



Vicky Ford MP

Parliamentary Under-Secretary of State for Children and Families

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

18 May 2021

HEREFORDSHIRE COUNCIL: SERIOUS FAILINGS IN RELATION TO CHILDREN'S SOCIAL CARE SERVICES

I am writing in relation to the lack of progress and improvement to children's social care services in Herefordshire Council ("the council") since the 2018 Ofsted inspection; exacerbated by serious failings identified following Justice Keehan's High Court judgment (published 16 April 2021), notification of three additional cases of concern to be assessed by the court, and practice inconsistencies identified by Essex as part of a Partners in Practice high-level review last month. I was shocked and saddened to hear Justice Keehan's judgment and the experience of the family and children involved, and am very concerned about the picture the judgement paints of the performance of children's social care services in Herefordshire and whether children are safe. I am also aware of other court cases where the forthcoming judgements are likely to identify further practice failings. The Essex visit in April 2021 identified longstanding issues of inconsistent practice, and I am also aware that insufficient improvement has been made since Ofsted last inspected in 2018 and two subsequent visits in 2019. It is apparent there have been serious failings in the leadership and management across the children's services department, and that interim positions have been brought in to help stabilise this.

Children's social care services are so important to the most vulnerable children locally and this means that it is essential that they are delivered to a high standard. No children should be left at risk of harm, and the welfare interests of children and families should be paramount to any decision made about their future. Keeping children safe is the most important responsibility that local authorities carry out and is one of the most important priorities for this Government.

I need to be confident that the council is taking the right actions to secure both immediate and sustainable improvement. This is why I have already agreed to appointing Gladys Rhodes White as DfE Improvement Adviser to set up and chair an Improvement Board as soon as possible.

I am today, also confirming, on behalf of the Secretary of State, that the Department for Education will issue the council with an Improvement Notice. A copy of the Improvement Notice is attached and will be published on GOV.UK on 18 May.

I consider that the Improvement Notice should last for a minimum of 12 months, until the end of April 2022, and until such time that the Secretary of State is satisfied this is no longer required. Formal reviews should be built in at appropriate stages to reassure me that sufficient progress has been made or indeed to reflect quicker progress than expected.

I understand from my officials that the council recognises the seriousness of the concerns raised in relation to Herefordshire's children's services and have already put in place steps to start addressing these. I welcome this commitment. I have also expressed my concerns to Herefordshire's local MPs to ensure that rapid action is taken, and improvement remains a priority.

My officials will continue to work closely with the council and the adviser over the coming weeks and months, to ensure that the necessary progress is being made. I am copying this letter to David Hitchiner (Leader of the Council), Felicity Norman (Lead Member for children and families and deputy leader), Paul Walker (Chief Executive), Claire Ward (Solicitor to Council and Monitoring Officer) and Catherine Knowles (Interim Director of Children's Services). I am also copying this letter to Bill Wiggin MP (North Herefordshire) and to Jesse Norman MP (Hereford and South Herefordshire).

Yours sincerely,

A handwritten signature in black ink that reads "Vicky Ford". The signature is written in a cursive, flowing style.

Vicky Ford MP
Parliamentary Under-Secretary of State for Children and Families

Improvement Notice

To: Herefordshire Council ('the council')
Plough Lane
Herefordshire
HR4 0LE

This Improvement Notice is issued to Herefordshire Council on 18 May 2021, following significant concerns highlighted by the publication of Justice Keehan's High Court Judgement on Friday 16 April 2021, further cases of concern in the court system and inconsistent practice identified by Essex as Partners in Practice in April 2021; demonstrating a lack of pace and progress to improve children's services since the 2018 Ofsted inspection.

