

<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>18 October 2018</b>
<b>Title of report:</b>	<b>Outcome of children's Ofsted Inspection of Local Authority Children's Services (ILACS) inspection and action plan</b>
<b>Report by:</b>	<b>Cabinet member children and families</b>

## **Classification**

Open

## **Decision**

Non-key

## **Wards affected**

All Wards

## **Purpose and summary**

To receive the outcome of the Ofsted inspection of services under the new Inspection of Local Authority Children Services (ILACS) framework, which was conducted between 4 June 2018 and 22 June 2018.

To consider the council's response to areas for improvement identified and to make any recommendations regarding the council's proposed submission to Ofsted and proposed actions to address the areas of improvement that have been identified.

The council is required to submit an action plan to Ofsted within 70 days of the publication of their report (which is 25 October 2018), outlining how the council intends to address each of the areas for improvement, the timescales for action to be undertaken, and the monitoring arrangements.

## **Recommendation(s)**

**That:**

- (a) cabinet determine any additional actions it wishes to be taken to strengthen the draft action plan attached as appendix 2; and**
- (b) subject to any revisions, the action plan be approved for submission to Ofsted by 25 October 2018.**

## Alternative options

1. There are no alternative options to the above recommendations.

## Key considerations

2. The previous Ofsted inspection of children's safeguarding took place in April and May 2014, at which time services were found to be requiring improvement overall. The 2014 inspection was used as a baseline to assess what was taking place in Herefordshire in 2018.

### The inspection

3. The Ofsted inspection team contacted Herefordshire on 4 June 2018 and were in Herefordshire from 11 to 22 June 2018. The inspection was carried out under the new Inspection of Local Authority Children's Services (ILACS) framework, implemented in November 2017. The new inspection framework focuses much more on the experience and outcomes for children as the basis for its judgements. The inspection does this by looking at case records and speaking to social workers and other front line workers directly. The old inspection framework was wider in scope and spent more time considering processes, other agencies and the views from a wider range of staff, partners and elected members.
4. The inspection focused on the effectiveness of local authority services and arrangements in place to help and protect children; the experiences and progress of children in care wherever they live including those children who return home; the arrangements for permanence for children who are looked after (including adoption); and the experiences and progress of care leavers. In addition Ofsted evaluated the effectiveness of leaders and managers and the impact they have on the lives of children and young people and the quality of professional practice.
5. Herefordshire Council has to submit an action plan by 25 October 2018, 70 days after receiving the final inspection report. This is a standard requirement of the Ofsted inspection framework.
6. The outcome of the inspection was that Herefordshire has been judged as requires improvement overall. The judgements contributing to this outcome are set out below:

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	Requires Improvement
The experiences and progress of children in care and care leavers	Requires Improvement
Overall effectiveness	Requires Improvement

7. Ofsted reported that there were no children seen during the inspection who were found to be at risk of immediate harm and that the Multi-agency Safeguarding Hub (MASH) is responsive in its approach and ensures that children who need immediate help or protection have their needs met. Children who are looked after who were seen by Ofsted are in appropriate placements and the majority are developing well and their outcomes are improving. There were positive comments about a number of different areas, including early help, care leavers, children with disabilities, children at risk of sexual exploitation or wider

exploitation, the council's approach to elective home education, and for children who go missing.

