

# **Report into Children's Services in West Sussex County Council following inspection**

**Report for the Secretary of State for  
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Commissioner for Children's Services in  
West Sussex**

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## **PART ONE – EXECUTIVE SUMMARY**

### **Introduction**

- 1.1 This Commissioner’s report for DfE follows the publication in June 2019 of the Ofsted ILACS inspection report for West Sussex County Council (WSCC) children’s social services. That inspection judged the services to be clearly failing across all domains in the strongest terms which triggered this intervention by DfE with a commissioner working with a Statutory Direction.
- 1.2 This stage of the intervention, pending this report, is in three parts:
- We have conducted a thorough assessment and diagnostic of the problems with the service with a view to offering a way forward for sustained improvement.
  - We have worked with the current leadership of the service to ensure as we proceed that the immediate services are as safe as possible for children in the county pending planned improvement.
  - I have formed a judgement about any requirement for an “Alternative Delivery Model” (ADM) through an assessment of the adequacy of the corporate conditions to support the required substantial and sustained improvement of Children’s Services.
- 1.3 The report is written by myself as the appointed Commissioner on behalf of the Department for Education. In that task, I have been closely supported by: Steve Crocker, the Director of Children’s Services for Hampshire; Stuart Ashley, the Assistant Director in Hampshire responsible for children’s social care; and a support team of up to 20 sector specialists from Hampshire Children’s Services (which works with the DfE and regional colleagues on sector led improvement in Hampshire’s role as a Partner in Practice). It should be noted that this latter element, working alongside the review, which essentially has involved a full children’s diagnostic exercise to take place in parallel with the Commissioner task, has allowed for a much deeper and more forensic analysis of the scale of the service problems and the task required to put things right. It will also provide a strong basis for quick action to be taken on improving services for children following this report. I am hugely grateful for the energy, skill and care that all have brought to this work.
- 1.4 The report is based upon a series of interviews, discussions and evidence gathering from a wide range of sources in West Sussex County Council and wider sources where they pertain to the functioning of the Council’s Children’s Services Department. The interviewees have included: political leaders in the council including current and former members of the Council’s Cabinet and Select Committee; Members of Parliament; the Chief Executive and members of the senior leadership team of the council (executive directors and directors); several former members of these teams; current and former members of the

senior leadership team of the Children's Services Department; other senior managers in the department; social workers, support workers and administrative and technical support officers; Trade Union representatives; and Chief Executives or their representatives of some of the key children's services partner agencies. A wide range of documentation has also been reviewed including Cabinet reports, financial information, performance and quality assurance documentation. A strong theme of the work has been the corporate context within which the dysfunctional children's service sits. This analysis is not forensic or absolute. It is based on substantial evidence but not every person could be interviewed, nor every document studied. The focus has purely been on forming a judgement of the capacity of the council to drive and sustain effective improvement in children's services. This is the fourth such exercise I have conducted as Commissioner and is informed by that experience and the detailed evidence base gathered by myself and the team. This is important to stress, not least because of the implications of the emerging findings.

- 1.5 Throughout the task we have been offered generally very high levels of engagement and cooperation from all concerned for which I am grateful. This reflects what is certainly a stated shared desire to do better for West Sussex children. The challenge is converting that desire into a better understanding of what is required and then translating that into sustained improvement.
- 1.6 In carrying out this initial piece of work for the DfE the outcomes of the Ofsted inspection have been taken as a given and the evidence that our team saw supports the judgement that there has been a systemic and prolonged failure of these services in West Sussex. There is now a voiced acceptance by political and corporate leaders of the judgement which has been backed by an urgent investment into ensuring that demand pressures are met financially as well as action to ensure that there is a sufficient investment in ongoing improvement work following this. That said, there is deeply varied depth of acceptance or ownership of the judgement across the council. In the Commissioner's judgement, while there was no doubting the sincere regret at the situation, no senior person expressed a credible sense of direct accountability for the failure, neither did those within the children's services department, where there was a strong sense the problems lay elsewhere. There is a striking absence of any direct ownership of the failings in a number of quarters. Conversely, the view of so many staff and managers is that 'everybody saw it coming'. Which of course begs the question as to what they did about it. That said, this report makes reference elsewhere to the significant steps now being taken under the positive leadership particularly of the Lead Member and the DCS. Those steps give a strong indication of a much better and developing sense of ownership which if sustained is a cause for optimism.
- 1.7 Our main task has been to develop a deeper understanding of what happened to precipitate such a systemic failure, why it happened and what needs to happen to put it right and keep it right. In developing our understanding, alongside a range of data analysis, we have conducted over 150 detailed interviews. What has emerged is a number of consistent and damaging

narratives. These narratives may be subject to interpretation or even dispute. However it is the consistency of the narratives and the consistency of the statements, which has struck the Commissioner. Those narratives have considerable currency within the organisation and need to be addressed for the sake of children in West Sussex who depend on this service and this organisation functioning in a way that enables good, safe social work practice to flourish.

- 1.8 More positively I would like to acknowledge at the outset of the report the degree to which the current, experienced interim Director of Children's Services, John Readman, has gained the confidence of politicians, corporate leaders and the service. He has already put in place significant changes in the departmental leadership with positive appointments at Assistant Director level which will help stabilise and make short and medium-term improvements, not least through the newly designed "Children First" programme. This team includes experienced deputy and assistant directors, a programme director and improvement specialists, all with a breadth of experience that is beginning to have an effect. The DCS is also supported by a recently appointed Lead Member who, while a relatively inexperienced politician, is immediately displaying a sophisticated and determined grasp of his role and is commanding considerable early respect. Both of those critical postholders together with the new Children's Leadership Team bode well but there is much work to do.<sup>1</sup>
- 1.9 There is a major qualification for what follows in this report. The "story" leading to the contextual analysis of children's services in WSCC is long and complex, fed as it is by a series of narratives as described. It is only summarised here. We weren't there at the time and, notwithstanding the substantial amount of evidence we have gathered, it would take a still more substantive exercise to absolutely determine what has gone on and why across the wider organisation. It will be for others to determine if there is any value in conducting that deeper exercise. For my part, I am confident in this analysis acting as it does as a basis for our recommendations which are specifically about improving children's services.
- 1.10 Since this work was undertaken and a draft report was shared with WSCC, progress has quickly been made with regard to a number of the draft recommendations particularly the leadership structure of Children's Services and some of the governance issues. That is a credit to a number of individuals within the authority. Some draft final recommendations have been slightly amended accordingly. While these early developments, specifically with regard to governance and structures, seem potentially positive and productive, extreme caution needs to be advised. The recommendations here are based upon an analysis of some profound and longstanding problems, so the

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<sup>1</sup> More recently, the Lead Member for Children has been elected Leader of the Council. He has chosen to retain both roles together for a short period, with support, and this appears a positive step.

recommendations need to be accordingly strong. The key and positive message to be drawn from progress on systems so far is that these problems can be fixed if the recommendations in this report are accepted and implemented with the right will and collective focus. There also must be a recognition that some of them, such as establishing consistently good standards of social work practice, will take considerable time to achieve. There is though cause for optimism.

- 1.11 Finally, it should be noted that we have allowed time for, and taken into account responses from WSCC as well as relevant individuals on the original draft report. It should be clear that the focus of this report is not about individuals but is about corporate competence and capacity to support a vital children's improvement journey. Comments have been received from a number of parties. They have been on points of fact and accuracy, and points of comment or argument. Where possible or appropriate, those comments have been included in one of three ways: some parts of the text have been directly amended; some comments have been referenced explicitly in footnotes; two additional sections have been introduced to report the individual comments of the Chief Executive and the outgoing Leader.
- 1.12 The Hampshire County Council officers who have contributed to the drafting of this report have been working to the Commissioner, who is Chief Executive of Hampshire County Council but who, for these purposes, is commissioned by contract with the Department for Education. This report is on behalf of DfE and while in the name of the Commissioner is the "property" of DfE. In particular, the Elected Members of Hampshire County Council have no direct role in this process. The political leadership of HCC has established a policy framework to enable HCC officers to conduct such work on behalf of other agencies and partners and has agreed the undertaking of this specific commission. In every other respect the political leadership of HCC has had no involvement in or access to the content of this report.

### **Executive Summary of Conclusions**

- 1.13 The conditions required to support the essential sustainable improvement in West Sussex Children's Services, regrettably, do not currently exist within the County Council. Further, the extent of the current malaise in the organisation strongly indicates that those conditions will probably not reliably exist for some considerable time. That is why I am recommending the introduction in the longer term of an Alternative Delivery Model for children's services to help drive and secure that improvement. However, there is now a proviso to that recommendation which will be discussed below.
- 1.14 There may be those who feel strongly that this report takes an overly negative view of the current position. Nevertheless, we are only reporting what we have observed and been told, based on multiple sources of evidence outlined above, which have been carefully considered, assessed and drawn together here.

