

# **Title of report: Children and Young People' Improvement Plan - Progress Update**

**Meeting:** Children and young people scrutiny committee

**Meeting date:** Tuesday 26 April 2022

**Report by:** Corporate Director, Children and Young People

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

Children and Families Strategic Improvement Plan – progress update.

## **Recommendation(s)**

**That the committee:**

- a) **Reflect on progress of the Children's Improvement Plan following receipt of the non-statutory Improvement Notice in May 2021; and**
- b) **note the development of version two of the Improvement Plan.**

## **Alternative options**

1. The Committee could choose not to review the progress of the Children's and Families Improvement Plan delivery but this is not recommended as the Scrutiny Committee has an important role in exploring pressures and dependencies relating to priority actions, and in identifying and reviewing mitigation for any risk and issues which might work against the council delivering improvements.

## Key considerations

2. The [18 May 2021 DfE non-statutory notice to improve](#)
3. The [28 October 2021 Cabinet decision](#) to endorse the Children and Families Strategic Improvement Plan v1.0
4. [Cabinet decision on 31 March 2022](#) to approve £11.49m Resilience Reserve funding for transformation of Children's Services.

### Improvement Board summary update

5. The Improvement Board is now meeting on a six weekly basis, the most recent meeting being on Monday 7 March, and the next being on Monday 25 April, to which the Chair and Vice Chair of the Children and Young People Scrutiny Committee are invited as observers.
6. At the meeting on 7 March the Corporate Director for Children and Young People updated on:
  - a. progress against the Improvement Plan, including the progress of the recruitment campaign for the two vacant Service Director posts, the activity to refresh the Improvement Plan, the introduction of a monthly Quality Assurance and Performance Improvement Board, chaired by the Director to add more pace and oversight to the performance improvement activity; and
  - b. outline proposals for additional investment in Children's Services Transformation being developed.
7. The Service Director (Early Help and Safeguarding) presented a performance update and in summary reported the following:
  - Significant and ongoing improvement in the timeliness of the response to contacts in the Multi-Agency Safeguarding Hub (MASH) in recent months.
  - An analysis of the source of recent contacts and the outcomes of these. This data and analysis will be used with referring agencies over the coming months to further improve the quality of referrals.
  - There has been a significant rise in the number of new assessments opened, most acutely observed from October 2021 (in response to which additional capacity has been added to the assessment teams).
  - A small reduction in the numbers of children subject of a Child Protection Plan.
  - Following a significant decline in the timeliness of convening Initial Child Protection Conferences from October 2021 through January 2022, an improved timeliness of 74% was achieved in February with increased management oversight evident.
  - The rate at which children and young people coming into our care has increased over the past year but appears to be slowing and is closely monitored by senior managers.
  - Placement stability for children in our care remains very good.

- Since the introduction of two new Child in Need teams, the frequency of visits to children and of supervision for case holding workers has been improving.
  - Whilst caseloads in the Child in Need and Child Protection/Court teams remained steady and for most manageable the average caseloads in the assessment teams remained high.
8. Sector-led Improvement Partner (SLIP) support, funded by the Department for Education (DfE) is initially focussing on developing our Quality Assurance activity and on using our data and information to present our evidence of improved performance and outcomes going forward.

#### Improvement Plan Version 2

9. The initial Improvement Plan saw two distinct plans (the Strategic and the Operational) which whilst intertwined were created in isolation of each other. The draft revised version of the Improvement Plan (Version 2) provides a more holistic plan with no need for separate versions.
10. Where the original plans were focused on activity and transactions and also included elements which were 'Business as Usual' activities rather than improvement activities, the revised plan starts with clear statements of what needs to be improved, and the outcomes to be achieved.
11. Following implementation of the first iteration of the Improvement Plan, the service has developed its understanding of how to better manage the improvement programme with focus needing to be on the impact of improvement for children and young people. The first iteration of our Improvement Plan was very much transactional, focussing on actions rather than impact. Version two of the Improvement Plan has been written with outcome focus first and foremost
12. Although delivering valuable improvement work, the first version of the Improvement Plan did not have defined outcome measures (measures that matter) and thus impact was difficult monitor. Version two of the Improvement Plan has clearly defined measures that matter (KPIs) to ensure impact can be clearly demonstrated going forward.

#### Revised Governance arrangements

13. The revised Improvement Plan will have a simpler reporting and governance structure. This is to be presented to the current Strategic Board, chaired by Paul Walker, Chief Executive Herefordshire Council, on Monday 25 April as follows:
- a. The Corporate Director for Children and Young People (Director of Children's Services) becomes the Improvement Plan Senior Responsible Owner (SRO) once the plan moves to version two, and will chair the Operational Improvement Board;
  - b. formal closure of version one of the Improvement Plan and its associated programmes was agreed at Strategic Board on Friday 18 February and will be actioned on 25 April when version two of the Improvement Plan will be implemented;
  - c. the Improvement Board will continue to ensure compliance with the non-statutory notice issued by the DfE;
  - d. The Corporate Leadership Team (formerly referred to as the Management Board) will act as "Critical Friend" and provide scrutiny and challenge; and
  - e. The Resources Board continues to be in place to monitor spend and value for money.

