed by the Chief Executive and Corporate Director on the issues identified by them as requiring action, the report is nonetheless difficult to read as it outlines in stark terms the impact on children and young people over a number of years of continued high turnover of staff at all levels, insufficient grip and oversight of social work practice and a previous absence of accurate performance data.
11. Inspectors in the introduction to the report states that “Children and young people in Herefordshire are not protected from harm”. This is deeply concerning but should not be interpreted as meaning that all or significant numbers of children are at risk or are unprotected. The statement is described by inspectors as an overview summarising the key issues identified on the inspection. The report goes on to state however that “drift and delays are endemic, compounded by continuous staff turnover, weak guidance and a lack of management grip”. These issues have not emerged in recent months, or simply since the High Court judgement handed down in 2021. This situation has come about over a period of years of decline.
12. They report too that “the quality and impact of social work practice has significantly deteriorated since the last judgement inspection in June 2018” and that “Insufficient scrutiny and focus by the council meant that deficits in practice were not realised until the highly publicised court judgement in April 2021”. Children’s services were judged as requiring improvement in 2014 and had made little improvement in 2018 when inspectors determined that the impact of leaders was inadequate. If we are to be assured that going forward our aspirations for improvement, and commitment to building on the recent limited improvements noted in the report are to be realised, a significant whole-council and multi-agency commitment is required.
13. The report acknowledges that strategic priorities have been focused on crisis management to secure the day-to-day running of the service in a climate of increasing demand and significant staff turnover, along with establishing an accurate baseline of quality of services. It notes too that recently there have been some small areas of progress from a significantly low base and that improvement plans have been refreshed, governance is clearer, and work streams are established. Performance reporting is improving from a very low base. That a permanent leadership team is now secured is also noted.
14. Inspectors concluded that “Despite significant financial investment by the council to assist the transformation of children’s services, corporate support is not strong enough to realise their high recruitment aspirations.”
15. Nine key areas for improvement are identified, as follows:
 - Corporate responsibility for the help and protection of children and those in care and care leavers, so this is prioritised and embedded across the council and partnerships.
 - The sufficiency and stability of staff across the workforce, including sufficient numbers of foster carers, so children receive a timely response to having their needs identified and met across the service.
 - The timely and robust identification and multi-agency response to children and young people who are at risk of harm, including, but not limited to, the response to pre-birth children and babies, 16- and 17-year-olds who present as homeless, children living in private fostering arrangements and children who go missing from home and care.

- The quality of practice including assessments, plans, planning and purposeful visits that are responsive to risk and need.
 - Timely and effective multi-agency arrangements to ensure children are protected and enter care when required.
 - Monitoring and tracking to prevent drift and delay. This includes the monitoring and tracking of children in the Public Law Outline (PLO), permanence planning, children subject to deprivation of liberty orders and those placed in unregistered children's homes.
 - The availability of support and services to meet children and young people's needs, including timely access to therapeutic interventions, access to dentistry, life-story work, emotional and mental health support, help for young people to support transitions into independence and sufficient suitable accommodation.
 - Management oversight and grip across the service to include clear structures and service pathways, and regular and effective supervision.
 - Performance and quality assurance arrangements to support and test service improvements.
16. The Secretary of State for Education issued a Statutory Direction (Appendix B) in relation to children's services under section 497A(4B) of the Education Act 1996 on 21 September 2022.
 17. The Secretary of State has appointed Eleanor Brazil as Commissioner for Children's Services in Herefordshire. Ms Brazil is a very experienced former Director of Children's Services and Commissioner for Children's Services
 18. The seriousness and potential impact of this intervention cannot be overstated and requires an immediate whole-council and multi-agency response. The Children's Services Commissioner will 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 with the council. If her assessment is that this is not achievable, she will advise on alternative delivery and governance arrangements, outside the operational control of the council.
 19. Gladys Rhodes White continues as the Department for Education Advisor and will chair the Children's Improvement Board.
 20. The Corporate Director for Children and Young People and his predominantly new and permanent senior leadership team took immediate and appropriate action to address any significant concerns as they arose during the inspection and since.
 21. The action taken included:
 - a. Ensuring that with West Mercia Police there was sufficient and immediate capacity to ensure the timely completion of strategy meetings for all children for whom a strategy discussion was deemed appropriate. The timeliness of strategy meetings is now much improved and is monitored weekly by senior leaders from children's social care and from West Mercia Police;
 - b. Bringing the management oversight of the MASH (Multi-Agency Safeguarding Hub) temporarily under the direct supervision of the Service Director for Safeguarding and Family Support whilst additional management capacity was organised and introduced. The

impact of this is that both the timeliness and consistency of decision-making is already improved;

- c. Adding temporary additional social worker capacity to the MASH whilst multi-agency capacity and resources are reviewed;
 - d. An immediate review of each of the cases formally brought to the attention of the service during the course of the inspection with a further follow-up review completed early in September. This has provided assurance that the children and young people concerned are safe; that appropriate plans and management oversight are in place; and in the recent follow-up review that any actions that had been identified in the earlier review have been completed;
 - e. A review of each of the cases in the Public Law Outline (pre-proceedings) where drift and delay had been identified during the inspection. Several families were safely stepped out of this process and alternative support provided to them, and more frequent tracking meetings introduced;
 - f. A review of all pre-birth open cases with existing arrangements for the introduction of a revised multi-agency panel brought forward. As a result of this review, changes were made to the early help pathway and referral process which means that families are being supported sooner;
 - g. The publication of several Management Action Notes from the Corporate Director which clear the organisational expectations in respect of a number of key areas of practice or procedure. Where appropriate, performance and management information reports and/or quality assurance activity is being developed and implemented to provide assurance of compliance and impact;
 - h. A revised and extended Serious Incident Notification (Need to Know) policy has been developed and recently introduced that requires managers and practitioners to formally notify senior leaders of a wider range of events or circumstances than had previously been the case, strengthening the line of sight of senior leaders to specific issues.
 - i. Agreeing additional leadership capacity for the corporate parenting service.
22. The Corporate Director and his team have been working on the development of an action plan in response to the report and the identified areas for improvement, which must be submitted to Ofsted by 20 December 2022. Now that the inspection report is in the public domain, activity to further develop the initial draft plan in collaboration with children and young people, our workforce, and with multi-agency partners has commenced and will continue throughout October and November.
23. Member involvement and contribution to the development of the action plan will be enabled through the work of the Children and Young People Scrutiny Committee.
24. A recommendation that the action plan, once finalised, be approved by cabinet was agreed by cabinet on 29 September 2022.

Community Impact

25. The Statutory Direction requiring improvement has a direct and indirect effect on the lives of both current and future children and families in Herefordshire.

26. The County Plan 2020–2024 includes the ambition to ‘strengthen communities to ensure everyone lives well and safely together’. Specifically, the council aims to:
- a) Ensure all children are healthy, safe, and inspired to achieve;
 - b) Ensure that children in care, and moving on from care, are well supported and make good life choices; and
 - c) Protect and improve the lives of vulnerable people. Set out any considerations relating to community impact including contribution made to corporate plan / health and wellbeing strategy or other local or national strategies or policies.
27. Inspectors report ‘widespread and serious failures for children in care and care leavers in Herefordshire. As corporate parents, we have a responsibility together with our partner agencies for providing the best possible care and safeguarding for children who are looked after by the council, and for care experienced young people. Our response to the report should clearly demonstrate our commitment and our aspirations for children in our care.

