

Mr Marshall, Cabinet Member for Children and Young People	Ref No: CYP02 (19/20)
August 2019	Key Decision: Yes
Adoption of an Improvement Plan for Children's Services	Part I
Report by Director of Children's Services	Electoral Divisions: All
<p>Summary</p> <p>Following the Ofsted inspection of the County Council's Children's Social Care Services in February-March 2019, an 'inadequate' judgement was given in Ofsted's report published on 8 May 2019.</p> <p>In responding to the judgement, the County Council must prepare an improvement plan that demonstrates its capability and capacity to improve children's services to a satisfactory standard. The plan now presented for adoption is known as the Children First Practice Improvement Plan; this reflects the ambition to make the experiences and the voice of the child central to the future delivery of all children's services.</p> <p>It is supported by an investment plan which identifies the resources required to deliver the requirements of the improvement plan.</p> <p>Following approval for the adoption of the Plan, it will be submitted to the Department for Education. This will lead to a process, described in the report, which will determine whether or not the County Council should retain responsibility for the direct provision of Children's Social Care Services.</p>	
<p>West Sussex Plan: Policy Impact and Context</p> <p>The plan to improve children's services is fundamental to the effective delivery of the West Sussex Plan priority of 'Best Start in Life'.</p>	
<p>Financial Impact</p> <p>The cost of implementing the improvement plan is £17.7m split between £5.1m permanent increase in base budget and £12.6m temporary investment. Further detail on how these funds will be drawn down and how spend will be managed and monitored will be considered separately in the Total Performance Monitor.</p>	
<p>Recommendations:</p> <p>The Cabinet Member for Children and Young People is asked to approve:</p> <ol style="list-style-type: none"> 1) The adoption of the Children First Practice Improvement Plan for Children's Services, for submission to the Department for Education. 2) The commitment, in consultation with the Cabinet, to fund the investment required to deliver the improvement plan as described in the investment plan. The detailed governance and monitoring of the investment plan will be the subject of further consideration and approval. 	

- 3) That a Children First Strategy be developed, to give broad strategic expression to the County Council's aspirations for children, with the proposed strategy to be presented for further consultation and approval in due course, with the intention of launching it in October 2019.

Proposal

1. Background and Context

- 1.1 In February-March 2019, Ofsted (the Office for Standards in Education, Children's Services and Skills) undertook an inspection of the County Council's children's services. Ofsted's subsequent report, published on 8 May gave an 'inadequate' judgement. Ofsted found "widespread and serious weaknesses" in West Sussex children's services and took the view that failings were persistent and systemic.
- 1.2 Arising from the judgement, a Statutory Direction from the Department of Education (DfE), dated 4 June 2019, requires the County Council to prepare an improvement plan. The purpose of the plan is to demonstrate to the DfE that the Council has an effective and deliverable action plan to address the areas that need to improve as identified in the inspection report, and to demonstrate its determination to improve outcomes for children in West Sussex.
- 1.3 The decision set out in this report will lead to the submission of the Council's Children First Practice Improvement Plan to the DfE. Ofsted will initially advise whether the Plan suitably addresses the findings of the inspection report.
- 1.4 The Secretary of State for Education has appointed, from 4 June 2019, a Commissioner for Children's Services in West Sussex to oversee the Council's response to the Statutory Direction. The Commissioner is John Coughlan, the Chief Executive of Hampshire County Council, and its former Director of Children's Services.
- 1.5 The Commissioner will, over the course of three months following appointment, assess whether the Council has the capability and capacity to improve the service. The Council is expected to co-operate closely with the Commissioner as he comes to his decision. The outcome of this process will inform the Commissioner's recommendation to the Secretary of State in relation to whether or not the County Council should retain responsibility for the direct provision of children's social care services; and if not, to advise what alternative arrangements would be most appropriate. The Commissioner is expected to report his formal recommendations to the Secretary of State by 30 September 2019.
- 1.6 Regardless of the outcome above, the performance and progress in delivering service improvements in West Sussex will be assessed through a sequence of quarterly Ofsted monitoring visits that are expected to commence in autumn 2019, as agreed between Ofsted and the Director of

Children's Services. These will culminate in a re-inspection of the service, probably during 2021.

