

## **Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 30 September 2022 at 3.00 pm**

**Present:** Councillor Sebastian Bowen (chairperson)  
Councillor Kema Guthrie (vice-chairperson)

**Councillors:** Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Clare Davies, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Jennie Hewitt, Kath Hey, Councillor D Hitchiner, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Jeremy Milln, Councillor F Norman, Probert, Louis Stark, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee and William Wilding

**Officers:** Chief Executive, Corporate Director – Children's and Young People, Chief Finance Officer, Director of Governance and Legal Services, Democratic Services Manager, Senior Lawyer, Director of Governance and Legal Services, Corporate Services and Chief Executive

### **23. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bartrum, Harvey, Howells, Graham Jones, Millmore, Phillips, Rone, Shaw, Stone, Tyler and Watson.

### **24. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **25. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 14)**

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

### **26. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 15 - 16)**

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

### **27. INSPECTION OF HEREFORDSHIRE CHILDREN'S SERVICES**

Council received and noted a report from the cabinet member children and families 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.

The cabinet member children and families proposed and introduced the report. In introducing the report the cabinet member raised the principal points below:

- The outcome of the Ofsted inspection report was to conclude that the overall effectiveness of children's services was inadequate. That judgement was accepted and it was acknowledged that the judgement was a criticism not only of children's services but also the whole council.
- The judgement was a significant concern to all associated with the council and an apology was provided to all those children and families who had not received the support they required when they needed it. The families posing questions at the meetings should be directed towards the record of questions and answers after the meeting and there was an open invitation to all families to make contact with cabinet member directly.
- The department for education had appointed Eleanor Brazil as the commissioner for children's services in Herefordshire.
- Over the course of the past year the chief executive and director of children's services had been very open in their assessment of the challenges that they face in achieving improvement in children's services. It was understood that the council was not sufficiently advanced on its improvement journey but the strength of the Ofsted judgement was a shock with conclusions that poor practice, drift and delay, the impact of staff turnover and a lack of management grip existed in children's services.
- A significant concern was the risk posed due to a lack of coordination between local agencies. Since the judgement, immediate action had been taken. The multi-agency safeguarding hub (MASH) and other frontline children's services had been strengthened by increasing capacity and resource. Senior leaders of all agencies had met and reviewed all cases where children were at risk.
- Staff from children's services have been open and co-operative with Ofsted and the inspectors had acknowledged their dedication.
- The inspectors had also welcomed the permanent leadership team that was in place which was having a significant impact.
- Partnerships and multi-agency arrangements were mentioned in three of the nine key areas for improvement. All issues identified in the judgement do not lie solely in children's services at the council.
- The areas identified for improvement were broad and quite general. This indicates that the fundamental systems and processes that should have existed in children's services were not in place.
- Progress had been achieved recently with the recruitment of more social workers, the strengthening of the MASH, increased supervision and reduced case-loads for social workers.
- The opportunity for effective improvements to be made must now be seized by the council.

The leader of the council seconded the report, he spoke at the end of the debate.

Eleanor Brazil, the Commissioner for children's services in Herefordshire addressed the meeting and raised the principal points below:

- The contributions of the families at the meeting had been a reminder of the profound impact the decisions and actions of the council had in lives of families and children.
- The council was at the start of the process to make improvements to children's services however it could not put right the failings of the past. The role of the commissioner was to try to ensure high quality services for children and families.
- There was a legacy of poor practice and there had been failings in the past and the focus must be on providing a better response to children and families.

- Government intervention was very serious and it was recognised that the council was understanding of the circumstances in the steps it was taking.
- The role of the commissioner was to help drive improvement and working with leadership to identify what actions were required. There was a need to have greater clarity around standards, expectations and ambitions for children and young people in Herefordshire.
- The commissioner had served as director of children's services in different local authorities who had been found by Ofsted to require improvement and had played the commissioner role in a number of local authorities. While similar issues with children's services at Herefordshire would be encountered, there was no preconceived idea of solutions that required implementation.
- The commissioner would talk with a range of staff throughout the council and with key partners.
- Details of any useful reading the commissioner should undertake should be sent direct to the commissioner's council email address.
- The actions identified for improvement to children's services needed to be taken forward with pace. The commissioner would be looking at the trajectory of improvement, the direction of travel and the difference that was being made.
- The commissioner would be reporting back to the Secretary of State with recommendations. The likely timescale to move beyond an inadequate service was 18 months to 2 years but improvements and progress must be made during the process.
- Examples of good practice would exist at the council which needed to be strengthened and built-upon. In addition, expertise existed at the council which would be utilised to drive forward improvement.
- The council needs help and support to achieve improvement which the role of the commissioner was intended to provide. Support would also come from other local authorities.
- At the end of the commissioner's review period a report would be drafted; examples of commissioner's reports were available in the public domain. The report would focus on: practice; leadership; political support; strategic leadership; how partners worked together; and the impact on children and families and on staff.

