



Department  
for Education

# **Report of the Children's Services Commissioner in Herefordshire**

**Progress report to the minister for  
Children Families and Wellbeing by  
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**December 2023**

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## Introduction

Herefordshire Council children's services were inspected by Ofsted in July 2022 and found to be inadequate in each aspect of the inspection framework. The inspection report was published on 21 September. A Statutory Notice was issued by the Department for Education and I was appointed as Children's Commissioner to review the Council's capacity and capability to improve services within a reasonable timeframe. My report was published on 1<sup>st</sup> March 2023.

It was clear from my review that the concerns about the quality of children's services are longstanding and widespread. There were many contributing factors which included poor leadership and a failure to act on continued issues around performance. Ofsted inspections and other reviews during the previous ten years pointed to the same issues: poor decision making, lack of focus on the needs of children, drift and delay, lack of management oversight, high level of vacancies and turnover amongst staff and managers.

Herefordshire has been very publicly criticised in recent years, by a High Court judge, Judge Keehan, in 2018 relating to the inappropriate use of Section 20 for children in long term care in Herefordshire, and in March 2021 relating to very poor practice regarding a sibling group of four. More recently, in May 2022, the BBC broadcast a Panorama programme, which covered the negative experience of five families who had been receiving social work intervention in Herefordshire.

The DfE issued an Improvement Notice and appointed an Improvement Advisor, Gladys Rhodes White, in April 2021 and a multi-agency Improvement Board was set up to oversee and drive the delivery of an Improvement Plan. However, the Ofsted inspection in July 22 showed that little had changed. Following the inspection, there has been more focus and drive to tackle priority areas of concern, in particular the response in MASH, recruitment and retention and improving quality assurance.

In the conclusion of my review, I said that I felt on balance that operational control of the service should remain with the Council. I wrote that *'I believe it makes sense to build on the work that is already underway, albeit with a strong requirement to see evidence of progress in key areas within a period of three to six months. This report has provided detail on the many aspects of practice, leadership and management that need to change and improve. In my recommendations at the end of this report, I have outlined the areas where I will expect to see evidence of significant improvement by the end of this period. Ofsted will undertake its first Monitoring Visit around March next year, and this will be an important milestone in reviewing progress since the inspection.'*

## Recommendations

The Minister for Children and Families approved the recommendations and a second Statutory Direction was issued on 1st March. The recommendations were:

1. Children's services remain under the operational control of Herefordshire Council.

The Council will:

- a) Strengthen the leadership of children's services to ensure that the pace of improvement increases rapidly in line with the agreed Improvement Plan.
- b) Ensure that within the next 3 months there will be evidence of progress in:
  - i) Reducing the number of agency social workers and increasing the numbers of permanent social workers
  - ii) Increasing the number of permanent front line Team Managers
  - iii) Increasing the number of child protection case conferences and reviews held face to face.
  - iv) Reducing the proportion of assessments that conclude no further action
  - v) Children experiencing fewer changes in social worker
  - vi) Improving the quality of practice seen in audits
  - vii) Finalising the SEND strategy, and acting on agreed immediate priorities
- c) Resolve, as far as is possible, all outstanding historic complaints
- d) Agree, with its partners, through a range of Strategic forums, a number of actions which will demonstrate collectively their commitment to raising ambition and aspiration for children and young people, and responding to their views.
- e) Work with the LGA to develop the knowledge and impact of members in key roles, including the leader, lead member and scrutiny members.

2. The role of Commissioner is retained to oversee the securing of short-term external support, and to continue to drive improvement, including working with the Council and its partners to increase the effectiveness of the Improvement Board.

The Commissioner should explore options for a long-term partnership with a good or outstanding local authority to deliver sustained improvement

3. The Commissioner will conduct a review within 6 months

4. If the level and trajectory of progress that is required is not achieved within 6 months, consideration should be given to whether an alternative delivery model is required

## Key developments in the last 6 months

- a) Formal agreement to 18 months programme of support with Leeds
- b) Commission to listen to Families held and report published
- c) Change in political administration
- d) First 3 Monitoring Visits conducted by Ofsted
- e) Planned support from other Local Authorities negotiated and partly delivered
- f) Improvements in SEND and quality of support for disabled children
- g) Progress in the Multi Agency Safeguarding Hub
- h) Limited progress in other parts of children's social care

## **Review of progress after 3 months**

On 8<sup>th</sup> June we conducted an interim review of progress against the March recommendations with the Council political and officer leaders, DfE officials, the Improvement Advisor and myself. It was agreed that a fuller assessment of progress and recommendations on next steps would follow a further review in September, 6 months after the original published commissioner review as required. However, it was decided to slightly defer the '6 month' review till after the 3<sup>rd</sup> Monitoring Visit by Ofsted which took place at the end of September.

Prior to the meeting in June, there were 2 major issues impacting on children's services. The first was in respect to changes in leadership and the second was the conclusion of an initiative to listen to families with long standing concerns about children's services in Herefordshire.

# Leadership

## Political leadership

Local elections were held on May 4<sup>th</sup>. This resulted in significant change in the administration. The previous Council administration, a coalition of Independents for Herefordshire (the largest group) and the Green Party, had been in place since May 2019. Almost all the then Cabinet were recent and inexperienced councillors, elected in 2019, including the Leader. The Lead member who was from the Green Party, took up the role in 2021.