## 1.15 The headlines of the findings are that:

- There has been inadequate and ineffective leadership of Children's Services for some years now.
- The features of that leadership include: a proliferation of managerial tiers; a wasteful and incoherent approach to the use of what should be adequate resources; coupled with a lack of coherent and informed management oversight; an absence of meaningful performance management; a lack of consistent quality assurance and audit leading to disturbingly low levels of awareness of what good social work practice looks like; a routinely chaotic and incoherent collective approach to the leadership and management of the service rendering good practice rare.
- That is not to say there are not good people working in WSCC who are trying their hardest - but they are doing so without effective leadership and without conditions conducive to good practice.
- It is also not to lay simple blame at the door of individuals, including former children's services leaders and senior managers. We would defy the best leaders and managers to deliver good children's services in the recent corporate circumstances in WSCC as outlined here.
- The wider organisation has adopted an idiosyncratic structural model which has consciously relegated and denuded the statutory role of DCS and of the department the DCS should oversee. Consequently, the top of the wider corporate organisation has lacked an embedded, authoritative and expert voice for vulnerable children for several years. The leadership of the organisation has put forward a rationale for the idiosyncratic position which they have stood by throughout the Ofsted process, most of this process and in the face of alarming service failure. This specific point is just one but a critical indication there could be limited confidence in WSCC's top leadership capacity to address the children's service failings and change its course.<sup>2</sup>
- Alongside the specific troubles of children's services, other troubles appear to be increasing around the council. These include: a partially inadequate fire inspection outcome, the seriousness of which appears to have been talked down as an issue in this process and to senior partners; concerns expressed about potential issues in adult social services with a newly

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<sup>2</sup> It is fair and encouraging to note that since the delivery of this report in draft the authority has made significant and rapid changes to address this problem and establish a fully functioning Children's Services Department with the DCS as an Executive Director. This positive development is most welcome but should not deflect from the strength of what hopefully will become a historical criticism.

appointed DASS absent on sick leave for the duration of this commission; an alarming record of corporate senior management churn which, I would suggest, can only reflect a deeply unstable organisation; yet an organisation that does not appear to recognise the inherent risk this churn creates. It is an organisation at the most senior levels of which there appears to be detail of those issues.<sup>3</sup>

- Additionally, the course of this commission has identified at least three other “organisational cultural” issues which need to be addressed by WSCC, probably with substantial external support.
- Firstly, the governance of the organisation needs to modernise and be redesigned and redirected to support the purpose of the council rather than, as currently appears, the defence of the institution. The necessary changes range from altering the arrangements of Cabinet and ‘Cabinet Board’, through to reforms to the meeting culture and the restrictive and resource sapping approaches to formal reporting and decision making, the evidence for which has been given on multiple occasions.<sup>4</sup>
- Secondly, those governance issues relate also to the need for an honest appraisal of how politics and political relationships are, or are not, working in the council: between local politicians and officers; and between local politicians and MPs. The current approach is not sustainable and has evidently not created the right conditions for children’s social work to flourish.
- Thirdly, on culture, there is undoubtedly a clear, shared perception, among several current and former members of staff, recognised by external stakeholders, of a significant bullying problem. It is impossible for us to judge if the extent of the problem is exactly as illustrated by the several stories we have been told or to verify the accuracy of the individual stories. Some of these are stories about unacceptable behaviour by senior managers and politicians which is perceived to be modelled from the top of the organisation, politically and managerially. Doubtless individuals would strongly deny many of these stories and issues, or suggest the causes lie elsewhere. All we can do in this report is reference the variety of sources and stories, and the consistency of messages which describe

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<sup>3</sup> In its response to the draft of this report WSCC makes some reasonable comments about the more recent record of progress following the Fire inspection and with regard to improvement planning in Adult Social Care. These comments are encouraging for the future, but they do not detract from the critique above.

<sup>4</sup> Subsequent to consideration of the draft report it is again to the credit of those concerned that rapid and meaningful progress is now being made to address the structural governance issues. Again, this bodes well for the future but does not detract from the critique above nor should there be any doubting of the time which will be required to bed in and make effective the reforms.



longstanding almost casual disrespect for individuals, from the top down, which must say something about how the organisation functions. It is arguable that the same lack of organisational self-awareness, the refusal to accept criticism or “bad news” and then to address problems, is exactly the same organisational characteristic that led to the deterioration of services to children. We were told consistently that in essence there has been no room for respectful uncertainty or challenge in WSCC.

- In response to this admittedly severe criticism, some leaders in WSCC have pointed to a range of initiatives that have taken place in recent years with regard to establishing organisational values and taking more systematic steps to understand the perspectives of staff. We have to take the intent and the content of these initiatives at face value and acknowledge that work has been done over time. Regrettably, there appears to be a disconnect between this described work and the lived experiences of a number of current and former managers we spoke to. We also know that the impact of the work on values was impeded by some of the narratives that we heard. Finally, we know that there is a particular disconnect between some of the survey information, gathered internally about the effectiveness of services, and the actual performance of children’s services.

1.16 A number of these issues are directly relevant to the work of this commission and it would simply be wrong to ignore them, but they are beyond our direct authority or capacity. They are very painful to report on, especially through the channel of a neighbouring and politically and organisationally close authority. But it is impossible to draw effective conclusions for children’s services without addressing the corporate conditions required for sustained improvement. A number of these statements and concerns will require closer consideration by and for WSCC. Anything we can reasonably do to support that process we will try to do. Our immediate concern is that, based on our findings, we cannot envisage with any level of confidence that children’s services in WSCC can prosper without fundamental additional structural support pending what should be a profound, long and very difficult set of reforms for the council as a whole, starting at the top of the organisation. Without these reforms children’s services cannot be left in the direct care of the organisation.

## Recommendations

1. **An ADM needs to be introduced for Children’s Services in West Sussex. The Minister should take immediate steps to remove service control from the Council and create a Children’s Services Trust.** We have explored whether the ADM could take the form of a local authority partnership. However, a single authority partnership is probably too great an expectation on any single LA (such as Hampshire) given the combined challenges of the size of West Sussex and the scale of its problems. A multi-authority partnership has been discussed but while attractive to some it seems impossible that it can deliver on DfE’s reasonable expectation for a model with a single and unequivocal point of leadership and direct

accountability. This means that a children's trust is likely to be required and DfE should commence steps accordingly to set up that trust.

2. **A Commissioner should be appointed to lead the creation of the Trust, continue to lead the service improvements and keep the capacity of the council under review.** A Children's Trust will take considerable time and resource to establish. That is why the work required should commence immediately otherwise Children's Services will remain hostage to corporate progress. But if that corporate progress can be sustained at the current rate and in the current direction, it is conceivable that a trust ultimately may not be required. I am recommending the Minister requests quarterly updates from the Commissioner to test again if this recommendation is still the preferred and required model of intervention.
3. **An improvement partner should be appointed to WSCC to support the ongoing improvement activity.** Given the timescales to establish a fully functioning trust, consideration must be given immediately to establish this medium term improvement partner (or mechanism) to work alongside WSCC with the full equivalent authority of the existing statutory direction to keep current progress secure as a minimum requirement. This cannot be stressed enough. There is an urgent need for improvement and for the early momentum brought about by the new DCS to be supported and maintained. These interim arrangements must have the fullest authority that can be afforded through a statutory direction to ensure children's services are properly protected from the ongoing corporate malaise.
4. **WSCC should be required with immediate effect to regularise the arrangements for children's services in WSCC.** That must involve, immediately: confirmation of the existing DCS role as an Executive Director (in WSCC terms) with full membership of the Executive Leadership Team (ELT) and full and direct reporting to the role of Chief Executive; the establishment of a full Children's Services Department (CSD) which also encompasses all education duties and requires the existing Director of Education to report directly to the DCS as a fully functioning member of the Children's Departmental Management Team.
5. **The existing Improvement Board, currently described as "Voluntary", should be reconstituted immediately to better reflect the post Ofsted priorities and be chaired by the Commissioner.** It is recognised that the existing arrangement has been endorsed by Ofsted and is making some progress. However, further to this analysis and recognising some of the inherent performance assessment weaknesses within the department, there is no question of the need for a review of the existing arrangement not least to clarify its shift from "Voluntary". The leadership and membership of that new board needs to be reviewed to ensure it is closely aligned with the improvement arrangements and plans. These arrangements and plans will need to be firmly and clearly led by the DCS,

Lead Member and the Chair of the Improvement Board as to be set out in the revised Statutory Direction.

6. **A children's services management training programme should be designed and implemented** in order to, in particular: develop a consistency of approach and a shared understanding of what good social work looks like; establish and impose a model of performance management and quality assurance and audit that is understood at all levels; establish effective threshold levels of service.
7. **The new children's leadership must move immediately and persuasively to establish a comprehensive and systematic staff (and management) continuous engagement process** that seeks to address the long standing cultural issues as they affect the CSD but also in recognition of the centrality of front line managers and practitioners to the design of the solutions. This is both to ensure future decisions are well informed (but not taken) by practitioners and to ensure those practitioners own those decisions and their own responsibility in accepting and implementing change.
8. Work must be carefully planned to **ensure an honest dialogue with partners and MPs** which clarifies these headline findings and recommendations and seeks to redraw the external working relationships pending the full introduction of the ADM.
9. **The Corporate Parenting Board needs to be reformed and redesigned in order that the voice of the child is heard by the organisation in an informed and constructive way.** A parallel exercise may be required for Children's scrutiny arrangements. WSCC may argue that such steps have already been taken but as with regard to the existing Voluntary Improvement Board those steps need to go further under the auspices of new statutory improvement mechanisms. This is as much to do with how well the members of the board understand their role and go about their business as it is to do with terms of reference.
10. **The wider County Council will need to engage in a deep and wide ranging review of its leadership, governance and culture.** The scale of this exercise cannot be over-emphasised. The exercise will probably require substantial external support if not control. If done properly it must have radical implications for the organisation. That exercise is beyond the remit of this commission, but it is impossible to avoid reference to it. Without the exercise it is impossible to foresee how children's services can be safely returned to their rightful local and statutory home. There is a genuine risk, without this exercise, that other local authority services may also fail their community.

## **PART TWO – THE CORPORATE CONTEXT**

### **A Potted History**

- 2.1 This is a summary of some of the key events leading to the Ofsted judgement. The detail and sources for this section are set out above in paragraph 1.3. A single agreed version of some events has been hard to ascertain, and the following section is an attempt to summarise and, to an extent, understand the history. We are confident this is a fair summary but it cannot be absolutely definitive. It is also not complete but summarises some of the key recent moments as the Commissioner has seen them, acting as a backcloth for the fuller analysis that follows.
- 2.2 The current Leader of the Council has been in her position since 2010. Prior to the existing Chief Executive who was appointed in 2016, there had been a number of changes of chief executives or equivalents over the previous six years. In late 2015 the then Interim Chief Executive (or Chief Operating Officer) restructured and introduced the role of Executive Director of People which subsumed the statutory roles of DCS and DASS. This was therefore a legally compliant approach to the statutory roles, though it was by then increasingly unusual for larger authorities to operate this “twin-hatter” approach.
- 2.3 After the current Chief Executive’s appointment in June 2016 and after the departures of previous respective post holders, WSCC retained the role of Executive Director of People (originally Children’s, Adults, Families and Education) but transferred the two key statutory functions, DCS and DASS, away from the role of Executive Director and relegated them to director roles reporting to the Executive Director. So, the statutory roles were now split from each other but no longer reported directly to the Chief Executive. Further, the DCS responsibilities were now confined to the narrower role of children’s social care. A separate Director of Education, a peer role to that of DCS, also reported to the Executive Director of People.
- 2.4 This structure – a Director of People who does not hold the statutory functions – is unique in the experience of the Commissioner and certainly not in accordance with statutory guidance about the role, scope and status of the DCS and its relationship to the Chief Executive.
- 2.5 The Ofsted history saw an improvement from Inadequate in December 2010 to ‘adequate’ in the Child Protection inspection of 2013, and which was maintained in the grading of Requires Improvement in January 2016. Though officers then and now describe this latter as a strong RI the Leader still talks of her deep and lasting dismay at how this outcome was celebrated by senior officers. The Leader may well have had a strong point about the celebration of this Ofsted rating but her obvious dismay with officers at the time is one of the shared narratives about a perceived lack of political respect.

