

Classification: Open	Decision Type: Non-Key
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Report to:	(a) Cabinet	Date: 12 January 2022
	(b) Children and Young People Scrutiny Committee	Date: 20 January 2022
Subject:	Inspection of Children's Services	
Report of	Deputy Leader and Cabinet Member for Children, Young People and Skills	

Summary

The purpose of this report is to inform Cabinet and the Children and Young People Scrutiny Committee of the findings of an Ofsted inspection of the Council's children's services. The inspection found the services to be inadequate. The report explains the form of intervention by the Secretary of State for Education and the action already taken to implement improvements. The report seeks approval to the framework for an Improvement Plan which the Council will submit to the Department for Education by 31st March 2022.

Recommendations

1. That the Ofsted report following the inspection of the Council's children's services be noted.
2. That Cabinet approve the framework for the Improvement Plan attached at Appendix 2 to this report.

Reasons for recommendations

To take swift and decisive action to address the areas for improvement identified by Ofsted.

Alternative options considered and rejected

None.

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1. Result of Ofsted Inspection

- 1.1. Bury Children's Services received an inspection from Ofsted under the Inspection of Local Authority Children's Services (ILACS) framework from 25th October to 5th November 2021. The outcome of the inspection was published on 17th December 2021. A copy of the inspection report is attached at Appendix 1.
- 1.2. The findings of the inspection were that two domain areas – the 'Impact of leaders on social work practice with children and families' and the 'Experiences and progress of children who need help and protection', were graded as Inadequate. For the third domain, 'Experiences and progress of children in care and care Leavers', the finding was that the service Requires Improvement. Under the ILACS framework, the Inadequate finding for both leadership and for help and protection resulted in a judgement that the 'Overall effectiveness' of the service is Inadequate.
- 1.3. The safety and well-being of the Borough's most vulnerable children is an absolute priority for the Council and its partners. This report sets out how the Council will respond positively to the inspection both now and into the future.

2. Improvement Notice

- 2.1. Arising from the inspection the Secretary of State for Children and Families has issued a draft improvement notice.
- 2.2. Under the terms of the notice the Secretary of State has decided to appoint an advisor to provide advice to the Department for Education and to the Council.
- 2.3. The improvement notice requires the Council, working with its partner agencies, to :
 - (a) produce an improvement plan to address the areas identified in the Ofsted report and any recommendations made by the advisor;
 - (b) maintain an improvement board with an independent chair who will oversee implementation of the plan and report to the board on progress to a timetable agreed by the Department; and
 - (c) aim for actions included in the plan to be delivered by the end of December 2022 or sooner if appropriate.
- 2.4. The improvement notice will last a minimum 12 months with formal reviews at least every six months and more regularly if appropriate.

3. Monitoring of Improvement Progress

- 3.1. In addition to the monitoring and formal reviews from the DfE, Ofsted will carry out regular monitoring activity following the inadequate judgement.
- 3.2. There will be an Ofsted action planning visit in January 2022 and then regular quarterly monitoring visits. There will be between 4 and 6 Monitoring visits prior to a reinspection, with the first monitoring visit expected in June 2022.

- 3.3 Given the intensity of the external scrutiny of improvement, it will be important to ensure that Members have political oversight of progress. The proposals for Member involvement are :
- (a) progress reports will be submitted to future meetings of Cabinet following each six month review;
 - (b) the Children and Young People Scrutiny Committee will play an important role in providing challenge and support as the Improvement Plan is delivered; and
 - (c) the Cabinet Member for Children, Young People and Skills, the Leader of the Council and representatives from all opposition groups on the Council will be invited to all meetings of the Improvement Board referred to later in this report.

4. The Council's Response

- 4.1. The Council's response is organised into three phases:
- (a) immediate action following the LGA Peer Review of July 2021 and then responding to the Ofsted findings;
 - (b) a detailed one year action plan; and
 - (c) a three-year strategic improvement plan.
- 4.2. In relation to (a), new work to improve the service had already started following an LGA Peer Review completed last summer. This work then intensified following the Ofsted inspection. This is described in section 5 below. This phase has included work to ensure that children are safe. This is summarised in section 6 below.
- 4.3. In relation to (b), work has commenced on the improvement plan which the Council is now required to produce by 31st March 2022. The framework for the plan is explained in section 7 below.
- 4.4. In relation to (c), the ambition of the Council and its partners will not be restricted to moving out of the Ofsted judgment of Inadequate and being judged as "Requires Improvement". Bury's vulnerable children and families deserve services to be good or better. This will require a Council-wide commitment to child centred improvement and for children's services to be at the heart of the wider reform of public services as set out in the Let's Do It Strategy.
- 4.5. Whilst the Council will not hesitate to provide the necessary financial investment to improve the service in response to the Ofsted report, there will also need to be agreement on what constitutes best value for that investment over the long term in terms of the outcomes for vulnerable children and their families.
- 4.6. These longer term issues will be discussed at the Improvement Board and reflected in the three year strategic improvement plan.