Council debated the report, during the debate the principal points below were raised:

- The report made difficult reading and members were deeply troubled and angered by the findings of Ofsted. The regret and sympathy of the Council was extended to all children and families who had been failed by children's services and who had been affected by the findings in the judgement.
- As members of the council, councillors had a responsibility to children in Herefordshire as corporate parents. Members were responsible for ensuring that children were safe, looked after and cared for. The report showed that children's services were failing and that members had failed to act as effective corporate parents. As corporate parents all members were responsible for the failings identified by Ofsted.
- Following previous judgements, which found that improvements were required in children's services, significant funding had been invested and additional staff had been recruited. However, action taken since the 2018 judgement had not been effective and a radical change to the approach of improvement was now required. Too much time had been spent looking back. Members now needed to challenge more and to question what improvements were being made.
- Scrutiny was dedicated to becoming more effective to help the council drive improvements to children's services. As part of this ambition a new co-optee had been taken on to the children and young people's scrutiny committee, there were regular briefings from officers at the council and closer work was being

undertaken with Telford and Wrekin as partners in practice. In addition, work with the new statutory scrutiny officer was realising improvement.

- There had been consistent failure in children's services over the course of the last 10 to 12 years. There had been very little improvement in practice for Children in Need. There was a lack of understanding of what was required to make improvement. Problems had been consistently found with poor decision making and poor understanding of risk. Improvement was required from partner agencies and in the supervision undertaken by senior officers.
- Vulnerable children had been failed and taxpayers would carry the financial burden for the urgent action that was required.
- The conduct of the extraordinary Council meeting was questioned and the limited opportunity for members of the public to speak. This was part of the culture of the council that required change to increase accountability and scrutiny. The families present at the meeting should have been allowed to speak at greater length.
- Stability and sufficiency of the workforce in children's services was essential. The commissioner had highlighted the importance of making improvements at pace. The objectives of the improvement plan that had existed until the end of March 2022 had not been realised. Significant improvement was required that involved all members, officers and agencies.
- Children and families had been let down by the council. Children were not being protected from harm. Previous improvement plans had not been effective and had been a bureaucratic response rather than providing a focus on the workforce to ensure sufficient resources were focused effectively.
- A statement in paragraph 11 of the report appeared to diminish the potential for harm of children and was challenged. The Ofsted report had concluded that children and young people in Herefordshire were not protected from harm.
- It was felt that it was essential for the commissioner to meet with representatives of the families.
- The judgement and the report were significant and set out comprehensively the failings and improvements required. This provided a focus and structure for future reports and updates.
- A response was requested from the monitoring officer with details of the reasons for the rejection of certain public questions sent to the current meeting.
- It was suggested that focus groups involving families receiving children's services could be established to share experience of what had failed and also suggest where improvements could be made.
- Collective responsibility for the failings of children's services was important to acknowledge however responsibility and accountability through leadership was essential to effect change.
- Members of the council needed greater access to information including where failings existed and where improvements were required to ensure they could act more effectively as corporate parents.
- The manner in which the meeting was being conducted was regrettable and it should have included inputs from the families. A public meeting was being arranged by the families and it was hoped that all members would attend.
- Members shared responsibility for the findings in the judgement as corporate parents but some members occupied positions which attracted a special responsibility allowance and had a greater level of responsibility for children's services. Such members should consider their performance and decide whether they were the right person to take forward improvements.
- Under the new constitution, agreed in May 2022, the cabinet were able to hold forums on different subjects. The improvements required to children's services were a relevant topic to take forward within such a forum.
- Following earlier judgements, additional resource and efforts had been dedicated towards achieving improvements in children's services. Ofsted considered there had been too little progress and the pace of improvement had been too slow.

