

Children and Young People's Services Scrutiny Committee

9 January 2020

Children First Improvement – Review of Commissioner's Report and Service Update

Report by the Executive Director of Children, Young People and Learning

Summary

This report updates the Committee on developments in the Children First Programme since its last meeting on 04 December 2019. In particular it discusses the publication of the report by the Commissioner for Children's Services on 17 December 2019, and the Ofsted Monitoring Visit in early December; it provides the latest monitoring information on workforce development; and it introduces a presentation to be made to the Committee on the subject of Permanency Planning.

The focus for scrutiny

The Committee is requested to:

1. note the publication of the Commissioner's Report and the summary provided (Section 1);
2. note the first Ofsted monitoring visit and the draft feedback received (Section 2);
3. note the Leadership and Workforce Improvement narrative (Section 3);
4. note the arrangements in hand for regular witness feedback to be presented to this Committee and/or Business Planning Group (4.1-4.3);
5. receive the current briefing on Permanency Planning (4.4 & presentation to be delivered);
6. note the forthcoming key decisions (5.1-5.3) due to come before this Committee.

The Chairman will summarise the output of the debate for consideration by the Committee.

1. The Commissioner's Report

- 1.1 In May 2019 the Commissioner for Children's Services in West Sussex, John Coughlan was asked by the Department for Education (DfE) on behalf of the Secretary of State, to report as to whether Children's Services had the capability and capacity to improve, following the Ofsted 'Inadequate' judgement, published at that time. He concluded that it did not, and accordingly the service should be transferred to an Alternative Delivery Model (ADM). This section gives a necessarily summarised account of the content of the Commissioner's report, and focuses on its key recommendations.

- 1.2 The rules for government departments regarding pre-election business prevented the publication of the [Commissioner's report](#) until 17 December 2019. The report was debated at County Council on the same day, and will be the subject of a special Cabinet meeting in public on 14 January 2020. The Leader of the Council again apologised on behalf of the Authority for the deficiencies in its services to children and young people, and for the underlying defects of leadership, governance and culture which the Commissioner has identified.
- 1.3 In reaching his conclusions the Commissioner has undertaken detailed research and analysis, based on interviews with a comprehensive range of stakeholders. This investigation included not only the delivery of Children's Services, but also the corporate context in which the service operated. Among the key corporate themes identified were:
- dysfunctionality in relationships between members and officers;
 - an opaque and inefficient style of decision-making, coupled with excessive bureaucracy;
 - an unwillingness at senior level to entertain alternative viewpoints;
 - senior management 'churn' – i.e. frequent changes in service leadership personnel – leading to lack of strategic direction.
- 1.4 In terms of Children's Services, the following broad themes were identified:
- weaknesses and non-compliance in important areas of governance;
 - ineffective scrutiny and challenge, or scope for disagreement;
 - insufficient attention to safeguarding of children;
 - lack of understanding of quality and performance management;
 - lack of focus on children as individuals with needs and wishes;
 - complex and inefficient processes;
 - dysfunctionality in interactions between the leadership, service managers and staff, giving rise to an impoverished culture.
- 1.5 Despite these very serious findings, the Commissioner does acknowledge that recent service improvements provide some encouragement that a return to sound operational practice in Children's Services is feasible. The Committee will be aware of many of these developments, which are summarised against the recommendations below. Notwithstanding these, the Commissioner has determined that, due to the problems he has identified within the broader corporate context, placing the service with an Alternative Delivery Model for the time being is essential to its recovery.

Implementing the Commissioner's Recommendations

- 1.6 The Commissioner made 10 specific recommendations: these and the progress to date in implementing them, are summarised below:
1. **The Alternative Delivery Model (ADM):** This is the key recommendation, and under John Coughlan's guidance immediate steps will be taken to commence the setting up of a Children's Trust. Its formation will take some months to accomplish, and the appointment of an Improvement Partner (Recommendation 3) is intended to guarantee and support continuing service development in the interim.