5. Action taken before and immediately after the Ofsted inspection

- 5.1. The Cabinet Member for Children, Young People and Skills and the Chief Executive, supported by partners, have issued public statements apologising for the failure to maintain high quality services for children and families. The public statements issued have outlined the action that has been taken so far and the actions that will now follow.
- 5.2. The Leader of the Council has written to the Secretary of State responding positively to the draft improvement notice and provided assurance in regard to the commitment to improve services for children in need of help and protection .
- 5.3. The Council's childrens services were previously rated as Requires Improvement and the Council's own assessment had recognised earlier in 2021 that improvements in the quality of services to children and families were not being made fast enough. For that reason, the Council invited the LGA to conduct a peer challenge of its childrens services. This took place in July 2021.
- 5.4. The LGA review findings confirmed that the service was facing significant challenges. In response to those findings the Council established a Children and Young People Service Delivery Board with an independent chair. In responding to the draft Improvement Notice the Council has suggested to the Secretary of State that Delivery Board transitions into an improvement board to meet the requirements of the improvement notice for an improvement board with an independent chair.
- 5.5. New leadership arrangements were put in place on an interim basis in September last year. The Ofsted report acknowledged that the Council and the interim leaders had already identified the correct priority areas and were taking the appropriate action. A new Executive Director, Jeanette Richards, was appointed in November and has now taken up her post.
- 5.6. Action has already been taken to reduce caseloads for Social Workers and to increase the stability the social care workforce. This is critical given the shortages within the market for social workers. Action is being taken to retain social workers and to attract new social workers to Bury. The Corporate Core is supporting the service to run a new continuous recruitment process. This includes refreshing and simplifying the application form to make applying for social work posts in Bury easier and creating a bespoke Bury space on Greater Jobs website with Let's Do It branding as well as implementing initial steps to make the Council's employment offer more attractive in an extremely competitive market.
- 5.7. The Council has already committed to reducing caseloads and has brought in two managed services to work within the court team and within the initial response team. Where caseloads have been protected better quality of practice was seen by Ofsted. The key workforce priorities in improvement plan will be recruitment and retention, learning and development and staff wellbeing.

6. Immediate Assurance

- 6.1. Immediate action has been taken since the Ofsted inspection to ensure that children and young people are safe. This has involved extensive sampling exercises and actions have been taken promptly in response to the findings. The work completed includes the following:
- (a) remedial action has been taken for all cases raised by inspectors and additional tracking is now in place for these cases;
 - (b) there has been regular sampling of cases in the Multi Agency Safeguarding Hub (MASH);
 - (c) action has been taken to sample cases of children experiencing domestic abuse. The way that such cases appear on the case management system has been changed and there has been associated training for staff in the MASH ;
 - (d) additional sampling of child in need cases has been introduced and follow up action is being taken, including in-service training with managers to look at the child in need process and the quality of case planning;
 - (e) all Child Protection Plans which have been in place for more than nine months have been reviewed by service managers and the case planning process has been reviewed;
 - (f) immediate actions have been taken to improve the management of cases prior to court proceedings. A task and finish group with legal services has been put in place to develop training on court skills and to improve the management of pre-proceedings cases to ensure clear oversight and grip;
 - (g) child in need cases recommended for step down have been sampled. As a result “ Step Down Clinics” have been introduced to focus on the wrap around support required for children and to support better practice in relation to the application of thresholds; and
 - (h) the cases of children in care and requiring permanent placements have been reviewed. A permanence tracker is being used to ensure there is continued grip of planning for all looked after children.
- 6.2 The learning from this immediate assurance work is being use by managers to drive improvements in practice. The sampling that has been undertaken so far will continue.
- 6.3 A detailed report on this assurance work was discussed by the Delivery Board on 21st December 2021.

