

Children and Young People's Services Scrutiny Committee

5 November 2020

Children First Improvement – Service Update

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

Summary

To assist the Committee in its role of scrutinising the Children First Improvement Programme, this report updates the Committee on service developments since its last meeting on 24 September 2020. The report sets out the following:

- a) Arrangements for the creation of a Children's Trust following the decision taken by Cabinet on 20 October 2020 to adopt a Memorandum of Understanding that sets out the formal commitment for establishing the Trust.
- b) The resumption of the Ofsted inspection arrangements and detail of the Ofsted Focused Visit conducted between 12-22 October.
- c) A summary of the recent service developments and the continuing service transformation agenda.
- d) An overview of the measures taken in response to Covid-19 to ensure service continuity.
- e) An outline of the Mind of My Own App (MOMO) as an example of helping to improve outcomes for children and young people.

The focus for Scrutiny

The Scrutiny Committee is asked to assess the progress made on the Children First Improvement Programme.

Key areas for scrutiny include:

- a) Whether the evidence provided demonstrates sufficient progress on the improvement journey and gives assurance that there are/will be improved outcomes for children and young people.
- b) To consider how the Committee wishes to be engaged in the work to establish the Children's Trust over the coming months.
- c) The progress being made towards establishing a new service model and whether this provides satisfactory evidence of continued improvement.
- d) Whether the response to the Covid-19 pandemic and plans to deal with the ongoing restrictions (Appendix 1), are sufficiently robust to meet the continued needs of vulnerable children and young people.
- e) What further evidence is required (in addition to the Mind of My Own work outlined in Section 6 and Appendix 2) to demonstrate the impact on improving outcomes for children and young people.
- f) Assessment of the actions being taken to address the risks set out in Section 8, and identify any issues for future scrutiny, to include the focus and desired outcomes.

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

1. Introduction

- 1.1 This report builds on the previous update report made to the Committee at its meeting on 24 September 2020. That report set out initial service redesign proposals, including plans for restructuring and a social work offer, together with a new service delivery model – all aimed at strengthening the workforce to provide a good service for children, young people and their families in West Sussex. These broad proposals were welcomed and endorsed by the Committee. The latest developments in this programme are summarised in Section 4.
- 1.2 At the same time, processes have been continuing both with regard to the setting up of a Children’s Trust, as instructed by the Department for Education (DfE); and a programme of Ofsted inspections of Children’s Services.

2. The Children’s Trust

- 2.1 The Trust proposal was initiated by the recommendation in the report of the Commissioner for Children’s Services (dated October 2019) that an Alternative Delivery Model (ADM) is necessary to secure a sustained improvement in services in West Sussex. The Secretary of State for Education accepted this recommendation, and accordingly issued his second Direction to the County Council, requiring the Council to commence arrangements for the setting up of a Children’s Trust. This is consistent with the DfE presumption that, in cases of persistent or systemic failure, children’s social care services will be taken out of direct local authority control. The normal form for an ADM is a Children’s Trust.

The Decision

- 2.2 The Cabinet meeting held on 20 October 2020 agreed to adopt a Memorandum of Understanding (MoU) with the Department for Education (DfE). In so doing it made a formal commitment to establish a Children’s Trust, and further agreed the conditions under which it will operate. In advance of this decision, on 9 October the proposed MoU, together with a supporting Business Case, was examined by a Task and Finish Group (TFG) of members drawn from this Committee.

Task and Finish Group Preview of the Decision

- 2.3 The Task and Finish Group (TFG) made comments and recommendations as follows, which the TFG Chairman reported to Cabinet on 20 October 2020; the TFG:
 1. Supported the rationale for the inclusion of children’s social care, early help and education services into the scope of services of the Children’s

Trust.

2. Highlighted the importance of ensuring the make-up of the Trust Board includes a wide range of skills and expertise that represents and supports education, social care and early help
3. Recommended that the future running and potential termination costs of the Children's Trust are highlighted as a risk in the decision report as conversations are ongoing with the DfE, and that this is considered as an area for future scrutiny.
4. Recommended that disruption to staff and the implications for morale and retention are highlighted as a potential risk in the decision report, given that staff will be moving into the Trust.
5. Supported that the Trust is implemented for an initial period of 5 years with an implementation date of 1 October 2021, recognising that the operating period of the Trust may change subject to the performance of the Trust.
6. Supported the proposal that the County Council's Executive Director of Children, Young People and Learning be appointed as Chief Executive of the Children's Trust.
7. Requested that detailed consideration be given in the Service Level Agreement of how the Trust will engage with other services within the County Council, upon which Children's Services rely, and how these relations will be managed.

