

Report of the Chief Executive/ Strategic Director of Children's Services to the meeting of Executive to be held on 4th December 2018

AA

Subject:

OFSTED INSPECTION OF LOCAL AUTHORITY CHILDREN'S SERVICES (ILACS)

Summary statement:

This report provides updated information about the Council's response to the OFSTED ILACS judgement published on 29 October 2018.

Kersten England / Gladys Rhodes White

Portfolio: Leader/Children and Families

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**Overview & Scrutiny Area: Children's
Services**

1. SUMMARY

1.1. This report provides an update on the steps the Council is taking in response to OFSTED's inspection of Bradford's Children's Services.

2. BACKGROUND

2.1 OFSTED carried out an inspection of our Children's Services from Monday 17 September 2018 until Friday 28 September 2018. The findings were reported to Executive on 6 November and Executive resolved:

- (1) That the outcome of the OFSTED inspection be noted.
- (2) That the plans to deliver rapid improvement and to offer support be noted.
- (3) That the report be referred to the Children's Services Overview & Scrutiny Committee.
- (4) That the Portfolio Holder for Children's Services be requested to work with officers to prepare a robust Improvement Plan with the voice of the child at its heart for the next meeting of the Executive in December 2018.
- (5) That the Chair of the Children's Services Overview & Scrutiny Committee be invited to join the formal Improvement Board.
- (6) That the Chief Executive be requested to identify an appropriate Improvement Advisor to work with the Council and to act as chair of the Improvement Board.

2.2 The Department for Education (DfE) has written to the Council with a draft Improvement Notice. The Leader of the Council has responded to this. (Appendix 1).

2.3 Under the leadership of the Portfolio Holder for Children & Families, and in consultation with other councillors, DfE, OFSTED and the Local Government Association (LGA), there has been progress in establishing our approach to addressing the key areas for improvement identified by OFSTED and the necessary supporting arrangements. Key points include the following:

- **Establishment of the Improvement Board.** As agreed by Executive on 6 November, and in line with the approach set out in the draft Improvement Notice, the Improvement Advisor will be identified by DfE and will chair our Improvement Board. Until the Improvement Advisor is in post, the Chief Executive will chair the board. Draft Terms of Reference and proposed membership of the Board are attached at Appendix 2. The work of the Board to secure the improvement of Children's Services identified by OFSTED, will be supported by a staff and a children's reference groups, as well as established internal and partner officer working groups. The Board's Terms of Reference will also need to be approved by DfE/OFTED.
- **Development of our Improvement Plan.** With the voice of the child at its heart, improvement planning has been a key focus of activity, involving staff at all levels in Children's Services, with the support of corporate resources (Finance, HR, Legal and Performance) and in consultation with partners. A draft of the Statement of Action is attached at Appendix 3, the final version of this draft will present our course of action on tackling the issues with the social care outlined in the OFSTED report including improving the Front Door, addressing sufficiency and improving

social work practice and management. This will be discussed with OFSTED at a planning meeting on 10 December 2018 and further refined in the light of that discussion. It is also proposed to share the draft with Children's Overview & Scrutiny for their comments and input as well as with wider partners. A revised draft will also be shared with Executive before submission on 4 February 2019.

- **Identification of sufficient resources to support our improvement.** It has been identified that £2.46m in additional investment in children's social care will be required to support the improvement journey for the service. More detail on this can be found in the workforce investment proposal, included in Appendix 4.
- **Recruitment of an Interim Strategic Director for Children's Services.** Gladys Rhodes White joined the authority on the 14th November. Gladys is an experienced children's social care director with significant experience of improving performance of Inadequate-rated authorities. She will remain working with us until a new Strategic Director of Children's Services is appointed. We will begin the process for recruitment in the New Year.