8. However, Herefordshire was judged as inadequate in the impact of leaders on social work practice with children and families. This is a significant judgement and one that reflects that a number of areas for improvement from the last inspection in 2014 still require attention. Ofsted noted throughout the inspection that the council's own self-assessment had identified the areas for improvement and also recognised that the 2017/18 year had been an extremely challenging one for leaders and managers. This in itself does not provide a full explanation for why there are still areas for improvement.
9. Some areas, including caseloads for social workers had improved over the four years but had also then deteriorated in some teams. Reductions in staffing numbers, including management posts has stretched capacity. Herefordshire continues to have difficulties in recruitment of social workers, especially experienced social workers and has done over a number of years. This is also a challenge regionally and nationally.
10. There has not been sufficient improvement in the consistency and quality of practice in some areas, in the use of performance management over a number of years, with a significant development to the casework system over the period presenting additional challenges to improvement. As the high court judgement on section 20 cases in 2018 noted, there has been drift and delay in social work practice in a number of areas for a significant period of time in Herefordshire. The range of preventative services and the resources available to support this area has reduced over this period. All agencies in Herefordshire including council services, police, health services, early years settings, schools and colleges, community and voluntary services have struggled to achieve consistent application of Herefordshire Safeguarding Children Board's thresholds of need for children over the past four years. The inspection therefore provides an opportunity for Herefordshire to focus on improvement and to commit to doing so consistently for a number of years to achieve embedded and sustained good quality services and an environment for good social work to flourish.
11. Inspectors did see evidence of leaders and managers capacity to implement improvements in the children with disabilities service and in the care leavers and 16+ team. They also noted that the management team's response to section 20 Children Act 1989 cases had also been effective. Actions, including linking with other local authority areas of good practice and those set out following the local government association peer review that took place in February had not had time to take effect.
12. The areas for improvement are detailed in appendix 1 as well as those areas that Ofsted recognised as strengths. The inspection summarised what needs to improve as follows:
  - Senior leadership urgency in implementing a robust and timely action plan to deliver improvements and to address deficits in social work practice;
  - The sufficiency of social workers and managers with capacity to cope with the need for services and the volume of social worker caseloads;
  - Senior managers' interaction with social workers to enable staff to feel listened to;
  - The pace of progressing child protection and child in need plans and the quality of practice with children in need;
  - The regularity and quality of social work supervision;

- The quality and purposefulness of management oversight and decision making and the existing quality assurance and performance management system;
- The quality of life-story work for all children.

13. As part of the inspection, Ofsted identified some strengths including the following:

- Children identified at risk or immediate harm receive an appropriate prompt and responsive intervention, which ensures that they are safeguarded;
- Early help family support services that is received by families is responsive and there are good intense packages of support that are being provided; with good quality plans that clearly identify ongoing actions to sustain change;
- Multi-agency risk assessment conferences (MARAC) clearly identify risks to adults and children; the quality of actions plans are good;
- There is an effective out of hours service in place that provides timely and appropriate responses to children and families;
- The strengthening of assessment for children with disabilities through strong effective work results in effective support to children and their families;
- There is effective management of child sexual exploitation and other child exploitation; appropriate support and information is provided to parents and carers that enables them to understand their key role;
- The local authority are making appropriate decisions when children need to come into care; and where the risk increases and children are no longer able to remain at home we are making increasingly good use of our legal powers to safeguard and protect children;
- The majority of children in care live in good placements that facilitate the improvement in their individual outcomes;
- Where children and young people are unable to return to their birth families we are supporting them to live with connected persons;
- The local authority ensure where possible that siblings are placed together if this is appropriate and good assessments inform the contact plans.
- Where adoption is identified as the permanence decision this is achieved in a timely manner with families being carefully matched to children; introductions are managed well;
- Skilled work with unaccompanied asylum seeking children is taking place; the needs of these young people are well understood; where necessary we are placing them out of county to ensure that we meet their cultural and religious inclusion needs;
- The young people in care and care leavers are positive about their engagement with senior managers and the corporate parenting board;
- Care leavers are aware of their entitlement to services and they are provided with the support that they need to access information, legal rights and the benefits and financial help that they can receive;

- The council has made significant financial investment to support the development and improvement of children's social care services.