Cabinet on 20 October 2020 noted the support given for the proposals and accepted the TFG recommendations for further action as the process of setting up the Children's Trust unfolds. Further detail on the Children's Trust can be found in the [Cabinet Decision Report](#).

Workstreams for delivering the Trust

- 2.4 In order to deliver the implementation of the Children's Trust by 1 October 2021 a full programme of work has been mobilised and is increasing following the Cabinet decision and agreement of the MoU. The purpose is to ensure that a fully functioning Children's Trust can go-live and that the implications for both the Children's Trust and the County Council are fully understood and mitigated as necessary.

Programme oversight

- The Children's Trust implementation programme is being overseen by a Strategic Project Board, which includes senior WSCC representation, the Commissioner and the DfE. Supporting the Strategic Project Board is an Operational Project Board, which comprises the WSCC work stream leads responsible for delivering the Children's Trust.

Work streams

- A total of ten work streams have been developed to manage the implementation of the Children's Trust. Each work stream has a WSCC lead, responsible for designing and implementing their specialist area. The work streams are:
 - Set-up
 - Commissioning
 - Legal
 - People / HR
 - Communications
 - Finance
 - Support services
 - Property
 - IT
 - Service design

Additional resources and capacity

- The implementation of a Children's Trust is a significant programme of work. In order to support this, and to ensure that the County Council and Children's Services can continue to deliver service improvement, additional resources and capacity have and will be provided. The County Council has procured a specialist external consultancy to advise the Council and support the detailed work to set up a Children's Trust. Specialist external lawyers have also been engaged. The County Council is in the process of recruiting additional officers to provide capacity to the work streams. Discussions are ongoing with the DfE to agree a grant to fund the additional costs incurred by the County Council in setting up the Children's Trust.

Summary

- 2.5 The Committee will be kept updated as the work to establish the Trust progresses through these service update reports and will have the opportunity to shape and comment on the proposals as they come forward, building on the work of the Task and Finish Group discussed above at 2.3.

3. Resumption of Ofsted Inspections

- 3.1 Subsequent to the Ofsted judgement in May 2019 and the report of the Inspector of Children's Services in November 2019, West Sussex Children's Services were subject to a regular programme of Ofsted Monitoring Visits. There was one such visit in December 2019, leading to broadly positive feedback from Ofsted, but thereafter the process was suspended due to the national Covid-19 crisis. Ofsted recommenced its inspection programme in September 2020 and notified West Sussex of its intention to conduct a Focused Visit between 12-22 October.
- 3.2 A Focused Visit has a broader scope than an Ofsted Monitoring Visit, but with a particular focus on the quality of decision-making for children. Fieldwork takes place over 3 days in order to deliver this broader scope, and the team

of Her Majesty's Inspectors (HMIs) comprises 4 Social Care HMI and 1 Schools HMI. It will typically cover a service area or cohort of children whilst also looking at the impact of leadership and management. In this case, Ofsted gave notice that they wished to examine the following areas:

- The service's response to Covid-19
- Leadership and Transformation
- Children Looked After (CLA)
- Health and Protection of children

Preparation and Self-Evaluation in advance of Ofsted Visit

- 3.3 The service has been preparing for the resumption of inspections throughout the Summer; this has included an emphasis on ensuring timely completion of case records, and awareness and identification of good practice within individual work programmes. The Ofsted process is welcomed to provide objective feedback to validate the service improvement journey and identify further areas for attention.
- 3.4 In preparing for the Ofsted Focused Visit the service produced a self-evaluation which summarises progress being made as previously reported to this Committee, as well as areas requiring further focus. The response to Covid-19 has been robust, with clear evidence that safeguarding, services to vulnerable children and to education and schools have remained sound. The creation of a strong leadership team geared to the transformation of the service has been well documented, together with the creation of a broad management development programme. Ofsted endorsed the service transformation agenda and direction of travel as part of the Annual Conversation in July 2020. In terms of the Children Looked After service, tangible improvements and 'green shoots' can be demonstrated. The Health and Protection of children is acknowledged to require further input, based on the improvement of working practices: these have not yet achieved a consistent standard, but plans to address this important issue are in place.