In May the Conservatives became the largest group with 21 Councillors, forming a minority administration. The Leader of the group, Jonathan Lester, was elected at the subsequent Council meeting as Leader of the Council. He has been a Councillor since 2011, and has previously been the cabinet lead member for children's services. His new cabinet is made up of Conservative Councillors except the lead member for children's services who is a newly elected Councillor, Ivan Powell, representing the True Independents group. Councillor Powell has a background in the police and recent and current involvement in chairing both adult and children safeguarding boards. Both Councillors are bringing strong commitment and knowledge to improving children's services.

A new chair and deputy chair of scrutiny committee were also appointed and agreement has been reached with the LGA that they will continue to support the new councillors as needed. Recent scrutiny meetings have been more focussed and purposeful, providing more of the constructive challenge that is needed.

## Officer leadership

In January the Chief Executive, Paul Walker appointed an interim assistant Chief Executive, an experienced ex DCS, to provide additional capacity and capability to strengthen leadership in children's services. She undertook the role for just over 4 months, providing additional focus on recruitment and retention, understanding the financial pressures, preparing for the first Monitoring Visit and supporting the DCS and his team. An interim Service Director started in March to provide support on safeguarding, replaced in June by a new permanent Service Director, who now leads on Quality Assurance, partnerships and early help.

The Directorate leadership team is now fully staffed with 3 permanent Service Directors and the Improvement Director. They are beginning to work better together but need to develop as a more cohesive team supporting each other and collaborating more on the improvements and changes needed. A key element of the programme of support agreed with Leeds is intended to support and develop the leadership team.

## The Commission to consider families' experience of children's services in Herefordshire

Whilst I was undertaking my review from September to December last year, I was aware that there were a number of families with longstanding concerns about their experience of children's services in Herefordshire, some from some years ago and some much more recent. Many had complained and also raised questions at public Council meetings. They continued to feel that their views were not listened to or responded to. It felt important to me to find a way to hear about their experiences. I established, with the agreement and support of the Council and the Safeguarding Partnership, a Commission to do this which consisted of an independent panel who were able to hear directly from families.

The agreed purpose was:

- To give parents and families an opportunity to tell their story to an independent panel.
- To identify any steps that the Council and partners can and should take as a result of hearing families' testimonies, either in relation to individual cases or in respect of general issues.
- To learn from their experiences and to ensure that this knowledge is used to inform improvements to Children's Services.
- To ensure that, as far as possible, families feel that their concerns have been heard and addressed, and that this is as much as can be done to resolve matters

The Panel comprised three appropriately qualified and experienced individuals, independent of Herefordshire, who were appointed directly by myself. The commission carried out its work in March and April 2023, during which time ten day-long sessions were held and 20 individuals came to speak to the panel. The independent scrutineer of the Safeguarding Children Partnership, and I attended all the sessions as observers.

The people who attended the panel had a range of experiences of Children's Social Care, Adult Social Care, police, health and mental health services for both children and adults, and specialised independent services, some of which were outside Herefordshire. They varied in age, circumstances, and in their position within their family. Some described many years of contact with statutory services, some had more recent involvement. The majority of cases were either still open or had been open in the last few years. Most had been impacted by the effect of the Covid 19 pandemic on how services were delivered.

What every person expressed was the desire to ensure that their painful personal experiences should be used to improve services for everyone and ensure that 'nobody



else should ever have to go through what I have gone through.’ We heard difficult stories of poor practice, failures to respond to appropriately to requests for help, complaints not responded to and children and their parents let down by professionals who should have done more to help them. The panel’s report goes into considerable detail, written from the perspective of families and using many quotes from them to illustrate the points made. Whilst families found it distressing to tell their story many said that they felt listened to and valued the work of the panel.

The [report](#) entitled ‘the Commission to consider families’ experience of children’s services in Herefordshire’ was published on 6<sup>th</sup> June on the Herefordshire Safeguarding Children website. The report outlines 9 areas for the Council and the Safeguarding Partnership to consider:

### **Summary of Questions for Consideration**

- How will the Council and its partners provide a meaningful and responsive early help service which is accessible to families, regardless of which agency they contact first for help?
- How will the Council support its social workers to practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability; working with people to enable full participation in discussions and decision making?
- How will the Herefordshire Safeguarding Children Partnership ensure that professionals are working together in the best interests of children and their families, to the highest standards of professional practice, informed by good quality research and evidence?
- What actions will the Herefordshire Safeguarding Children Partnership take to satisfy itself that there is good understanding across all ‘frontline’ agencies of domestic violence and abuse and its impact on individuals and families?
- How will Herefordshire Children’s Services support social workers to establish and maintain the trust and confidence of parents and families and enable their participation in planning to keep their children safe and promote their wellbeing?
- What will the Herefordshire Safeguarding Children Partnership do to promote a ‘Think Family approach across the partnership?
- What will the Herefordshire Safeguarding Children Partnership do to ensure that the complaints procedures in every agency across the partnership are accessible to families, work well, and findings are recorded and acted on?

Both the Independent Scrutineer and I in our different roles are monitoring and supporting the Council and its partners to address these questions as part of the ongoing improvement journey.