- 2.6 In early 2017 the authority introduced a Children's Social Care Quality and Development Board chaired by the Chief Executive. The purpose of this board was intended to provide corporate oversight and direction for the improvement of Children's Services. This was undoubtedly a positive step. Its execution and impact are less easy to identify, not least given the subsequent Ofsted outcome. Some would argue this was partly because of the governance issues described elsewhere.
- 2.7 The credibility of the senior leadership of children's services was subsequently further damaged, certainly politically and probably managerially, by a failure to deliver on the long-standing expectation that the secure unit would be re-opened as an income generating facility following substantial investment.
- 2.8 In mid-2018, following a positive DCS presentation about the state of the services to Cabinet, the Leader was further "appalled" to belatedly learn of a failed children's home inspection, that ultimately led to the closure of that and other homes. The then Lead Member was dismissed for his part in that episode including because the Leader had not been briefed about an extremely poor report until much later when the home's closure had become inevitable. The then DCS's standing with political leaders was certainly badly damaged, not least because this episode immediately followed what was seen to be a glowing general assessment of the service at Cabinet Board.
- 2.9 In September and October 2018, the DCS made two approaches to "Cabinet Board", seeking £5.5m investment to address what were now regarded as urgent and severe staffing and caseload challenges, in anticipation of the impending full Ofsted inspection.
- 2.10 The meetings went badly wrong. The DCS faced severe and relentless criticism from politicians not least because until very recently they believed they had strong assurances that the service was progressing well only now to be advised of severe problems requiring major investment. Almost all concerned would agree with hindsight that the meetings were destructive on a number of levels. The DCS exercised her statutory authority (verbally) to warn members about risks to children through a failure to invest. It has been difficult to establish what decisions were made at the meeting. However some weeks later, permission was given to redirect funds from prevention services. Most present agree the debates at the two meetings of Cabinet Board were both difficult and hostile – some describe these as "the worst meetings they have ever experienced". The Chief Executive is adamant he did what he could to support the DCS in this episode. Others present disagree. The DCS left the building immediately after the second meeting, never to return. Before her eventual departure from employment in WSCC the DCS formally complained about her treatment in this process. The outcome to the complaint was a formal letter of apology from the Leader.
- 2.11 An LGA Corporate Peer Review process was completed in late 2018 and published in early 2019. The process identified a number of the governance issues discussed below. It also expressed concern about the general state of

children's services, even through what is a light touch peer review process, in anticipation of the expected Ofsted inspection.

- 2.12 An experienced Interim DCS was appointed in late 2018 ostensibly to take WSCC through its anticipated 2019 Ofsted. The working relationship between that Interim DCS and his manager, Executive Director of People, was not good and that may have compounded what appears to have been poor preparation for and management of what became an extremely damaging Ofsted inspection. Of course, that inspection outcome was Inadequate across all domains.
- 2.13 Meanwhile, a Fire and Rescue Service inspection, conducted in late 2018, was reported in Spring 2019 with two of the three categories requiring improvement and the third inadequate.
- 2.14 What follows is more of a commentary that sits around these headline points including more analysis and judgement on what we have heard and seen.

### **Children's Services and Corporate Structures in WSCC**

- 2.15 The Children Act 2004 and statutory guidance make specific provision about services provided to children and young people by local authorities. They were specifically designed to legislate to protect the most vulnerable children within an area from the competing forces and pressures upon local government. Although there is room for some latitude in relation to statutory guidance, the primary legislation is clear and has not been properly applied in West Sussex. Worse still, the lack of adherence to the legislation and guidance appears to have been intentional on the part of WSCC.
- 2.16 As it stood at the time of this report, the role of DCS in WSCC is at third tier in the organisation, reporting to the role of Executive Director which in turn reports to the Chief Executive; the Executive Director enjoys a place at the ELT, which is the most senior officer tier in the council. That Executive Director is not required to hold any children's experience or expertise and currently does not. Further the role of DCS does not encompass the full suite of children's services as the role of Director of Education is accountable for those and related services and is a peer director also reporting to the Executive Director People. Therefore, there is not a full Children's Services Department, with a single point of oversight of all areas of the service as intended and set out in legislation and guidance.
- 2.17 WSCC have put forward a rationale for these unique arrangements which have evolved over time but have now been in place for three years. This rationale includes the following points:
  - the original "twin-hatted" approach, while it still encompassed the statutory roles, was a legitimate arrangement that suited the strategic direction of WSCC at the time (towards some form of a commissioning model);

- the downgrading of the statutory DCS and DASS roles (from the Executive Director to the Directors) was then deliberately done to enable the Executive Director to focus more outwardly to partners but especially towards the NHS and the critical progress of the Sustainability and Transformation Partnership (STP) and its successor arrangements;
- it was also done to commensurately allow the statutory post holders to be freed from the corporate business of the organisation and focus their attention on operational matters;
- the retention of a stand-alone education role was in order to reassure a school community that was perceived to be nervous about the relationships with their local authority in the context of educational changes;
- while the DCS role does not formally report to the Chief Executive, the post holder is allowed direct access to the Chief Executive through regular monthly meetings (which are mirrored by political meetings between the Lead Member and the Leader), so in theory gets the best of both reporting worlds;
- the ELT, according to this rationale, is not really the “top table” of the management of the organisation, it is merely a business and administration forum, the real “top table”, again according to the rationale, is the Corporate Leadership Team (CLT), which sits below ELT, made up of all of the directors and executive directors, including the DCS;
- finally, according to the justifying rationale, these are arrangements which are deemed fit for current purpose in WSCC, and the purpose and therefore the arrangements should evolve over coming years at which point it is possible that a more conventional (and more legally compliant) model for children’s services will emerge or be adopted.

That is an attempted summary of the justifying rationale for this idiosyncratic structure which I think is fair based on the evidence I have seen.<sup>5</sup>

- 2.18 The various aspects of this rationale can be very persuasively argued by senior officers to the point that it is easy to see why non-professional elected members would be persuaded by them over time. The outgoing Leader states that on the advice of the previous interim DCS she “strongly made the case”, to implement change in these arrangements in early 2019. Those changes did not take place. In the Commissioner’s view, the rationale is not credible and has led to a non-compliant and damaging arrangement.
- 2.19 That is because the effect of these arrangements has undoubtedly been to disable and disempower the role of the statutory Director of Children’s Services in West Sussex, implicating the capacity and the competence of any

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<sup>5</sup> The Chief Executive has indicated he does not think it is a fair summary.

post holder internally and externally. It has served to complicate and obfuscate the accountability arrangements which are so critical in Children's Services – if the role of the Executive Director of People is not to line manage the DCS then what is it doing above the DCS and between the DCS and the Chief Executive; is the DCS formally reporting to the Executive Director for People, or the Chief Executive? Crucially, it has also meant that the voice of children and the needs of children's services have not been heard properly or authoritatively at what is undoubtedly the "top table" organisationally of the County Council, ELT, for at least three years.

- 2.20 Structural problems can often be overstated as can structural solutions. But there is no question in our assessment about the relationship between these structural flaws and the failure of children's services in West Sussex. There is also no question that until they are fixed, improvement will not be secured, not least because it is at best hard to see how a strong and experienced DCS, the sort West Sussex needs to occupy the permanent position, would accept such a limiting and denuded role. Ironically, resolving this position - by converting the DCS role into an Executive Director, reporting exclusively to the Chief Executive as a full member of ELT, and taking responsibility for all of children's services including education as per the legislation - is also probably one of the easiest and quickest fixes to the various existing problems in WSCC that can be practically and promptly delivered. It should be done immediately.
- 2.21 As indicated above, and again to the great credit of the interim leadership in WSCC, since the presentation of the draft report immediate and meaningful steps have been taken to redress this problem. WSCC is now converting the role of DCS to an Executive Director with what should be full responsibility for a full Children's Services Department. It is fair to note that this step was first properly signalled by the Chief Executive in the feedback meeting in response to the draft findings. Meanwhile consultation will take place with regard to the establishment of a role of Executive Director of Adults and Health. Again, these are credible and welcome recent initiatives, but they do not detract from the criticism of past decisions or from the need to ensure that these immediate steps are seen through for the long term.
- 2.22 Finally, on this point, we asked two senior head teacher representatives about the stand-alone education role and function. They stated their strong preference was for education to be subsumed under the role of a DCS and within a children's department, in accordance with statute and the norm, not least because the bulk of their interface with the LA now concerns SEND and the needs of vulnerable children. It seems therefore that the actual views of these representative head teachers are significantly at odds with the assumptions of WSCC.

### **Senior Management Churn – and Organisational Culture**

- 2.23 At the start of the commission, conscious that WSCC had some reputation for a degree of senior management churn that might relate to the stability of



children's services, we advised WSCC of our intention to speak with at least some former managers who had recently left. The immediate response was that any such reputation for churn was over-stated, and any senior turnover was within the bounds of what should be expected in an equivalent council. In fact, this has become almost a defining feature of the intervention so far. It is fair to say that in commenting on the draft the Chief Executive takes strong issue with both the emphasis on the quantity of the churn and especially with the focus on the various narratives that some people perceive to be at the heart of the churn – the issues discussed below about corporate culture. These points have been considered in the redrafting of the report and reflected in the summary statement on behalf of the Chief Executive below. The challenge for the Commissioner has been to reconcile that perspective with the litany of stories from some current and several previous managers about their direct experience of the corporate culture in WSCC.