Environmental Impact

28. There are no specific environmental impacts arising from this report.
29. Ongoing and future transformation and improvement activity will be undertaken with consideration to minimise waste and resource in line with the Council’s Environmental Policy.

Equality duty

30. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to –
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
31. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine protected characteristics:
- a. Age;
 - b. disability;
 - c. gender reassignment;
 - d. pregnancy and maternity;
 - e. marriage and civil partnership;
 - f. race;

g. religion or belief; sex; and

h. sexual orientation.

32. In particular, the council must have due regard to the public sector equality duty when taking any decisions on service changes.
33. As our projects and service delivery progresses, and changes are designed, equality impact assessment will be undertaken where necessary.

Resource implications

34. This paper is to present the formal report from Ofsted following its recent inspection, and there are no direct resource implications for cabinet to receiving the report.
35. Cabinet agreed at its meeting on the 31st March 2022 to a drawdown of up to £11.49m from the Financial Resilience Reserves, in two tranches. The first tranche of £5m was drawn down in April 2022. Tranche two of up to a further £6.49m in tranche two, will be subject to a further decision of cabinet.
36. The Chief Financial Officer has authorised an early drawdown of up to £1m of tranche two to enable the initial response to the Ofsted report to be progressed, further details will be included in the report to cabinet to consider the drawdown of the balance of tranche two.

Legal implications

37. The Education and Inspections Act 2006 (inspection of Local Authorities) Regulations 2007 sets out the requirement on the Local Authority following an inspection report. The Local Authority is required to prepare a written statement of the action which they propose to take in the light of the report, and the period within which they propose to take that action. The authority must publish the report, and the statement within such period, and in such manner, as may be prescribed by regulations made by the Secretary of State.

Consultees

38. There has been no public consultation on this paper.

Appendices

Appendix A: Ofsted inspection report
Appendix B: Statutory Direction

Background papers

None identified.

Inspection of Herefordshire local authority children's services

Inspection dates: 18 to 29 July 2022

Lead inspector: Lisa Summers, Her Majesty's Inspector

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	Inadequate
Overall effectiveness	Inadequate

Children and young people in Herefordshire are not protected from harm. Protective responses are too often delayed and are not sufficiently robust. Fundamental areas of social work practice are weak. Assessments across the service are poor. They fail to identify children's needs or effectively assess carers' abilities to provide safe and secure homes. Plans do not ensure children are safer or have their needs met, and for too many children the security of permanence is not achieved soon enough. Drift and delays are endemic, compounded by continuous staff turnover, weak guidance and a lack of management grip. Senior leaders were aware of many, but not all, of the inadequacies and the impact on children until this inspection.

The quality and impact of social work practice has significantly deteriorated since the last judgement inspection in June 2018. Insufficient scrutiny and focus by the council meant that deficits in practice were not realised until the highly publicised court judgement in April 2021. This was despite focused visits in January and December 2019 identifying recurring themes of poor practice. In July 2021, a focused visit noted further deterioration in the quality of services, resulting in priority action being required in a number of areas.

Minimal improvements have made little difference to children's experiences. This is amplified by a historical lack of stable and capable senior management, under-developed partnerships, and a limited ability to secure accurate data. Despite significant financial investment, there remains insufficient capacity across the

workforce to support a timely and appropriate response to children. The heavy reliance on agency workers makes the service unstable and fragile. Despite recent developments, leaders do not sufficiently ensure that social workers are readily available and responsive to children and families who need their help. Many improvement plans are still in development or very new and untested, resulting in insufficient prioritisation of critical areas of practice.

What needs to improve?

- Corporate responsibility for the help and protection of children and those in care and care leavers, so this is prioritised and embedded across the council and partnerships.
- The sufficiency and stability of staff across the workforce, including sufficient numbers of foster carers, so children receive a timely response to having their needs identified and met across the service.
- The timely and robust identification and multi-agency response to children and young people who are at risk of harm, including, but not limited to, the response to pre-birth children and babies, 16- and 17-year-olds who present as homeless, children living in private fostering arrangements and children who go missing from home and care.
- The quality of practice including assessments, plans, planning and purposeful visits that are responsive to risk and need.
- Timely and effective multi-agency arrangements to ensure children are protected and enter care when required.
- Monitoring and tracking to prevent drift and delay. This includes the monitoring and tracking of children in the Public Law Outline (PLO), permanence planning, children subject to deprivation of liberty orders and those placed in unregistered children's homes.
- The availability of support and services to meet children and young people's needs, including timely access to therapeutic interventions, access to dentistry, life-story work, emotional and mental health support, help for young people to support transitions into independence and sufficient suitable accommodation.
- Management oversight and grip across the service to include clear structures and service pathways, and regular and effective supervision.
- Performance and quality assurance arrangements to support and test service improvements.

The experiences and progress of children who need help and protection: inadequate

1. There are widespread and serious failures which leave children harmed or at risk of harm. Services for children needing help and protection are fragmented and chaotic. The lack of a stable and responsive workforce means that children do not receive the right support at the right time. Too many children do not

have a consistent social worker to rely on. The churn in social workers and managers means that decisions made are not always appropriate or followed through. Overall, there is a lack of agreed systems and practice to assess risks and manage concerns. Poor decision-making, poor understanding of risk and ineffective management oversight leave children at risk of harm.

2. Some children do not receive the right help at the right time. The interface between early help and the multi-agency safeguarding hub (MASH) is not sufficiently robust. Concerns are directly allocated to early help without screening, resulting in some children 'bouncing' between early help and statutory services, delaying their needs being met. Once a family support worker is allocated, families benefit from the help and support they receive and some children's lives improve. The early help offer is limited and, in particular, services to address domestic abuse, substance misuse or mental health are lacking.
3. Insufficient social work capacity in the MASH results in an inconsistent response to concerns. Managers depend on partners to identify the level of risk rather than using their own professional curiosity and analytical skills to inform next steps. This means that for some children risk of harm is not identified soon enough. The quality of screening is not consistently robust, as children's histories are not always considered and important information is therefore not used to analyse the level of risk and potential harm.
4. Timely and proportionate action is taken to respond to children's urgent needs outside of normal office hours.
5. Action to protect children is not taken soon enough. Too many strategy meetings are delayed, sometimes for several days, leaving children in situations of unassessed risk and ongoing harm. Police availability is often the cause of delays, compounded by insufficient co-location or partnership resources in the MASH. Police and senior managers took immediate action to remedy this during the inspection. The quality of strategy meetings is not consistently robust in considering a family's history. Multi-agency safety planning is largely absent, leaving risks to be managed by social workers during subsequent enquiries. Too many children experience further delay in progressing to initial child protection conferences, leaving them without the necessary multi-agency plans to keep them safer.
6. Most assessments, including child protection enquiries, are poor. Many lack focus on the relevant issues and do not consider children's histories. Multi-agency information is not routinely sought and there is a lack of consideration of the impact of long-term neglect and domestic abuse on children. Children who are highly vulnerable, specifically under-ones and unborns, do not receive a robust response to ensure their safety. Children's needs are not sufficiently understood to inform decisions on next steps or what actions are needed to help them. Consequently, work with children and families is often closed too soon or children experience repeated referrals as their needs remain unmet.
7. There is significant variability in social work practice across and within teams for children who need help and protection. Changes in workers and managers lead

to drift and delay for too many children. For some children, critical meetings to progress plans, such as strategy meetings and child in need meetings, are not being held. Inspectors identified a significant number of children, including those with a disability, where risk had not been adequately managed. Senior managers were notified of inspectors' concerns and took appropriate action.