### **The council's action plan and performance monitoring**

14. The draft action plan, attached at appendix 2 will continue to be refreshed and updated. The initial focus has been on short term actions to address key areas for improvement and these will be refreshed and renewed on at least a 3 monthly basis. Cabinet will be kept informed of progress against the action plan as part of the performance reporting process. The draft plan includes clear responsibilities and a process for monitoring.
15. Herefordshire is working closely with the Department for Education's (DfE) regional improvement and support lead for the West Midlands and making links with local authorities to aid our improvement. The DfE under-secretary of state for children and families will expect an update on progress in six months time.
16. Ofsted colleagues meet regularly with the director of children's wellbeing and the assistant director safeguarding and family support where progress will be reviewed. Ofsted will also undertake a focused visit sometime within the next 12 months and will critically evaluate what progress has been made on key areas of the ILACS inspection. The expectation is that this visit will happen soon.
17. Since the Ofsted inspection in June 2018, work has already commenced as follows:
  - We have established a new approach within the Multi-Agency Safeguarding Hub (MASH) to address how contacts and referrals are being processed has been put in place from the beginning of October 2018;
  - We now have an Early Help Coordinator in MASH to ensure that children are managed in the correct part of the system and stepped up and down appropriately according to their identified needs;
  - We have reviewed 181 Child in Need (CIN) cases; 89 have been closed and a further 132 are being reviewed. 42 are being stepped down to Early Help;
  - We have systematically reviewed all Section 20 cases and taken the relevant action required on all of them, and have put in a system to stop this reoccurring which was acknowledged as good by Ofsted;
  - We identified that some cases were in the wrong teams, we are in the process of transferring these cases to the correct teams and will keep this under review;
  - We have not been consistently completing supervision for workers and have implemented a supervision tracker from week commencing 30th July 2018. This is monitored weekly by heads of service and fortnightly by the assistant director;
  - We are improving our performance data for managers to use. A data book has been circulated from the 1 October 2018 to enable managers to more effectively manage their service areas and be able to plan work.
  - We have increased management capacity and have an additional Head of Service to concentrate on MASH/Assessment. We have increased team manager capacity and have an additional team manager in both the assessment and children protection court teams.

- We have recruited additional family support workers to provide capacity and take some tasks from social workers.
  - We are actively recruiting social workers and are part of a regional approach which at the time of writing has secured 4 social workers;
  - We have increased business support capacity to increase the availability of business support for convening and minuting of meeting releasing social work time from these tasks;
  - We are recruiting additional contact workers to clear the back log of life story book work and maintain completion of life story book work, particularly for children who are going to be adopted;
  - We have run a 3 month assessment improvement project in the assessment team to improve the quality of children and family assessments. This will be rolled out across all social work teams;
  - We have revised panel arrangements and a new panel commenced on the 25<sup>th</sup> September 2018 which will provide a much more robust challenge to requests for children to enter the looked after system;
  - We are revising our quality assurance approach to enable greater learning and improvement in practice by revising our audit tool and establishing a framework which closes the loop of learning.
18. Every social work service area has a clear action plan to drive forward improvement and will be monitored on a monthly basis by the directorate leadership team. The council has been clear that its ambition and expectation is for safeguarding services to be good. 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.
19. 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; to target support services proactively in areas of need; and to change the models of delivery.
20. Council oversight and governance will be through the performance framework, specifically the children's performance monitoring and the cross council quarterly performance reviews. Final challenge and assurance will occur through Cabinet and the Children and Young People's Scrutiny committee as appropriate. Service management is reviewing the progress on specific work areas on a weekly and fortnightly basis. Individual service area action plans are being reviewed on a monthly basis. The Children and Young People's Partnership Plan will be an important vehicle to deliver multi agency change, including providing a focal point for developing Herefordshire's approach to early help. The Herefordshire Safeguarding Children's Board will be important in promoting multi agency practice and review the quality of it, thereby supporting improvement.