- 2.24 The Chief Executive had presented his own data which shows an average senior management turnover (at ELT and CLT) of between 30% and 50% for each of the three years leading to this one. In purely quantitative terms that is a deeply troubling statistic for any organisation seeking general stability, let alone to create the conditions to facilitate children's services improvement. To better understand the issue, we requested that WSCC should conduct an analysis of the turnover. That exercise was completed on time but actually contained minimal actual analysis of the reasons for management turnover. A further request for comment about any form of systematic exit interview process through which the organisation might seek learning from the reasons for turnover was met with a less than satisfactory response.<sup>6</sup>
- 2.25 The Chief Executive has a rationale for the history of turnover; that it relates to the tactical and in part deliberate deployment of a series of stages of appointments during his tenure. The first phase was the incumbent group of interims he inherited in a structure and organisation which he argues was dysfunctional and so some immediate turnover was necessary and desirable; the second was a set of appointments to move the organisation on to a position where it could be more stable; requiring the third and current round of appointments increasingly of a permanent rather than interim nature for the longer term. The Chief Executive also argues that he has been battling against a longstanding organisational reputation for churn based not least on the perceived political insecurity of his own position because of the frequent turnover of his predecessors. This may well be so. Nevertheless, this seems at best a prolonged and elaborate approach to achieving the sort of stable and

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<sup>6</sup> Since the presentation of the draft report, WSCC and the Chief Executive have separately presented further data which suggests the above figures may be inaccurate. At this point it is impossible to be definitive other than to say confidently that the level of senior management churn in WSCC has been unsustainably high for several years, that the actual scale is not clearly understood and, more importantly, the impact of the churn has either not been recognised or not been a matter of concern to the organisation.

committed leadership that any similar organisation should crave. It also does not account for the challenging stories explaining the reasons for individual departures.

2.26 More problematic than the sheer quantity of the turnover is the series of narratives we have been offered by the individuals concerned, describing their experiences in WSCC both during their time at WSCC and leading up to, if not causing their departures. Every large organisation will have its disaffected leavers, and this has not been a forensic or fully comprehensive analysis. But we have found ourselves devoting substantial time and effort in these interviews, which began as a limited attempt to better understand the state of the children's services and corporate leadership, but became, a frankly disturbing set of narratives about experiences in the organisation. These are all personalised accounts and, for the reasons set out in paragraph 2.28 this report does not include the full details of the narratives heard by this review. However, they are referenced in this report because they highlight a number of consistent themes. The themes include:

- A strong and pervasive reported sense of management bullying, which starts at the top of the organisation and is felt implicitly if not explicitly to be legitimised politically and managerially throughout.
- A shared experience of individuals who begin as well-regarded and favoured but become persona non grata after very few errors of judgement or personal clashes. In those cases, senior ostracism is usually and rapidly followed by some form of departure. This was described as moving quickly "from heroes to zeros".
- Some dysfunctional member-officer working relations, which may be superficially informal and friendly but have the capacity to change rapidly, with any problems presumed to be the fault of officers.
- This latter point felt most stark with regard to Children's Services. The Commission found a strong sense that the current failure is perceived as a departmental not a corporate one and a simple reflection of the weakness of the previous senior managers in children's services. Ironically, this Commission has seen much to support an assessment that the previous children's leadership team under performed. But the Commission saw little to suggest that the team was helped corporately including with any sense of effective and constructive support or challenge. There is certainly evidence of a range of initiatives, especially in the months leading up to the Ofsted inspection, but it is difficult to understand how those initiatives remain perceived by some corporate leaders as meaningful in the light of the Ofsted outcome. It is very difficult to see how any children's leadership could prosper in this corporate context. It is also evident that the apparent

lack of organisational corporate self-awareness and self-criticism will have contributed profoundly to this position.<sup>7</sup>

- This culture is perceived by many to start at the very top of the organisation, politically and managerially. Behaviours have been described which can be summarised as unpredictable, unforgiving and belittling. While the key post holders at the top are respected to an extent and in different ways they are also feared by some. It is impossible not to see a connection between the fear and the churn. It might be argued by some that this is a misrepresentation of a resolute approach to leadership. That argument might carry more credibility if the approach was producing results in organisational performance. It clearly is not within Children's Services.
- A shared view of a number of managers we spoke to that if you are in difficulties it will be futile to complain – that complaints or grievances will not be properly addressed but will get lost for a period and then become effectively spent. But that also the act of complaining is likely to mark you out and potentially accelerate your departure.

2.27 Clearly, the leadership of WSCC had limited facility to answer these criticisms prior to the first draft of this report but has been allowed substantial opportunity for comment before the finalisation of the report. The Chief Executive would argue that he has demonstrated through clear documentary evidence the establishment and leadership of a cultural change programme in order to address these and related matters. He argues that this work has produced demonstrable improvement. The Leader would make similar assertions on behalf of her own role as a politician. This report now includes substantial additional comments from both, partly weaved into the report and partly in the standalone sections below. However, the evidence this Commission has found in relation to Children's Services contradicts that argument of demonstrable improvement. The consistency and range of sources of the criticisms outlined in 2.26 above have pressed heavily on this process. I have thought long and hard and discussed with the Hampshire DCS whether to include these points in the report. On balance, we felt that we could not exclude them. While others may disagree, the repeated evidence we have heard from a wide range of interviewees points to something being fundamentally wrong in the culture and leadership of the organisation and to an extent that undoubtedly impacts on the future sustainable improvement of a children's service which is failing the most vulnerable children in the county.

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<sup>7</sup> Without detracting from any of the above comments, there are now more encouraging signs that the new leadership team within Children's Services, under the current DCS, is making a positive impact and the recent significant developments may enable those signs to develop further. The interim DCS is more positive about the corporate support he has received since he arrived post-Ofsted inspection.

2.28 The Chief Executive has argued strongly that this report is unfair because, among other alleged failings, he contends it fails to articulate in sufficient detail the content of individual concerns or narratives and therefore the evidential basis for any subsequent judgements by the Commissioner. He argues the judgements that support the findings are deeply prejudicial and are unsafe because they are not fully transparent in this report. Having considered further representations from the Chief Executive and accepted numerous amendments and inserts to the report, there are several reasons why the Commissioner rejects that argument and will not change the content of the report further.

- The Commissioner has been at pains to repeat, in the report and elsewhere, that it is not the purpose of this report to deal with employment or other processes. The sole purpose of this commission is the improvement of children's services as described in para 1.2, and in particular to form a judgement about the necessary corporate conditions to support that improvement. This is necessarily a summary of my findings
- There is a particular theme within some representations (including but not only from the Chief Executive), explicitly reflected in sections of this report, which is less about challenging the evidence of the identified problems (whether structures, governance or churn) and more to do with the individual blame for those problems. This report not concerned with individual blame. It does not seek to apportion blame as that is outside of its remit. The remit is a judgement about the corporate conditions required to support children's improvement. It is for others to determine if there is a requirement for separate judgements about levels of individual responsibility for the critical analysis here. Those separate judgements would require separate processes.
- The representations have demanded a more detailed presentation of the individual narratives in order to draw out the basis of the Commissioner judgements, especially about organisational culture and churn. This report deliberately does not go into that detail. The individual interviewees spoke frankly to this commission on a legitimate and agreed "Chatham House" basis. That was not least in order to gain frank feedback to inform a necessary and immediate decision on behalf of vulnerable children. It would be impossible to disclose individual narratives here without going into unmanageable levels of detail and also disclosing the identities of those concerned.
- The Commissioner and his colleagues have reached legitimate and careful judgements which are based on the evidence they have found and which are in turn the basis for the findings and the recommendations. The Commissioner stands by those judgements and findings.

- Finally, it is notable that of all the many comments about earlier drafts of this report, virtually none have been directed at Section 3, the section which is focussed on the failing children's services themselves. It is notable that the Chief Executive has stated his broad support for the recommendations in general. The recommendations are serious and significant and are based upon the findings.

2.29 Having accepted above that this serious criticism remains relatively untested and will therefore seem harsh to some in WSCC, it is worth making mention of the individuals we interviewed themselves. Most of the current and former senior staff who met with us did so voluntarily and behaved professionally throughout. A minority were more supportive of the leadership. For some the interviews were obviously difficult, for too many they appeared to be bordering on the therapeutic. Some were more evidently bitter than others, but none came across as "unreliable witnesses" and there was a notable consistency in the themes raised. Many expressed high degrees of sadness – on their own behalf following what they feel have been at best damaging episodes in their careers – but also sadness on behalf of children's services and children in the county.

