

#### Agenda item no. 4 - Questions from members of the council

Question Number	Questioner	Question	Question to
MQ 1	Councillor CA Gandy, Mortimer	What effect will or has there been following these two court cases, which have come so soon after the S20 cases, on the retention and recruitment of social workers in Herefordshire?	Cabinet member, children and families
<p><b>Response:</b></p> <p>We have no evidence to date that retention and recruitment of social workers in Herefordshire is being affected by the court cases.</p> <p>Many social workers take their work very seriously and feel deeply about it. There is a desire amongst our staff to do a really good job for children and young people and this has been evidenced whenever Ofsted or external reviews take place. The council has put in an increased retention offer over the last six months and also improved its package to attract permanent staff. This continues to be kept under review.</p> <p>Experience from other councils who have received adverse publicity shows that a demonstrable willingness to learn from mistakes made and make changes helps to achieve more speedy progress in improvement thus making recruitment easier. That said, the national challenges around the social care workforce supply, taken together with the particular Herefordshire challenges of location and infrastructure mean that recruitment and retention of social workers will require sustained focus and action.</p> <p>As the chair of the children and young people’s scrutiny committee I know that you and your committee members have given really valuable challenge and suggestions to our plans for improvement following the section 20 cases and your input is reflected clearly through our action plans. I very much hope that this welcomed input will continue.</p>			
<p><b>Supplementary Question</b></p> <p>Does the portfolio holder believe a task and finish group, which should be composed of members of all the political parties at the Council, should be set up to consider the issues surrounding the judgements?</p>			
<p><b>Response to Supplementary Question</b></p> <p>I would be delighted for a task and finish group to be established following the helpful work that was undertaken by the section 20 task and finish group. Scrutiny offers the opportunity for a detailed examination of the issues and for recommendations to emerge from its work to take forward.</p>			

MQ 2	Councillor BA Durkin, Old Gore	What assurances can the cabinet member children and families provide, going forward, that the new management team will deliver on their assurances to prevent any repetition of the lamentable shortcomings illustrated in the decision of this hearing?	Cabinet member, children and families
<p><b>Response:</b></p> <p>I can provide a number of assurances that the commitments made, and recognised by Mr Justice Keehan, to reform children’s services and ensure far more robust systems are in place to ensure compliance with good social work practice are being delivered.</p> <p>A number of actions have already been implemented as detailed in the report before Council today; these include:</p> <ul style="list-style-type: none"> <li>a) The Assistant Director Safeguarding and Family Support chairing a weekly Placement Panel that reviews individual child cases and also looks at cohorts of children, for example those placed with parents or in kinship care. This includes children who are the subject of placement orders whose cases will be reviewed on a six-monthly basis.</li> <li>b) The agenda for Adoption Reviews has been strengthened to reflect that the review takes place in the light of the guidance set out in section 1 of the Adoption and Children Act 2002 to establish if the court approved care plan has been changed.</li> <li>c) The legal department holds six-monthly legal review meetings of all children under placement orders. This should ensure that decisions are not made without Adoption Decision Maker (ADM) consideration.</li> <li>d) A sibling separation tool is being introduced for managers to ensure the decision to recommend to separate considers all relevant matters before it is presented to the ADM and is clearly recorded on the Mosaic system. The completed sibling separation tool will be required at panel.</li> <li>e) Changes have been made to the way electronic case records are updated so that changes are visible as changes rather than deleting/replacing previous information.</li> <li>f) The Independent Reviewing Officer (IRO) service has been strengthened by increasing management oversight and implementing robust processes to ensure any concerns of the IRO are raised and appropriately responded to. An externally led review of the service, as part of our work with Doncaster Council, is underway.</li> <li>g) All IROs have received, by email and in a laminated hard copy, legal guidance for IROs on challenging decisions of the council. The guidance makes it clear that the individual IRO is personally responsible for activating the dispute resolution process. A clear</li> </ul>			

expectation has been communicated to IROs to record their work, including any dispute resolution concerns and activity. A more effective escalation process has been put in place.

Additionally a learning exercise on the cases is underway. The wider learning will be reported to members, and taken to all staff. We will adopt this approach for any cases in the future that we need to get a clear understanding on the presenting issues, what may have happened in the past, and what may need to change in terms of current practice.

We have an Ofsted Improvement Plan that details a range of actions that children and families scrutiny will review, we will also review progress and what more needs to be done at the members performance challenge sessions. Ofsted will also receive reports on progress and every year Ofsted will formally inspect services either through focused visits, joint targeted area inspections or inspections of local area children's services.

Our local senior Judge HHJ Plunkett meets with the Director, Assistant Director and Deputy Solicitor to the Council every three months and he has commended the efforts the council are making.

Assurance on delivery of improvement action and performance standards will continue to be subject to regular challenge from senior management and members at an operational level, through the regular directorate performance challenge sessions and the corporate performance reporting process.