2. Areas for Improvement and the Council's response

2.1 In its judgement, Ofsted identified 12 areas where the service needs to improve:

1. The infrastructure and services to support good-quality social work practice, reducing the number of transfer points for children. Clarity regarding the expectations of the workforce, including practice guidance and procedures and the quality of staff induction and training.
2. The quality of social work practice, to assess, support and protect children who experience neglect.
3. The effectiveness of assessment and planning for children in private fostering arrangements and 16- and 17-year-old homeless young people.
4. The quality of plans, particularly in relation to the focus on critical issues for families, timescales for actions and the consideration of what will happen if improvements are not achieved or concerns increase.
5. The quality of social work recording, including the inclusion of intelligence and an analysis of the critical issues for children in return home interview records.
6. Permanence planning for children, including the availability and use of foster-to-adopt placements, timeliness of assessments and planning for unborn babies.
7. The quality and timeliness of life-story work.
8. The quality and regularity of supervision, management oversight, direction and challenge, at all levels.
9. The effectiveness of quality assurance arrangements.
10. Staff recruitment and retention so that children experience fewer social workers.
11. The rigour and impact of corporate parenting arrangements.
12. The active engagement of all relevant partners to tackle weaknesses in services and improve outcomes for children.

Actions taken to date

2.2 The Council has previously recognised and acknowledged weaknesses within the service. These have been the subject of remedial action, and measures put in place since 2018 or already in train, as part of the delivery of the now formalised Improvement Plan, are summarised below:

- Setting up a Children's Improvement Board, with an independent chair to review and challenge the Improvement Plan;
 - The appointment of a new Director of Children's Services with experience of overseeing a local authority improvement process;
 - The appointment of senior improvement leads to work with the service;
 - Strengthening the role of the Corporate Parenting Panel;
 - Investment of £5m to increase the number of social workers from November 2018, with a further £5m allocated to the Improvement Plan;
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- Implementing a broad workforce development programme under the three main themes of Resourcing & Talent, Learning and Development, and Leadership and Culture;
- A Recruitment and Retention initiative for social workers, as part of a broad workforce development programme – discussed in more detail at 2.3 below;
- A continuing programme to address the quality of practice: already in hand are measures to improve the identification of neglect; a review to improve quality in children’s residential homes; and improvements to practice standards and data quality;
- Setting out a major training and development programme for staff, to improve social work practice;
- The development of a Children First Practice Improvement Plan, with a clear vision and measures of success, which puts the voice and experiences of the child at the heart of services: this is the subject of the current report.

A Strong Workforce

2.3 Having a fully resourced, skilled, supported and motivated workforce is the cornerstone of all the service improvement aspirations. Reducing unacceptably high caseloads through closing the vacancy gap is the most tangible expression of positive change being made in the service, and through the actions already being taken, caseloads have significantly reduced. The following are some key features of the work undertaken to date (as at 8 July):

- The Vacancy gap has reduced from 18.5% in February to 7% in July;
- This outcome is supported by a Recruitment and Retention offer, which has currently been taken up by 85% of eligible staff;
- 75 FTE Agency Social Workers are in post to fill the remaining vacancy gap and support the reduction of caseloads;
- The initiative in place for Newly Qualified Social Workers is demonstrating effectiveness, with the fresh intake of 41 NQSWs coming on-stream; 7 new Apprentice Social Workers have also been recruited;
- Good progress has been made with the management of sickness and other long-term staff absence.

2.4 Other key areas of support that are in progress or under development, include:

- Planning for further recruitment that will maintain the vacancy rate at the target of less than 10%;
 - Improving Induction and Supervision arrangements – a key aspect of ensuring staff effectiveness and wellbeing, as well as feeding into more robust performance management arrangements;
 - Putting measures into effect to ensure that staff can continue to develop their professional skills in a coherent and satisfying way;
 - Ensuring that Social Workers receive adequate administrative support.
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3. Proposal Details

Introducing the Improvement Plan

3.1 The key characteristics of the proposed Children First Practice Improvement Plan are:

- It is structured against the 12 Ofsted areas for improvement (as set out at 2.1 above);
- It follows a linked Actions, Outcomes, and Evidence methodology within each of these categories;
- It is proposed that there will be an overarching Children First Strategy into which the Plan will fit – this will embrace the broader context of the collective vision and priorities for multi-agency children’s services, including Early Help; the Cabinet Member is requested to agree to the further development of the Strategy, which would be launched in September 2019;
- There will be an underpinning performance framework to provide unambiguous evidence of progress.