2. **Appointment of a Commissioner:** John Coughlan has been reappointed by the Secretary of State for a further 12 months; he will provide strategic direction through his chairmanship of the reconstituted Children First Improvement Board, and continue to report to the DfE on the progress being achieved.
3. **Improvement Partner:** Hampshire County Council has been appointed our Partner in Practice in order to provide service development support in the period before an ADM can be formally created. Steve Crocker, the Hampshire Director of Children's Services and his team will work closely with WSCC Children's Services.
4. **Role and status of Director of Children's Services:** Within the County Council's Constitution, the legal role of Director of Children's Services (DCS) is now formally established as 'Executive Director of Children, Young People and Learning' and reports directly to the Chief Executive. The Executive Director now has formal responsibility both for social care and education functions, as best practice dictates.
5. **Status of Improvement Board:** the Board has been reconstituted to reflect Ofsted priorities, Under the Commissioner's chairmanship, and is no longer 'voluntary'.
6. **Management Training Programme:** the Commissioner requires that management and staff have a common and robust understanding of quality and performance, in addressing 'what good looks like' throughout the service: arrangements are in hand to give this effect.
7. **Staff Engagement:** Arrangements are in hand to enact a process of continuous service-wide engagement, to ensure that all members of the service are culturally attuned to the expectations of the improvement journey, and professional decisions are informed by these expectations. One round of leadership team engagement occurred in November 2019, and a further round is planned for January-February 2020.
8. **Improving dialogue with partners & MPs:** The Commissioner stresses that building confidence in the Council's overall leadership and its services to children and young people is essential to corporate health. This is fully acknowledged, and an initial response is the development, with partners of the Children First Strategic Approach, discussed at 5.1 below.
9. **Corporate Parenting Board:** The Board has been reconstituted, and will now be chaired by the Cabinet Member for Children & Young People. In common with this Scrutiny Committee, the expectation of exercising a more rigorous scrutiny function and engaging closely with frontline service delivery and the experiences of children and young people, is being put into effect.
10. **Corporate review of leadership, governance and culture:** The new Leader of the County Council has given strong personal and organisational commitment to conducting a full review of these, and this approach was endorsed at County Council on 17 December 2019. An early example of cultural change is the introduction of Cabinet meetings in public; the Commissioner's Report itself is due to be debated at a special meeting in public on 14 January 2020.

2. Ofsted Monitoring Visit

- 2.1 As part of the journey of improvement, Ofsted is undertaking short, focused monitoring visits on a 3-4 month basis, which will culminate in a full service re-inspection in 2021. The first Ofsted Monitoring visit took place on 3-4 December 2019. The inspectors specifically examined the Assessment & Intervention function and the role of the Local Authority Designated Officer (LADO), whose purpose is to respond to allegations made against adults working with children. Alongside this, inspectors followed up on the progress that has been made across Children's Services to improve the recruitment and retention of staff; supervision and management oversight; and the efforts to reduce caseloads. A 'Position Statement', an overall self-assessment of the service was presented to the inspectors, to evaluate the current quality of practice and identify the gaps between this and 'what good looks like', as an index of the further stages of improvement required. Ofsted agreed that the self-assessment gave a realistic current view of the service.
- 2.2 The monitoring visit was helpful in assessing the progress being made and the challenges still faced in ensuring quality and consistency across the service. Ofsted will be writing a formal letter to the Council with a statement of findings, which is expected to be received on 6 January 2020, and will be forwarded to the Chairman on receipt. Subject to receiving this confirmation, the inspectors informally indicated broadly as follows:
- Some progress has been made in the quality of social work practice, particularly around visits, direct work with children and the use of tools to capture children's views;
 - Staff are highly committed and want to improve outcomes for children;
 - There is a need to ensure that the arrangements to oversee children who are privately fostered meet best practice standards, and are effectively joined up between teams;
 - Staff know their children well and have a clear sense of direction for their work;
 - There is more work to do to ensure the consistent application of thresholds, and the quality of assessments and plans;
 - The service understands itself well, and knows what still needs to be done.

