

Title of report: Children Improvement Plan - Progress Update

Meeting: Cabinet

Meeting date: Thursday 26 May 2022

Report by: Corporate Director, Children and Young People

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose

Children and Families Improvement Plan – Progress Update.

Recommendation(s)

That cabinet:

- a) Reflect on the progress and impact of improvement activity; and**
- b) note the development of version two of the Improvement Plan.**

Alternative options

1. Cabinet could choose not to review the progress of the Children's and Families Improvement Plan but this is not recommended as the Children's Improvement Plan is one of the council's priorities.

Key considerations

2. On 18 May 2021, the Department for Education (DfE) issued Herefordshire Council with a [non-statutory notice to improve](#).
3. On 28 October 2021, [Cabinet endorsed](#) version 1 of the Children and Families Strategic Improvement Plan. This plan was largely transactional and focused on activity rather than on outcomes. As we have progressed version 1 of the plan we have refined our approach and this has resulted in the development of draft version 2 of the Children's Improvement Plan which has outcomes at its centre (Appendix 1). This will allow us to report more accurately on the impact of our improvements on the lives of children and young people.
4. At the time of writing (April 2022), Members, staff and partners have been invited to comment version 2 of the Children's Improvement plan. All comments will be reviewed and carefully considered and incorporated where they clearly develop the plan further.
5. A draft copy of version 2 of the plan was taken to the Herefordshire Improvement Board, chaired by our DfE Advisor, and will be using this as a working document from the end of April 2022.
6. Once finalised, version 2 of the plan will include a series of "Measures that Matter" that are a distinct set of indicators which together will provide evidence of ongoing improvement and impact. These are local indicators and are in addition to the wide range of established key performance indicators that are traditionally available to the service.
7. The revised plan and Measures that matter are expected to be approved at meeting of the Operational Board on 16 May 2022.
8. On 31 March 2022, [Cabinet approved](#) £11.49m Resilience Reserve funding for transformation of Children's Services. This will enable us to better resource Children's Social Care services and deliver improvement.
9. The Department for Education (DfE) conducted a further 6-month review on 25 April. Progress in a number of key areas of performance was noted, as was the significant rise in demand experienced by the service in recent months. The services remains the focus of a non-statutory improvement notice and will do at least until the outcome of a future inspection by Ofsted is known.
10. 99.89% of the £1.7m grant from the DfE, which had to be utilised by 31 March 2022, was used leaving an underspent of just £2,376 (0.14%) The grant was to support and accelerate improvement activity, and in particular supported increased capacity and work to develop our Early Help offer and integration with Talk Community.
11. The Director of Children's Services maintains regular communication with local Ofsted officials and the 'Annual Conversation' a meeting between senior officers and senior Ofsted officials takes place on 9 June 2022. The focus of this meeting, which Ofsted conducts with each local authority children's services across the country, is on schools, early years, SEND, post 16 provision, and children's social care provision. Formal feedback from this meeting will be included in a future report to Cabinet.
12. The service is due an ILACS (Inspection of Local Authority Children's Services) by Ofsted, expected later this year and themes emerging from the Annual Conversation will likely inform the inspectors' key lines of enquiry.
13. Recruitment of experienced workers remains a challenge, a national topic being discussed by the DfE and the Association of Directors of Children's Services (ADCS).

14. A career progression scheme for social workers has been developed and its implementation will begin at the end of May 2022.
15. Recruitment of the first group of Newly Qualified Social Workers, supported by the additional investment agreed by Cabinet on 31 March 2022 is underway.
16. Provisional offers have been made to two permanent Service Directors, appointed following an assessment day on 27 April 2022 and plans for their arrival and induction are being developed.
17. Improved performance is now becoming evident in a number of key areas despite having seen considerable rises in demand in recent months, the focus in recent months being on those areas that have been identified by Ofsted as priority action such as caseloads, and supervision. Progress and impact is summarised in Appendix 2.
18. The Corporate Parenting Board met on 27 April 2022 with a smaller group of nominated Councillors and officers to participate in a workshop facilitated by the Local Government Association. A self-evaluation activity was commenced and when completed will contribute to further developmental activity and peer-led review in the coming months.
19. The Children and Young People Scrutiny Committee met on 26 April and considered the Transformation paper presented to Cabinet on 31 March 2022 and the revised Improvement Plan. The Scrutiny Committee propose to resume bi-monthly meetings after the next meeting in May and are considering the establishment of a Task and Finish group to consider workforce-related topics such as retention and recruitment, learning and development, and workloads.

Community impact

20. The notice requiring improvement has a direct and indirect effect on the lives of both current and future children and families in Herefordshire.
21. 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.
22. The County Plan 2020–2024 includes the ambition to ‘strengthen communities to ensure everyone lives well and safely together’. Specifically, the council aims to:
 - a. Ensure all children are healthy, safe, and inspired to achieve;
 - b. Ensure that children in care, and moving on from care, are well supported and make good life choices; and
 - c. Protect and improve the lives of vulnerable people.

Environmental Impact

23. There are no specific environmental impacts arising from this report.
24. The transformation activity will be undertaken with consideration to minimise waste and resource in line with the Council’s Environmental Policy.

Equality duty

25. 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.
26. 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:
- a. Age;
 - b. disability;
 - c. gender reassignment;
 - d. pregnancy and maternity;
 - e. marriage and civil partnership;
 - f. race;
 - g. religion or belief; sex; and
 - h. sexual orientation.
27. In particular, the council must have due regard to the public sector equality duty when taking any decisions on service changes.
28. As our projects and service delivery progresses, and changes are designed, equality impact assessment will be undertaken where necessary.

Resource implications

29. There are significant additional revenue implications for the improvement work required. There are no expected capital resource implications.
30. The resource implications for 2022-2023 are not included in the base budget and were considered by Cabinet on 31 March 2022.

Legal implications

31. 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 work with the DfE Adviser for a minimum of 12 months, and until such time that the Secretary of State is satisfied this is no longer required.
32. 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 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, potentially resulting in the establishment of a Trust.

Risk management

33. 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.
34. Statutory improvement notices could be issued and more critical or enduring under-performance may necessitate the use of Statutory Directions compelling the Council to take certain actions.
35. 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.

Consultees

36. None.

Appendices

Appendix 1 – Final Draft Improvement Plan v2
Appendix 2 – Performance and Impact summary

Background papers

None.

Report Reviewers Used for appraising this report:

Governance	Sarah Buffrey, Democratic Services Officer	Date 11/05/2022
Finance	Louise Devlin	Date 11/05/2022
Legal	Click or tap here to enter text.	Date Click or tap to enter a date.
Communications	Luenne Featherstone	Date 10/05/2022
Equality Duty	Carol Trachonitis	Date 11/05/2022
Procurement	Lee Robertson	Date 11/05/2022
Risk	Bart Popelier	Date 12/05/2022
Approved by	Darryl Freeman	Date 10/05/2022