Improvement required additional money, time and effort to achieve improvements. The council could take hope from other areas that had achieved a good rating following an inadequate judgement.

- It was important that a balance was achieved between challenge and support in the rollout of the improvement plan. It was critical that staff and social workers in children's services felt supported.
- Poor leadership and management had reduced the morale of social workers to a very low level. Scrutiny needed to be more effective in maintaining an overview of the improvements.
- A number of members and the skills and experience they possessed could be utilised by scrutiny and it was suggested that the membership of the children's scrutiny committee could be enlarged.
- The council should take inspiration from the example of Telford and Wrekin Council. The objectives of children's services from Telford and Wrekin Council would serve as a good baseline against which to assess improvements required in Herefordshire.

In seconding the report leader made the principal points below:

- The Leader was deeply saddened by the report and apologised to each family who had suffered as a result of the failings of children's services.
- Councillors had explained that they had been aware of failings over a prolonged period of time but any challenge they raised was not acted upon properly. This culture would have to change.
- There needed to be proper engagement with people, to listen to families and children and to not assume that the council knows best. A whole Council commitment was required to ensure children and families were supported. A bottom-up approach was advocated to hear the voices of the families and children.
- It was important that it was an all-Council commitment to achieve improvement and to provide support to children and families.
- The Leader welcomed the commissioner and explained he looked forward to working with her.

The cabinet member children and families made the following principal points in reply to the debate:

- All points raised by members would be fed into the action plan which was being developed.
- Members would have additional opportunities to raise issues and comments and be involved in the development of the plan. This would occur through the scrutiny committee, member briefings and informal meetings.
- Councillors had skills, experience and passion to contribute to the improvements that were necessary.
- Councillors had explained that they had been raising issues and concerns for many years but this has not been acted upon and more decisive action had been required.
- The lack of clarity had been a key theme of the meeting and it was a priority that the cabinet member was acting upon to ensure there was: an understanding of how processes worked; what are the pathways through the processes; and where are looked after children in the county located. It was essential that members had a greater understanding of services on the ground; it was difficult for members to be effective in challenging the service and supporting local residents without this understanding. Improvements were being made in this regard.

- A greater understanding of the experience of social workers was also important and how it feels to work for the council.
- It was also useful to understand how it feels to work with the council from the perspective of the families.
- The Ofsted judgement was expressed in terms of experience and impact without jargon.
- There was a balance required in the allocation of officer resource to ensure staff could undertake crucial work whilst members also received updates.
- Learning was being undertaken with colleagues in other local authorities around the country who had undertaken a similar journey, to progress from an inadequate Ofsted judgement. It was encouraging that other members had undertaken similar actions to inform their understanding.
- Of central importance was the work the council does to ensure children and families have the support they require.
- The administration had taken the points on board and would not be complacent. There was ambition for the services to get to a good Ofsted rating. A whole-council approach was required and the attitude to work together was welcomed. It was important to now move forward.

The meeting ended at 4.45 pm

**Chairperson**

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

Question Number	Questioner	Question	Question to
PQ 1	Name and address supplied	<p>My question is about the Herefordshire Children’s Services.</p> <p>What is Herefordshire Council/Children’s Services going to do about the children that have increased court ordered contact with their abusive parent after advice from the social and family worker? As you are aware family court follows the social and family workers advice against the safe parents advice of supervised contact.</p>	Cabinet member children and families
<p><b>Response:</b>            Thank you for your question. Legislation and statutory guidance are clear that decisions made by Judges within the family courts have to be made by considering what is in the best interest of the child, including with regard to matters of family time (contact). In order to come to such decision, the courts receive evidence from all parties including parent(s) and the Local Authority. Additionally, within family courts, children are independently represented by a Guardian who also provides evidence to assist the Judge in making decisions. The role of the Guardian is to review the Local Authority’s care plan (including contact arrangements) and to make sure that Local Authority arrangements and decisions for and about children protect them, promote their welfare and are in the child(ren)’s best interest.</p>			
<p><b>Supplementary Question:</b>            I do feel that my question is not answered. So I would like to submit a second question please. Can you please confirm that:</p> <p>A - Herefordshire council is <b>not</b> going to look into past cases to make sure that the right advice has been given by Children’s services to family court            Or            B - Herefordshire council is going to look into past cases to make sure that the right advice has been given by Children’s Services to family court.</p> <p>Please bear in mind that not every case in family court children have a guardian to review the advice given to family court.</p>			
<p><b>Response to supplementary question (cabinet member children and families):</b>            Thank you for your question.</p> <p>It would be very difficult for the Council to consider each and every past case to determine whether the right advice was given in any particular case. Where there are particular issues that the Council is aware of they will, if appropriate, consider what options are available taking into account any legal advice.</p> <p>By way of context, Children’s Guardian are allocated on all public law cases, they are not allocated on all private law cases. The local authority are not a party to private disputes and do not receive all court documentation including final orders.</p>			

