

Overview and Scrutiny Committee

6 September 2018

WORCESTERSHIRE COUNTY COUNCIL UPDATE ON SAFEGUARDING AND EARLY HELP

WCC officers attending

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Contents

1. Ofsted update
2. ADM update
3. Local Early Help preventative measures on how the County Council works with the local council

1. OFSTED Update

1.1 Worcestershire Children's Services was subject to a full Safeguarding Inspection in October 2016 and since that time has been subject to regular Monitoring Visits by Ofsted the purpose of which is to monitor the improvement progress. The dates and key headlines from the Ofsted inspection and visits are listed below:

- **October 2016:** Full Safeguarding Inspection of Children's Services. Ofsted judged that there were widespread and serious failures in the services provided to children in Worcestershire who need help and protection and children looked after
- **May 2017:** Monitoring Visit to Family Front Door. Ofsted concluded that the Improvement Plan is not yet resulting in progress in a number of key areas
- **September 2017:** Monitoring Visit to Family Front Door. Ofsted acknowledged the hard work that had gone on to improve services, with many actions quite recent or too new to have yet had a significant impact, but noted achievement of some tangible improvements.
- **January 2018:** Monitoring Visit to Family Front Door and Children in Care Proceedings. Ofsted acknowledged that whilst services still require much work to be of a good standard, progress has been made
- **April 2018:** Monitoring Visit to Through Care Service. Ofsted noted that the Local Authority is making progress in improving services to children and young people and that Corporate Parenting is now a strength
- **July 2018:** Monitoring Visit Child Protection and Children In Need: Overall the LA is making satisfactory progress, good progress in quality of assessment and Quality Assurance

1.2 Positive progress has been noted in the context of life long positive impact for the children and young people we are working with. There has been an overall

increase in confidence of social workers resulting in creative, resourceful and reflective practice.

- 1.3 The next monitoring visit is scheduled for 2nd and 3rd October 2018. The focus will be on the Family Front Door & Partnerships. In addition to this, we will continue to work on the sustainability in our improvements and how we evidence this.

Supporting Information:

Latest Ofsted Monitoring Visit letter

<https://reports.ofsted.gov.uk/local-authorities/worcestershire>

2. Alternative Delivery Model Update (Worcestershire Children First)

2.1 Background

- 2.1.1 On the 29 March 2018, Cabinet agreed to the development of a wholly owned council company to deliver children's social care. The aim being at the point of transferring services into this Company, the Service will be performing well and the Company will have a positive platform in which to sustain the improvement as well as further improve outcomes for children and young people. Following ratification of this decision by the Secretary of State, a revised statutory direction was published on the 25 May 2018 that included an expectation that the Company would go-live on the 1 April 2019. (Appendix 1)
- 2.1.2 Following Cabinet's decision in March 2018, work commenced on developing a detailed implementation plan for the set up and smooth transition of services to the Company by 1 April 2019. The implementation plan has been overlaid with other service improvement and transformation plans to ascertain the wider impact on children's social care. This highlighted a significant level of activity throughout December 2018 to July 2019 which creates a critical risk of service failure and/or loss in productivity and improvement in this time.
- 2.1.3 Discussions with the DfE's appointed Children's Commissioner and DfE civil servants have focused on ways of reducing the expected pressure on the business throughout this time. These discussions have concluded in a proposal that has been approved by Minister to establish the Company in shadow format by 1 April 2019, with the go-live date moving to the 1 October 2019. This would allow the priority to remain on improving services and outcomes for children and young people.

2.2 Implementation: Wholly Owned Council Company

- 2.2.1 Working toward the Council's preferred go-live date of the 1 October 2019, the programme plan has been broken down into three distinct phases:-
- Phase 1: Design and Development (April – March 2019)
 - Phase 2: Shadow and Testing (April 2019 – September 2019)
 - Phase 3: Operational and Programme Closure (October – December 2019)

Further still, the full range of actions which underpin the completion of key milestones have been categorised into 13 interrelated workstreams as outlined in Appendix 2.

- 2.2.2 A memorandum of understanding has been developed between the DfE and Worcestershire County Council to record the following matters:
- the establishment of the Company to enable the development and delivery of high quality and innovative children's social care services that meet the requirements of the Directions and the needs of children, young people and their families in Worcestershire
 - the overarching agreed principles regarding the proposed:
 - i) legal form of the Company;

- ii) corporate governance of the Company; and
- iii) operational framework within which the Company shall operate and be held accountable, which will address key aspects of the proposed Service Delivery Contract, including matters relating to agreeing the Company's proposed budget and the scope of children's social care services that it will be delivering

- the proposed timetable from the signing of the MoU, through to 1 October 2019 (the "**Service Commencement Date**") when the Company will formally commence the performance of the Relevant Functions on behalf of the Council pursuant to the Service Delivery Contract and
- the commitments of each Party in relation to the transition of children's social care and related services to the Company ("**the Programme**") and the processes and the structures that they will put in place to periodically and effectively review, monitor and manage progress in accordance with the agreed timetable.