The Council was initially slow to respond to issues raised by the Chair of the Panel on behalf of individuals who had attended. This resulted in further delay in resolving some of the longstanding concerns. Subsequent to the initial delays, the Improvement Director was tasked with managing this. The newly appointed Leader and Lead Member both took a personal interest in these matters being followed up, and with the Improvement Director, they both met with a small number of the families which was appreciated by them. For some families it has not been possible to find a resolution for them but where possible, issues are now being addressed.

With regard to the more general issues summarised in the questions for consideration, the Council and its safeguarding partners are working on a number of those. There are developments in early help which are outlined later in this report which are responding to the first question. The partnership with Leeds, which is also discussed later in the report, is intended to support the Council on improving practice and addressing the negative attitudes and behaviours that had been heard by the Commission.

## The Improvement Board and Improvement Plan

The Improvement Board continues to be chaired by Gladys Rhodes White, DfE

Improvement Advisor. It now meets every 6 weeks and generally is well attended by partners including representatives from health, the Police and schools. The Board oversees delivery of a comprehensive improvement plan which has brought together 10 Priority improvement areas (9 from Ofsted ILACS plus 10th from LGA SEND peer review held a year ago) and includes 66 priority improvement actions overall. It has proved challenging for the Council and its partners to deliver on all the areas of activity required.

There are 7 Improvement work streams focusing on key themes within the Plan. These are: Practice and Service Delivery, Workforce, Commissioning & Resources, Corporate Parenting Safeguarding Children's Partnership, Children & Young People's Partnership and SEND.

Much of the reporting to the Board tends to focus on process activity (as can be seen from the table below) and in many parts of the service it is harder to determine the impact on improving outcomes for children and their families. There has also been delays in progressing some aspects of the plan. Concerns around pace have been commented on by Ofsted in the feedback from the 3 Monitoring Visits that have taken place.

<b>Herefordshire Council Programme</b>	<b>August 2023 Highlights</b>
<b>Practice and Service Delivery</b>	<ul style="list-style-type: none"> <li>• Completed well-attended and engaged launch events in July for children’s social care with the Leeds Improvement Partnership</li> <li>• The first phase of the Restorative and Relational Practice Programme commences September 2023</li> </ul>
<b>Workforce</b>	<ul style="list-style-type: none"> <li>• The workforce establishment project is now complete</li> <li>• Agreed increase to welcome payments and new retention payments with associated workforce communications</li> <li>• Finalising other initiatives, such as 9 day fortnight, increased annual leave and CPD leave are underway</li> </ul>
<b>Commissioning and Resources</b>	<ul style="list-style-type: none"> <li>• Procedures for unregulated placements have been completed.</li> <li>• The Children's Sufficiency Strategy has been finalised</li> </ul>
<b>SEND</b>	<ul style="list-style-type: none"> <li>• The SEND strategy has been coproduced, published and is informing the SEND action plan.</li> <li>• The SEND Assurance Board is now established and meeting monthly with good attendance from the health, care and education senior leadership with support from our Parent-Carer Voice Forum.</li> <li>• Nationally, the EHCP timeliness standard (20 weeks) has dropped from 59.9% (2021-2) to 50.7% (2022-3). Despite rising requests in Herefordshire, EHC plans continue to be issued within 20 weeks at a significantly higher rate than that seen nationally.</li> </ul>

**Table 1: Update on improvement workstreams**

## Performance

There has been an improvement in the quality of the data and performance reports which are brought to the Improvement Board. The data is now accompanied by more useful analysis. The majority of key performance indicators have improved over the past six months, including a gradual reduction in the rate of referrals and a small reduction in the re-referral rate; increased timeliness of assessments (although the quality of these remains a concern), improved timeliness of Initial Child Protection Conferences (ICPCs); a reduction in the numbers of children subject of a child protection plan; and a reduction in the rate per 10,000 of children coming into our care, though a rise in the number of unaccompanied young people.

Although slowly reducing, overall numbers of children in receipt of statutory intervention remain high compared with statistical neighbours suggesting that there continues to be a risk averse approach within the wider partnership, with not enough positive interventions with families at an earlier stage, which was the experience of families who attended the Commission to listen to families.

Key points reported to the September meeting of the Improved Board illustrate this:

### **Key points reported to September improvement board**

There has been increased focus on the quality of assessments which has had an impact on the timely completion. Too many cases are passed from the MASH to the assessment teams, with over 70% not resulting in any further support for families following assessment.

Section 47 enquiries continue to be significantly higher than the England average (180 per 10,000 children) and that of our Statistical Neighbours (158 per 10,000 children). Additional management oversight is being undertaken to ensure S.47 enquiries are proportionate and this has resulted in a steady decrease in the number of Section 47 enquiries from a rate of 520 (per 10,000 children) in March 2023, to a rate of 260 in July 2023.

Significant work has been undertaken to stabilise the workforce within the Children in Care teams and as a result of this the proportion of Children in Care who have had the same Social Worker for the previous 12 months has increased from 11.8% in January to 19% in July 2023.

Over the last couple of months, the rate of Children in Care has remained mostly static at 112 per 10,000 children. This continues to be high when compared with the England average (70 children in care per 10,000) or our statistical neighbours (64 children in care per 10,000). The total number of children in care in July there was 405, of which 29 were UASC.