8. Most plans and planning are weak and do not ensure that children are sufficiently protected and that their lives improve. Most plans are too generic and do not relate to the identified risks for the child. Some centre around adults and tasks to be completed, without defining the outcomes to be achieved for children or timescales to work towards. Although children in need reviews and core groups are mostly regular and well attended, these overly focus on reviewing actions and tasks. The impact of the plan and what is improving, or not, in children's lives is unclear. Some plans end prematurely, despite ongoing concerns and work not completed, leaving children at risk of further harm.
9. Most children are seen regularly, but not always by their allocated social worker and not always at a frequency that reflects the level of risk or changes in circumstances. Some children are seen by duty workers, as many workers live a distance from Herefordshire and are not office-based. Many children experience multiple changes in social worker, which hinders the development of trusting relationships. Some children in need are benefiting from some, more recent, purposeful direct work. Skilled workers in the edge of care home team (ECHO) provide effective support to prevent family breakdown and provide help for carers. Capacity in this service is, however, limited and not all social workers understand the pathways to access the service.
10. When children receive support from the exploitation team, the work is effective. Risk management meetings are valuable multi-agency forums to understand concerns, share intelligence and progress appropriate planning, including disruption activities. Keep-safe workers are tenacious in building positive relationships with children, enabling children to explore and understand the risks they face. This is helping children to think differently, and some risks are therefore reducing. Pathways and the interface between this service and the main social work teams are not clearly defined. As a result, the quality of co-working is largely dependent on relationships between workers, leading to some children receiving a disjointed service.
11. The response to children who have been missing and to homeless 16- and 17-year-olds is weak. Most return home interviews carried out by social workers with children who go missing from home and care are poor. They do not routinely explore why children go missing or help children to stay safe. There is a lack of analysis of children's histories of going missing to add to intelligence already known, to support effective planning. Services for 16- and 17-year-olds who are homeless are under-developed and there is no clear strategy in place. Sixteen- and 17-year-olds who present as homeless are not made aware of their rights and entitlements to make informed choices about their future. Accommodation decisions are not informed by assessments of their circumstances or needs. Children living in private fostering arrangements are not always identified by social workers in Herefordshire.

12. Leaders have a clear oversight of children missing education and those electively home educated. Systems used to track and record are robust. When a referral is made, information is shared and appropriate actions are taken. These systems incorporate checks against a range of information sources and the local authority is tenacious in its efforts to secure information regarding the whereabouts of the child.
13. When children's lives do not improve, escalation into pre-proceedings is not always timely. Once in pre-proceedings, there is further drift and delay in ensuring that essential actions are taken to ensure that children are protected. Letters to parents do not fully inform them of the reasons for the concerns, what actions they need to take and to what timescales. There is much variability in practice and inconsistent decision-making. Some children are in pre-proceedings who do not need to be, whereas proceedings are not initiated for others where levels of concern are high. Mechanisms to monitor and review children in pre-proceedings are very new and it is too soon to see their impact.

The experiences and progress of children in care and care leavers: inadequate

14. There are widespread and serious failures for children in care and care leavers in Herefordshire. Too many children experience unnecessary delays in achieving permanence, which result in their welfare not being safeguarded and promoted.
15. Some children do not come into care at the right time, despite their situations significantly deteriorating. Poor management oversight and social work practice, along with delays in allocation of work and a lack of placements, result in some children remaining in situations of harm for too long.
16. Assessments are mostly weak and do not identify children's needs. Most plans and planning for children in care and care leavers are poor. Plans are too generic and often do not focus on individual children or young people, and insufficiently reflect what is needed to improve outcomes. Too many children are not engaged in their reviews, to shape important decisions about their lives. Critical work to support children's well-being and an understanding of their lives, including therapeutic support and life-story work, is not undertaken.
17. Some children make good progress. Children living with long-term foster carers live with their brothers and sisters when appropriate. These children have improved experiences due to the quality of care and support they receive from their carers. Children's voices are heard, and they are safe and settled. Many are matched with their carers in their long-term home. Unaccompanied asylum-seeking children are mostly placed with carers at distance from Herefordshire so they can live in communities that reflect their cultural background, where they make progress.
18. Children are seen regularly, but experience too many changes of social workers, which impacts on the quality of their relationships. Children told inspectors that they were angry with the local authority as they do not feel

listened to, valued or heard. When decisions are made on their behalf they are not acted on.

19. There are delays in achieving permanence for some children. Capacity issues in the fostering service impact on the timeliness and completion of assessments for special guardianship orders (SGO). Most carer assessments are weak and fail to identify if carers can meet children's needs and provide a safe, stable and loving long-term home. Required checks to ensure homes are safe are not always completed prior to children moving in with connected carers.
20. For a very small number of children, critical decisions to discharge them from care are not well considered. Poor assessments to explore if parents can provide adequate support and care for their children result in a small number of children being exposed to further harm when they are returned home. As a result, some children then return to local authority care.
21. Serious concerns for children and young people's safety are not always identified. Strategy discussions for children in care often lack immediate safety planning, and enquiries do not fully explore all concerns in the context of children's histories. For many of these children, risk is not reduced, and children and young people experience further harm.
22. Children and young people's health needs are not sufficiently well supported. Too many children wait too long to see a dentist. There are insufficient services, and a lack of clear pathways for children in care and care leavers to access timely emotional and mental health support. Care leavers are advised to seek and secure help from other professionals without the assistance of personal advisers (PAs). Young people are not given their health histories, so they do not have the essential information they need as they move to adulthood.
23. There is insufficient management oversight of children living in unregistered children's homes and for children subject to deprivation of liberty orders. During the inspection, the local authority provided three different sets of information about which children were living in unregistered children's homes or with unapproved carers. For some children, their needs are not thoroughly assessed to ensure they receive the correct support to manage recognised trauma. This manifests in worrying behaviours such as children going missing and, for some, this ultimately leads to applications for deprivation of liberty orders. There is an absence of robust senior management oversight to review these unlawful placements and to understand children's progress to ensure their welfare is safeguarded.
24. There are not enough foster carers and fostering staff to meet the demands of the service. Staff turnover, vacancies, sickness and temporary appointments result in a lack of continuity, consistency and support for children, staff and foster carers. The quality of assessments of foster carers is variable. As a result, decisions that support stability and long-term permanence for children are delayed. The procedures for approving exemptions, changes to approvals and extending connected carers temporary approvals lack rigour and independent oversight. This fails to promote the safety and well-being of children.