3. Update on Service Improvements

Leadership and Management in Children's Services

- 3.1 The Executive Director for Children, Young People and Learning, and Director of Children's Services, John Readman will be moving to another authority at the end of January 2020. He is taking part in the process of appointing a successor, which is underway.
- 3.2 The importance of a strong and supportive culture as part of the service improvement has been identified in previous reports. Staff engagement sessions around the county during October-November 2019 laid especial emphasis on encouraging staff at all levels to contribute to positive organisational change, and to enter into a constructive dialogue about how

management can best support and value the workforce. The feedback from these sessions has been analysed and is being considered within the service leadership team: a further update will be included in a subsequent report. The next round of discussions with staff is planned for January-February 2020.

Staffing - Vacancy Gap

3.3 The service currently comprises approximately 511 FTE (full-time equivalent) social worker posts. The vacancy gap describes posts where permanent staff are absent, as well as other posts without agency worker cover. For this purpose measurement shows a steady decline from a baseline at February 2019, as follows:

▪ February 2019	18.5%
▪ May 2019	14.9%
▪ June 2019	8.8%
▪ July 2019	6.9%
▪ August 2019	5.2%
▪ September 2019	1.8%
▪ October 2019	1.7%
▪ November 2019	2.3%
▪ December 2019	2.2%

3.4 The current vacancy gap corresponds to around 12 FTE posts. Vacancy gap predictions depend on a number of variables, and for this purpose it has been assumed (a) there are no more leavers than currently known (including those yet to opt into the Retention package); and (b) that all those programmed starters actually commence work.

Starters and Leavers

3.5 During 2019 the number of monthly leavers typically fell from around 7FTE to half this amount. This has been seen as indicative of a more stable workforce; however, care is taken to understand and where relevant learn from the reasons for all departures. The table below shows the current numbers of expected starters and leavers between December 2019 and March 2020 (as at 16 December). The leavers include some staff previously in receipt of the retention payment (which would be returnable). It is important that this situation is closely monitored and responded to, since it appears to introduce some short-term volatility:

Month	Pipeline Starters	Pipeline Leavers
December 2019	1.0	1.0
January 2020	7.3	3.0
February 2020	1.0	8.0
March 2020	0.0	1.0
Net for period		3.7

3.6 Discussions are held with staff giving notice, to understand their reasons for leaving: at the moment no patterns are discernible. What can be said is that there is generally a dip in applications in December, with a renewal of interest in the New Year. Further impetus will be given to the recruitment

campaign at that time, to promote the benefits of working permanently for West Sussex. Existing Agency Social Workers have been asked to consider joining the Council on a permanent basis and certain positive conversations give encouragement. In the meantime the service continues to listen to staff about their experiences at work and what can be done to improve these, with exit data being carefully monitored.

Agency Workers

- 3.7 The vacancy gap has been closed in part through the engagement of additional agency resource: this means that the agency proportion is likely to fluctuate between given months due to specific demand; however the longer-term trend is intended to be downwards. The agency social worker contingent covering unfilled vacancies or undertaking additional work to help reduce caseloads, currently equates to just over 15% of the total qualified social worker establishment (511 FTE approx.); the recent detailed trend in terms of full-time agency workers, is as follows:

▪ May 2019	62.0 FTE
▪ June 2019	72.0 FTE
▪ July 2019	75.0 FTE
▪ August 2019	76.5 FTE
▪ September 2019	73.7 FTE
▪ October 2019	78.7 FTE
▪ November 2019	78.7FTE
▪ December 2019	80.7FTE

- 3.8 The use of high-quality agency workers remains a key element of policy for the time being. Excluding agency workers from the Vacancy Gap calculation above would nominally increase the Gap to about 11%. The long-term intention remains to progressively reduce use of agency staff through increasing the proportion of full-time staff.