### **Corporate Governance**

- 2.30 WSCC is a well-established South East county council and as such shares many of the benefits of its equivalent authorities in terms of: the relative (not absolute) affluence of the community it serves; a range of historically strong features to its role, status and function; and by current local government standards, relative financial and political stability. This report certainly agrees with the conclusions of the recent Peer Review team that money is not a central part of the problem, corporately or in children's services, although, as ever, it forms part of the backdrop.
- 2.31 These benefits include undoubtedly capable and committed people, officers and members, who are working hard for the organisation and the community it serves. This is a highly critical report but is not intended to be an assault on those people. Part of their defence is that they are working with features of corporate governance which appear to militate against individuals' capacity to be effective. These features seem highly resistant to modernisation or change, for a variety of reasons. These are mostly more technical issues than the behavioural issues described in the previous section. They can be summarised in three points which seem equally debilitating though the first is probably the most serious.
- 2.32 The council has an idiosyncratic approach to its adoption of the leader-and-cabinet model of political governance. There is a high level of delegation to individual cabinet members who are thus able to take a relatively unilateral approach to their respective decision making. That is perfectly acceptable but has a tendency to increase service silos and reduce collective responsibility. The Cabinet itself rarely meets in public – until very recently only once a year to deal with a statutory financial function. Again, the council's view is that this

is within the legal minimum requirement. However, it arguably emphasises the apparent relative absence of transparent collective responsibility. While most would now acknowledge this approach is hardly conducive to transparent governance there remained evident resistance to change within the political leadership up to the point of the delivery of the draft of this report. Further, there is a “Cabinet Board” meeting which happens generally on a weekly basis, in private, with varying levels of officer attendance according to the agenda. Again, there is much to be said for cabinets to meet in private, including with key senior officers as required, to consider key issues in a less formal manner and setting. But when those meetings are the overwhelmingly dominant form and where the terms of reference for those meetings, such as they are, feed at best a lack of clarity about their governance function, there is a problem. Without question this approach has served a lack of clarity about decision making in WSCC, an uncertainty about individual and collective political accountability, and a problematic officer-member interface. It also contributed substantially to the debacle that led to the departure of the last substantive DCS. That episode is undoubtedly a significant moment in the cultural and bullying paradigm described above. But in fairness we are less convinced how instrumental it was to the Ofsted judgement – that outcome was probably already inevitable, which is not to say the debacle was not deeply damaging to the organisation and to children’s services. The key point here is that this damaging episode appears to have been made possible by the insular approach to cabinet governance.<sup>8</sup>

- 2.33 Secondly, we heard constant complaints from a number of senior quarters, especially but not only from children’s services, about how difficult, slow and energy sapping it is to get reports, and therefore decisions and actions, completed in the organisation. This is more difficult to measure and all bureaucracies have similar issues. We also met a minority of managers who said the reporting mechanisms were not a problem. But even the people responsible for managing and protecting the governance systems acknowledged that many managers struggle with the local system. They said it was the responsibility of those managers to understand and learn to navigate that system. They acknowledged that this would be harder for newcomers and of course the organisational churn creates a lot of newcomers. Many managers spoken to describe spending literally hundreds of hours drafting, submitting, amending and re-drafting reports crucial to the running of services. Some of this is bound to be necessary to secure accurate and good decisions but what was described to us was beyond reasonable and was bound to inhibit good management. There is a strong impression of a

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<sup>8</sup> Since the presentation of the draft report, initial progress is now being made on a substantial overhaul of the governance arrangements including with regard to the management of Cabinet meetings. This is to be welcomed but these are early steps in what will be a complex governance change programme.

governance system which is designed to protect the institution and its leadership rather than to get things done.<sup>9</sup>

- 2.34 Thirdly, we were told about a routine meeting and email culture which is equally debilitating to the cause of efficient and effective management. Incoming managers describe finding their diaries immediately drowning in a range of “essential” meetings which seemed to serve little purpose, absorbed huge amounts of officer time but were generally poorly defined and chaired and inconclusive. Others described a deluge of emails which were so overwhelming as to legitimise them being ignored. Both issues rendered otherwise hard working and able officers relatively ineffective in their roles. These are also issues so apparently resistant to change that they encourage a tendency to go with the flow and collude with the poor governance – not least in the context of an organisation which does not like to be challenged or receive bad news and can be ruthless with anyone who tries to deliver that news. WSCC would legitimately argue that these are challenges of bureaucracy that affect many large organisations. This is a fair point and it is hard to determine if the issue is more marked in WSCC or is simply more noticed by managers we spoke to who are struggling with the other issues described here. In either case as WSCC moves forward this bureaucratic challenge needs further consideration.<sup>10</sup>

### **MPs and Senior Partners**

- 2.35 These two sections are grouped together here partly for clarity because the Commissioner found a striking similarity between the views of these separate groups of external stakeholders. We have spoken to individual MPs and a group of them. The ones we could not speak to were invited to offer any additional opinions, but none did so. We have also spoken with a number of senior partners, most of whom were happy to speak openly in a collective. Some preferred to speak separately or additionally in private. The private conversations only accentuated the collective ones. The reasons for grouping the two here - MPs and partners - is simply because the separate collectively stated views coincide so strongly and must add some veracity to the identified issues.<sup>11</sup>

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<sup>9</sup> Again, it should be noted that the newly proposed revisions to governance in WSCC since the first draft of this report include a commitment to make changes to the procedures for report drafting which is to be welcomed.

<sup>10</sup> In his response to the draft report, the Chief Executive acknowledged the email and meeting culture is “well understood” and work to progress it is underway as part of the cultural change programme.

<sup>11</sup> The political leadership of WSCC has queried whether the MP engagement was representative. The Commissioner attempted to contact all West Sussex MPs during what was an unusually busy August. A meeting was held for all MPs at Parliament. Regrettably that clashed with the new Prime Minister’s

2.36 The outgoing Leader of the Council would challenge the nature and validity of these comments below. She points to a range of activities that have taken place over time including her own direct briefings of MPs to ensure effective joint communication. That specifically included direct personal briefings in anticipation of the Ofsted report publication. In the course of those briefings the Leader reports a strong sense of support from the MPs. She also fairly points out that she did not have a full opportunity during the course of the Commissioner's interviews to deal with these MP concerns (which was partly a matter of timing). That said and acknowledged, it would be remiss not to report these critiques as they were received and argued by MPs and partners. They are obviously strongly held views with a strong degree of mutual validation.

2.37 In summary the combined received views of MPs and partners included that:

- The Ofsted report is at once both shocking and predictable. They are deeply saddened that it is one of the worst reports of its kind any has read, and it is an indictment on their community, local authority and partnerships.
- WSCC appears to them, however, to be impervious to the severity of the judgement and the council's reactions at a senior level are perceived to border on the complacent or cavalier.
- This is indicative of an organisation that is seen to be in a perpetual state of leadership crisis and which is not therefore able to recognise or accept the scale of that crisis as it impacts on services and vulnerable communities.
- That leadership appears generally more interested in the dynamics of power between officers and members from the top down than on seeking meaningful resolution.
- They said the organisation generally feels from the outside to be in constant chaos. This is emphasised by the senior management churn which is having the incremental effect that partners do not enjoy any stable effective working relationships at the highest levels. The lack of

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first meeting with the 1922 Committee. Even so, three MPs attended the Commissioner meeting and expressed their views strongly as summarised below. Subsequently the Commissioner put out further invitations for additional MP input. No further MP comments were received. With regard to partner agencies, the new Children's Leadership Team is confident it is making positive progress now in its partnership working. If so, that is good news but judging by the comments received there is inevitably considerable work still to be done.



such relationships is having a detrimental impact on essential joint working and therefore services and residents.

- There is a sense that WSCC has also become impervious to the nature and impact of the constant management churn - that the rapid rates of turnover are seen internally now as the norm and therefore acceptable, or even presented as purposeful and intentional. To the partners (and MPs) they are not. They are a major impediment to effective partnership working and a direct contributory factor to WSCC service failures.
- This is not least because many of the disturbing stories about the latest falling out or departure (the layering of the organisational narrative), including stories of perceived bullying, reach the partners and further unsettle them.
- That particularly includes a strong external sense that there is a bullying culture in WSCC, starting at the top of the organisation, which is especially destructive.
- Partners and MPs did in different ways recognise WSCC is populated with many committed members, staff and managers doing their best to serve the community. However, the overwhelming emphasis of their stated perspective to this Commission was as described above.

2.38 The consistency and strength of the coinciding views stated indicate - certainly from the perspective of the MPs and senior partners - that something is fundamentally wrong, organisationally and politically, in many of the council's key external relations.

2.39 Following the first draft of this report, WSCC have pointed to the following recent developments with particular regard to statutory children's partners: the move to the Local Safeguarding Children Partnership; the progress of the Voluntary Improvement Board; the progress of the new Children First strategy. These are indeed helpful developments to be applauded and progressed. Furthermore, in his personal response to these concerns, the Chief Executive has pointed to a number of initiatives which he has led during his tenure to promote effective partnership working with partners and Members of Parliament. The Chief Executive would argue that he was doing so in the context of political leadership in WSCC that was not supportive. The Leader disagrees. Again, in the confines of this Commission, it is impossible to analyse in detail the causes of the problem. All that can be said is the above themes were unequivocally put to this Commission by MPs and senior partners speaking separately. Further, while recognising the most recent examples of progress for Children's Services outlined above, it is vital for WSCC to recognise that their introduction largely predates the negative comments made to this Commission. The most recent changes appear positive but have yet to bed in and there is much more to be done.

## LGA Peer Review

- 2.40 In October 2018, WSCC received an LGA Peer Review and the review report was published in early 2019. In the course of this commission we have discussed the review with lead officers, past and present, lead members, past and present, and members of the review team, officer and member. We have identified inconsistencies of opinion about what the review was for and what it achieved. This commission has considered but does not have the resources or indeed the brief to investigate these points closely. Nevertheless, one of the lead reviewers told this commission that the report was written with extreme care with the intention that the authority would listen carefully to the challenges being made to their status quo and in the hope that the authority would be more receptive to its messages. The reviewer is not sure that approach succeeded.
- 2.41 The previous peer review was in 2013. Although it is notable that it was not published, the 2013 review to a degree contributed to the establishment of the twin-hatted arrangement for adults and children and the separation of education. It also apparently tended to endorse the status quo of the localised governance arrangements. The political leadership feel the more recent review (“a horrible inspection”) didn’t “get” WSCC. The Chief Executive has argued that WSCC welcomed the recommendations of the peer review. That is at odds with other perspectives heard.
- 2.42 The commissioning of the 2018 review was immediately following the incident that had seen the departure of the former substantive DCS after the arguments with Cabinet Board. Even through what is designed as a light touch process, this peer review identified significant concerns about risk in children’s services and recommended an independent chair for a voluntary improvement board. That recommendation was acted upon by the Chief Executive.
- 2.43 The 2018 peer review included a consideration of how some of the corporate and political governance concerns described in this report might be taken forward. WSCC leaders might argue that progress was then made, for example with regard to opening up Cabinet meetings. Our current experience is that any such progress remained slow, potentially because it was not driven by a strong enough collective acceptance – probably at least as much by some key officers as well as some key members - that the changes are necessary. The outgoing Leader would certainly dispute that she failed to put sufficient energy into promoting these changes, the Chief Executive that any slow progress was because his best efforts were thwarted by political obstruction. For the purposes of this review the cause of the lack of progress is less significant than the fact of it. Some attempts were made but they were not well received and then arguably stalled as the focus shifted onto addressing the issues identified in the Ofsted report.
- 2.44 It is the judgement of this Commission that the peer review was well done but probably not enthusiastically received. The main purpose in making particular reference to it here is simply to highlight that in the Commissioner’s opinion

whatever other purpose this Peer Review process served it has exemplified how resistant to criticism and change some aspects of the WSCC status quo appear to be. If this Commissioner's report appears forthright it is to avoid the risk of its meaning being lost on the authority.