25. The local authority has ensured there are recruitment strategies in place through a regional adoption agency (Adoption Central England), which are effective in attracting sufficient adopters. There is appropriate focus given to those who may be able to care for brothers and sisters, children with complex health needs and for older children. Recruitment continued throughout the COVID-19 pandemic, although there was a dip in placements due to court delays. The council's permanence hub team has significant experience in the field of adoption and a good understanding of the adoption process. They are actively involved in family finding and transition plans. They work in close partnership with the regional adoption agency to track and progress children at all stages of the adoption process. As a result, timescales for children achieving permanence and placement stability are good, with no disruptions over the last 12 months.
26. The virtual school is ambitious in ensuring that most children and young people in the care system make good educational progress at school or other provisions. Most achieve well relative to their starting points, but the impact of the pandemic is unclear at this time. Frequent changes of social worker and placement moves compound this issue and further negatively impact on attainment. Personal education plans (PEPs) are reviewed regularly. There is some variability in the detail recorded by social workers, despite the training provided by the virtual school, as well as in the quality and ambition in setting children's targets. Leaders promote good attendance but the number of exclusions from school for children in care or children with a social worker have risen this academic year. Too many care leavers are not in education, training or employment and they are not supported or encouraged to access these opportunities. This limits their capacity to become successful adults.
27. The local authority's offer to care leavers is weak, and lacks aspiration and the necessary resources to provide an effective service. Capacity issues means that not all young people are allocated a PA soon enough, and do not have the opportunity to form relationships with them before their 18th birthdays. Once relationships are established, some young people receive basic help. Care leavers with specific vulnerabilities, such as those in custody, have limited assistance and, in particular, for those who are parents or due to become parents there is an absence of tailored work to support them to become successful mothers and fathers. Other young people choose not to engage with their PAs due to having already experienced several changes of workers and fractured relationships. Young people aged over 21 have to request support, despite some having high levels of need. If support is not asked for, they are closed, with insufficient effort to try and engage them. This hinders young people's preparation and support with transitions to adulthood.
28. Young people have a lack of sufficient accommodation choice. Most young people live in suitable homes, but a small number are homeless or continue to live in bed and breakfast accommodation. Some live at a distance to their support networks and are not provided with the funds or assistance to ensure they are able to maintain relationships with family and friends.

The impact of leaders on social work practice with children and families: inadequate

29. Leaders and managers fail to safeguard and protect children in Herefordshire. Children's services was last inspected in June 2018 and judged to be requires improvement to be good. Since that time, the quality and impact of social work practice has significantly deteriorated. The court judgement in April 2021 identified considerable weaknesses in services for children, leading to a non-statutory improvement notice from the Department for Education. Significant numbers of staff at all levels started to leave the authority, including, in April 2021, the director of children's services (DCS) and the vast majority of the senior management team. A new chief executive officer took up post in May 2021 and worked with the improvement adviser to establish the improvement board in June 2021 and secure substantial council investment to stabilise the service. Strategic priorities were focused on crisis management to secure the day-to-day running of the service in a climate of increasing demand and significant staff turnover, along with establishing an accurate baseline of quality of practice.
30. Extensive auditing, commissioned by the new chief executive in 2021 exposed substantial weaknesses across all services, systems, and structures. Senior leaders have invested significant time and effort to ensure that the council and leaders fully understand the magnitude of these shortfalls. Further weaknesses were identified during the inspection that leaders were not aware of. In October 2021, the interim director resigned and the current DCS was quickly appointed following a short period as the improvement director. Very recently, two permanent service directors have started in post. A permanent leadership team is now secured but it is too soon to see the impact of these appointments.
31. The pace of improvement is too slow. Despite recent efforts and plans to address the significant and serious weaknesses in the service, improvements for children have not been realised. The improvement board has not been able to have the necessary impact. It is hindered in developing a workable plan because of inaccurate and unavailable data, challenges in securing additional strategic capacity to support improvement and acquiring the necessary support from partners. This has been compounded by continued high turnover of staff at all levels, and a historical lack of a stable and capable team of senior managers.
32. Recently, there have been some small areas of progress from a significantly low base. Work is focused on building some of the infrastructures and systems to enable improvement. This includes more accessible and more accurate data, developing the functionality of electronic case recording systems and reducing caseloads. The local authority recognises that multi-agency governance arrangements are weak. The Children in Care Council, 'Your voice matters', reported that they are not heard, not responded to and promises made are not adhered to. Following external reviews, work is ongoing to support the corporate parenting board and children and young people's scrutiny to improve its functioning.

33. Critical systems to protect children and secure their long-term well-being have not been adequately prioritised. For example, the tracking and oversight of children in pre-proceedings is very new and the systems to progress timely permanence are still in development. There is insufficient management grip and oversight across most areas of social work practice. This includes oversight of children with specific vulnerabilities, those living in unregistered children's homes and those children subject to deprivation of liberty orders.
34. Although improvement plans have been refreshed, governance is clearer and work streams are recently established, many plans are still in development and it is too soon to assess their impact. Improvement planning requires further strengthening to provide strategic cohesion and detailed operational plans, with clear timescales to inject pace, prioritisation and accountability.
35. Senior managers' line of sight of frontline practice is not sufficiently robust. This is due to a previous absence of performance data and an over-reliance on self-reporting by previous managers, without this being tested. Throughout this inspection, senior managers and leaders have been open and honest about the challenges faced and weaknesses in practice, identifying appropriate actions as the inspection identified further concerns. They reported that services for children were inadequate. Many, but not all, deficits had been identified but the detail of what this means for children was not fully appreciated until this inspection.
36. Relationships with partner agencies are underdeveloped. This is in part due to the churn of senior managers and ineffective multi-agency arrangements. Operationally, agencies are not working together effectively. There is much more to do to ensure a collective responsibility across the partnership for the improvement of services to children and families. The judiciary and schools report a loss of confidence in children's services, which indicates the depth of work required to improve services.
37. The council has failed to retain and recruit foster carers to meet demand. Strategies put in place to stabilise and increase the capacity of the council's in-house fostering service are insufficient. Sufficiency is a significant challenge due to the geography of Herefordshire and the reputational damage of continual negative media reporting. Senior managers recognise that their sufficiency strategy is not underpinned by recent profiling that sets out local needs and is, therefore, out of date. A wholesale commissioning strategy is in development.
38. A lack of a stable workforce at all levels means that children experience multiple changes in worker. Inconsistent management oversight and direction significantly impacts on children's progress and experiences. To manage increased demand and churn, senior managers secured a swift, extensive and necessary expansion across the workforce to reduce pressures and caseloads. A high number of agency workers and dedicated project teams are in post, which makes the service highly fragile. Many locum workers live at a distance, impacting on their ability to be available and responsive to children. Although recruitment and retention of social workers has been a long-standing challenge,

the local authority offer to recruit and retain staff is not fully operational. Despite significant financial investment by the council to assist the transformation of children's services, corporate support is not strong enough to realise their high recruitment aspirations.

39. Performance reporting is improving from a very low base. Data is now more timely and accessible but not broad enough to monitor all areas of the service. Data is not used in sufficient depth to identify areas for further scrutiny, to understand children's experiences. Although auditing is routinely completed by dedicated auditors, there is an inconsistent approach to how it is carried out. Practice deficits are not always identified, particularly in understanding the impact for children. When recommendations are made, these are not routinely actioned to improve children's circumstances. Themes from audits have only been used very recently to inform the service's practice priorities.
40. There are capacity issues across most services. Although caseloads have recently reduced, the range and complexity of the work are highly demanding. This, coupled with an electronic case file recording system that is time-consuming, impacts on social workers' ability to keep records up to date. Some basic documents, including records of child protection visits, reviews and core groups, are missing from some children's files. Although work has recently started to address this, it means that children are not able to access their records and understand why critical decisions have been made about their lives.
41. Inspectors met with many dedicated and committed social workers and managers who are trying to do their best for their children. The vast majority of children's social care staff still work virtually, with poor guidance, lack of consistent management oversight and irregular and often weak supervision. Many social workers feel frustrated about their work in a turbulent environment and the lack of structure. This does not support service cohesion or a shared culture that places children at the centre of decision-making and practice. Staff report that senior managers' visibility is poor. During this inspection, plans to move back to office-based working were accelerated.