2.2.3 The DfE have agreed to contribute a fixed sum of £3.15million to the setup/ transition costs of the Company. The £3.15m has been negotiated as a fixed sum contribution and would only be reviewed in the light of an exceptional unforeseen change which significantly impacts the scope/cost of ICT and or property requirements.

2.2.4 Good progress is being made across all of the 13 workstreams and this includes launching the recruitment campaign for the Company's Chairperson, who will play a pivotal role in the development and implementation of the Company. This role will be a joint Council/DfE appointment and funded by the DfE whilst the Council remains under statutory direction. The campaign for the Chairperson has commenced via a national campaign. Shortly following this appointment will be the recruitment and confirmation of further Board Members including the senior management roles within the company (Executive Directors) and Council appointed Non-Executive Directors. Progress on the recruitment of Board Members along with a detailed financial assessment of the Company will be included in a update to Worcester County Cabinet in October 2018. Meanwhile the programme remains on track for completion by the 1 October 2019.

2.3 Company name

2.3.1 The Company name is the first impression people will have of the new organisation. It should be appropriate to the services the Company provides and the people it serves and reflect our vision for Worcestershire to be a wonderful place for all children and young people to grow up.

2.3.2 The process for developing the name of the Company has included capturing what is important to key stakeholders including staff and children and young people. There have been face to face workshops with social workers, children's social care managers, at schools and importantly with looked after children and care leavers. Desktop research was also undertaken into existing company names and there has been analysis into the online search terms that are currently used for children's social care services in Worcestershire.

- 2.3.3 A shortlist of company names was approved by the ADM Steering Group on 4 June and considered by the ADM Board on 13 June. Further views were sought from staff to identify the recommended option.
- 2.3.4 Overwhelmingly the preferred name that staff feel best captures the purpose and values of the company is **'Worcestershire Children First'**. This name has been endorsed by the ADM Board and was recommended to Worcestershire County Council Cabinet and approved on 12 July 2018. The process of registering the company with Companies House has begun.

Supporting Information

- Appendix 1 - Statutory Direction to Worcestershire County Council
- Appendix 2 – ADM Workstream overview

APPENDIX 1

STATUTORY DIRECTION TO WORCESTERSHIRE COUNTY COUNCIL IN RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A (4B) OF THE EDUCATION ACT 1996

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has noted in respect of Worcestershire County Council ("the Council") that following earlier 'in adequate' judgements, performance in respect of services for children who need help and protection has remained 'inadequate' as detailed in Ofsted's inspection report of 24 January 2017 ("the 2017 Ofsted report").
2. The Council's failure led the Secretary of State to issue a statutory direction on 8 March 2017 ("the first direction") requiring the Council to take a number of steps to improve the quality of services, including to work with Trevor Doughty, as the appointed Commissioner of Children's Services in Worcestershire. A revised direction issued on 19 September 2017 ("the second direction"), required the development of an options analysis and business case for an alternative delivery model.
3. The Secretary of State has carefully considered:
 - a. The 2017 Ofsted report, which found that children's services were 'inadequate'. The sub-judgements for children who need help and protection, children looked after and achieving permanence, and leadership, management and governance were all rated as 'inadequate';
 - b. The Children's Services Commissioner's report, of 9 June 2017 ("the Commissioner's report"), which highlighted a lack of evidence to that date that the improvement plan was delivering genuine benefits for children, young people and their families beyond process and structural change, and that the Council should develop an alternative model of delivery for children's services;
 - c. The findings of Ofsted's monitoring visits since June 2017, and the progress made to date in service improvements; and
 - d. The Council's business case for the establishment of a wholly-owned council company for Worcestershire's Children's Social Care Services.
4. The Secretary of State is satisfied that the Council is still failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 ("the 1996 Act") is applied by section 50 of the Children Act 2004 ("children's social care functions"), namely:
 - a. social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
 - b. the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph a. above); and
 - c. the functions conferred on the Council under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
5. The Secretary of State appointed Trevor Doughty as Commissioner for Children's Services in Worcestershire ("the Children's Services Commissioner"). An updated terms of reference ("the Terms of Reference") are set out in the Annex to this direction.
6. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with his powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social care functions are performed to an adequate standard.