14. Progress against the Improvement Plan will continue to be reported to the Children and Young People's Scrutiny Committee every two months.
15. Cabinet are responsible for overseeing the plan and ensuring the progress is made as set out in the improvement notice. Progress of both Improvement Plan and Transformation funding will come to Cabinet on 26 May 2022 for ongoing quarterly review. .
16. All Members Briefings have been held regularly, with the last being on Wednesday 23 March and Thursday 24 March to update on the forthcoming Transformation paper due for Cabinet decision on 31 March 2022. Members will continue to be kept informed via this forum.

### **Community impact**

17. The notice requiring improvement will have a direct and indirect effect on the lives of both current and future children and families in Herefordshire.
18. Keeping children safe is one of the most important things this council does and the details in this report support whatever action is required to ensure children and families receive the services they deserve.
19. The County Plan 2020-24 includes the ambition to '*strengthen communities to ensure everyone lives well and safely together*', specifically the Council aims to:
  - Ensure all children are healthy, safe and inspired to achieve;
  - Ensure that children in care, and moving on from care, are well supported and make good life choices; and
  - Protect and improve the lives of vulnerable people.

### **Environmental Impact**

20. There are no specific environmental impacts arising from this report.
21. The work of the committee will be undertaken with consideration to minimise waste and resource use in line with the Council's Environmental Policy.

### **Equality duty**

22. 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.
23. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine protected characteristics: Age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. In particular, the council must have due regard to the public sector equality duty when taking any decisions on service changes. As this report is for information only, and not a decision report, we do not consider that it will impact on our Equality duty.

### **Resource implications**

24. Since April 2021, considerable additional resources have been deployed to support the Children's Services transformation plan and improvement activity.
25. The additional £11.49m approved funding is to meet a legacy of unmet resource needs and additional resourcing to support Ofsted priority actions and the Directorate Improvement Plan.
26. Transformation funding will temporarily increase the budgeted establishment by 122.75 FTE in 2022/23, then reducing to an ongoing increase in posts of 82 FTE from 2023/24.

### **Legal Implications**

27. The Council was issued with a non-statutory improvement notice by the Department for Education on 18 May 2021. To comply with this notice, the Council must adhere to a number of measures, which include
- Secretary of State appointment of an Improvement Advisor. 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.
  - Implementation of an Improvement Plan.
  - Establishment of an Improvement Board with an independent Chair (to be set up and chaired by the DfE Improvement Adviser).
  - Officials or advisers from the DfE will undertake reviews of progress against the Improvement Plan at least every 6 months and more regularly where appropriate.
  - The DfE will offer dedicated improvement support through its Partners in Practice arrangements and may consider additional requests for support as part of the review process.
  - The Improvement Adviser will provide, to the DfE, 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:

28. The notice sets out that the council should aim for actions included in the Improvement Plan to be delivered by the end of April 2022 or sooner, where appropriate. If there is a failure to comply with this notice, 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, potentially resulting in the establishment of a Trust.

## **Risk management**

29. The improvement notice is clear that, 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.
30. Statutory improvement notices could be issued and more critical or enduring underperformance may necessitate the use of Statutory Directions compelling the Council to take certain actions. In extreme cases the DfE can direct partial or complete outsourcing of Children Services to a third party or the establishment of a Children’s Trust.
31. The Directorate and the Improvement Board will maintain and monitor Risk Registers to ensure that risk is identified and mitigations put in place.

## **Consultees**

32. The arrangements for governance of the improvement process, including the various individuals and bodies that will be briefed, are set out in the key considerations section above.

## **Appendices**

## **Background papers**

## **Glossary**

DfE	Department for Education
DCS	Director Children’s Services
CEO	Chief Executive Officer
KPIs	Key Performance Indicators

## Report Reviewers Used for appraising this report:

**Please note this section must be completed before the report can be published**

Governance	Sarah Buffrey, Democratic Services Officer	Date 09/04/2022
Finance	Louise Devlin	Date 08/04/2022
Legal	Ruth Whittingham	Date 08/04/2022
Communications	Luenne Featherstone	Date 08/04/2022
Equality Duty	Carol Trachonitis	Date 06/04/2022
Procurement	Lee Robertson	Date 07/04/2022
Risk	Darryl Freeman	Date 11/04/2022

Approved by Darryl Freeman Date 11/04/2022