7. Improvement Plan

- 7.1. Since the inspection report was received work has progressed at pace on developing a framework for the Improvement Plan which will be submitted to the Department for Education by the end of March. The draft framework for the plan is attached as Appendix 2 to this report.
- 7.2. The framework is built around three themes:
 - (a) leadership and management;
 - (b) quality and impact of practice upon outcomes for children; and
 - (c) a skilled, confident, engaged and experienced workforce.
- 7.3. More detailed action plans within this framework will be developed with staff and partners before submission in March. The involvement of front line staff and partners is essential to achieving long term sustainable change, not just short term compliance.
- 7.4. In parallel with the development of the Improvement Plan framework, immediate action has been taken (summarised in section 5 above) and will continue to be taken to ensure that children and young people are safe.
- 7.5. All of the current action responding to the Ofsted report (summarised in section 6 above) is being aligned with the framework for the Improvement Plan. The immediate action is therefore balanced with a measured and forensic approach to planning the longer term sustainable improvements for children and young people.
- 7.6. The framework includes;
 - (a) governance arrangements to ensure robust multi-agency ownership for delivery of the improvement plan;
 - (b) arrangements for the involvement of front line staff in the design and delivery of the improvement plan;
 - (c) the framework of strategic priorities for improvement : leadership and management, quality and impact of practice upon outcomes for children and workforce;
 - (d) detailed analysis and cross referencing of the priority actions for improvement set out in the Ofsted report and the earlier LGA Peer Review; and
 - (e) a clear list of the topics where more specific action planning will be produced to provide the detail for the full plan to be submitted in March.
- 7.7. The Delivery Board has met on three occasions since October. Its initial work was paused when the Ofsted inspection began. It has met once since to approve the framework.

- 7.8 In agreeing the improvement plan framework, the board emphasised the particular criticality of focused action on workforce stability, through the third theme of the improvement strategy. This work will include action in relation to four key interconnected areas:
- (a) Recruitment and retention:** Building on the initial strategy developed and work undertaken to strengthen our employment offer and marketing and attraction approach through further initiatives and intervention. The focus here must be on attracting and retaining high quality practitioners. As well as our core employment offer, strengthening people management capabilities and, principally, addressing caseloads will be critical here in providing a high quality employee experience which supports retention.
 - (b) Learning and development:** An initial refreshed strategy has been developed which emphasises the importance of a culture of learning and continuous development to the overall improvement journey. This is an area where the Council should be ambitious and, ultimately, work to establish a Social Work academy.
 - (c) Wellbeing:** This is a key focus for the Council across the full workforce. The mental wellbeing impact of the Pandemic are well documented. Given the nature of social care work, there must be particular focus here and it will be important that the Council is honest and clear in its commitment in this area.
 - (d) Engagement:** It is crucial that the workforce are fully engaged in the improvement journey and feel a sense of shared ownership in its success. We will use the skills and expertise of our workforce to co-design new approaches and ensure a culture of transparency. A staff-led Shadow Improvement Board will be fundamental to this work.
- 7.9 The requirement to improve relates to all public services in the Borough. Partners are therefore fully represented on the Delivery Board. Partners will also play an important leadership role on the Bury Integrated Safeguarding Partnership Board. The development of the independent scrutiny of multi-agency arrangements for children's safeguarding will be a key for improvement.

8. Conclusion

- 8.1. This report provides the basis for debate at Cabinet, the Children and Young People Scrutiny Committee and at Council.
- 8.2. Recommendations appear at the front of the report.

Links with the Corporate Priorities:

The Improvement Plan will be referred to as the 'Let's Do it for Children Plan'. The drive to transform Children's Services is key to the Let's Do it Strategy ensuring that children's and parents voice influence the change and service improvement is at the heart of the transformation which will be best achieved through locality working centred around place.

Equality Impact and Considerations:

Ensuring inclusive practice is a central principle of Bury's Children's Services and that the diverse needs of different communities across the borough are appropriately considered will be a core element of the overall improvement journey.

Environmental Impact and Considerations:

None known.

Legal Implications:

The Government's statutory powers to inspect Local Authority Childrens Services is set out in 136 (2) of the Education and Inspection Act 2006. All Ofsted inspections are carried out in accordance with the statutory guidance titled Inspecting Local Authority Childrens Services (updated 3rd December 2021). A Local Authority judged to be inadequate will receive mandatory meetings followed by a reinspection. The guidance provides a framework for how Local Authorities in this position will be monitored. A timetable provides for an action planning visit, the delivery of an action plan, a first monitoring meeting and subsequent meetings. The details of the follow up actions are set out in these reports. Members will be provided with regular updating reports.

Financial Implications:

Prior to the Ofsted the Council had already committed to funding one of the managed services to manage caseloads and has now identified funding for the second team. Funding has also been identified for the new workforce practices to attract, train and retain social workers. It is recognised as the work of the delivery board progresses and in order to deliver the actions required to respond to the issues found by Ofsted, the actions within the Improvement Plan may require additional investment into Children's Services. This will be considered as part of the current and future Budget planning process.

The main financial costs for childrens social care remain in meeting the need for residential placements for Looked After Children, the committed costs in funding Fostering placements and in supporting young people leaving the care of the Council.

Background papers:

None.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
LGA	Local Government Association
ILACS	Inspection of Local Authority Children's Services
DfE	Department for Education