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STATUTORY DIRECTION TO HEREFORDSHIRE COUNTY COUNCIL IN RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has carefully considered Ofsted's report published on 21 September 2022, in respect of Herefordshire County Council ("the Council"), of its inspection carried out between 18 July – 29 July 2022. The inspection report found that children's social care services are 'inadequate' overall. The sub-judgements for children who need help and protection, children looked after and achieving permanence and leadership, management and governance were also all rated as 'inadequate'.
2. The Secretary of State is therefore satisfied that the Council is failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 ("the 1996 Act") is applied by section 50 of the Children Act 2004 ("children's social care functions"), namely;
 - a) social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
 - b) the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph a. above); and
 - c) the functions conferred on the Council under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
3. The Secretary of State has appointed Eleanor Brazil as Commissioner for Children's Services in Herefordshire ("the Children's Services Commissioner") in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex to this direction.
4. The Secretary of State, having considered any representations made by the Council, considers it expedient, in accordance with his powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social care functions are performed to an adequate standard.

NOW THEREFORE:

5. Pursuant to his powers under section 497A(4B) of the Education Act 1996 Act, the Secretary of State directs the Council as follows:
 - a. 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 functions and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;

- b. To co-operate with the Children's Services Commissioner, including on request allowing the Commissioner at all reasonable times access:
 - i. to any premises of the Council;
 - ii. to any document of, or relating to, the Council; and
 - iii. to any employee or member of the Council,

which appears to her to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference.

- c. To provide the Children's Services Commissioner with such amenities, services and administrative support as she may reasonably require from time to time for the carrying out of her responsibilities in accordance with the Terms of Reference, including:
 - i. providing officers' time or support;
 - ii. providing office space, meeting rooms or computer facilities;
- d. To co-operate with a Commissioner-led review as to the most effective way of securing and sustaining improvement in Herefordshire, including whether to remove the control of children's social care from the Council, and/or put in place an alternative delivery model.

This direction will remain in force until it is revoked by the Secretary of State.

Signed on behalf of the Secretary of State for Education



Dawn Dandy
A Senior Civil Servant in the Department for Education
Dated this 21st day of September 2022

ANNEX

Non-Executive Commissioner for Children's Services

Herefordshire County Council

Terms of Reference

Herefordshire County Council's children's social care services have been found to be 'inadequate' across all of the key judgements in the recent Ofsted inspection report. There is a presumption in cases of systemic failure of this nature that children's social care services will 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.

In line with the recommendations set out in the Ofsted report of children's social care, published 21 September 2022, the Children's Services Commissioner for Herefordshire is expected to take the following steps.

1. To issue any necessary instructions to the local authority for the purpose of securing immediate improvement in the authority's delivery of children's social care.
2. To identify ongoing improvement requirements; and to recommend any additional support required to deliver those improvements. In light of the findings around leadership and management this should include consideration of the supporting functions within children's services, in particular SEND.
3. 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 with the council.
4. As appropriate, to advise on relevant alternative delivery and governance arrangements for children's social care, outside of the operational control of the local authority, taking account of local circumstances and the views of the council and key partners.
5. To report to the Minister of State for Children and Families by 12 December 2022.



Title of report: Progress Report

Meeting: Children and Young People Scrutiny Committee

Meeting date: 11th October 2022

Report by: The Statutory Scrutiny Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose:

This report provides a brief summary update on issues previously considered by the Scrutiny Management Board, including responses to information requests made by the committee, updates on resolutions made by the committee, including reports and recommendations to the executive and the Executive Response and executive decision made in respect of scrutiny reports and recommendations.

Recommendation(s)

- i). That the progress report on scrutiny information requests, scrutiny reports and recommendations and other matters raised by the committee be noted.
- ii). That those information requests where a response has been received be agreed as completed and request that any other outstanding items be requested for the next meeting.

Alternative options

1. The alternative is for the committee not to receive a Progress Report to update on matters since the last meeting, which would provide less clarity and transparency on the progress of issues since the last meeting.

Key considerations

2. Scrutiny committees have statutory powers to make recommendations to the Executive, as appropriate, and the Cabinet has a statutory duty to respond to scrutiny recommendations. They may also make reports and recommendations to external decision making bodies.

3. In tracking scrutiny recommendations, it is important that it is clear that the recommendations are addressed to the Cabinet, as the Executive decision making body of the council (or, where appropriate, external agency), and to track the decision of the Cabinet and thereafter the implementation status of the Executive Response and Cabinet decisions.
4. Scrutiny committees also have the power to request information from council departments and certain other external organisations, from who they should expect a response. Scrutiny committees should be clear why they are requesting information and when they need the response by. Scrutiny committees may therefore wish to keep track of information requested at the previous meeting and for this to be received at the next ordinary meeting of the committee.

Scrutiny Committees at Herefordshire

5. The council has five scrutiny committees, established by full Council on 20 May 2022;
 - i). Scrutiny Management Board
 - ii). Environment & Sustainability Scrutiny Committee
 - iii). Connected Communities Scrutiny Committee
 - iv). Children & Young People Scrutiny Committee
 - v). Health, Care & Wellbeing Scrutiny Committee.
6. The general role of the scrutiny committees is set out in Article 6 – Scrutiny of the Herefordshire Council Constitution, in accordance with the Local Government Act 2000. Part 3, Section 4 of the Constitution sets out the specific remits for each of the scrutiny committees. This includes a strategic management and coordination functions for the Scrutiny Management Board, as well as the thematic remits of the four other scrutiny committees. The Scrutiny Management Board is also responsible for the scrutiny of corporate cross cutting functions of the council.
7. Although scrutiny committees do not have any executive decision making powers, they do have statutory powers to make recommendations to Cabinet, as appropriate, and Cabinet has a statutory duty to respond to scrutiny recommendations. The scrutiny committees may also make reports and recommendations to external decision making bodies.

Progress from the Previous Meeting

Children's Social Care and Early Help Improvement Plan

8. At the last meeting on 26th July 2022 the committee considered a verbal update and presentation on the Children's Social Care and Early Help Improvement Plan 2022-2024, delivered by the Service Director for Improvement.
9. Officers confirmed that a range of identified performance measures had been drawn up and these would be subject to further discussion and circulation prior to the next meeting of the committee to ensure that they adequately capture the key areas of attention for the committee for ongoing evaluation. The committee agreed that the baseline key performance measures to enable the committee to scrutinise delivery of the Improvement Plan be requested to be prepared for the next meeting.
10. The Children and Young People department has been requested to provide the improvement plan performance measures and baseline key performance measures to enable the committee to scrutinise delivery of the Improvement Plan, but these may now need to be

reviewed further to the recent Ofsted Inspection of Children's Services and the new measures presented to the committee at a future meeting.