### **Comments of the Chief Executive**

- 2.45 Following the delivery of the first draft of this report, a range of comments has been received, considered, and, where deemed appropriate, incorporated into the body of the report, through amendments or direct references. These responses have included the outgoing Leader of the Council, DfE, and a collective return on behalf of WSCC. The Chief Executive was afforded additional time to respond in the light of his current personal circumstances. Again, a series of amendments has been made which reflect some of those received comments. But given the issues of timing and also the length and detail of his submission (67 pages plus extensive supporting documentary evidence) it was considered appropriate to dedicate a separate section of this final draft to summarise some of the key themes of the Chief Executive's submission and its impact on this final draft. (That decision then contributed to a full repeat of the comments process – effectively allowing all parties two opportunities to comment.)
- 2.46 It is fair to acknowledge that the circumstances are extremely difficult. The Chief Executive faces the possibility of a formal employment process which may be seen as a response to the work of this Commission. It is vital to stress that at no stage has this Commission proposed any such action and any such action must be dealt with fairly and reasonably as a matter of confidence between employer and employee. It is also fair to state that a key over-arching theme of the Chief Executive's submission is less an argument about some of the findings of this report and more a contention about where the cause or blame may lay for those findings. The core purpose of this commission is to judge the level of confidence that WSCC can continue to run its Children's Services without external intervention. The conclusion is that level of confidence is very low for a variety of reasons. There is obviously then an interest in what steps can be taken to design that intervention (Recommendations 1-3) together with an interest in what will be required in the longer term to re-establish the right corporate conditions for the safe return of children's services (especially Recommendation 11). The consideration of the Chief Executive's comments must not be interpreted as any form of comment on or intervention in any employment process. In that regard it should also be noted that in this complex submission, the Chief Executive expresses clear general support for the recommendations here. He also wished to stress that there have been no complaints or grievances against him personally during this tenure at WSCC.
- 2.47 The following is a summary of some of the themes of the Chief Executive's comments. It is summary only and does not reflect all of the comments nor indeed all of the related amendments already inserted. The Chief Executive argues that he was not afforded adequate engagement with the Commission

in order to advise, prepare and correct as this process went forward. He also feels he was impeded in making fuller comment to the first draft by a lack of access to key supporting documentation held by WSCC. He feels that access was slow and incomplete. WSCC dispute this claim

- 2.48 He argues throughout that the report has underestimated the long term challenge the organisation and he have faced in recruiting suitable senior staff to lead organisational change. He contends that this challenge, while faced by many local authorities, is seriously exacerbated in WSCC because of the organisation's reputation for instability and managerial churn which is politically based and substantially pre-dates his own tenure. He believes he has been evidentially battling those challenges throughout his tenure. He comments on prospective candidates being concerned about his own security of position before they apply given the history of his predecessors in role.
- 2.49 The submission makes a linked thematic argument that WSCC is a "member led" authority and that in particular the reputation of the Leader has contributed to that recruitment challenge. That member-led approach, he argues, has also severely constrained his capacity as Chief Executive to effect change.
- 2.50 The effect of a member-led authority, he argues, is especially evident in the issues of corporate governance, which the Chief Executive states he has been attempting to transform over a period of years but has been blocked by the political leadership and by some senior officers who are protecting the status quo.
- 2.51 With regard to management churn, he argues that the analysis in this report, essentially, under-estimates the scale of the problem that he inherited in 2016 and over-estimates its current position. The figures used here (based in part on information from the Chief Executive during the period of enquiry) are disputed. He contends in effect that the emphasis on the perspectives of some leavers gives too much credence to the bullying narrative.
- 2.52 The submission of the Chief Executive argues that the described member-led context of WSCC was instrumental in the Chief Executive not being able to resolve some of the children's services structural issues which are explored in this report. The structure, it is argued, is in part a function of the history of the authority and the position he inherited, and a function of the continuing expectations of the leading members and their resistance to change. He argues that the rationale described above (2.25) does not fairly reflect all of the reasons for the retention of the structure or the steps he was actively taking to mitigate the structural issues in favour of children's services. He includes a range of documentary evidence including records of his direct meetings with the DCS in post and the minutes of the children's board he personally chaired.

- 2.53 Along with others, the Chief Executive's submission took issue with a number of points of detail included in the original draft report on the Peer Review process. That section has been substantially edited accordingly.
- 2.54 The submission takes issue with the presentation of the views of the partners and MPs which are seen to be an over-simplification of a range of positions and views and do not pay reference to the substantial work done, much of it under his direct intervention, to improve these working relationships.
- 2.55 Finally as a theme, the Chief Executive argues that the report severely understates the steps he has taken throughout his tenure to directly support children's services and actively steer their improvement journey. These steps were in the face of a political leadership that, in his view, has not properly prioritised the services, financially and in other ways. The steps include his support to the DCS, his chairing of the Quality Board, his introduction of an independent chair for a new Improvement Board, his promotion of children's issues to Cabinet, ELT and CLT.
- 2.56 As explained, the Commission has given careful consideration to all of these points and made some amendments accordingly. The paragraphs above are an attempt to summarise fairly a lengthy and detailed submission. There are of course arguments and counter-arguments. The Commissioner would simply wish to conclude on these points here by re-iterating that having given careful consideration to this and the other submissions, and having made a series of amendments accordingly, the core findings and recommendations of this report stand. It is also not the place of this report or this commission to engage in any possible process between employer and employee.

### **Comments of the outgoing Leader**

- 2.57 Following the decision to include the above summary of the Chief Executive's comments, the draft summary was shared with WSCC and the outgoing Leader. The outgoing Leader has made a number of comments in response some of which relate to her original response but all of which are addressed to the summary points above on behalf of the Chief Executive. As a matter of fairness, a summary of those points from the outgoing Leader is also included below. (Representatives of WSCC wish to stress that these comments are personal to the outgoing Leader and not on behalf of WSCC.)
- 2.58 The Leader notes her concern about limited time to make these comments in response to those of the Chief Executive (due to the Commissioner's determination to finalise the report).
- 2.59 The Leader notes that any churn within the organisation is not "politically based" but that the Chief Executive Officer is Head of Paid Service and such issues relate to his time in the organisation. The Leader does not accept the accusation that problems in staff recruitment were the responsibility of herself or other politicians. She refers to a number of senior appointments that, in her view, have been made successfully in recent years against competitive fields.

She implies that blaming herself and other politicians for any recruitment and retention issues is unjust and solely intended to damage her character. She asserts that after 18 years as a County Councillor there have been no issues raised about her conduct or performance with the sole exception of that related to her letter of apology to the previous DCS. She rightly states that she raised her own concerns about the organisation's need for senior stability during her meetings with the Commissioner.

- 2.60 The Leader states that no formal or informal representations have been made to her by the Chief Executive during his three plus years in post to suggest that he has been restrained in any way from making proposed improvements. She argues he has had support and receptiveness from across the Cabinet. That has included resource at his request to hire external consultants and advisers.
- 2.61 It is further refuted that the Chief Executive was blocked by politicians from making changes to governance. Some changes have been made eg with regard to the management of Cabinet Board, either at the suggestion of the Chief Executive or the Director of Law and Assurance.
- 2.62 With regard to Children's Services structures, the Leader asserts that this is a matter for the Chief Executive not politicians. All such management decisions or changes were the responsibility of the Chief Executive alone.
- 2.63 In a subsequent letter of comment, the Leader stressed that this report needed to emphasise more strongly "the very long and extremely deep seated problems in WSCC Children's Services". She notes that during that time (well before her own leadership), and under the leadership of several different Directors of Children's Services, the services had never achieved an Ofsted rating better than Requires Improvement (or its equivalent). She points to a period subsequent to 2010 when considerable and sustained effort over three years was starting to pay dividends but was "not enough to deal with the strong prevailing culture and lack of aspiration, all of which played a considerable part in the service drifting back to where it is today. The ingrained acceptance of poor service as a norm remains in the DNA of the service..."
- 2.64 In the same letter the Leader wished to assert a number of examples illustrating her personal commitment to Children's Services which she felt were not well reflected in the original draft. These examples include: her quick and decisive reactions to poor inspections on a children's home in 2018; her appointment of Councillor Marshall as Lead Member; a range of visits to various children's services including homes and teams; strong attendance at the Chief Executive's Improvement Board; decisive intervention in the corporate parenting arrangements. Further to these and other examples the outgoing Leader states, "I hope this demonstrates how seriously I view the need to urgently improve the Children's Service and the importance of a Leader demonstrating a commitment to the service and of hearing the voice of

the child.” She feels that the draft report was unfair in its failure to better acknowledge her commitment.

