

MEETING:	Health and Social Care Overview and Scrutiny Committee
MEETING DATE:	1 October 2014
TITLE OF REPORT:	Outcome of Children's Safeguarding Ofsted Inspection and Action Plan
REPORT BY:	Director for Children's Wellbeing

Classification

Open

Key Decision

This is not a key decision.

Wards Affected

County-wide

Purpose

To note the outcome of the Ofsted inspection of services for children in need of help and protection, children looked after and care leavers, which was conducted between 29 April and 21 May 2014.

To comment on the council and HSCB's response to the areas for improvement identified.

Recommendation

THAT:

- (a) note the outcome of the inspection attached at Appendix 1;**
- (b) make recommendations for any further actions to be added to the action plan**

Alternative Options

- 1 No alternative options listed as this is a report to enable Health and Social Care Overview and Scrutiny Committee to consider and make further recommendations for inclusion in the action plan.

Reasons for Recommendations

- 2 To enable the Health and Social Care Overview and Scrutiny Committee to comment and make any additional recommendations on the proposed actions to address the areas for improvement identified by Ofsted . The council is required to submit an action plan to Ofsted within 70 days of the publication of their report (which is 7 October 2014), outlining how it intends to address each of the identified areas for improvement, the timescales for action to be undertaken, and the monitoring and evaluation arrangements.

Key Considerations

- 3 The previous Ofsted inspection of children's safeguarding in Herefordshire took place in September 2012, at which time services were found to be inadequate, with children potentially left at risk of significant harm in the county. The Department for Education (DfE) placed Herefordshire under an improvement notice, and has overseen the council's improvement plan implementation and associated actions since, through the Herefordshire Safeguarding and Protecting Children's Improvement Board.

The inspection

- 4 Ofsted returned on 29 April 2014 to undertake a combined inspection of services for children in need of help and protection, children looked after and care leavers, which also incorporated an inspection of fostering and adoption services, under the terms of their new inspection framework, implemented in November 2013.
- 5 The outcomes of the inspection were as follows:
 - The experiences and progress of children who need help and protection – Requires Improvement
 - The experiences and progress of children looked after and achieving permanent homes and families for them – Requires Improvement, including:
 - Adoption performance – Good
 - Experience and progress of care leavers – Requires Improvement
 - Leadership, management and governance – Requires Improvement
 - The Effectiveness of the Local Safeguarding Children's Board (LSCB) – Requires Improvement
- 6 Overall Judgement: Requires Improvement. (See Appendix 1 for full report)
- 7 As part of the inspection, Ofsted identified a number of strengths including the following:
 - Councillors and senior managers show commitment to improving services to children and families – backed by resource allocation
 - Social work caseloads are now more manageable, linked to investment in the project team to address work backlog

- Children and families are able to receive a wide range of early help support to prevent problems escalating
 - Children in need of protection are identified and assessed well.
 - Most children who are looked after live in high quality local foster placements
- 8 Ofsted also reported that at the time of the inspection there were no widespread or serious failures that create or leave children being harmed or at risk of harm.
- 9 These outcomes represented recognition from Ofsted as to the progress made by the council and its partners since September 2012. It also recognised that progress had in some areas been very recent, and need to be able to demonstrate sustainability. There are 28 specific areas for improvement, detailed in Appendix 1. Whilst many relate to specific operational and practice improvements, there are a number of strategic recommendations, including:
- Ensure elected members understand and effectively undertake corporate parent role
 - Ensure manageable caseloads
 - Robust audit and performance management
 - Ensure diversity issues assessed and addressed
 - Ensure partners and communities are aware of private fostering

The review of the Herefordshire Safeguarding Children Board (HSCB)

- 10 Under the new framework, the HSCB was reviewed by Ofsted. The Board is an important component of the governance arrangements for safeguarding work in Herefordshire. Details of findings are included in Appendix 1. Key findings for the Board include:
- Governance arrangements between the LSCB and the local authority are well established.
 - The terms of reference for the LSCB are clear, as are the roles and responsibilities of the Chair and board members. The role of the LSCB Chair is sufficiently independent. However the respective roles of the Improvement Board and the LSCB are not sufficiently clear, with no protocol established between them.
- 11 The Board also needs to submit an action plan, and Cabinet are invited to make any recommendations for change to the plan for the Board.
- 12 Whilst the council is no longer judged as being inadequate, the council remains in Government intervention. This is in recognition of the recent nature of many of the improvements and needed to be able to demonstrate sustainability.
- 13 However, the DfE are committed to a formal review of progress prior to the end of the calendar year, to establish whether progress has by that point been sufficiently embedded and sustained that they can recommend the lifting of the intervention notice to the minister. It is the progress against the attached action plans by both the Council and the HSCB which will be central to the DfE review and recommendation to the minister.
- 14 The council and its partners have made good use of external challenge and support to secure improvement, and the HSCB has commissioned a peer challenge for the

autumn to provide further input to strengthen and improve so that it is ready to take over fully from the Improvement Board.