The Ofsted Focused Visit, October 2020

- 3.5 The Inspectors completed off-site evaluation and analysis work from 12–16 October inclusive, and were then on-site for three days' fieldwork from 20 - 22 October. The process included the detailed examination of a sample of cases for evidence of good practice. The inspectors wished to hear from front-line staff and also children, young people and their families. The feedback at the end of the Focused Visit from Ofsted was broadly in line with the self-evaluation that the service submitted
- 3.6 The formal results of the visit are expected to be published by Ofsted in early December 2020. It should be noted that this is a Focused Visit by Ofsted and will therefore not be judged on the formal Ofsted scale but will be a narrative report only. The Committee will be kept informed of outcomes, and a briefing on the Visit and its implications will be presented to the next meeting on 7 January 2021. The future programme of Ofsted scrutiny thereafter is expected to revert to Monitoring Visits on a roughly quarterly basis.

4. Service Improvement Update

- 4.1 The previous Update report to the meeting on 24 September gave a detailed overview of the elements of the Service Transformation Programme, and this design work continues at pace. Senior management has now completed an initial 'Whole Service' mapping exercise, to set out and explain how the existing service model can move to a new dynamic structure, capable of delivering the new Family Safeguarding Model effectively, and thereby helping to realise the service benefits described in the previous report. The next stage is undertaking a set of detailed service workshops with managers and staff from all service areas. These workshops have been delayed by three weeks because of the Ofsted inspection but they are being undertaken during November for reporting back to the senior leadership team in January 2021.

Staff Engagement & Consultation

- 4.2 It is essential that staff are familiar with the current position of the service and understand the next steps of a journey in which all are involved. To promote this awareness a substantial Staff Engagement exercise has been undertaken (July to October 2020), comprising 15 face-to-face events and 2 virtual sessions, welcoming over 450 staff from across the breadth of Children, Young People and Learning. Following completion of the next phase of service re-design as outlined above, it is expected that detailed options will be laid before this Committee at its meeting on 4 March 2021.
- 4.3 The following is a summary of recent and forthcoming developments within the service improvement agenda:

Staffing

- As part of the continuing Covid-19 Recovery phase, face-to-face visits with children and young people continue to increase; more staff for whom working from the office has been deemed 'business critical' have returned to offices.

Service Redesign

- Work is progressing on the 'Whole Service' model, based on the Family Safeguarding model of practice, as described above;
- The Assessment and Development programme for managers mentioned in the Update at the last meeting has now been developed and is out to tender;
- Work is underway to review and streamline the management structure across the service;
- The new Offer for Social Workers is being finalised and the existing retention scheme will remain in place until the new scheme becomes operational in July 2021;
- The financial aspects of the Service Redesign will be incorporated into the budget proposals for 2021/22 in due course.

Operational Highlights

- 97% of plans for Children Looked After (CLA) are in place and being reviewed in the CLA teams;
- A new and updated Leaving Care Local Offer has been launched, which can be found [here](#);
- The new Children Looked After and Care Leavers Strategy 2020-2024 is expected to be agreed by the Cabinet Member for adoption in November 2020;
- The previously closed children's residential homes (Cissbury Lodge and May House in Worthing, and Seaside at Shoreham) remain on course to reopen in the Spring of 2021;
- The proposed improvements to the in-house Fostering Service, including a review of the allowance scheme, are due to be considered by this Committee at its 7 January 2021 meeting.

5. The Service Response to Covid-19

5.1 The service has provided a strong and robust response during the Covid-19 pandemic. This has been driven by effective leadership and oversight during Covid-19 which has included the implementation of regular (daily during the peak of the pandemic) Covid-19 management coordination meetings. The strong and robust service response has ensured that all vulnerable children and young people are safe and supported to attend school where required. The West Sussex response is outlined in detail in the attached Covid-19 position statement which was submitted to Ofsted at their recent Focused Visit and was acknowledged by the regulator as a demonstration of good practice (Appendix 1). Some of the key points outlined within the position statement include:

- Risk assessing all open cases – to prioritise the most vulnerable children for a service;
- A strong commissioning response to Covid-19 – supporting providers and meeting the needs of West Sussex children and young people;
- All practice guidance and procedures were reviewed in line with Government guidance;
- The County Council maintained good reporting and monitoring throughout the crisis;
- The workforce was well supported, which resulted in a low staff sickness and absence throughout the pandemic and enabled the service to re-introduce face-to-face visiting early in the Summer.