- 2.65 The Leader states further that the Chief Executive is seeking to assert that the decline in Children’s Services was the responsibility of herself or Cabinet Members. She particularly notes that at the time of the current Chief Executive’s appointment there were three strong candidates in the field. All three candidates were strongly advised by the Leader personally that she regarded Children’s Services as a critical challenge and priority for the authority. This followed the RI outcome to the 2015 inspection. Once the current Chief Executive was appointed, that message was reiterated. Part of the Chief Executive’s response at that time was to commission external consultants to support the improvement journey but that contract was closed with no reference to the Leader or Cabinet. The Leader argues that throughout the Chief Executive’s tenure he gave assurances about his record of improving Children’s Services. He chaired the Quality Assurance Board and the outputs of that Board gave the impression that the service was improving, as did the Chief Executive’s comments to the Leader personally. The Leader states that she encouraged personal support to be given to the most recent substantive DCS. She was assured those supports were in place but is no longer confident in that assurance. She further notes that the Cabinet received very positive presentations between 2017 and 2018 indicating that the services were improving. Those positive messages were reinforced in her direct conversations. The Leader states in this submission – as she clearly stated in her interviews with the Commissioner – that her first indication that all was not well in Children’s Services, and contrary to the positive message she had been receiving, came with the children’s homes Ofsted inspections in 2018 which “seriously alarmed myself and Cabinet.” It was at around this time that a highly optimistic presentation to Cabinet Board had been followed by urgent requests for substantial new investment to address social work shortfalls and avoid a poor Ofsted outcome. By this stage political confidence in the senior management of Children’s Services was badly damaged.
- 2.66 These comments on behalf of the outgoing Leader are intended to counter-balance the commentary of the Chief Executive which she regards as unjust and unfounded.

## **PART THREE**

### **Children’s Services: Leadership, Management and Practice**

- 3.1 This brings the report to the core issues around children’s services themselves. The following section has primarily been informed by a team of sector specialist managers from Hampshire who have spent direct time with their counter-part managers and services. This was an exercise of service assessment and diagnostics which has been separate from but has closely informed the core work of the commission. They have developed a detailed analysis about what is needed to improve service and practice. This exercise is in parallel with and but has complimented the work of the Commission. It

took place in the early Summer 2019 when the interim DCS was appointing his new management team, which is to say before that team could have any impact. It has focussed on the following areas of children's services:

- Integrated Prevention and Earliest Help (IPEH) including Care Leavers
- MASH
- Assessment and Intervention
- Family Support and Protection
- Corporate Parenting/CLA
- Children with Disabilities
- Fostering and Adoption
- Independent Reviewing officers and Child Protection Advisers
- Performance and Quality Assurance
- Transformation
- Leadership and management

3.2 It has been interesting to see how the general departmental assessment, done largely separately, has mirrored the corporate one in many respects.

Organisational culture is often defined as the underlying beliefs, assumptions, values and interactions that contribute to the environment of an organisation. More commonly described as 'the way things are done around here', that includes: the ways the organisation conducts its business, treats its employees, customers and the wider community; the extent to which freedom is allowed in decision making; how power and information flow through the hierarchy; and how committed employees are towards the collective objectives. Organisational culture is transmitted by the stories or narratives that people within the organisation tell about it and themselves, to themselves and others. Some of the narratives that we heard were damaging and deep rooted. Some of them were perhaps self-serving.

3.3 We were also told within the department a consistent narrative about a longstanding culture of bullying and destructive behaviour by political and corporate leaders. Cabinet meetings were described as a 'ritual flogging' with reports returned to be re-written dozens of times. Criticism was perceived as being personalised. Senior managers describe having to re-write key reports for one senior leader then re-writing for another and then another. What is also remarkable is the way in which this exposure by senior managers has filtered through the organisation so that relatively junior managers are able to describe the 'blood on the carpet' and perceived bullying of certain key events. This, in turn, seems to unwittingly permeate their behaviours (not necessarily as bullying by them but as disempowered bystanders, not leading services effectively).

3.4 We were consistently told that caseloads were high and that resources were low as a result of children's services not being supported corporately. There was a narrative amongst senior managers that x amount of additional social workers would mean that the council would be rated as 'required improvement' rather than inadequate. In fact, there is relatively little evidence



of seriously and consistently high caseloads and, to some degree, it is a convenient narrative that needs to be reversed so that professionals feel well 'held' by the organisation in which they work and also so that the depth and complexity of the failure is better understood and embraced. Similarly, the level of funding provided by the council, whilst it is as challenging as it is for all local authorities, is not markedly different in West Sussex to other shire counties.<sup>12</sup>

- 3.5 There was evidence of confused thinking. Layers of management had been added to address specific issues without thought being given to addressing the core of social work practice. Managers described resources being available corporately for special projects which led to a lot of 'bolt-on' resources with insufficient attention given to the critical activity of safeguarding and looking after children. The new Children's leadership agree these points and in return the Commission supports their initial reluctance to lurch into further restructuring. This nettle will need to be grasped soon however as it will not make sense to retain a dysfunctional structure.
- 3.6 There is little or no evidence of effective challenge to political and corporate decision making through the select committee. Similarly, the corporate parenting board is still in need of substantial support to enable its effectiveness. That support needs to include a review of membership to ensure the right balance between respectful challenge but a much better informed understanding of and support for the nature of the services concerned.
- 3.7 What is also clearly evident from almost every discussion, is that there has been little space in the council or the service at any senior level, for respectful uncertainty, discussion, consideration or disagreement. This has been critical in the systemic failure of Children's Services which are, by their very nature, complex, contested and uncertain. Managers talked about being unable to raise problems and that disagreement was not tolerated. The Commission appreciates that the new managers stress these are features of the former regime. That may be so, but it is of vital importance that the new leadership recognises that the Commission was faced with these concerns during the Summer of 2019. The concerns have not gone away and will not do so without designed, concerted and collective effort.
- 3.8 Again, it is remarkable the degree to which this culture filters right the way through the organisation so that front line managers feel disempowered to make decisions in a respectful, considered but assertive way and so effectively do tasks themselves, relieving social workers of tasks that they

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<sup>12</sup> WSCC is justifiably keen to stress that in more recent months well evidenced progress is being made on, among other things, managing vacancies and therefore caseloads. They also acknowledge that the progress "has yet to result in significant impact on the quality of social work practice." We would agree.

should be carrying out. So managers are working “down” in an attempt to take pressure off the front line but with the effect of disempowering staff and exacerbating the pressure. In fairness the direct evidence or narratives of bullying were not apparent within the front line management of children’s services, perhaps because of the passive approach to management.

- 3.9 This latter point has also been described as a ‘collective guilty conscience’ whereby managers do not feel that they have permission to make decisions or are unwilling to make difficult decisions, instead they try to do the job for practitioners, so everyone is acting down, below their grade.
- 3.10 Almost all of the children’s managers that were interviewed had confidence in the ability of the current DCS to effect short and medium term change. When asked to project this beyond the next 12 months (when the current DCS will leave) few, if any, could convey any confidence that any improvement could or would be sustained. As well as pointing to a lack of confidence in the County Council, this also reveals an unhelpful focus on key individuals (throughout the council). Improvement needs to be depersonalised and focused on systems, distributed leadership, processes and compliance and empowered managerial grip which will successfully ‘hold’ social workers in order that they can carry out their difficult role with the right levels of support.
- 3.11 Historically, because of the idiosyncratic nature of decision making, there has been insufficient effective strategic oversight of the use of resources. There is now a “voluntary” improvement board under a local appointed independent chair, and a corporate board under the chair of the Chief Executive. These arrangements were introduced in preparation for Ofsted with limited degrees of success. The new DCS has introduced a change programme called ‘Children First’ which is again a sensible first step. These improvement strands along with what is now a well received Ofsted improvement plan need to be brought together into a coherent whole. There is evidence this is now beginning to take place, but it must come under the firm control of a new and empowered external improvement mechanism.
- 3.12 Before going into the other themes particular mention should be made of IPEH. This locally developed brand and structure for early help services strongly divides opinion and is perceived, to varying degrees and with some justification, to have been influential in the demise of core social care services. IPEH is separately described as: the most innovative and radical step the services have taken in the interests of preventing vulnerable children from coming into the higher intervention and more costly social care services; or it is seen as a “shiny thing” (a repeated phrase) that was loved and protected by some senior officers and members and which sucked in a disproportionate level of resource, with limited challenge or accountability and no evidence of effectiveness with regard to the council’s core child care duties. This commission is heavily in the latter camp. The symbolic issue of the development of an integrated prevention and early help service is writ large. The service was intended to be the cornerstone of West Sussex’s strategic plan to reduce demand on core safeguarding services and the resultant cost,

but the plans were dogged by public disagreement and revision which ultimately undermined the plan. The service has not delivered in that core regard and is still not fit for purpose. IPEH is something of a silo within a children's silo and is regarded internally and externally as not to do with children's social care. If its services are targeted, they are not effectively targeted to support children most in need and closest to risk of social care intervention. IPEH also includes some bizarre arrangements including services for children leaving care which is simply unhelpful and unsustainable. These are children leaving care not early help services. The whole approach needs to be de- and then re-constructed. (Notably, what this means is that this commission actually partially supports the case being made by political leaders last autumn – that any new resources for social care could have been sought from IPEH, but it needed to be through a sensible and evidenced approach. It was the manner and means of that argument that were more damaging than its content.) The department's new leadership supports this general analysis and has commenced work to address it including through the appointment of an Assistant Director of Early Help and other relevant reforms, but these inevitably are at an early stage of development.

3.13 The following is a summary of the other themes that have reached across the remaining components of children's services – to varying degrees – and contributed to the systemic failure. There have been other issues, but these were found to be related to one or two teams, or one office, so they have not been considered systemic. However, the following are the key points and can be cross referred to appendix 1:

1. Silo working – as much as this feature applies to the service as a whole within the council, it applies to individual children's services within the department. The current structure is not fit for purpose – senior managers create tensions as they are protective of 'their' service or function boundaries.
2. Managers and practitioners talk about cases, not children. The voice of the child is all but silent in West Sussex. There is a lack of professional ownership of the impact, or lack of impact, on children's lives. This links to organisational culture.
3. There is confusion about thresholds across the service. Thresholds are not well defined or understood and this feeds dangerous confusion and tension within the department and with and between partners. This confusion is exacerbated by an alarming level of perceived discretion between managers in the excessive numbers of handover points in the child's pathway. This begins at the MASH which is not working well, contrary to the perception of some in the service who appear to have developed a benign interpretation of the Ofsted criticism. It is now recognised by the new leadership team that the MASH requires significant improvement, and the new Deputy Director has given swift leadership in this area since starting in August. This in particular is in relation to the

application of thresholds and the referral pathway into Assessment and Intervention.