We are in touch with the majority of Care Leavers (94% of those aged 17 – 18 and 100% for those aged 19-21) although the proportion of young people seen within the last 8 weeks is too low. Most Care Leavers live in suitable accommodation (91% of 17/18 years old and 92% of 19-21 year olds as of the end of July). Thirteen (13%) of our care leavers aged 19-21 continue to live with their fostering family under “staying put” arrangements; this is better than the England average (9%) or our Statistical Neighbours (8%). The timeliness of visits to care leavers and the proportion of pathway plans that are up-to-date needs significant improvement. The November Improvement Board will include an item focussing on Care Leavers.

The letter following the second Ofsted Monitoring Visit reports: *‘A strengthened approach to understanding the quality of services for children through an enhanced audit process is becoming more embedded.’* Outcomes of auditing are reported to the Improvement Board. Whilst the numbers of cases being audited is lower than is needed and expected, there is some small improvement in the number being judged requires improvement or good. The use of storyboards and the presence of front line staff to present their work to some meetings of the Improvement Board has proved helpful in identifying some examples of good practice. At the moment, these are isolated examples but they do demonstrate that there is practice that is resulting in positive outcomes for some children.

In my review I commented that the Council had been slow to return to face to face working. One of my recommendations was to increase the number of child protection conferences and children in care reviews that were being held in person and not remotely. The project to develop a dedicated space for Conferencing at Plough Lane took a long time and was completed in August 2023. This provides a Conference suite, a comfortable children and family room and also an office / meeting area for IRO’s and Conference Chairs to meet with other professionals. The Leominster meeting room at Plough Lane is also currently used Monday to Thursday for Conferences. The service has also begun to hold Conferences at other Council Multi-Agency Offices venues in Herefordshire, specifically Leominster and Bromyard.

Many children in care reviews are still mainly being held remotely which makes it difficult for children and families.

The service distributed Questionnaires to families and to professionals evaluating their experience of Conferencing between June and August. 20 questionnaires have been completed (8 by families and 12 from professionals) and analysed. 18 of the 20 respondents indicate that they prefer Face to Face Conferences with only 1 definitely

preferring Teams. One comment from a family being *“I feel more comfortable being in a room with people. I am happy for others to join via TEAMS”*. Families and professionals also gave positive feedback about the skills and values of the Chairs and all respondents stated that they were treated with respect.

For the three months of August – October 2023, 157 Conferences took place of which 125 were Face to Face (80%), some hybrid. For Child in Care Reviews during August – October, 213 meetings took place of which 138 were Face to Face (65%) with in person attendance and some attendees on TEAMS

In June Ofsted found that *‘Core group and child-in-need meetings are held regularly. However, the effectiveness of these meetings for some families is undermined by them not being face to face.’*

## Feedback from Ofsted Monitoring Visits

Three Monitoring Visits have taken place since the ILACS inspection in July 2022. The inspectors have in general found some progress but have commented that the pace of improvement, particularly for children in care has been too slow. Many of the previous longstanding issues around quality of practice, and staffing remain concerns, although more improvement was seen in parts of the service than in others and the challenge for leaders is to replicate this across the whole.

The first Monitoring Visit (MV) which took place on 29<sup>th</sup> and 30<sup>th</sup> March focussed on the Multi Agency Safeguarding Hub (MASH) and assessments. The feedback was mixed but did show evidence of real improvement in the MASH where considerable time and resource had gone into making changes. The Council had done a lot of preparatory work and it was positive that evident signs of real progress were seen. However, there were still significant practice issues in the quality of assessments, the other area that was looked at. The inspectors also commented on the pace of improvement being too protracted.

The second MV took place on 28<sup>th</sup> and 29<sup>th</sup> June, with the outcome letter of the visit published on 2<sup>nd</sup> August. The focus was on children in need and children subject to a Child Protection plan. The inspectors noted some progress but identified concerns relating to the quality of care planning, children continuing to experience too many changes in social workers, the response to unaccompanied asylum seeking children and housing needs not being addressed.

The letter states: *'practice is starting to improve and positive progress is being made with some families. However, the quality and effectiveness of practice with children in need and those subject to a protection plan remain variable. The achievement of more consistently effective practice is hampered by several issues. These include continued high turnover of social workers, a legacy of some families with chronic long-term needs who have experienced poor practice over several years, closure of children's cases to social care before sustained change has been achieved, leading to increased re-referrals, and management support which is not yet consistently effective. When housing is a need, it takes too long to resolve and is not sufficiently prioritised by housing partners.'*

Some positives were seen, including family support workers providing helpful practical support to parents, combined with enhancing parenting skills through parenting programmes, which makes a tangible difference for some vulnerable families. Other support services were noted to have a positive impact on children's lives, such as the ECHO (edge of care) service which provides more intensive support.

They also noted that supervision records lack critical evaluation and actions and tend to focus on routine process-based tasks rather than timely actions tailored to the needs and progress of individual children.



The third MV took place in September and focussed on Children in care and achieving permanence. Overall, the inspectors found that: *'Since the last inspection, when the experiences and progress of children in care were judged inadequate, leaders have achieved only modest progress for children in care. Leaders and senior managers have not given sufficient strategic focus to children in care. While there has been some limited progress, the pace of improvement and progress has been too slow.'* The letter which was published on 31<sup>st</sup> October is very critical of the continued lack of focus on children in care despite concerns having been known for several years.