Recruitment & Retention Offer

- 3.9 The take-up rate on the revised recruitment and retention offer refers to eligible social workers, (including some social workers within Early Help and Safeguarding, as well as Children's Social Care) committing to stay with WSCC for the next 18 months. The data excludes the ASYEs (Assessed and Supported Year in Employment, for newly qualified social workers) that became eligible for the provisions in September, many of whom have indicated a wish to be included. The current scheme was launched in June 2019, and the trend in rate of take-up is as follows:

▪ July 2019	85%
▪ August 2019	88.5%
▪ September 2019	90.9%
▪ October 2019	90.9%
▪ November 2019	91.0%
▪ December 2019	93.0%

- 3.10 A new recruitment campaign for permanent staff has been launched, under the headline: 'Be My Voice'. The interest and activity levels will be closely monitored, and outcomes will feature in further updates to the Committee.
- 3.11 To summarise, the positive effects previously reported are broadly being sustained, and are indicative of a workforce becoming more stable. This journey of improvement needs to continue over the coming months for the benefits to become fully realised.

Caseloads

- 3.12 The Committee has already noted the centrality of achieving manageable caseloads across the service. Caseload targets were set in 2018 and were determined by comparing with other authorities rated as 'requiring improvement'. Targets will vary between different staff cohorts: experienced social workers have a target of up to 18 cases, while newly qualified social workers (NQSWs) have a reduced target of around 15 cases; lower levels will apply where cases are very complex and intense.
- 3.13 At the current time, four out of the eight social work teams are operating within the thresholds set. The exceptions are the Assessment & Intervention Teams (North & South), Adolescent Family Resource Team (South) and Family Support & Protection (North).
- 3.14 Broadly speaking, the current position is acceptable in the context of a journey of improvement, and remains under close management review. It is important to continue to monitor over a longer time sequence in order to establish that full control over caseloads has been achieved.

4. Issues for consideration by the Scrutiny Committee

Participation of Witnesses at Scrutiny Committee

- 4.1 The importance of the Committee receiving regular feedback from children and young people, practitioners and partners has been fully recognised. Not only does this give members an immediate and authentic reflection of service delivery and practice, it supports their scrutiny function and helps to address deficiencies noted by Ofsted. Above all, the voice of the child is heard in an appropriate and constructive way, enabling the Committee to place children's experiences and perspectives centrally within its deliberations.
- 4.2 There will be a discussion in January for members to agree arrangements in further detail. In the meantime plans are being made with the Voice and Participation Team in Children's Services, aimed at gathering the views of children on a regular basis, typically through video- or audio-clips which can be played at meetings. This material will align with the topics under review, and members will be enabled to raise questions in advance, to be addressed in the feedback. Alongside the material from children, relevant staff and partners will be invited to appear in person at Committee meetings, to offer a variety of perspectives on a given topic.

Detailed examination of key service areas

- 4.3 At its last meeting, the Committee agreed to receive a regular sequence of updates covering areas that were subject to specific Ofsted recommendations. The Business Planning Group had discussed the programme on 25 November. This process will allow members to gain in-depth knowledge of different aspects of the service and assure themselves that the Improvement Plan delivery is gathering momentum, with a clear trajectory for positive change. These updates will be supported by witness evidence as discussed above.

Permanency Planning

- 4.4 The topic before this meeting of the Committee is Permanency Planning. This term describes the process of assessing and preparing a child for long term care when in out-of-home placements such as kinship, foster care or residential settings. Permanency for children who are in the care system involves building and maintaining strong and stable relationships, a sense of family membership, stability of living arrangements and clarity as to legal and administrative matters. Understanding and responding to the child's point of view and wishes is a crucial ingredient in any successful outcome. A presentation will be made at the meeting to explain the process in West Sussex from each perspective, and its place in the journey of overall service improvement.