We will never be able to give a guarantee that poor decisions and practice will not occur again, but we will continue to improve the system and drive up standards consistently, and I would ask all members to continue to actively engage in providing constructive challenge and support to this process.

#### **Supplementary Question**

Being aware of the important role of an IRO can the cabinet member outline the training and measures introduced to improve practice?

#### **Response to Supplementary Question**

The IROs are crucial to children's services and an action plan to improve practice has been in place for the service through the Ofsted action plan which predated the court judgements. Training was taking place on the fundamentals of the IRO role and to encourage challenge and for IROs to act as effective advocates for children in care. Work is ongoing with Doncaster Childrens Trust as a partner in practice to assess any weaknesses or failings in the work of the IROs and bring improvement and support. Details of operational matters and the training undertaken are set out in the report.

MQ 3	Councillor RI Matthews, Credenhill	<p>“The IRO’s primary focus is to quality-assure the care planning and review process for each child, and to ensure that his/her current wishes and feelings are given full consideration. To be successful, the role must be VALUED by senior managers and operate within a supportive service culture and environment. An effective IRO service should enable the local authority to achieve improved outcomes for children”</p> <p>Are we providing a supportive service, culture and environment, and are our IRO’s being fully valued by senior management?</p>	Cabinet member, children and families
<p><b>Response:</b></p> <p>Senior managers do value the IRO service. We have increased management capacity to provide additional support and oversight. We have provided a clearer escalation policy that values the views of IROs. We have an improvement plan in place for this service as part of our overall Ofsted improvement work; this work will not only secure operational improvements, but ensure that the work of the service is appropriately recognised. Doncaster Children’s Trust are currently undertaking a review of the service and how it is supported within the council; this will inform future improvements.</p>			
<p><b>Supplementary Question</b></p> <p>The role of the IRO is that they are empowered to act on behalf of the child and where appropriate challenge the local authority. Can the IROs be considered to be truly independent if they are appointed by a local authority? Have alternative methods of providing a better IRO service been considered or will they be investigated in the future?</p>			
<p><b>Response to Supplementary Question</b></p> <p>The role of the IROs is crucial and it was national practice to make internal appointments to the positions. Given the difficulties involved in recruitment, internal appointments offered the opportunity to take advantage of internal resources at the Council to recruit to the posts. There is no problem in making an internal appointment but it is necessary to ensure the checks and balances around the work of the IRO are robust to enable the individual to be effective in their challenge and advocacy. The work ongoing with Doncaster will examine and strengthen these arrangements. During the cases in the judgements checks and balances were in place but there were not being adhered to and this lack of confidence and robustness need to be addressed. During 2016/17 staffing changes and fluctuating caseloads, above the recommended limits, contributed to the problems. The extent of the work of the IROs over this period should also be borne in mind with the chairing of a number of LAC reviews; it was important to look at the issue in context. Testimony from a care leaver was read out which contained messages of thanks for the valued and effective support provided by an IRO.</p>			

MQ 4	Councillor NE Shaw, Bromyard Bringsty	The LGA have reported that 86% of children's services nationwide are over budget. Ours is no exception. To what extent do you consider that resource constraints forced by budget cuts may have contributed to these cases arising?	Cabinet member, children and families
<p><b>Response:</b></p> <p>Like other councils, Herefordshire Council has had to make significant cuts over the past ten years and more. Alongside the cuts, costs and demand in relation to looked after children and care leavers has risen. At times the council has had to employ agency workers and these do cost more and carry additional challenges in ensuring our children receive stable and consistent social worker support. Additionally there are increased costs to delivering services across a large rural area. In retrospect some of the cuts in staffing meant that some areas of service were under pressure because of increased demand and the level of work that the service was already undertaking.</p> <p>That said, Herefordshire is now in a better financial position than many councils overall and, recognising in 2018 that children's safeguarding and family support services and legal services for children needed to be prioritised, Cabinet made additional resources available to increase capacity for workers and managers. The Ofsted inspection carried out in June 2018 and the Local Government Association peer reviews also reflected that to help improve services we needed to invest more in the right capacity for support workers, social workers, management and leadership. This is continuing into budget setting for 2019/20.</p> <p>It is important to understand though, that resource and capacity are not the only contributing factors in these cases. We need to have high quality staff, who have the tools, training and supervision and support to carry out their work effectively and a performance culture to deliver and manage the improvements we have identified so that our looked after children have the best start in life.</p>			
<p><b>Supplementary Question</b></p> <p>When does the Cabinet Member expect to see the impact of the additional investment take effect and move the service in a different direction?</p>			
<p><b>Response to Supplementary Question</b></p> <p>The extra investment has allowed the service to increase capacity where it was needed. The results of this investment are already being seen. A number of performance indicators from the implementation Ofsted improvement action plan showed progress including a reduction in social worker caseloads, timeliness of visits to children with a child protection plan, reduction of the number of children inappropriately referred in to the multi-agency safeguarding hub and improvement of the completion of assessments within timescales.</p>			