

Title of report: Children's Services Improvement Plan – Implementation Review Update

Meeting: Children and Young People Scrutiny Committee

Meeting date: Tuesday 28 February 2023

Report by: Gail Hancock, Service Director Improvement

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

The purpose of this report is to present an update to the committee in respect of the progress and implementation of the Children's Improvement Plan.

Recommendation(s)

That:

- a) **That the contents of this report are noted by the Children and Young People scrutiny committee**

Alternative options

1. Children and Young People Scrutiny Committee could choose not to review information contained in this report; this is not recommended as the Children's Improvement Plan is one of the council's priorities.

Key considerations

2. A [High Court judgment](#) was published on 26 March 2021, which raised significant concerns about Herefordshire's Children's Social Care Services. Following this, on 18 May 2021, [the council was issued with a non-statutory improvement notice](#) by the Department for Education (DfE).
3. On 21 September 2022, Herefordshire Children's Services was rated inadequate following an [Ofsted inspection](#) that took place between 18 and 29 July 2022, and the council was given three months to prepare an Improvement Action Plan in response.
4. Following the publications of the Ofsted report a [statutory direction](#) was issued by the Secretary of State to Herefordshire Council on 21 September 2022, and Eleanor Brazil was appointed as Commissioner for Children's Services in Herefordshire.
5. The [Children's Services Improvement Plan](#) was updated setting out how the council is addressing each of the areas identified for improvement by Ofsted and a tenth area identified during a recent LGA SEND Peer Review.
6. Having been presented to [Scrutiny Committee on 13 December](#), [Scrutiny Committee recommended](#) for Cabinet to endorse the Improvement Plan and for Cabinet to authorise for the Improvement Plan to be submitted to Ofsted.
7. The Improvement Plan was endorsed by [Cabinet on Thursday 15 December](#) and submitted to Ofsted on 20 December. The Plan aims to improve the outcomes for children and young people across the county.
8. The final Improvement Plan included two additional actions as recommended by the Scrutiny Committee regarding Trauma Awareness Training to be part of the learning offer (1.2 in the plan) and for information for families whose children are subject to pre-proceedings to be published on the council's website (6.3 in the plan)
9. On 11 January 2023, the Improvement Board, chaired by the Department of Education Advisor, Gladys Rhodes-White met.
10. Presented to the Improvement Board were Progress Cover Report and a more detailed Improvement Plan Progress Update. These documents are appended to this report (Appendix 1 and Appendix 2 respectively).
11. Progress is reported against each element of the Improvement Plan by way of a traffic light performance management system.
12. Progress reporting in this manner and with this level of detail is new to the Improvement Board and Scrutiny Committee
13. Progress against the Improvement Plan continues to be largely positive at this stage, although further improvement is required 'at pace'.
14. Three activities were completed since the Improvement Plan was shared with Ofsted:
 - a. Strengthen quality assurance activity.
 - b. Launch and publish a revised Quality Assurance Framework
 - c. Strengthen the SEND Partnership Group
15. The progress for two activities was not as expected since the plan was shared with Ofsted.
16. One of these activities relate to the partnership priority to review and launch the multi-agency Neglect Strategy (3.8 in the Improvement Plan). This particular improvement action highlights a

broader need to improve the specificity of planning and associated arrangements for achieving partnership deliverables to determine who is doing what, where, when and how to deliver on the following which require improved leadership engagement and collaboration:

- a. Herefordshire Children's Safeguarding Partnership priorities
- b. Herefordshire Children and Young People's Partnership priorities
- c. Health priorities as they relate to children in need of support, protection and care and children with special educational needs and / or disabilities