6. Positive Change to Children's Lives – Mind of My Own (MOMO)

6.1 The previous meeting of the Committee agreed to receive a regular sequence of reports on engagement with children and young people throughout their journey of care, to illustrate the positive impact that the service has on young lives. Accordingly, the first of these topics is attached as Appendix 2. MOMO is a digital App designed to cater innovatively for the needs of children

in a wide variety of circumstances, encouraging them to express their feelings, needs and wishes. It has clear relevance to children’s mental health issues that are recognised to be of primary importance for general wellbeing, not least during Covid-19 restrictions. The report in Appendix 2 explains the technology, examining its impact in a broad social care setting, using case studies and testimony, both from the young people themselves and from frontline workers; some statistics are added in terms of usage rates, with plans to increase uptake.

Continued Scrutiny of Service Improvement Topics

- 6.2 The Committee has previously received regular updates on activity in specific areas of the service, where Ofsted had identified a need for improvement. It is intended that these reports will continue to be received periodically as part of the scrutiny process of the journey of improvement.

7. Issues for consideration by the Scrutiny Committee

- 7.1 The Committee is invited to review the material presented here and confirm that it is satisfied with the pace and quality of positive change being manifested in the various topic areas reported on.

8. Consultation

- 8.1 Not applicable – this is a report for information.

9. Risk Implications and Mitigations

- 9.1 For an undertaking of the magnitude of Children’s Services Improvement, it is natural that there will be a wide range of risks, both relating to the improvement agenda and more widely. A summary of the risk areas identified in the current risk log, and the associated mitigating factors, is given in the table below:

Risk Area	Examples of Mitigating Actions
The Covid-19 Pandemic may continue to impact the delivery of the service in various ways: safeguarding of children must be assured; staff need to be kept safe from infection; protective equipment must be sufficiently available to support face-to-face interaction with children and families, and in residential settings	The service has dealt well with the Pandemic to date; much learning has resulted, and new ways of working have been developed. This risk is thought to be under control with safeguarding and wellbeing issues being soundly catered for. The Ofsted Focused Visit will provide further objective evidence of the position.
A surge in demand following the cessation of Covid-19 restrictions, return of children to school etc	As expected, there is an increase in demand across the service: there has been a rise in MASH contacts; higher caseloads in Assessment & Intervention;

Risk Area	Examples of Mitigating Actions
	and an increased number of children subject to Child Protection Plans as well as Children going into Care. The service planned for these factors in advance, and the situation is under control. Service Redesign and the new Service Model (Family Safeguarding) will support greater efficiency in the management of future demand.
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. Again, the service transformation work will further enhance outcomes in the round.
Understanding and applying quality practice	A Practice Improvement project is in progress to implement quality standards and assurance and will increase in effectiveness in a redesigned workforce.
Multi-agency capacity and capability	The joint undertakings with partners are very strongly stressed in the design principles of the proposed changes.
Demonstrating to the Commissioner, Ofsted and the DfE that the service can continue its improvement journey	The service has demonstrated to the Commissioner, to Ofsted and the DfE that it has the ambition and capacity for comprehensive change. The Commissioner has signified that he is satisfied with the direction of travel to date. Feedback from the Ofsted Focused Visit in October was further evidence that the service has an accurate self-evaluation and that improvement plans are appropriately focused on key service areas.
Leadership capacity and capability	New permanent leadership team now coming into place.
Organisational morale & retention of experienced social work staff, in the context of national market scarcity and competition from other authorities for their services	This risk will be comprehensively addressed in the new Service Redesign proposals.
Social workers encumbered with administrative burdens are less effective	Within the Service Redesign the need has been recognised to remove unnecessary

Risk Area	Examples of Mitigating Actions
	administration and to maximise productive professional time with clients.
Data management not supporting good practice	Using technology to improve service is recognised as a priority; planning is in hand to deliver a project, allied to quality improvement. Much has been learned from managing Covid-19 about effective use of technology.
Preparedness for cycle of Ofsted monitoring visits	The December 2019 Ofsted visit and its outcomes were satisfactory. The service is considered to be in a good position to face current and future Ofsted scrutiny. The Ofsted Annual Conversation in July yielded good outcomes. Initial informal feedback from Ofsted following the recent Focused Visit indicated a well-conducted event, with inspectors receiving all the evidence requested.

10. Other Options Considered

10.1 Not applicable – this is a report for information.

11. Equality Duty

11.1 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.

11.2 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.

12. Social Value

12.1 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.

13. Crime and Disorder Implications

- 13.1 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.

14. Human Rights Implications

- 14.1 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.
- 14.2 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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Appendix 1 – Covid-19 Position Statement

Appendix 2 – Mind of My Own App

Background Papers – none