Factors taken into account

4. Consultation

4.1 Consultation has taken place with the following stakeholders:

i. Ofsted Inspector & DfE Commissioner for Children’s Services

Informal discussions about the draft Plan have taken place both with Ofsted, and with the Commissioner. A formal inaugural meeting with the Commissioner took place on 17 June 2019.

ii. Corporate Parenting Panel

It has been agreed by their respective Chairs that the Corporate Parenting Panel will work closely and collaboratively with the Children and Young People’s Select Committee to support the improvement programme. Accordingly members of the Panel were sent copies of the draft Practice Improvement Plan and invited to comment, with such comments being taken into account in the final version of the Plan.

iii. Health and Wellbeing Board (20 June and 29 July 2019)

The Health and Wellbeing Board membership includes local council, Health, Police and voluntary sector representation. The Board received a briefing on the plan preparation process on 20 June. At an informal session on 29 July members received the draft Practice Improvement Plan and discussed how the Board can best give continuing support to the service improvement process.

iv. Improvement Board (18 June and 15 July 2019)

The Improvement Board is the independently chaired multi-agency body tasked with overseeing the improvement of children's services in West Sussex. It provides a substantial consultative function. The Board has commented on the Plan and at the meeting on 15 July endorsed the Practice Improvement Plan for submission to the Cabinet Member for approval.

v. Children and Young People's Services Select Committee (15 May, 19 June and 17 July 2019)

At its 15 May meeting, the Select Committee debated its own future role, and agreed measures to improve its connectivity with the various key interests involved in delivering and monitoring the Improvement Plan. These include regular liaison with the Chairs of the Improvement Board and the Corporate Parenting Panel, the Cabinet Member for Children and Young People's Services, and the Director of Children's Services. It also set expectations for its own close and continued monitoring of the delivery of the Improvement Plan and the outcomes of quarterly inspections.

On 19 June, the Committee discussed how it could engage more closely with the views of service users and front-line staff as an integral part of its future role. It also received an introduction to the creation of the proposed Improvement Plan, together with some examples drawn from it.

At its meeting on 17 July the Select Committee discussed the draft Improvement Plan and recommended it to the Cabinet Member for formal adoption.

vi. All Members of the County Council

The County Council debated the Ofsted judgement at its meeting on 7 June 2019. A Member event was held on 17 July for all members to hear about the plans for the improvements to children's services, the effect of the DfE Direction and the role of the Commissioner. A regular update report will continue to be provided to members on this subject, the first of which was presented to the Council at its meeting on 19 July.

Staff Consultation

4.2 The Director of Children's Services has hosted a series of staff events to give all children's services staff the opportunity to input into the Children First Improvement Plan. These took place at venues across the county during 6-13 June 2019, with two sessions at each location, as follows:

- Thursday 6 June, Durban Road, Bognor Regis
- Tuesday 11 June, Charmandean Centre, Worthing
- Tuesday 13 June, County Hall North, Horsham

These sessions were attended by a total of approximately 200 staff. The views of frontline staff are a valued contribution to the detailed formulation of the improvement programme.

The Director issues a weekly bulletin to all staff on progress with the Ofsted response and other service issues. The Director has met Unison representatives to discuss the background and implications of the Ofsted judgement. Briefings have also been provided to the Council's partners.

Further plans for continuing consultation

- 4.3 All of the stakeholders mentioned above will feature prominently in forward consultation and involvement as the detailed plan implementation process unfolds, alongside the creation of a Children First Strategy and Investment Plan (Recommendations 2&3).

5. Financial and Resource Implications

- 5.1 The Delivery of the Improvement Plan, in the context of a future Children First Strategy, will require appropriate resourcing. A Children First Investment Plan has been developed and provides a high-level assessment of the commitment required. The detail of the governance and monitoring of spend against this plan will be the subject of a future decision process. The spend will be reported in the Total Performance Monitor quarterly. The level of investment identified as needed is shown in the table below, along with the funding already made available.

Investment Budget		
1	Temporary improvement activity	£9.8m
2	Temporary additional capacity	£2.8m
3	Permanent increases to the base budget	£5.1m
Total		£17.7m

6. Legal Implications

- 6.1 The County Council is legally required to comply with the DfE Statutory Direction of 4 June 2019 to prepare an improvement plan, and to comply with the Commissioner's requirements in relation to his assessment of the capability and capacity of the service to improve. Subsequent to this, from Autumn 2019, the Council will be required to comply with Ofsted's stipulations in terms of monitoring and re-inspection of the service. If the County Council is unable to agree a sufficiently robust, good quality plan, or to deliver the anticipated improvements it contains, provision exists for the Secretary of State to remove control of children's services from the Council for a period of time, in order to effect the required improvements.