Next Steps

2.3 As set out in the draft Improvement Notice, the Council will be subject to intervention by the DfE until services improve. OFSTED will monitor our progress regularly and we will be subject to a full re-inspection within two years. Key actions and milestones include:

- Establishment of the Children's Social Care Improvement Board once membership and Terms of Reference are approved by both DfE/OFSTED and Executive.
- Produce a draft Statement of Action for discussion at the OFSTED planning meeting.
- Submit a full Statement of Action (Deadline for submission: 4 February 2019).
- Support a monitoring visit (which will take place 3 months after our publication of inspection i.e. January)
- Quarterly monitoring will continue until we have an inspection and move into a different pathway (i.e. are requires improvement to be good or above)

2.4 Councillors and senior officers collectively are committed to making sure that we work rapidly and effectively to improve our services to meet our ambitions for Bradford's children.

3. OTHER CONSIDERATIONS

3.1. None

4. FINANCIAL & RESOURCE APPRAISAL

4.1 The financial implications of the improvement plan are set out in the Budget proposals to be considered by Executive at this meeting. In summary, the additional investment required is £2.46 million. A detailed workforce investment proposal is included in Appendix 4.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

5.1. This report is for information only.

6. LEGAL APPRAISAL

6.1 The recent inspection was undertaken under the new Framework, Evaluation Criteria and Inspector Guidance for the Inspections of Local Authority Children's Services (ILACS). This contains provisions regarding actions to be taken after an inadequate inspection report. These include monitoring by Ofsted including an action planning visit, quarterly monitoring visits and a re-inspection, and also an action plan prepared by the local authority within 70 days of receiving the report.

6.2 The Secretary of State has a wide range of powers available following an inadequate judgment, including statutory and non-statutory interventions. The type of intervention is dependent on the severity of the situation, how long the authority has been underperforming, and the perceived capacity for improvement.

6.3 S497A Education Act 1996 gives the Secretary of State a wide range of statutory powers if satisfied the local authority is failing to perform its social care functions. These include statutory directions to the local authority aimed at securing adequate performance and also statutory directions requiring the functions to be taken over by others including the Secretary of State or those nominated by him.

6.4 In Bradford's case, the Secretary of State intends to take a non-statutory approach, appointing an improvement adviser and issuing a formal improvement notice. The Department for Education 'Putting Children First – Delivering Our Vision for Excellent Children's Social Care (July 2016) indicates that the Secretary of State will only take the non-statutory route if the evidence does not indicate persistent or systemic failure. The local authority will be involved in discussions regarding the content of the notice and it will clearly specify the issues of concern, the improvement required, how this will be assessed and subsequent steps that may be taken if improvement is not achieved.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Report is for information only. No specific issues.

7.2 SUSTAINABILITY IMPLICATIONS

Report is for information only. No specific issues.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Report is for information only. No specific issues.

7.4 COMMUNITY SAFETY IMPLICATIONS

Report is for information only. There are no specific issues.

7.5 HUMAN RIGHTS ACT

Report is for information only. There are no specific issues.

7.6 TRADE UNION

Report is for information only. There are no specific issues.

7.7 WARD IMPLICATIONS

Report is for information only. There are no specific issues.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

The ILACS inspection provides a comprehensive external assessment of outcomes for Looked after Children. An action plan will be produced to address areas for improvement identified by OFSTED and progress will additionally be reported to the Corporate Parenting Panel.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

There are no specific data protection implications.

8. NOT FOR PUBLICATION DOCUMENTS

Appendix 4 is marked Not for Publication as it contains exempt information within Paragraphs 1 (information relating to an individual) and 2 (information identifying an individual) of Section 12A of the Local Government Act 1972 (as amended).

9. RECOMMENDATIONS

1. To note the actions taken in response to OFSTED inspection findings.
2. To note the plans to establish the Improvement Board and provide comment.
3. To note and comment on plans to produce the draft Improvement Plan
4. To refer the draft Improvement Plan for discussion at the Children's Services Overview & Scrutiny Committee.

10. APPENDICES

Appendix 1 – Improvement Notice

Appendix 2- Draft Improvement Board Terms of Reference

Appendix 3- Draft Statement of Action

Appendix 4- Draft workforce plan (**NOT FOR PUBLICATION APPENDIX**)