NOW THEREFORE:

7. Pursuant to his powers under section 497A(4B) of the Education Act 1996 Act, the Secretary of State directs the Council as follows:

a. To comply 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 and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;

b. To co-operate with the Children's Services Commissioner, including on request allowing the Commissioner at all reasonable times access:

i. to any premises of the Council;

ii. to any document of, or relating to, the Council; and

iii. to any employee or member of the Council,

which appears to him to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference;

c. To provide the Children's Services Commissioner with such amenities, services and administrative support as he may reasonably require from time to time for the carrying out of his responsibilities in accordance with the Terms of Reference, including:

i. providing officers' time or support;

ii. providing office space, meeting rooms or computer facilities;

d. To work with the Commissioner towards the establishment of a wholly-owned council company for the delivery of children's social care services in Worcestershire, including:

i) Establishment of the company board to operate alongside existing arrangements in shadow form from December 2018; prior to

ii) Transfer of operational control for children's social care services from the Council to the company, from April 2019.

e. To continue to work with Children's Services Commissioner on a long-term improvement plan to address the findings of the Commissioner's report of 9 June 2017, monitoring progress and reviewing the improvement plan as appropriate;

f. To co-operate with the Secretary of State and the Commissioner, including by:

i. Attending and participating in reviews of progress on dates to be notified to the Council;

ii. Preparing and making available to the Secretary of State's advisers, when requested, up to date improvement plans and assessments of progress evidenced by performance data;

iii. Reporting to the Secretary of State on the nature and rate of improvement of children's services when instructed to do so.

8. In consequence of this direction, the Secretary of State for Education revokes the second direction.

9. This direction will remain in force until it is revoked by the Secretary of State.

Signed on behalf of the Secretary of State for Education SUZANNE LUNNA Senior Civil Servant in the Department for Education Dated the 21 day of May 2018.



Worcestershire Children First (ADM) for children's social care services

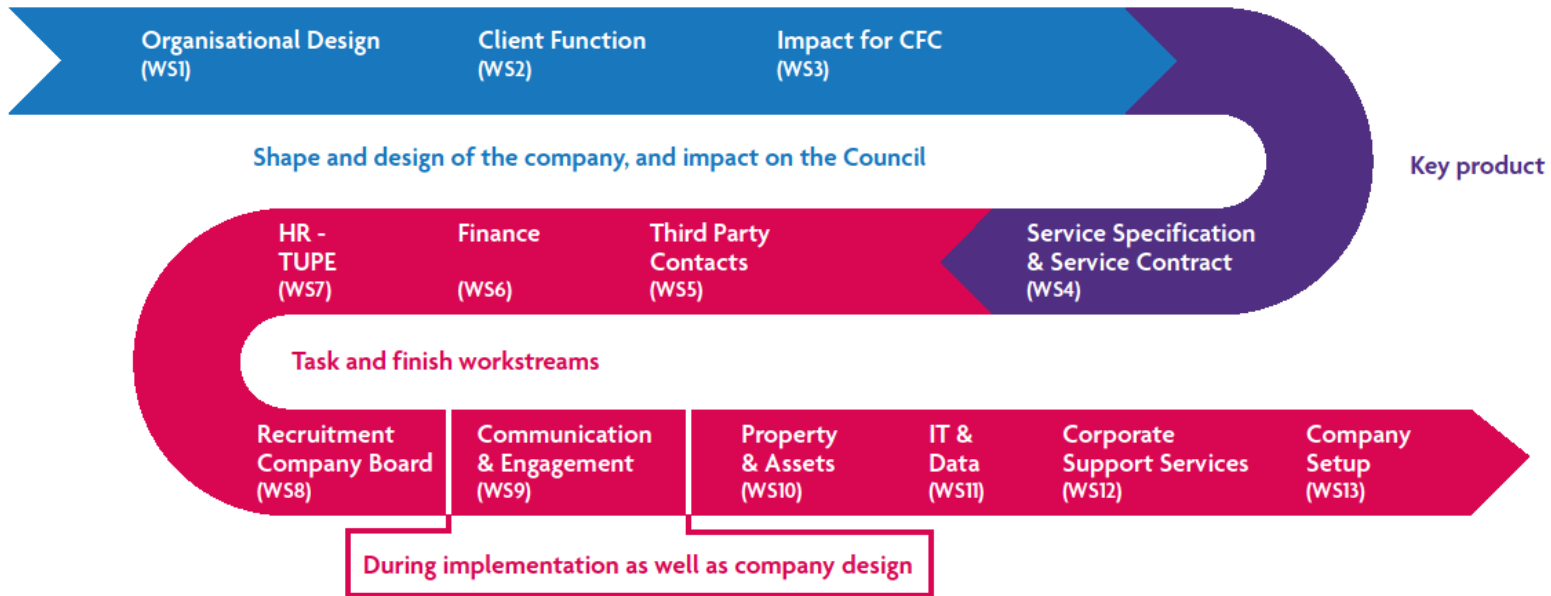
Governance

WORKSTREAMS



Governance arrangements for the ADM programme

Workstreams



3. Local Early Help preventative measures on how the County council work with the local council.

The Early Help Strategy was approved in September 2017 by Worcestershire Safeguarding Children's Board. An update of the Strategy in relation to developments as part of the social care improvement plan and plans for a refresh of the Early Help Strategy will be presented during the meeting.

Supporting Information

http://www.worcestershire.gov.uk/download/downloads/id/8802/worcestershire_early_help_strategy_2017_to_2020.pdf

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