They found that the pace and impact of improvement are too slow. Significant objectives in the improvement plan have been delayed or are not on track. The quality of practice for children in care remains inconsistent and children experience too many changes of social worker. The approach to unaccompanied asylum-seeking children is not equitable or inclusive. *'All unaccompanied asylum-seeking children are routinely placed out of area and do not benefit from living in Herefordshire. There is an assumption that their needs cannot currently be met in Herefordshire and that they are better placed in inner city areas. The care and support of these children is very much left to the carers.'*

Care plans address children's basic needs, but many lack depth in setting out their day-to-day care, social and leisure needs. Over three-quarters of children in care have experienced changes of social worker in the last year. Direct work is underdeveloped and children's views do not influence their plans in a meaningful way. This remains the part of the service with the most interim staff, despite considerable efforts to recruit permanent team members.

Some more positive practice was seen, in particular the work of the Disabled Children's team and recent viability assessments for kinship care, which were thorough and completed to inform the preliminary decision to place with a friend or relative. However, very few special guardianship order (SGO) applications have been made. The potential for special guardianship is not considered for children sufficiently well when this would enable them to achieve a stronger sense of family identity and belonging. As a consequence, some children continue to be looked after subject to a statutory order unnecessarily or for too long.

## Partnership with Leeds Relational Practice Centre and feedback from their initial involvement

One of the main recommendations from my initial review was the need for Herefordshire to have a long-term partnership with a good or outstanding authority to ensure there was additional capacity and capability to achieve the necessary improvements within a reasonable timescale. Leeds has an excellent reputation as an outstanding authority and is experienced in providing this kind of support through their relational practice centre. It is very positive that agreement was reached in June for them to be the long-term partner. A plan for delivery over 18 months was agreed, funded by the DfE. The agreed overall aim of the joint work is to promote more restorative, relational and family-focused ways of working in order to improve outcomes and practice.

Leeds began their involvement in Herefordshire, with some case auditing and focus groups. This has been followed by sessions with the senior leadership team, and then with groups of staff and partners focussing on introducing restorative practice. They are now engaged in more specific training sessions with individual service areas, informed by their analysis and early work.

In October they completed a report covering their initial impressions and identifying key areas where they consider focussed improvements are needed. Key points from their report are summarised below and are consistent with Ofsted findings, reports to the Improvement Board, feedback from families to the Commission and via complaints and my own understanding of the current position.

### Key points from the Leeds report

1. Families in Herefordshire have experienced practice that has been intrusive and over-reliant on process, leading to unnecessary use of formal mechanisms to engage families and a disproportionate use of intervention in family life and too many children being looked after when there could have been opportunities to safely keep them with parents or the wider family
2. There are positive signs of change - the sharp rises in children being drawn into the child welfare system have been moderated or even reversed – less children are becoming looked after, more are returning home and despite the increase in activity the hard work of local services has meant that there has been a steady improvement in data relating to compliance with national standards.

3. Re-referral rates are more of concern – they have averaged 28% in the last six months, well above benchmarks (around 20%). The proportion of children assessed is higher than seen in similar areas of the country. What is most striking in this area is the high proportion of assessments that are closed to social work on completion – 66% This is much higher than the national rate and suggests that there may be issues with decision-making at the Front Door – generally that decisions there are risk averse and do not consider alternatives such as single agency or Early Help support for families.
4. 248 children in Herefordshire have a child protection plan (CPP). This equates to a rate of 69 per ten thousand – which is well above the rates seen nationally or in similar areas. In the last six months 189 children started having a CPP, and 169 children had their plan closed.
5. 399 Children Looked After in Herefordshire – a rate of 111 per ten thousand. This is much higher than the rate seen either nationally or in similar ‘Statistical Neighbour’ local authorities. In the last six months 42 children became looked after and 51 ceased to be looked after.
6. Around one in five (19%) of children looked after are in residential settings, which is well above the national rate and is likely to be less than ideal for some of those children as well as punishingly expensive for the Local Authority.
7. Whilst previously Herefordshire was around the rates seen elsewhere, since 2021/22 there has been a very large fall in the proportion of all care leavers in education or work. (Fall from 83% to 31% for 17-18, from 48% to 16% for 19-21 yo).
8. Local partners need to answer this Commission’s question about early help and work together to ‘rebalance the system. This will require a collaborative multi-agency approach and the need to work with some families that are currently being referred into and receiving services from social work teams.
9. Children in need - overall, whilst there was some effective work with families there was a need to be more family led, creative and challenging. There was no evidence in majority of cases of engaging families in the context of escalating concerns. Sometimes it seemed that escalation to Child Protection was used as a response to get compliance because engagement had failed
10. Child Protection: Analysis and reflection was relatively weak – there was not prompting for challenge and reflection. Few cases looked at - Overall there was a need for a sharper focus on significant harm rather than wider worries and danger.

11. Staff concerns included the recent history of changes in staffing in leadership, and ongoing problems with working across a large county, so were interested in the possibilities of more focused locality or 'patch' working

12. The latest national data shows that around 13% of children looked after in Herefordshire are with kinship carers. This is below the regional average and well below nearby LAs such as Shropshire.