## Community impact

21. In accordance with the adopted code of corporate governance Herefordshire 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. To support effective accountability the council is committed to reporting on actions completed and outcomes achieved, and ensuring stakeholders are able to understand and respond as the council plans and carries out its activities in an open and transparent manner.
22. 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 resident's to live safe, healthy and independent lives; improving access to learning opportunities at all levels and improved outcomes for all children and young people.
23. Vulnerable children and young people, their families and carers, will experience different and improved 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 development plan. This includes looked after children and care leavers up to the age of 25.

## Equality duty

24. 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.
25. 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. We will make sure that as action plan is implemented will pay due regard to equality legislation.
26. The action plan will support the council in its overall duty to promote equality. In particular, the plan makes proposals to improve the outcomes of children and young people, by ensuring their diversity factors are assessed and assisting children and young people and their families to access services that meet their needs.

## Resource implications

27. The action plan appended to this report in appendix 2 will require additional resources and these are being considered as part of the council's budget setting process, including what can be done in terms of prevention and edge of care.

28. Within the 2018/19 financial year the cabinet has agreed £1.6m of resource to support the increase in capacity of social workers, social work managers, and family support and business support to undertake work that will reduce the demands on social workers themselves. There is also some investment being used to support further development of performance management reports and systems and to address life story book work.

## Legal implications

29. The Education and Inspections Act 2006 (Inspection of Local Authorities) Regulations 2007 sets out the requirements on the Council following an inspection report. The council is required to prepare a written statement of the action and the period which they propose to take that action. The appended action plan complies with this.
30. The action plan must be published within 70 working days of receiving an inspection report and a copy must be made available by either inspection at Council offices or by providing a copy upon payment of a reasonable fee.

## Risk management

31. The risks associated with the failure to implement the action plan are:
- The council does not deliver sustained improvement. Too many children and young people receive a poor service, there is drift and delay and children and young people receive high threshold services that are reactive. There is not sufficient capacity for good social work to flourish and there are not the range of effective preventative and edge of care services to support children and young people safely in families. The council then runs the risk of being judged as inadequate under subsequent Ofsted ILACs.
  - Reputational. The council does not make progress quickly enough and this diversely affects the recruitment and retention of social work staff. This can have the knock on effect of increasing caseloads, which in turn has the potential to negatively impact on performance and quality of services for children and families. As a consequence the council would have to invest significant resources to then rectify the situation.
32. The risks to successful delivery of the plan are:
- Insufficient resource is identified in the 2019/20 budget to implement the action plan in full. If this occurs there is the risk that the council does not deliver sustained improvement, with the consequences as outlined in paragraphs 31 and 32.
  - Change in culture and practice does not take place quickly or robustly enough and is not sustained. Accurate performance management information that is used at least weekly to manage and improve service delivery is a critical part of culture change, alongside capacity, training and development, audit work and changing practice as a result.

## Consultees

33. A meeting of partners took place on the 25<sup>th</sup> September 2018. This included representatives from the police, clinical commissioning group, Wye Valley NHS Trust, 2gether Foundation Trust, West Mercia Youth Justice, and the voluntary sector. The group reviewed the inspection report and proposed actions to address areas such as early help, the understanding and application of thresholds, referrals into MASH, multi agency responses to child protection plans. Partners are represented within the different working groups that are either established or will be established under the Children and Young People's

Partnership or Herefordshire Safeguarding Children's Board to address specific areas of work. The group will review progress every three months.

34. The children and young people's scrutiny committee received the report and the associated appendices and action plan on the 1 October 2018 and resolved that the committee:
- endorses the action plan;
  - allocates a quarterly item to its work programme to assess progress against the action plan; and
  - welcomes those positive elements emerging from the inspection including: safeguarding arrangements; looked after children and early help; care leavers; children with disabilities; children at risk of sexual exploitation or wider exploitation; the council's approach to elective home education; and children who go missing.

## **Appendices**

Appendix 1 - Ofsted Inspection of Local Authority Children's Services (ILACS) report.

Appendix 2 - Ofsted ILACS inspection June 2018 action plan

## **Background papers**

None identified