

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

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

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

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

34. APOLOGIES FOR ABSENCE

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

35. DECLARATIONS OF INTEREST

There were no declarations of interest.

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

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

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

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

38. COURT JUDGEMENTS RELATING TO CHILDREN AND FAMILIES

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

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

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

During the debate members made the following principal points:

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

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

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

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

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

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

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

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

RESOLVED: that the report is received.

The meeting ended at 12.05 pm

Chairman