## Other External support

Following the publication of my review and with DfE funding and support, short term immediate support from Worcestershire and Telford and Wrekin was brokered and agreed. Their input was intended to add capacity to address key challenges, pending the identification and appointment of a long-term improvement partner. Worcestershire's support was intended to focus on key partnership issues given the number of shared partners, including the work to improve the MASH and Safeguarding Partnership performance information. This did not progress as quickly or as well as we hoped, with Herefordshire struggling to engage with the support on offer. In June we reflected on how their support could help with the significant challenges in relation to children in care and agreed an additional programme of work over the subsequent months to assist with re-unification and discharge of Care Orders.

Unfortunately, as has previously been the case in Herefordshire, this offer of support was not responded to with any urgency and it is only very recently that any work has commenced. Whilst there has been some progress in the discharge of Care Orders of children placed at home with around 9 discharges achieved in recent months, potentially far greater progress could have been made in respect of the nearly 40 children who have been identified as children for whom this outcome would be in their best interests.

DfE funded SLIP support from Telford and Wrekin was also slow to get going, primarily due to changes in personnel. They did finally complete some useful work to assess the impact of early help which should help with the development of early help arrangements. However due to the time taken more than half the allocated days of support were not used and have now been withdrawn.

More positively, we have seen a lot of progress in relation to SEND with the active involvement of LGA and DfE helping and SLIP support from Bedford assisting. There seems to be better partner engagement on the SEND activity than there is on social care, and work has progressed to agree a new SEND strategy, re-vitalised Strategic Partnership Board and Operational group now in place, improvements in timescales for Education Health and Care Plans and work underway to develop the Local Offer.

## Finance

Like most local authorities, Herefordshire is experiencing financial pressures and has required savings across all directorates, including children's. At the same time children's services is projecting a considerable overspend, despite investment in the service, reflects the unprecedented increase in demand and national cost pressures as recently reported by the County Councils Network (CCN) <sup>1</sup> and also includes pressures from the cost of agency staff, placements and SEN transport, in addition to a savings target of £4m. This is a difficult situation to manage and until recently there was insufficient regular and detailed financial information to enable the directorate to properly monitor and manage spend.

It has taken too long to actively explore safe options for reducing spend, such as the level of family support workers' time spent on supervising contact for children in care, where there may no longer be a need for contact to be supervised, although in other areas, such as reducing the overall headcount and associated costs, there has been more progress. The Council has recently brought in an experienced interim finance officer to support the directorate with firming up a much needed 3 year financial strategy aimed at reducing costs and achieving a balanced budget by the end of the 3 years.

Currently the Council is working on its budget for 2024/25 and seeking to close the current potential gap of £20m, with around half of that related to children's services. It is hoped that reduction in numbers of children in care and in costly residential placements will contribute to savings and that increased recruitment and lower number of cases will reduce the numbers and cost of agency staff. The Leader has signalled a likely review of overall council budgets but remains committed to giving children's services appropriate priority.

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<sup>1</sup> [Councils warn they are 'running out of road' to prevent financial insolvency, as in-year overspend top £600m - County Councils Network](#)

## Staffing

In each of the three Ofsted monitoring visits staff spoken to by inspectors reported that they like working for Herefordshire and are positive about the changes implemented by senior managers and can see the benefits in terms of capacity, improved staff stability, workload and process (Ofsted, May 2023).

Staffing remains a significant challenge though, with nearly 50% of all social work staff agency staff. The Council needs to improve reporting on turnover, and detail on the different service areas so that we can better understand the pressures and the impact of the work that is detailed in the box below. From January to April, the interim assistant chief executive did help drive greater focus on recruitment and retention and this has shown some limited results. The support from H.R. has improved and the directorate's leadership team are working more closely now with the Director of HR to ensure that their efforts are better co-ordinated, and support the service as needed.

Over the past 6 months, as a result of recent efforts, there has been some reduction in the churn amongst permanent social workers and improved communications, marketing and processes put in place for recruitment. Earlier in the year two locum social work project teams were withdrawn from the overall number of teams working in the service.

Recruitment of permanent social workers is proving difficult but recently 2 permanent team managers and one service manager have been appointed. 13 of 19 team managers are now permanent. After the inspection it was proving difficult even to recruit agency social workers, however all social worker vacancies are now filled, although as stated above, too many with agency staff. This situation has improved and the service is starting to reduce the overall number of agency staff by holding more vacancies as positive action

The council is considering working with an external recruitment partner and has recently significantly improved the financial offer for permanent social workers and team managers to include welcome and retention bonus payments, which appears to be having the desired effect with increased applications in recent weeks.

Agreement has been reached to increase the number of NQSWs employed within this financial year and putting in place increased support for social work apprenticeships (including backfill arrangements). Retention and recruitment is included in the proposed programme of work with Leeds Improvement Partner as they had considerable success over time in this area (albeit in a less challenging recruitment market at that time).

Learning and development opportunities were neglected during previous years but this has now improved and includes a core foundation programme focusing on practice principles that all social workers have attended. There is also a 6 month programme of development for permanent team managers underway which commenced in May. The Social Worker Career Progression Panel is now operational and induction sessions for

new starters, covering additional days for MOSAIC (the case management system) training as well as service orientation for new practitioners and managers, have also been introduced to build on the existing corporate induction day.