Special Educational Needs and Disabilities - Autism Provision and Nurture Hubs

11. The committee also considered special educational needs and disabilities - autism provision and nurture hubs.
12. The committee heard from Darryl Freeman, Corporate Director, Childrens and Young People and Hilary Jones, Principal Casework Manager on the council's approach to the provision of autism provision and nurture hubs.
13. The committee had also received informal evidence from council members, service officers, local schools, parents groups;- Cllr Kath Hey, Cabinet Support Member, Les Knight, Head of Additional Needs, Rae Chambers - Manager, Marches Family Network, Steve Thomas - Trustee, Marches Family Network, Nicki Gilbert - Head Teacher, Westfield School, Michelle Parkes - Head Teacher, Brookfield School, Debbie Hobbs - Chair, Parent Carer Voice Herefordshire, Sara Reid, Parent Carer Voice Herefordshire and Max Bassett, Parent Carer Voice Herefordshire.
14. The committee agreed that a recommendation should be drafted for consideration by the Cabinet for a more proactive role in encouraging schools to be as inclusive as possible in respect of children with identified SEN support needs.
15. A further item is anticipated for the scrutiny committee's work plan on SEND – Results of LGA Peer Review & preparedness for a SEND inspection. It is also anticipated that a report will be brought before Cabinet later in the year on SEND Strategy.
16. Further clarification on the timetable for consideration of SEND related issues will be sought to inform the best time to bring a scrutiny committee report on the committee's findings from consideration of this issue to the Cabinet. It is anticipated that, subject to the agreement of the Committee, this should be in November 2022.

Social Care Recruitment and Retention

17. On 26th July 2022 the committee considered whether to establish a task and finish group to explore the issue of recruitment and retention in the social care sector. The possible role and terms of reference for a scrutiny inquiry into this matter has been drawn up, but the Committee may wish to review the priorities for its work plan in response to the Ofsted Inspection of Children's Services to consider how it should prioritise its time and responses.

Children and Young People Scrutiny Committee Annual Work Plan 2022-2023

18. At the last meeting, on 26th July 2022, the committee agreed its work plan for the year. The committee's work plan was brought together with the work plans of the other scrutiny committees to make the Annual Scrutiny Work Programme 2022-2023, which was agreed by the Scrutiny Management Board on 5th September 2022.
19. The Committee may now wish to review its Work Plan for the remainder of the municipal year and in response to the Ofsted Inspection of Children's Services to consider how it should prioritise its time and responses.

Previous Requests for Information and Response

20. Attached to the minutes of previous meetings there was an “Action Log” and a “Recommendations Tracker” table to track the progress of information requested by the committee, recommendations made and other actions arising from previous committee resolutions.
21. These requests have been brought together into one table and categorised according to whether they are information requests, recommendations, suggestions or committee actions, attached at Appendix 1: Children and Young People Scrutiny Committee Resolution Progress Report 2021-22. This table also identifies whether these have been completed.
22. A response to outstanding information requests has been requested to be presented to the committee either at its meeting on 11th October or at the next meeting thereafter to bring this table up to date. It is suggested that the committee agree those items where a response has been received as completed and request that any other outstanding items be requested for the next meeting. Thereafter the committee should discontinue tracking historic requests and recommendations and should focus on receiving information requested for current scrutiny inquiries and the progress of any recommendations made to the Executive (Cabinet or Cabinet Member), including obtaining an Executive Response and executive decisions on any actions agreed to be taken by the Executive in respect of scrutiny recommendations made.

Scrutiny Recommendations and Executive Response

23. In accordance with Part 4 Section 5 of the Herefordshire Council Constitution, the council’s scrutiny committees may make recommendations to the full Council or the Cabinet with respect to any functions which are the responsibility of the executive or of any functions which are not the responsibility of the executive, or on matters which affect the borough or its inhabitants. The Children and Young People Scrutiny Committee may also make recommendations to the relevant NHS bodies or relevant health service providers or full Council.
24. Scrutiny committees may not make executive decisions and scrutiny recommendations therefore require consideration and decision by the appropriate decision maker; usually the Cabinet, but also full Council for policy and budgetary decisions and the NHS where it is the decision maker.
25. The Scrutiny Recommendation Tracker table will provide a summary of scrutiny recommendations made during the municipal year, so that the scrutiny committee can track the progress of the recommendations made.
26. The Scrutiny Recommendation Tracker table includes each scrutiny recommendation made and the date it was made, (which will be as is recorded in the committee minutes), identification of the decision maker (e.g. Cabinet), the Executive Response (the actual Cabinet decision), which may be different from the scrutiny recommendation and which will be minuted in the Cabinet minutes, the date the Executive Response/decision was made and an implementation review date.
27. The Scrutiny Recommendation Tracker enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and ask about any outcomes arising from the scrutiny recommendations, for example, service improvements, value for money savings and outcomes for residents.

28. If the relevant respective executive decisions and actions have been implemented, they will not be referred over to the scrutiny recommendation tracker report for the next municipal year, but that any that have not been implemented may be referred to the scrutiny recommendation tracker for the next committee cycle.

Procedure for Recommendations from Scrutiny Committees

29. Where scrutiny committees make reports or recommendations to the Cabinet, as soon as this has been confirmed, these will be referred to the Cabinet requesting an Executive Response and the issue will be published on the council's Forward Plan. This will instigate the preparation of a report to Cabinet and the necessary consideration of the response, the technical feasibility, financial implications, legal implications and equalities implications etc.
30. Where scrutiny committees make reports or recommendations to full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree its Executive Response, and thereafter, a report will be prepared for Council for consideration of the scrutiny report and recommendations along with the Cabinet's Response.
31. Where scrutiny committees have powers under their terms of reference to make reports or recommendations external decision makers (e.g. NHS bodies), where they do this, the relevant external decision maker shall be notified in writing, providing them with a copy of the committee's report and recommendations, and requesting a response.
32. Once the Executive Response has been agreed, the scrutiny committee shall receive a report to receive the response and the committee may review implementation of the executive's decisions after such a period as these may reasonably be implemented (review date).

Community Impact

33. In accordance with the adopted code of corporate governance, the council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents.

Environmental Impact

34. Whilst this is an update on the work of the scrutiny committees and will in itself have minimal environmental impacts, consideration has been made in the consideration of Executive decisions and the Executive Responses provided by the Cabinet.

Equality Duty

35. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
36. A public authority must, in the exercise of its functions, have due regard to the need to –
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 37. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. Whilst this is an update on the work of the scrutiny committees and will in itself have minimal equalities impacts, consideration has been made in the consideration of Executive decisions and the Executive Responses provided by the Cabinet.

Resource Implications

- 38. The costs of the work of the committee will have to be met from existing resources. It should be noted the costs of running scrutiny can be subject to an assessment to support appropriate processes.
- 39. The councillors’ allowance scheme contains provision for co-opted and other non-elected members to claim travel, subsistence and dependant carer’s allowances on the same basis as members of the council. If the committee agrees that co-optees should be included in an inquiry they will be entitled to claim allowances.

Legal Implications

- 40. The council is required to deliver a scrutiny function. The development of a work programme which is focused and reflects those priorities facing Herefordshire will assist the committee and the council to deliver a scrutiny function.
- 41. The Scrutiny Rules in Part 4 Section 5 of the council’s Constitution provide for the setting of a work programme, the reporting of recommendations to Cabinet and the establishment of task and finish groups within the committee’s agreed work programme.
- 42. There are no specific legal implications arising from this report which provides a progress update on recommendations made to Cabinet and subsequent Cabinet decision. Any legal implications arising from Cabinet Decisions will be detailed in the relevant Cabinet report.

Risk management

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the development of the work programme should help mitigate this risk.

Consultees

The Vice Chair of the Children and Young People Committee.

Appendices

Appendix 1: Children and Young People Scrutiny Committee Resolution Progress Report 2021-22.

Background papers

None identified.