7

Court ordered contact is determined by the Family Court based on evidence directed to be filed and upon which the court will determine the disputed issues, evidence submitted on behalf of the local authority is one piece of evidence the court will consider when determining a matter and is not of itself determinative.

Where children are known to the local authority, it complies with its statutory duties.

PQ 2	Ms Currie, Hereford	<p>Where staff (past and present) are identified as having made mistakes or kept information out of official reports to support objectives sought by the local authority, will the Council be referring matters to the police, regulators and/or taking dismissal steps for gross misconduct? Will line managers be held accountable for either allowing this practice or failing to challenge staff on reports submitted? Withholding information e.g. failing to document kinship carer offers that are not SGOs and share internally and externally prevents natural justice from being achieved and is a form of fraud/misfeasance of public office. This behaviour undermines public confidence in the service and brings the organisation as a whole not just the department into disrepute.</p> <p>Children that have been adopted where failures are identified can make civil claims against the council how will you be making the children aware?</p>	Cabinet member children and families
------	------------------------	--	--------------------------------------

**Response:**

Thank you for your question. All allegations against staff are taken seriously. Where there is evidence of misconduct or gross misconduct we will follow our HR procedures, making a referral to the relevant professional body and or external agencies as necessary.

Where failures are identified and adopted children are involved, they will be contacted and supported through either Adoption Central England or through our own Adoption Support team, depending on the circumstances.

**Supplementary Question:**

Staff that I am prohibited from naming as part of this meeting have left before complaints were made and resolved to allow HR action to be taken. Some were locums. All presumably are working for other organisations and pose the same foreseeable risk to those and future organisations and children and families, yet I am no clearer as to what the local authority is doing about those individuals.

Respectfully I'm afraid allegations are not taken seriously and are only heard too late. The judge in my son's case said he completely understood my feelings towards the local authority relating to the example in my initial question and yet complaint findings fail to accept any responsibility or accountability. As a parent you feel unheard. This is exactly the reason the department is in the state it is in today.

Care plans have to conclude with recommendations for permanency within a statutory 26 weeks. This means there is no time for parents to make any changes recommended by social workers unless that time is offered by a family member. What good is that when it is not documented, then when mistakes are identified the social workers do not return contacts including their line managers, instead actions to continue to prepare a child for adoption causing the kinship placement to breakdown due to a loss of faith and confidence in the service.

Please advise specifically what support is being offered to ALL impacted by these decisions including the children and families left broken and let down by these failures. And specifically whether the local authority plans on seeking to revoke adoptions on behalf of birth families.



**Response to supplementary question (cabinet member children and families):**

Thank you for your question. I understand how emotional these issues are and I agree that recording of documentation is absolutely essential.

The Council has limited powers over those that are not formally employed by or have a contract with the Council. Where the Council determines that there is clear evidence of wrongdoing they will provide that evidence to relevant authorities for them to consider whether there is any action they need to take.

I want all families let down by the service to contact us and to have the opportunity to be heard and I will be providing a written response to your question which will be published.

I completely understand how emotional these issues are and how important they are. It is very complex and sensitive particularly when we get into HR matters and I want to give a clear answer so I will provide a written response.

**Written response sent on 13 October 2022:**

*Where there are serious and substantiated concerns about former employees then the council will always consider alerting the professional registration body, or the current employer (where the employer was known) and decisions would be made on the specific circumstances of each individual case.*

*Members of the public are able to raise concerns about an individual social workers professional conduct directly with the professional registration body, Social Work England. Link: [Home - Social Work England](#)*

*We are sorry that you have felt unheard. Court timescales are led by the Court and a national framework (the Public Law Outline). In exceptional circumstances, the courts will permit proceedings to take longer than 26 weeks and will listen to representations from the family, from the child's guardian, and from the local authority. Solicitors acting for the family can advise.*