Earlier in the year the Improvement Advisor and I met with front-line staff and managers to seek their views on the improvement journey and current situation. The discussions were interesting and helpful. As might be expected there was more focus on the concerns than on what was working better. Issues raised included:

- Anxious about more change if agency managers replaced by permanent
- Concern that some agency staff often not available in Hereford when needed to visit a child e.g. saying 'I'm not in Hereford this week, needs to wait till next week'
- Lack of focus on policy and procedures and bringing them up to date – not accessible or easy to understand
- Pressure of longstanding complaints falling on TMs
- Lack of planning to deliver face to face conferences

Among the more positive comments were the following:

- Things have improved after disastrous period with previous senior managers
- More collaboration now on Mosaic developments
- 1<sup>st</sup> training in 4 years for Team Managers happening now

At that time staff told us that they appreciated the regular weekly updates from the DCS and Service Director and the remote staff monthly briefings, but we felt much more was needed to improve communication. Suggestions from staff included: More face to face all staff meetings, suggestion boxes (actual and virtual), team meetings (regular with agenda and minutes) staff notice boards in all areas (along with signage about which team is in situ), video blogs from senior leaders, more "you said we did communications", regular floor walking and talking to staff by senior leaders. The work being undertaken with Leeds is helping to improve communication as several workshops focussing on restorative practice have taken place, and work within service areas has now commenced.

In November, while writing this report, I met with the group of 6 Team Managers who have benefitted from the development programme. They told me that the programme had been very useful, particularly the inclusion of individual mentoring. There are still some concerns amongst this group about how significant changes are planned and implemented, and how their views are taken into account. Going forward there is an opportunity to build on this programme to ensure the Team Managers develop a strong forum that can contribute to and influence positive change.



## Partnership

Steps have been taken to improve strategic planning and partnership working across all areas of children's services but this has developed from a very low base, and is not yet showing significant impact. Whilst demonstrating a willingness to work together to support children's services in its improvement, the partnership is not yet making sufficient progress to reduce the pressures on the MASH and to bring down the levels of referral to a rate that should be expected in a local authority of this size.

The Children and Young people's partnership is now meeting, chaired by Councillor Powell and supported by the Director of Public Health. The focus to date has been on establishing its priorities, on developing early help and the Best Start in life programme. As a Board it is not yet driving change sufficiently or looking at a broader range of issues beyond those that might broadly be contained within a public health agenda such as provision for youth in the county and broader consideration of the impact of rurality and social isolation.

The SEND Strategic Board is now meeting regularly, and is proving much more effective. Work is underway to improve the effectiveness of the Corporate Parenting Board, now chaired by the lead member, but as the findings of the most recent Monitoring Visit and the initial Leeds analysis show, much more needs to be done to improve outcomes for children in care and care leavers.

Kevin Crompton, the Independent Scrutineer, currently chairs the Safeguarding Children Partnership and is actively engaging with partners in health and the police to improve the effectiveness of the Partnership. Progress on joint issues such as agreeing a multi-agency data set and the partnership response to the challenges posed by the Commission to listen to families has been very slow.

Relationships with head teachers and schools have strengthened. Following publication of my report, the Service Director for Education has supported the establishment of a number of head teacher and other forums which are now ensuring much greater engagement between schools and the Council. This has resulted in better joint planning to support vulnerable children locally, such as establishing a number of local nurture groups based in schools.

## Early Help

The Service Director, with responsibility for safeguarding, early help and partnerships who started in June, is now taking forward working with the Council, partners and the voluntary and community organisations on what needs to change to deliver better early help arrangements.

The Council's own early help service is an area of strength, with recent evaluations by Ofsted, Leeds and Telford and Wrekin commenting positively about the effectiveness of their child centred approach with families. I commented in my review on the lack of a co-ordinated multi-agency early help response that means that too many families struggle to access support when they are beginning to experience difficulties. The Council's own service currently has a waiting time for families of around 8-12 weeks. Given the rural nature of Herefordshire, focussing early help arrangements round schools potentially gives the opportunity to develop locally based timely help. The Council has spent a long time consulting with its partners in the statutory and voluntary sector but has been slow to spearhead any identifiable change.

Earlier in the year, the Police and Crime Commission committed £500k over 2 years to fund youth provision to reduce offending and the Council committed to match fund this. It has taken some considerable time for the Council and its partners to agree how to best use this money. This is now being taken forward with a published invitation for voluntary and community groups and schools to bid for grants to develop local provision. This is a positive initiative and should form the basis for developing creative local early help solutions.

I have encouraged the Council to bid to the DfE for additional funding to support the delivery of better early help arrangements. If successful the funding would enable co-ordination of activity and the opportunity to pump prime new arrangements in a number of identified locations across the County. The intention is to engage with interested schools who already have experience of extended services e.g. developing nurture groups and with voluntary organisations. This would support building new arrangements which potentially would include the Council's own early help service, the Council Talk Community initiative which currently focusses on adult support, alongside other professional services such as health visitors.

This would be the beginning of a different way of working which would benefit families, and should lead to a reduction in the need for social work intervention. The key will be to work creatively, proactively and quickly to secure ways of responding to families that are timely, co-ordinated, meet need and deliver measurable positive outcomes. The strategic oversight for this work lies with Children and Young People's Partnership who need to ensure the programme is driven forward, whether or not the bid to the DfE is successful.