Children and Young People Scrutiny Committee Resolution Progress Report 2021-22

28 April 2022

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Increased Budget For Children's Services: Investing In Children's Services Transformation	A. To bring a draft proposal with the advice of officers back to a future committee group in regards to reviewing retention and recruitment in the form of a Task and Finish Group. With opportunities to meet frontline staff.	Committee action.	Not applicable.			
	B. Key weakness areas in the service be reviewed, with view of moving beyond recruitment and key performance indicators. Looking at additional metrics to evaluate the service and be reported quarterly.	Information request.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People			
Children And Young People' Improvement Plan - Progress Update	Regular updates be circulated to members on the progress on Corporate Parenting.	Information request.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People			

	Monthly updates starting the end of May on the progress of the improvement plan, to all members via briefing note	Information request.				
	New format for looked after children to be updated and provided to the committee in the form of a briefing note within two weeks of the committee meeting.	Information request.				
	Version 2 of the improvement plan be updated and circulated to the committee by the 6th May	Information request.				
	Understand what reflection there is in the feedback we get in regards to the voice of the child and will be within the first quarterly report in July	Information request.				

22 March 2022

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Impact Of The Pandemic On The Mental Health And Wellbeing Of Pupils In Schools	a) If/when a child is excluded from a school, the money follows the child within a month so that their special /mental health needs are addressed quickly. To include lobbying the CCG for funding	Suggestion.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People	Noted	✓	
	b) A report and methodological approach is prepared to	Information request.		To go to the Business Working Group		

	review the progress at the CYPSC meeting, including national comparator data to report to the committee about what action planning Herefordshire is considering to address the problems within our county.					
	c) A review be undertaken and a report be prepared on the impact of COVID 'enrichment' initiatives, including the WEST programme, is reviewed and the analysis provided as to which schools have been involved in this initiative, how many schools knew about it.	Information request.		To go to the Business Working Group for further consideration		
	d) Consideration be given to a T+F group or spotlight review with schools to encourage and support parents to ask for and take up the various mental health initiatives in their school setting. To be added to the work programme.	Committee action.		To go to the Business Working Group for further consideration	✓	
	e) More resource to be allocated for Brookfield's and the other special schools – with particular emphasis on investment in early years, and Yr 1	Suggestion.		Noted	✓	

	and 2 to prevent problems being exacerbated in relation to the impact COVID					
	f) CYPSC to lobby local MPs to lobby DfE to prioritise funding, supported by a funding bid and business case, to fund two attendance officers... Ceri Morgan/Hilary Jones/Matthew Sampson to send text.	Committee action.				
Children And Young People's Mental Health And Wellbeing: Data And Prevention	a) The children's commissioners' newsletter be circulated across all councillors.	Suggestion.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People			
	b) Local government level social media platforms are explored in their relation to their impact on the wellbeing of young people and the risks presented to young people into being drawn into sexual exploitation and bullying using these platforms be investigated	Suggestion.				

22 February 2022

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Workforce Report	Having reviewed the information provided, the Committee:					
	a) Noted and welcomed this first workforce report to the Committee as an interim report, being part of the improvement plan process, and also welcomed the progress being made, including feedback and data from Council care workers and families, as part of the Committee's aim to help improve openness and transparency in line with a "bottom up" scrutiny approach.	Committee decision.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People	Noted	✓	
	b) Asked that the detail and information contained in the pdf documents on the Herefordshire Social Work Academy website be reviewed and brought up to date and that the Academy be promoted more widely so that it was more visible.	Suggestion.		Noted	✓	
	c) Asked that in future the report provides more detail on the issues emerging from the exit interviews and	Suggestion.		Noted	✓	

	includes a greater level of quantitative data.					
	Suggested that to encourage a greater uptake of the offer of an exit interview that there is also an option that they be conducted by an independent interviewer.	Suggestion.			✓	
Children's Services Improvement Plan – Progress Update	The Committee recommended that: a) An overview of the amended improvement plan be presented at a forthcoming workshop, focussing on the framework activities for performance and management;	Information request.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People			
	b) A report on the outcomes of the external peer review of SEND provision be allocated to a forthcoming meeting, as soon as available;	Information request.				
	c) A report giving detail of the access of social workers to legal advice and support when undertaking casework be provided to the Committee at a future meeting and	Information request.				
	d) In future the report reflects how relationships are positively managed with staff in line with management philosophies	Information request.				

	and that these are more widely advertised as a unique selling point in recruitment strategies.					
Fostering Service Update	The Committee reviewed and accepted the Fostering Service Annual Report April 2020-March 2021 and recommended that:					
	a) The Committee promotes the opportunity for elected members of the Council to sit on the Fostering Panel and encourages nominations from current councillors;	Committee action.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People	To be discussed on how Cllrs wish to promote this opportunity		
	b) Officers from the Fostering Service provide their assessment of the challenges and opportunities for improvement that exist in the Service.	Suggestion.				
Children's Performance Report	The Committee received and approved the Children's performance report and recommended that:					
	a) A workshop development session on understanding and analysing the Safeguarding and Family Support Scorecard be scheduled; to include an overview and examination of other data sets used by the	Committee action.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for			

	Committee and with a narrative to support the presentation of data.		Children and Young People			
	b) The current report be used as a bench mark against which the performance of the service will be judged during the course of the year.	Suggestion.				
Work Programme Review	The Committee reviewed the draft work programme for 2021/22 and agreed the following:					
	a) That that the next meeting on 22 March would have a mental health focus.	Committee action.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People	Meeting went ahead on 09/03/2022 with the vision of planning in more of these meetings ahead of mainstream meetings.	✓	
	b) That the Chair and Vice-Chair, along with any other members of the Committee that wished to attend, hold a business planning session with officers to look at agenda items for the meetings of the next municipal year. The session would also include a review of outstanding actions from this year.	Committee action.			✓	

11 January 2022

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
2022/23 Budget Setting	Having discussed the budget proposals for 2022/23 as they related to the remit of the Committee, the Committee:		Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People			
	1. Noted and accepted the children and young people services budget for 2022/23;	Committee decision.			✓	
	2. Requested that they be provided with a more detailed breakdown of where money was being spent in the budget on specific service areas; and	Information request.		Completed	✓	
	3. Recommended that in future budgeting there be an increase in the allocation for early help/early years funding.	Suggestion.		Noted.	✓	

23 November 2021

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Annual Independent Reviewing Officers (IRO) Report	Having reviewed the Independent Reviewing Officer's Report for 2020/21 the Committee recommended that:		Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People			
	a) The Committee receive the IRO Report as an annual agenda item.	Committee action.		Noted and included in the work plan	✓	
	b) The next iteration of the report should include comparator data with statistical neighbours where this was available.	Information request.				
	c) A workshop be arranged with the participatory officer on how to include the voice of the child in future meetings.	Committee action.		In Progress		
	d) Health partners be asked to attend a future meeting of the Committee to discuss barriers for children and young people accessing CAMHS or other therapeutic support and counselling.	Committee action.		Invited to the meeting on 22 March 2022 which has a mental health focus	✓	