1. This Notice is given to address:
 - a) Serious concerns in respect of the council's children's services, following failings outlined in the High Court Judgement published on 16 April 2021; in addition to other court cases coming up, where it is expected that further practice failings will be identified.
 - b) Failures in the leadership and management of children's services have been identified, along with evidence of poor-decision making, and drift and delay in some historic cases. Interim posts, (Director of Children's Services and Assistant Director), have been appointed to help stabilise the current leadership.
 - c) Essex Partners in Practice visit to the council in April 2021 identified longstanding issues of inconsistent practice.
 - d) Insufficient improvement has been made since Ofsted last inspected in 2018 and two subsequent visits in 2019.
2. To comply with this Notice, the following actions are required of the council, working with its partner agencies ("partners") as identified by the Children Act 2004 (Section 11).

Adviser arrangements

3. As you are aware, the Secretary of State has appointed an Improvement Adviser, Gladys Rhodes White, to provide advice to the Department and the council. The council will work with the adviser for a minimum of 12 months, and until such time that the Secretary of State is satisfied this is no longer required.

Improvement plan

4. The council's improvement plan will deliver appropriate and sustainable improvement. The plan should cover the areas identified in paragraph 1 (a to d), as well as recommendations made by the Improvement Adviser appointed by the Department. The plan should be submitted to the Department for Education ("the Department"), and by a date determined by the Improvement Adviser.

5. To ensure there is clear evidence of progression:
 - a. the content of the improvement plan and a record of progress against it must be kept up to date;
 - b. the council must ensure there is an improvement board established with an independent chair in place (to be set up and chaired by the DfE Improvement Adviser), that has full support from the Chief Executive and Council Leader, to oversee implementation of the improvement plan and report to the improvement board on progress against the objectives in the plan, to a timetable agreed with the Department. It can commission updates from partners in order to do this;
 - c. reports to the improvement board should include data, analysis and recommendations supported by evidence of the impact of improvements on the quality of practice and experience of children and families;
 - d. the council should highlight those objectives which are slow to progress and highlight where contributions need to be strengthened; and
 - e. the views of frontline staff and of children and young people will be taken into consideration in the development of practice and standards.

Department for Education reviews

6. Officials or advisers from the Department will undertake reviews of progress against the improvement plan at least every six months and more regularly where appropriate.
7. These reviews may cover but are not exclusive to: culture; performance; leadership, management and governance; workforce and management oversight; early help; and multi-agency arrangements.
8. From time to time, the Improvement Adviser may require that a diagnostic review or assessment of performance in a specific service area is undertaken by a local authority or other party agreed with the Department.
9. The Department will offer dedicated improvement support through its Partners in Practice arrangements and may consider additional requests for support as part of the review process.
10. For any review or assessment, the council must provide the persons conducting it with:
 - a. access to, and time with, staff and leadership;
 - b. accurate and up to date data on performance and quality;

- c. facilities to carry out the reviews;
- d. access to case files, minutes of meetings, supervision records or any other relevant information.

11. Prior to any reviews, the council should provide its own assessment of improvement. This may reflect, but is not limited to:

- a. progress against the improvement plan objectives;
- b. staff surveys;
- c. staff supervision and the quality of feedback.

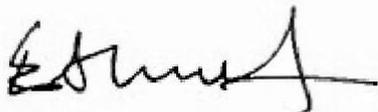
12. Taking account of the measures set out in this improvement notice and the diagnostic report once produced by the Department's Improvement Adviser, the council should aim for actions included in the improvement plan to be delivered by the end of April 2022 or sooner, where appropriate.

Improvement against the above measures will be assessed as follows:

13. The Improvement Adviser will provide to the Department, 6 weekly reports of progress or concern against the areas set out in this notice; and progress against the improvement plan; and any other such information relevant to the improvement journey.

Failure to comply with this Improvement Notice by the assessment dates or poor progress:

14. Should the council be unwilling or unable to comply with this improvement notice, or should ministers not be satisfied with the council's progress at any stage, ministers may choose to invoke their statutory powers of intervention (s497A Education Act 1996) to direct the council to enter into an appropriate arrangement to secure the improvements required in children's services.



18 May, 2021

Signed: Date:

Emily Whitehead

A senior civil servant in the Department for Education