## Pace of improvement

The Improvement Advisor and I agree with the comments made by the Ofsted inspectors at the conclusion of the Monitoring Visits, that whilst there is evidence of some improvement and areas of much better practice, the pace of change is too slow. I commented in my initial review on the need for a much more robust and purposeful approach. Whilst there is greater direction now from the DCS and his leadership team there are still too many areas in the Improvement Plan which have not been addressed quickly enough and the timescales have shifted. The Improvement Director has recently listed the areas of priority (with the link to the Improvement Plan (IP) where agreed timescales have not been met:

- a) **Recruitment & retention** - for social workers and foster carers (IP 2.1 & 2.4)
- b) **Supervision and Management Oversight** (IP 8.2 & 8.3)
- c) **Participation & Engagement** (encompassing Direct work, Life Story Work and Consultation with children in need of support, protection and care and their parents/carers) (IP 4.2, 4.3, 4.4 & 7.3)
- d) **Child Protection - Safety planning & risk management** (IP 5.5)
- e) **Children in Care achieving Permanence** (IP 6.5 & 6.6)
- f) **Implementation of Care Leaver's Offer** (IP 1.5)
- g) **Unaccompanied Asylum Seeking Children** (IP 5.9)
- h) **Performance, Systems and QA** (IP 2.4, 9.1, 9.2 & 9.3)

I have mentioned some of areas that have been slow to progress including the use of external support, return to face to face conferences and reviews, reviewing family contact time, developing early help arrangements and discharging care orders. In addition to those we have been concerned about delays in agreeing a housing protocol for 16 and 17 year olds, setting up family group conferencing, and developing locality working.

The improvements in SEND have demonstrated that the Council can make effective use of external support and deliver change in a timely way. The political and officer leadership need to be clearer about the barriers to moving more quickly in other key areas, and how this can be speedily addressed.

## Conclusions and next steps

To conclude I will reflect on each of the recommendations in my original review:

### Progress against original recommendations

The Council will:

- a) Strengthen the leadership of children's services to ensure that the pace of improvement increases rapidly in line with the agreed Improvement Plan. *The leadership has been strengthened, pace has increased only slightly with delays in agreed timescales.*
  
- b) Ensure that within the next 3 months there will be evidence of progress in:
  - i) Reducing the number of agency social workers and increasing the numbers of permanent social workers. *Progress made.*
  - ii) Increasing the number of permanent front line Team Managers. *Achieved.*
  - iii) Increasing the number of child protection case conferences and reviews held face to face. *Progress made.*
  - iv) Reducing the proportion of assessments that conclude no further action. *Progress made.*
  - v) Children experiencing fewer changes in social worker. *Progress made.*
  - vi) Improving the quality of practice seen in audits. *Progress made.*
  - vii) Finalising the SEND strategy, and acting on agreed immediate priorities. *Achieved.*
  
- c) Resolve, as far as is possible, all outstanding historic complaints. *Progress made.*
  
- d) Agree, with its partners, through a range of Strategic forums, a number of actions which will demonstrate collectively their commitment to raising ambition and aspiration for children and young people, and responding to their views. *Progressing.*
  
- e) Work with the LGA to develop the knowledge and impact of members in key roles, including the leader, lead member and scrutiny members. *Progressing.*

I have remained as Commissioner to oversee the securing of short-term external support, and to continue to drive improvement, including working with the Council and its partners to increase the effectiveness of the Improvement Board, and to put in place a long-term partnership with an outstanding local authority (Leeds) to deliver sustained improvement.

In this review of progress 8 months on from my report being published, we need to return to the question of whether the level and trajectory of progress that is required has been sufficiently achieved to confirm that children's services should remain under the operational control of the Council, with no further consideration of the need for an

alternative delivery model. Whilst progress has been slower than we would want, there has been positive developments that hopefully can form the basis for quicker and more sustained improvement. I do not think any further consideration of an alternative delivery model is required as it remains my view that supporting the Council and its partners to deliver quicker and better improvements is the best way forward.

There has been a lot of activity since my report was published. There are some signs of improvement which is encouraging but it is also very clear the longstanding and deep-rooted issues remain a challenge for the council and its partners. This is crystallised in the Commission's report outlining the poor experiences some families have had. We know many of those issues are still current, particularly for children in care, and need to be tackled.

The short- term support has to date had limited impact. It is hoped that the partnership with Leeds will help bring about the fundamental changes needed, but this will also require ongoing commitment and drive from the Council leaders and partners. Herefordshire need to demonstrate that they can deliver change at pace which will make a difference to children and their families. The Commission's report contained some hard-hitting messages about the poor response some families received, not just in the past but also currently due to limited early help and poor practice. The evaluations by Ofsted and Leeds have identified some strengths which must be built on if the Council and its partners are going to respond in a way that will begin to restore confidence to families and to achieve many more tangible moves forward. The partnership with Leeds will support children's services to address the cultural, leadership and practice issues but this will take time to have real impact across the whole service.

For those of us working to support and challenge Herefordshire, there has been a level of frustration experienced when even with our involvement issues have not progressed with pace or been concluded. Often progress is only achieved through our continued focus, such as the work of the Improvement Advisor on early help and myself taking the lead on the Commission to listen to families. The work with Leeds is being well received and is an important addition to the DfE intervention, which is critical and necessary. We hope that with this additional help the Council will start to deliver the changes needed in a more timely way.

Progress should be reviewed in 6 months' time.



Department  
for Education

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