*Support for families affected by the outcome of family court proceedings might come from a range of sources, including family and peer support groups, the voluntary and charity sector, the local authority and other agencies. We recognise the need as expressed in the question to advise on the range of support available and have begun developing a page for our website that will provide a signpost for families.*

*There are no plans to revoke adoption orders at this time but we will always look at the individual circumstances of a specific case before reaching a conclusion. Families are also able access advice on this matter from a range of sources.*

PQ 3	Ms Gallagher, Hereford	In my case there were many delays, so many that practically all of the time during proceedings was used up waiting for assessments to be completed. This then meant there was no time to address any concerns and make changes needed. Why are parents not given the time they need to keep their children? Why are families punished for the social workers disorganisation and inability to adhere to timescales?	Cabinet member children and families
------	------------------------	---	--------------------------------------

**Response:**

Thank you for your question. Whilst I cannot comment on individual cases, I am sorry that you experienced delays which can be caused by a number of things. Once families and the local authority are in court and proceedings are issued, there is limited opportunity to make changes as this is the period in which the Courts ask for evidence and assessment. Many assessments required by the Court are carried out by external and independent assessors and it is often their availability that can challenge the Courts' preferred timescale of completing proceedings within a 26-week period. The period where much of the preventative and support activity can take place with families is in the pre-proceedings stage where we work with families to try to bring about change so that going to court is avoided wherever possible.

**Supplementary Question:**

Referring to my case, my children were on child in need plans when they were removed with two hours notice. When I was pregnant I was told to await the outcome of the pre-birth assessments to see what support I needed to keep my baby. I received that report two days after I was due to give birth. Social workers had 33 weeks to complete that assessment. Independent social workers are only instructed to do assessments when the local authority's report is either compromised or disputed. Social workers left their roles or threatened to resign if they were asked to assess me. The delays in my case were caused by Herefordshire Council.

There is a clear lack of support during pre-proceedings, as there was none. So where was the support to keep my family together, instead of just destroying it like you did?

In my original question I asked about the delays caused by Herefordshire Council and why parents had no time to address concerns or change to meet the concerns and to keep their children at home. As I said in my supplementary my children were on Child in Need plans and then they were removed with two hours notice. With my baby when I was pregnant the social workers knew from 8 weeks and I didn't receive the assessment until after I was due to give birth. They told me throughout my entire pregnancy that I needed that assessment to see what support can be given to keep my baby. Because that assessment was so late, my baby was removed at birth. So where was the support to keep my family together?

**Response to supplementary question (cabinet member children and families):**

It is very upsetting to hear about this story and I completely apologise. This is why we need to change, this is why we are here today and I trust that our staff are in touch with all families who need support but I cannot comment on individual cases.

PQ 4	Mr Griffiths, Hereford	I understand there is no longer a Domestic Abuse Hub running in Herefordshire, nor an individual with specialist knowledge and training around domestic abuse working within the MASH. The Ofsted report reflects under-developed partnerships and insufficient co-location or partnership resources within the MASH. The report also states the early help offer is limited and in particular, services to address domestic abuse. This is indicative that recent decisions made by the local authority in this regard, have been counterproductive, leaving a concerning gap in terms of knowledge and understanding of domestic abuse within Children's Services. According to recent statistics, the prevalence of domestic abuse in Herefordshire is significant, with many children suffering significant harm as a direct result. What is going to be implemented to address the issues around lack of resources/response to cases where domestic abuse is a factor?	Cabinet member children and families
------	---------------------------	---	--------------------------------------

**Response:**

Thank you for your question. The decision was made to incorporate the Domestic Abuse Hub into the MASH, any staff and resources have been absorbed by the MASH and have not been lost or removed. We continue to commission West Mercia Womens Aid to provide specialist support to

those experiencing domestic abuse throughout the county, this includes the provision of specialist advice and support to the MASH hub. Going forward this resource will be utilised across both Early Help and MASH teams. Following the Ofsted inspection, MASH resources have been further strengthened.

We have secured a bigger area for the MASH and this allows us to bring forward our plans to co-locate all key partners within the MASH. Training in respect of domestic abuse is available to all staff. In addition to this, multi-agency training is also offered by the [Herefordshire Safeguarding Children Partnership](#) to all partners, the most recent training took place on Wednesday 28 September 2022. We continue to work with our partners to provide support to those at risk of domestic abuse, details of which are listed on our [Talk Community Directory](#). We recognise the gravity and impact of domestic abuse and continue together with our partners to further develop services to support families and victims of domestic abuse.