4. Capacity – there is a narrative of insufficient capacity across the services. Actually, while this is not a detailed financial analysis, our judgement is that the service generally appears at least reasonably resourced. The issue is more about the deployment of those resources and the efficient functioning of the services and the people within them. That said, as ever in these circumstances, the cost of recovery will be significant, and the council has creditably made immediate and substantial costed commitments.
5. There is varied acceptance and ownership of the Ofsted findings – many if not most interviewees think it is ‘not about them’ and the problems are perceived as elsewhere in, or external to, the Department. The view is that ‘everybody’ saw it coming yet no-one was able to prevent it. This feels symptomatic of a culture lacking in clear accountability.
6. There is a commensurate perceived lack of ownership of the service by the council, both politically and corporately. We certainly encountered evidence of highly critical corporate attitudes (from politicians and officers) and especially of a low regard for the business management capacity of children’s services. We saw far less evidence of any systematic and effective attempts to improve that poor business capacity, which was also aggravated by the structural isolation of the service.
7. Senior children’s managers and leaders have not been sufficiently visible at the front line and are blamed by practitioners for a lack of decision making. By the same token, those managers do not feel empowered to make decisions. One common narrative is of the former children’s management team routinely breaking down in tears in the course of meetings.
8. There is a significant lack of basic process, policy and procedure. That leads to confusion, inconsistency and a ‘justification’ for non-compliance.
9. There has been an inconsistency in the application of an effective social work methodology. Signs of Safety was ostensibly adopted, and this is probably as good a model as any. But like any such model, once adopted it needs to be actively and consistently applied. Some parts of the service apply it, partially, most don’t at all. There was confusion amongst some senior managers about how to apply the model. The new Children’s leadership are now re-adopting Signs of Safety and are developing an implementation plan with external support. This will be led by the new Assistant Director for Safeguarding, Quality and Practice who has a strong background in this work.
10. Structure and management grades and layers and other roles are not clearly understood (which links to capacity). There are too many layers of management. Below the DCS the managerial and professional structure is

much too complicated, with too many layers and a lack of clarity about individual roles. Below the Chief Executive the following, in theory, have some responsibility for oversight of children's social work practice:

- Director of People
- Director Children's Services
- Assistant Director (recently added)
- Head of Service (recently deleted)
- Service Development Manager
- Service Lead
- Group Manager
- Practice Manager
- Advanced Practitioner
- Senior Social Worker
- Experienced Social Worker
- Social Worker
- Newly Qualified Social Worker

(The Hampshire equivalent of this chain of command is approximately half the length.) So many roles of responsibility and such poor practice at the far end of the chain. As well as being a recipe for confusion of accountabilities, and costly in itself, we were told how this periodic "layering" of the structure has served over time to draw the best practitioners away from direct practice and into quasi managerial roles for which they were ill prepared or trained.

11. In my view performance management is ineffective. There have been a number of attempts over time to introduce different frameworks. Some appear to have been too complex for a relatively immature and fragile workforce. Others simply lacked buy-in or managerial commitment. All are compromised by the unreliability of data. All are also compromised by a further cultural feature that it is difficult to challenge practitioners, even with sound evidence, because there is a fear of the reaction. The established "truths" that caseloads are too large and unmanageable, and that the practitioner task is too difficult, have militated against responsible and evidenced management challenge. There is not yet a framework for effective case audit though progress is more recently being made in this regard.
12. There is a history of measuring and not managing and key messages about a decline in performance not being heard. Examples were given of performance reports being overwritten in order to avoid 'bad news'. Performance is not owned within social work teams, generally being 'done to' them. This means that problems are not picked up, shared and resolved, reflecting the broader organisational culture
13. Subsequently, practitioners' and managers' understanding of what good social work practice looks like is exceptionally limited. This means that

most good practice is more by luck than judgement. It also encourages a narrative of 'good enough', which it isn't.

14. The narrative of high caseloads is only partially correct and needs to be turned around by leaders – there are only small pockets of genuinely high caseloads. But the lack of management grip means practitioners don't feel safe to practice, hence caseloads feeling too high for them. This is not to say, again, that the people aren't skilled and hard-working. They generally are but they are lacking direction and the general culture and malaise actively impedes good practice. We met with several people who we believe on arrival brought high standards into their role in West Sussex but quickly began to compromise those standards as they began to follow the grain of the authority. The scale of the task to shift these individual and group behaviours over time to support genuine improvement cannot be over-stated. The new Children's leadership has more recently introduced some interesting work on behaviour change which could be helpful.
15. The perpetuation of a blame culture (which works both ways) means that senior leaders often feel beholden to frontline staff. The result is a compromising of standards and therefore a lack of compliance. Managers are often 'acting down' and doing rather than coaching, enabling and managing social work activity. The one arguable silver lining to this aspect is that our assessing managers saw less evidence of the more overt corporate bullying culture within Children's Services. It seems not to have filtered far down into children's services and its culture.
16. Within the service there is a perception of a lack of leadership vision and direction over the last few years, linked to a historical service narrative which 'blames' a restructuring in 2015 for some of the current problems. That perception, however, also feeds a resistance to any form of further restructure (to undo those problems).
17. As stated previously, the current interim DCS has the respect and confidence of the politicians, corporate leadership and the service. However, he is an interim for the next year and has committed on this basis.
18. The new DCS has begun to address these cultural and service challenges with a new cohort of Assistant Directors – almost the entire previous cohort of senior managers having now left. This is welcome and the new appointments seem strong at this early stage. The DCS has rightly held off further restructures on the understanding that this review needed to be completed before making long term changes.
19. The structure below the Assistant Directors needs simplification. There are too many interfaces between different teams which leads to organisational territorialism and which means that the child's journey is disjointed. Consideration needs to be given to different structural models. Staff have raised the spectre, as they see it, of the 2015 re-organisation which is writ

large in the organisational narrative as a point of contention. However, the nettle needs to be grasped in due course as the current structure is an obstacle to improvement.

20. Corporate Transformation capacity and capability is currently being formed, but there are also plans to undertake a whole council redesign using a Target Operating Model (TOM) approach. It is not yet clear how this will overlap with the changes that need to occur in Children's Services and there is a significant risk that the corporate reforms create a further distraction from the changes that need to occur in Children's Services. That risk should not be accepted and certainly any transformation which is not steeped in understanding of children's services should not be progressed on those services.
21. There is adequate or better HR, IT, financial and other corporate support to support Children's Services. The new Interim DCS is especially complimentary about the support he has received in post. However, such resource has hitherto been ill directed and not sufficiently focused on supporting the social work task. Managers told the commission they perceive the corporate functions as obstacles to be overcome rather than supporting an essential service.
22. Similarly, the previous wholesale outsourcing of key admin functions has been blamed by managers, probably justifiably, for a series of administrative failings which have had a detrimental impact upon social work practice. At this point the reality of these failings (which we have no reason to doubt) is almost less relevant than it now being a critical narrative that the service tells about itself and which reinforces the notion that support for social workers has not been important and their voices are not properly heard, which of course has the added effect of legitimising non-compliant behaviours on their part in return. WSCC needs to regain the confidence of its practitioners while at the same time introducing a stronger professional discipline amongst those practitioners. That is the essence of the future challenge.

### **General Conclusion**

- 3.14 As repeated throughout, this report describes a challenging picture for Children's Services in West Sussex. It will be of small consolation to the authority to know that it is almost as hard to deliver the report as it will be to receive it. It has also been repeated that there will be various perspectives and a number of them will directly challenge or contradict the content of this report and the judgements drawn. The report does at least try to reflect that point throughout. What the report cannot avoid however is a sincere attempt at fairly reflecting the weight of the evidence that the Commission has found. Since the first draft of this report was presented substantial and urgent actions have been taken by the local authority which appear to be closely in line with the core recommendations above. (That statement is a reflection on the systems changes, not the personnel issues.) These are enormously difficult

but vital first steps and those involved should be commended for that work. One of the weaker historical features of WSCC appears to have been a strong resistance to criticism, organisationally and individually. This immediate constructive response displays a refreshing willingness to accept and address these critical findings. That must bode well. There is a maxim drawn from the Children Act 1989 that the welfare of the child should be the paramount consideration. That maxim seems more apparent in the county now and that, coupled with the recent determination, suggests that West Sussex County Council is certainly “fixable” in time with regard to children’s services, providing the recommendations here are accepted, treated seriously and implemented fully.

**John Coughlan**

**31 October 2019**



## Appendix 1

### Overarching Cross Cutting Themes

- Silo working in service areas - impacts significantly on the journey of the child - the 'child' is lost in the service
- Senior managers are protective of their part of the service, creates blockages - impacts adversely on the journey of the child
- Systemic lack of management challenge, inconsistent management oversight and decision making at all levels of the service
- A service wide culture of managers being beholden to Social Workers, 'protected from challenge'. Fundamentally undermines the authority of management
- Confusion of thresholds evident across the service – inconsistent responses to children/risk
- Capacity – the perception and reality – there is poor deployment of resources with unnecessary layers of management and too many unnecessary specialist posts
- Little genuine acceptance/ownership about Ofsted findings – majority recognise the failings but attribute it to another part of the service – not themselves. Barrier to sustainable improvement
- Service wide historical narrative - 'blaming' of 2015 restructure features extensively across the organisation – paralyses further change, despite it being urgently needed
- Significant confusion, lack of clarity and inconsistency in understanding and applying social work processes, policy and procedures
- Systemic failure to achieve basic compliance – managers at all levels have failed to take responsibility for this
- Service wide inconsistency in the application of social work methodology (SoS) compounds the confusion - a framework is required but it must be embedded at all levels and led from the top
- Structure (transitions) and management grades/layers not clearly understood (links to capacity above) – many staff report they do not know who their senior managers are
- Performance management process systemically ineffective. No coherently applied consistent framework across the whole service
- QA framework, systemically ineffective. It is separate from operations, not embedded into practice and leading to fragmentation and confusion and negligible impact on improving social work practice
- Understanding what good looks like is exceptionally limited
- Continued narrative of high caseloads needs to be reworked by leaders
- Poor communication up and down the organisation drives inconsistent practice
- Perception of senior leaders and senior managers is very negative
- Lack of a clear vision and narrative for the service, impacts adversely on driving change

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