7. Risk Implications and Mitigations

- 7.1 The Practice Improvement Plan has its own risk register and mechanism for responding to risk. The main risks are shown below.

Risk	Mitigating Action (in place or planned)
<p>i) The Commissioner is unable to agree at the close of his appointment, that the Council has the necessary capability and capacity to deliver the required improvements. This would lead to a recommendation for the removal of the service from the Council's direct control, resulting in reputational and financial implications for the Council.</p>	<p>The Council has confirmed its absolute commitment to putting the child first in the future delivery of services, and pledged the necessary energy and resource to achieve this.</p> <p>There already exists evidence of the Council's commitment and resolve in terms of the improvements so far put in hand (as set out at 2.2 above). These include:</p> <ul style="list-style-type: none"> • a new independently chaired Improvement Board; • appointment of an experienced Director of Children's Services; • taking robust steps to address recruitment and retention issues <p>The Children First Practice Improvement Plan is a comprehensive plan for action, and stands as the codified expression of the Council's resolve to improve services.</p>
<p>ii) There are insufficient resources to deliver the Plan</p>	<p>An Investment Plan is in preparation which will be fully costed: this is aligned to the delivery of the Practice Improvement Plan, and the Cabinet Members have signified that the correct level of resource will be in place.</p>
<p>iii) Failure to maintain momentum in implementation</p>	<p>Strong governance, management oversight and a robust performance framework are being put in place, through the Director of Children's Services and the Improvement & Programme Boards. The role of the Commissioner and later regular Ofsted monitoring visits will serve to maintain rigour. Additional scrutiny will be provided by the Select Committee, Health & Wellbeing Board and Corporate Parenting Panel.</p>

8. Other Options Considered

8.1 Whilst different specific measures could be identified for inclusion in the plan the Council is under an obligation to prepare this Improvement Plan to address the improvement requirements set out at paragraph 2.1 above. Different proposals have not therefore been considered.

9. Equality and Human Rights Assessment

- 9.1 The service recognises the primary importance of child safeguarding, sound family relationships, good parenting and the nurture of children to fulfil their potential. The provision of the service is based on need, as determined through formal assessment protocols. This need is not explicitly related to formally protected characteristics, but any such characteristic is and will continue (as now) to be respected in compliance with equality principles, and taken into account in the way in which the service is delivered.
- 9.2 In terms of those with a protected characteristic, the service will ensure enablement and support across all relevant categories, and this will both continue and be enhanced through the Children First Practice Improvement Plan.
- 9.3 The County Council has an overriding duty to safeguard the Human Rights of children in need, and this has been recognised in the Improvement Plan. The Council is mindful of Article 8 of the European Convention on Human Rights – The Right to Respect for Family and Private Life - and has taken relevant factors into consideration in preparing this report. The processing of personal and special category data is subject to the Council's Data Protection Act policies and procedures in relation to discharging the Council's and its partners' legal responsibilities.
- 9.4 The County Council is also mindful of Article 12 of the United Nations Convention on the Rights of the Child - which states that all children have the right to be consulted and to have their opinion heard on any decision that affects them. Hearing, understanding and acting upon the voice and experiences of the child is a key design principle of the Improvement Plan.

10. Social Value and Sustainability Assessment

- 10.1 The Children First Practice Improvement Plan will directly support improved delivery of the West Sussex Plan priority to give every child the Best Start in Life. Enhancing the protection of young lives and support for family life will continue to build resilience and social capital, and contribute towards stronger and more effective communities. The implementation of the proposals will also respect sustainability principles in accordance with the County Council's strategic policies.

11. Crime and Disorder Reduction Assessment

- 11.1 There are positive implications for Sections 17, 37 and 39 of the Crime and Disorder Act 1998 in the prevention and reduction of crime and anti-social behaviour, and in reducing offending and re-offending by young people, all of which are impacted on by the proposals in this report.

John Readman

Director of Children's Services

Contact: Garath Symonds – Senior Improvement Lead – 033 022 22511

Appendix: Children First Practice Improvement Plan

Background Papers: None