The council's action plan and performance monitoring

- 15 The action plan, attached at Appendix 2 is iterative and will continue to be refreshed and updated. Cabinet and Scrutiny will be kept informed of progress against the action as part of the performance reporting process. The plan includes clear responsibilities and where changes are made this will only be following evidence of the reason for the changes.
- 16 As the Ofsted inspection took place in May, work has both continued and in some areas already commenced in connection with some of the actions as follows:
- A Looked After Children Pledge will be presented to Council in September for formal adoption.
 - The Cabinet member for children's services and cabinet support member have been speaking to local business leaders about apprenticeships and work experience for our looked after children.
 - A commissioning exercise has been undertaken and a contract awarded with respect to the development of the Herefordshire Intensive Placement Support Service (HIPSS) and Therapeutic Intensive Support Services (TISS), which will support vulnerable children and young people to remain in local placement settings as appropriate to their needs and reduce the need for high cost external placements.
 - The council has been quite clear that its ambition and expectation is for safeguarding services to be good by 2016/17. The Ofsted report and these action plans are important staging posts in monitoring progress to achieve this expectation and ensure that where child protection services are needed, they are of high quality.
 - The council has established its longer term strategy to secure good child protection services within an environment of reducing resources. The priorities for change are to build independence and self support within families and communities, including the use of volunteer activity; to target support services proactively in areas of need; and to change the models of delivery. These activities are set out in the children's transformation programme, Children of Herefordshire Improvement and Partnership Plan (CHIPP)
 - Governance of the Ofsted action plans lie on a multi-agency basis with the Herefordshire Safeguarding Children Board; Council oversight will be through the performance framework, specifically the monthly children's performance monitoring and the cross council quarterly performance reviews. Final challenge and assurance will occur through Cabinet, Scrutiny and the Health and Wellbeing Board, as appropriate. For the period that the Council remains in intervention, the Improvement Board will continue to monitor and secure assurance that change is continuing to take place and become embedded.

Community Impact

- 21 The successful implementation of the action plan will bring about further improvement

towards achieving the council's priorities of keeping children and young people safe and giving them a great start in life and enabling residents to live safe, healthy and independent lives; improving access to learning opportunities at all levels and improved outcomes for children and young people .

- 22 Vulnerable children and young people, their families and carers, will experience different approaches to service delivery as a consequence of the implementation of the actions set out in the plan and in the context of the plan's status within the wider children's change programme.

Equality and Human Rights

- 23 As the action plan is implemented, equality impact assessments will be carried out where relevant to ensure that due regard is paid to the public sector equality duty as set out below:
- "A public authority must, in the exercise of its functions, have due regard to the need to -
 - eliminate discrimination, harassment, victimisation and any other conduct ... prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

Financial Implications

- 24 The actions included in the plan in appendix 2 can be contained within the current year's budget. Each of the areas for improvement is being progressed within the context of the directorate's transformation programme, the Children of Herefordshire's Improvement and Partnership Programme (CHIPP). As the transformation programme develops, detailed financial planning will be taking place with regard to the actions and where appropriate further reports will be presented to Cabinet or the cabinet member.

Legal Implications

- 25 Section 137 of the Education and Inspections Act 1996, requires the Council following an inspection report to prepare a written statement of the action and the period within which they propose to take that action. The attached action plans comply with this.
- 26 The report must be published within 70 working days of receiving the inspection report and a copy must be available by either inspection at Council offices or by providing a copy upon payment of a reasonable fee.

Risk Management

- 27 Risks associated with the failure to implement the action plan are:
- Reputation - should the council remain under an improvement notice. In particular, this has the impact of adversely affecting the recruitment and retention strategy and associated caseload management problems, which in turn have the potential to negatively impact on performance and quality of service for children

and families.

- The council returns to a position where there are widespread failures to protect children and young people from harm.
- The HSCB is unable to demonstrate to the Minister its ability and capacity to effectively govern the improvement of the multi agency response to safeguarding children, to enable him to be sufficiently reassured to lift the improvement notice.
- Delays in implementing the necessary structural changes to the HSCB business unit will undermine the Boards ability to demonstrate its effectiveness.

Consultees

28 All members of the Herefordshire Safeguarding and Improvement Board, management board, children's wellbeing directorate senior management team, HSCB board members and staff within children's wellbeing directorate have been consulted and their views have been incorporated within the action plan.

Appendices

Appendix 1- Ofsted inspection of services for children in need of help and protection, children looked after and care leavers. Published 30 June 2014

Appendix 2- Ofsted inspection May 2014 action plan

Background Papers

None identified.