17. An Interim Neglect Strategy has been published and this has renewed the focus and energy across partners and an extraordinary meeting has been arranged in February to work on the delivery of the work plan for the strategy.
18. The other activity where the progress was less than expected since the plan was submitted to Ofsted in December relates to the re-launch of the Dispute Resolution Protocol (DRP) used by Independent Reviewing Officers to address the needs of children where there are concerns. This activity has drifted due to the late appointments of some key staff too close to the December 2022 delivery deadline. This matter has however been reviewed and there is confidence that the new appointees are addressing this and action is now being taken
19. As is evident from the attached Progress Cover Report and Plan Progress Update, the direction of travel in respect of progress for January 2023 is largely positive.
20. It is noted that most recent the Improvement Board meeting on 11 January was described by the DfE Improvement Advisor and chair of the Improvement Board as a positive meeting.
21. Attached to this report is a Newsletter from the DfE Improvement Advisor (Appendix 3) which further sets out the reflections of the DfE Improvement Advisor on the January Improvement Board.
22. This includes an acknowledgment of the improved infrastructure in place to support the improvement journey and confidence in the quality assurance framework which is now in place.
23. The Improvement Board included a presentation of a storyboard of "Jack". In essence this was a pen-picture presented by a number of professionals involved in Jack's life. The case study was an example of effective multi-agency working showing the impact of this on the life of Jack and his mother.
24. It is accepted and acknowledged that there continues to be much to do and we need to ensure that the pace of improvement does not reduce. However, progress in respect of the revised Improvement Plan is largely on track and a number of positives have been noted.

Community impact

25. The notice requiring improvement has a direct and indirect effect on the lives of both current and future children and families in Herefordshire.
26. 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. Set out any considerations relating to community impact including contribution made to corporate plan / health and wellbeing strategy or other local or national strategies or policies.

Environmental Impact

26. There are no specific environmental impacts arising from this report.

Equality duty

27. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
28. 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.
29. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Whilst this is an update to the scrutiny committees and will in itself have minimal equalities impacts, consideration has been made in the consideration of Executive decisions and the Executive Responses provided by the Cabinet.

Resource implications

30. The costs of the work for the progress of the Improvement Plan have been met from resources which have been tabled previously at Scrutiny Committee meetings.

Legal implications

31. The Council was issued with a statutory direction by the Department for Education on 21 September 2022. To comply with this notice, the Council must adhere to a number of measures, which includes complying with any instructions of the Secretary of State or the Children's Services Commissioner in relation to the improvement of the council's exercise of its children's social care functions.
32. 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.

Risk management

Risk	Mitigation
There is a risk that we would not be able to recruit permanently to posts resulting in potential potential instability and increased cost which could adversely impact on our ability to improve with pace.	A recruitment campaign has commenced and will continue throughout the year. Interim staff are encouraged to apply for permanent posts or where appropriate be offered fixed term contracts.
There is a risk that a significantly adverse report from Ofsted following an inspection in the future might place additional demands on the improvement and transformation activity.	The service, through the activity and impact of the Improvement Plan and in collaboration with the Improvement Advisor, the Commissioner and partners continues to work to demonstrate impact and evidence of improvement and to prepare our best evidence for a future inspection.
There is a risk that we do not do enough to bring about the change needed, or that the pace of change is not quick enough.	We are regularly communicating with the DfE, Ofsted and key safeguarding partners. We will invite and report external review of our progress through the Improvement Board and sector-led improvement activity.

Consultees

33. There has been no public consultation on this paper

Appendices

Appendix 1: Improvement Plan Progress Update Cover Report – January 2023

Appendix 2: Improvement Plan Progress Update January 2023

Appendix 3: Herefordshire Children's Improvement Board Newsletter January 2023

Background papers

None identified

Report Reviewers Used for appraising this report:

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

Governance	John Coleman	Date 01/02/2023
Finance	Click or tap here to enter text.	Date Click or tap to enter a date.
Legal	Click or tap here to enter text.	Date Click or tap to enter a date.
Communications	Luenne featherstone	Date 02/02/2023
Equality Duty	Click or tap here to enter text.	Date Click or tap to enter a date.
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Approved by Darryl Freeman Date 02/02/2023