**Supplementary Question:**

Thank you for your response to my question. What procedure or specialist is put into place now in specific domestic abuse cases?

**Response to supplementary question (cabinet member children and families):**

Thank you for the question, I agree that this is really important. It is really important that we have domestic abuse experts in our multi-agency and safeguarding hub and that we work very closely with our colleagues particularly the police on this and I'll keep pushing on this.

PQ 5	Ms Reid, Hereford	<p>There are sixteen "Measures that Matter" in the <i>Children's Social Care and Early Help Improvement Plan 2022-24</i> (Version 2.0 May 2022, presented at the Children and Young People Scrutiny Committee meeting on 26 July 2022). Numbers 1 and 2 relate to the caseload of social workers.</p> <p>For the below Measures that Matters, please give data for the following dates:</p> <ul style="list-style-type: none"> <li>• Quarter 4 of 2021-22</li> <li>• July 2022</li> <li>• Up-to-date number (and/or %) and state the relevant date</li> </ul> <p>Number 6: "Number of unallocated cases"            Number 10: "Proportion [%] of Plans considered to be Good or Outstanding" (<u>exclude</u> other grades eg "Requires Improvement")            Number 15: "We respond appropriately to complaints and service feedback from children [% <u>and</u> number] (measure number of complaints that are responded to within timescales)"            Number 16: "The number of complaints we receive is reducing"</p>	Cabinet member children and families
------	----------------------	--	--------------------------------------

**Response:**

Thank you for your question. Measures that Matter are reported on a quarterly basis; information is shown for Quarter 4 21/22 and for Quarter 1 22/23.

Measure that Matters	Quarter 4 2021/22	Quarter 1 2022/23
6 – The number of unallocated cases in the service	30	27*
15 - We respond appropriately to complaints and service feedback from children (% number)	65%	83%

of complaints that are responded to on time within the reporting month)		
16 - The number of complaints we receive is reducing (decreasing and low is good)	7	12

\* For clarity, these are not the same cases. These are snapshot figures at a particular point in time. Any unallocated case at any point in time is rigorously risk assessed and is monitored by appropriate managers. There are several reasons why a case might be unallocated for a short period of time, including transfer between services and awaiting allocation, or change of worker.

Information requested in respect of number 10 deviates from the Measures that Matters and is listed separately below

Question	Quarter 4 2021/22	Quarter 1 2022/23
% of audited plans considered to be good	2%	7%

**Supplementary Question:**

Only 2% and 7% of audited children’s plans for the quarters were “Good”.

- **How will this be improved and by what date?**

The number of unallocated cases – that is vulnerable children without a social worker - was 30 for Quarter 4 2021-22 and 27 for Quarter 1 of 2022-23.

- **What is the highest number of unallocated cases during each of these quarters?**

Frankly, 19 complaints over 6 months appears to be incredibly low.

- **What is the definition of “complaint” eg complaint to the Ombudsman?**
- **Given the “Inadequate” service, how will the complaints procedures for children and families be improved and by when?**
- **Regarding complaints by children, is a better criterion the number resolved at Stage 1 rather than responded to?**
- **As requested, provide up-to-date information plus highest number of unallocated cases since 1/7/2022.**

**Response to supplementary question (cabinet member children and families):**

Thank you for your question, there are a lot of very good questions in there. I will provide a written response with all the necessary data. It is very important that we get out complaint processes right.

**Written response sent on 14 October 2022:**

*Thank you for your supplementary question. Your attention to detail and line of questioning is helpful to us in developing the way that we present our information to a broader audience.*

*That the percentage of audited plans that were good was so low is a disappointment to us and was reflected in the feedback from Ofsted inspectors this summer. Improvement will not be seen overnight given the low base evident but we have introduced clear practice standards; increased training and support; and have increased management oversight alongside reducing workloads for social workers. Progress against our improvement plan will be monitored by Ofsted in future Monitoring Visits, and by the Improvement Board, the Children and Young People Scrutiny Committee, and by Cabinet.*

*We are not able to answer the question relating to the highest number of cases during a period of months as the system of reporting that we have shows a number per day which is monitored daily, with appropriate action taken on the day. Your question raises an important point though and we have begun to explore how we can show a broader range of data with regard to unallocated cases over a period of months.*