5. Forthcoming Key Decisions

Adoption of the West Sussex Children First Strategic Approach

- 5.1 In collaboration with partners across West Sussex the County Council is developing a West Sussex Children First Strategic Approach. This will set out the direction and commitment for how partners in West Sussex will deliver a shared vision for children and young people, placing children at the heart of all we do. It will be a single over-arching strategic approach based on the West Sussex Plan, the Health and well-Being Strategy and Children's Services Practice Improvement Plan for Social Care, as well as other key strategies where outcomes for children, young people and their families will be improved. It will set out how West Sussex will be a great place for children and young people, where all, including those who are vulnerable or disadvantaged, have the best possible start in life and are supported by the whole community to succeed.
- 5.2 The Cabinet Member for Children and Young People will be asked to approve the adoption of the West Sussex Children First Strategic Approach. It is expected that this Committee will undertake pre-decision scrutiny at its meeting on 4 March 2020.

Procurement for Training Services

- 5.3 The Children's First Improvement Programme has earmarked financial resources to commission a range of professional services to improve social work practice within Children's Services. A Commissioning Practice

Improvement Board has been established to oversee the process, including the production and implementation of the Commissioning Practice Improvement Plan up to October 2021. It is expected that this plan will be presented at the next Scrutiny Committee meeting on the 9 March 2020 for preview, prior to a Key Decision to be taken on 17 March 2020.

6. Consultation

6.1 Not applicable – this is a report for information.

7. Risk Implications and Mitigations

7.1 For an undertaking of this magnitude, it is natural that there will be a wide range of risks, both relating to the service improvement agenda and more widely. A summary of the risk areas identified in the current risk log, and the associated mitigating actions, is given in the table below:

Risk Area	Examples of Mitigating Actions
Knowing that the service is safer for children	Every aspect of the Improvement agenda is orientated towards this fundamental issue, from Workforce through Practice Improvement, to Performance Management, Governance, Scrutiny and use of Technology: it is a whole-system issue. Specific measures include having a new Quality Assurance process, with a new Head of QA in post to ensure effective management oversight
Understanding and applying quality practice	Practice Improvement project in progress to implement quality standards and assurance
Multi-agency capacity and capability	Partnership Engagement Project being delivered under Children First; Strategic Approach in preparation with partner involvement
Demonstrating to the Commissioner and DfE that the service can continue its improvement journey	Investment Plan in place; Practice Improvement Plan agreed by Ofsted; Improvement Board/Programme Board active; new leadership team fully functional; Workforce issues being resolved; Children First Strategic Approach in preparation; County Council responding transparently to Commissioner's report; support from Hampshire as Partner in Practice

Leadership capacity and capability	New leadership team in place and fully engaged
Organisational morale	New leadership in place, with proactive staff engagement; events, weekly messages delivered; dedicated communications officer in place
Administrative support for social workers	Principle of freeing front-line staff agreed, and support plan in preparation
Data management supporting good practice	Using technology to improve service recognised as a priority; planning in hand to deliver project allied to quality improvement
Preparedness for cycle of Ofsted monitoring visits	Senior Improvement Lead planning and coordinating action streams; close liaison with Ofsted; December 2019 visit and outcomes satisfactory

8. Other Options Considered

8.1 Not applicable – this is a report for information.

9. Equality Duty

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 agenda.

10. Social Value

10.1 The Children First agenda and measures for service recovery discussed in this report 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 service improvements will also respect sustainability principles in accordance with the County Council's strategic policies.

11. Crime and Disorder Implications

- 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 affected by the progress activity discussed in this report.

12. Human Rights Implications

- 12.1 The County Council has an overriding duty to safeguard the Human Rights of children in need, and this has been recognised in the Children First agenda. 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.
- 12.2 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 opinions 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 Children First service improvements.

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