Children Improvement Plans – Progress Update	That the Committee noted the progress update and made the following recommendations:	Committee action.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People		✓	
	a) Feedback from the third sector (for example community groups and charities) be recognised as an additional source of information informing the whole system approach to quality assurance and performance management	Suggestion.		Noted	✓	
	b) Work on mental health in schools be highlighted in the Committee work programme	Committee action.		A mental health agenda is scheduled for the March meeting of the Committee	✓	
Work Programme Review	The Committee recommended that: a. Reports on dental health and obesity which were provisionally scheduled as agenda items for the December meeting be instead presented to the Committee as a briefing note, and circulated to the Committee outside of the meeting schedule.	Information request.	Not applicable.	Outstanding		

	b. The scheduled meeting on 7 December 2021 be cancelled.	Committee action.		Done	✓	
	c. A workshop to go through the following items be organised for 7 December 2021 1. the headline budget proposals ahead of public scrutiny of the budget in January 2. the LGA scrutiny self-assessment exercise	Committee action.		Done	✓	
	d. A themed mental health agenda be scheduled for the March meeting and that a range of different bodies be asked to submit reports.	Committee action.		Scheduled	✓	
	e. A monthly programme of scrutiny meetings be continued until the end of this municipal year at which point the practice would then be reviewed. There was a caveat placed on this that a meeting should not be held for the sake of it and that if the meeting was not needed it would be cancelled.	Committee action.		Scheduled	✓	

	f. When appropriate to do so, workshop training sessions on upcoming agenda items be organised before the meeting and that they be held online and preferably from 5pm onwards to enable greater participation. Members also requested that the sessions be recorded so those unable to attend could catch up.	Committee action.		Scheduled and noted.	✓	
	g. The Chair and Vice-Chair meet with lead officers to further discuss and populate the work programme. Outstanding items to be included were the Director of Public Health's Annual Report and an Improvement Plan focussed paper on workforce and resourcing issues.	Committee action.		Noted Scheduled	✓	

12 October 2021

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Provision of children centre service in the Bromyard area	The Committee notes the proposals to recommission the provision of the Children's Centre Service in the Bromyard area for two years and makes the following recommendations	Committee decision.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for		✓	

	to enhance the effectiveness of the plans:		Children and Young People			
	(a) That the Executive consider if an exemption to the contract procedure rules should be applied for.	Scrutiny Recommendation				
	(b) That the Executive consider whether further market testing should be carried out to evidence if there are any other potential providers and include details of what they will be asked to tender for.	Scrutiny Recommendation				
	(c) That evidence be provided on how discontinuing services from an established provider impacts those currently using the service.	Scrutiny Recommendation				
	(d) The Committee receive testimony from the Hope Centre and consider a visit there to understand the activities provided.	Committee action.				
Effective scrutiny of children's services: training and development offer	That the Committee notes the LGA training and development offer as set out in appendices A-C to the report and makes the following recommendations:	Committee decision.	Councillor Diana Toynbee – Cabinet Member for Children and Families		✓	

			Darryl Freeman – Corporate Director for Children and Young People			
	(a) The Committee agrees to engage with the LGA training and development offer.	Committee action.		Noted.	✓	
	(b) The Chairperson and Vice-Chairperson to draft a response to the self-assessment tool after completing the Leadership Essentials Course and then discuss with Committee members in November 2021	Committee action.		Completed	✓	
	(c) Notes that the LGA training will dovetail with the offer from the Centre for Governance and Scrutiny	Committee decision.	Noted.		✓	
Work Programme Review	Agrees the work programme at appendix 2 with the following amendments: 23 November agenda to include items on IRO, carers portal and exit interviews in children's service A workshop be arranged ahead of the 23 November meeting on the IRO service and carers portal	Committee action.	Not Applicable.	IRO report scheduled. Briefing note to be provided on Carer's Portal Scheduled Noted	✓	

	Consider use of performance challenge sessions to cover information items					
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7 September 2021

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Children's services improvement journey	That progress on development with heat maps be shared with the committee by 23 November 2021	Information request	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People	Completed	✓	
	That development sessions include members of children's services legal team as well as social workers	Suggestion.		Noted	✓	
	That the committee review all the challenges identified in the report with a view to identifying areas where scrutiny can contribute	Committee action.		Update report to reflect on progress was presented to the Committee at their meeting on 23 Nov 2021	✓	
	That examples of audit documentation be shared with the committee by 23 November 2021	Information request		Outstanding		

	That a link to relevant information on the council website be provided to the committee	Information request		Outstanding		
	That the voice of the staff be captured in an appropriate form as evidence for external review and the scrutiny committee	Suggestion		Outstanding		
Update on children's legal team improvement plan	The committee notes the progress made to date and the plan to continue with improvements in the Children's Legal Team	Committee decision.	Councillor Diana Toynbee – Cabinet Member for Children and Families Darryl Freeman – Corporate Director for Children and Young People	Noted.	✓	
	Further updates on the legal team improvement plan be presented to the committee bi-monthly, with evidence in the next meeting (23 November 2021) on the service level agreement, knowledge and understanding of when to access legal services by middle managers	Information request		A further update was circulated to the Committee on 17 Nov 2021	✓	
	Add more clarity on the status of HRA cases and include evidence of training / workshops of areas of concern	Information request.		A further update was circulated to the Committee on 17 Nov 2021	✓	
	Post court proceedings meetings be required rather than optional (Q7 in Children's Legal	Suggestion.				

	Team Improvement Plan relates);					
	A review of the escalation process be undertaken in relation to decision making by senior officers within the escalation process and support for them, including the criteria under which a second opinion is sought	Suggestion.				
	Training be provided to councillors to help them be confident in instigating the call in procedure	Suggestion.				
Work Programme Review	<p>Agrees the work programme at appendix 2 with the following amendments:</p> <p>A report on health and wellbeing be scheduled for the December meeting, to include mental health in schools</p> <p>A report on holiday activities provided by schools during covid be scheduled for the December meeting, with a focus on contextual safeguarding</p>	Suggestion.		<p>Added to work programme for December 2021.</p> <p>This was added to the meeting agenda for March 2022.</p>	✓	

5 August 2021

Subject	Committee Resolutions	Category	Department, Cabinet Member and Lead Officer	Progress	status	Date updated
Youth Justice Plan 2021-2022	The committee endorse the Youth Justice Plan 2021-2022 for presentation to Council.	Committee decision.	Councillor Ange Tyler - Cabinet Member for Housing, Regulatory Services and Community Safety Darryl Freeman – Corporate Director for Children and Young People	Noted. Presentation of the plan to Cabinet for recommendation to Council has been delayed.		
	A written briefing be provided on diversionary schemes and activities.	Information request		Briefing received and circulated to members of the committee.	✓	
	A copy of the national standards and improvement plan be shared with the committee.	Information request				
	For the 2022/23 iteration of the plan the committee recommends the inclusion of: <ul style="list-style-type: none"> increased evidence of consultation with young people and the wider public; evidence on staff consultation; and more information on progress on county lines, exploitation and peer on peer abuse. 	Scrutiny Recommendation				

Co-optee membership of scrutiny committees	The process for the appointment of co-optees set out in appendix one is adopted.	Committee decision.	Not Applicable	Noted.	✓	
	The process is used to appoint one representative from the teaching sector.	Committee decision.		Noted.	✓	
	The term of service of co-optees be reviewed with a view to making appointments for more than one year and up to four years, linking to the election cycle.	Suggestion.		To be reported to the Annual Council meeting in May 2022.		
	The process is used to recruit an adult representative of families who are or have been supported by social workers and Council be asked to appoint an additional co-optee at its next suitable meeting.	Suggestion.		Advertisement is 'live'. Final date for expressions of interest is 14 Jan 2022 14.2.22 Recruitment process underway		

Key

Items marked with a tick ✓ are marked “completed”. Once items have been agreed as completed by the committee they may be removed from future updated versions of the tracker table.