*With regard to complaints, there are two complaints processes, one a statutory children's complaints process, and the second a corporate complaints process, each slightly different. The former is determined by the Children Act 1989 guidance and regulations. We initially reported on the numbers of complaints in the children's process as this is the process captured by the Measures that Matter but there were others within the corporate process and the combined numbers for each are reported below:*

Q4 2021/22		Q1 2022 /23	
Children's	7	Children's	12
Corporate	44	Corporate	82

↪

*Following the recent inspection we are reviewing the improvement plan and the suite of measures of matter and should the measure looking at complaints be retained, we shall include complaints for both processes.*

*We are not aware of deficits in the complaints procedures and policy, which are to a large degree informed by legislation and guidance and that as the figures indicate are known about and accessed by families. We are aware though that as a service we need to improve how we respond to complaints, particularly with regard to timeliness, and want to increase the number of complaints that are satisfactorily resolved at stage one rather than having to progress to additional stages.*

*Your suggestion to change the criterion to resolved at stage 1 rather than responded to is a helpful one and is being considered within the review of the Measures that Matter.*



**Agenda item no. 4 - Questions from members of the Council**

Question Number	Questioner	Question	Question to
MQ 1	Cllr Carole Gandy, Mortimer	<p>Ofsted reports that 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 individual child. Some centre around adult and tasks to be completed without defining the outcomes to be achieved for children or timescales to work towards.</p> <p>Were directorate managers too remote to be aware of this culture of behaviour and therefore complicit in the failure to adequately support children and families within our care, or was this a deficiency in the training of some of our staff?</p>	Cabinet member children and families
<p><b>Response:</b></p> <p>The reasons for the poor quality of practice in the service, including that of plans and planning are deep-rooted and varied. The Ofsted report clearly indicates a decline in the quality of social work practice over a number of years, specifically over the past four years and over a longer a period when one also considers the reports in 2012 and 2014. Directorate managers were not too remote to be aware of this, and it is through the efforts and presence of current directorate managers that more is known about the quality of practice, and performance in the service than was hitherto the case.</p> <p>Reasons include those reported by Ofsted inspectors such as staff turnover, weak guidance and a lack of management grip over a period of time. The report also points to a lack of scrutiny and focus by the council. Other contributory reasons include a poorly introduced model of practice, an electronic recording system that has not aided practice improvement and a lack of clarity about practice standards.</p> <p>Inspectors recognised small areas of progress from a significantly low base including the development of more accessible and more accurate data, developing the functionality of electronic case management recording systems and reducing caseloads. Inspectors also recognised that through the activity of the new senior leadership team there are plans in place, but that it is too soon to assess their impact.</p> <p>A decline that came about over a number of years is not turned around overnight. Significantly revised practice standards were published in the spring and we are confident that we shall see the quality of plans, and planning, improve.</p>			
<p><b>Supplementary question:</b></p> <p>I thank the portfolio holder for her response. I note in particular the statement in the last paragraph “A decline that came about over a number of years is not turned around overnight.” However I listened into the cabinet meeting yesterday where a professional stated that it takes between 18 months and two years to show any real improvement and I agree with that. Yet the Council has had 18 months since the high court judgement, following by an extraordinary full council meeting in April 2021, followed by the annual meeting in May 2021 to put in place measure which should by now have shown some improvement. Instead, the service has deteriorated further to a point never seen before in Herefordshire. Can the portfolio holder explain why the past 18 months, which should have put us on the road to improvement, as stated by the profession, has in fact produced this devastating</p>			

report. What confidence can the residents of Herefordshire have that the next 18 months will be any different to the previous 18 months and secondly what efforts will be made going forward to ensure that all members are kept regularly informed of progress or non-progress within Children's services.

**Response to supplementary question (Cabinet member children and families):**

Thank you Cllr Gandy. I know you care very deeply about this issue, I am always prepared to have a conversation with you about it. Her question is completely reasonable and I agree that it has taken too long to make changes. Some of the basic structures have not been in place to allow our staff to do their best work; that takes a long time to put in place. Not all the right people were in the right positions which took too long. A difference now, which was lacking in the past, is that there is more clarity for all of us about where we are and where we need to go. More resources and more ambition. I share Cllr Gandy's impatience and we will be judged on our results.