

Name of meeting: Cabinet
Date: 28th November 2016
Title of report: Putting Children First – Post OfSted Inspection – Next Steps

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes .
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	The Chair of Overview & Scrutiny Management Committee has given approval to the consideration of this report, which involves consideration of a Key Decision set out at paragraph 5.5, on the grounds of urgency in accordance with Paragraph 11 of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name Is it also signed off by the Director of Resources? Is it also signed off by the Assistant Director (Legal Governance and Monitoring)?	Sarah Callaghan 25 November 2016 Debbie Hogg 23 November 2016 Julie Muscroft 24 November 2016
Cabinet member portfolio	Cllr Erin Hill – Portfolio Holder Family Support & Child Protection

Electoral wards affected: All
Ward councillors consulted:
Public or private:

1. Purpose of Report

On September 12th 2016, Ofsted announced an inspection of LA arrangements to support children and young people in need of help and protection under the Safeguarding Inspection Framework (SIF). The inspection finished on October 6th, 2016. Provisional judgements indicate the need for a rigorous and swift response to demonstrate commitment and ownership to drive through change to support and accelerate improvement.

1.1 The purpose of this report is to provide information about the next steps in response to the Ofsted inspection, including some immediate actions that will require commitment and resources from across the Council and partners.

- 1.2 The report sets out a draft strategy to support improvement including:
- Some immediate capacity requirements
 - Some key dates that will facilitate the development of an updated action plan aligning the 4 key priorities with messages emerging from Ofsted (Appendix A)
 - A process for ensuring the action plan is aligned to the ambitions of New Council and key corporate objectives.
 - A process for ensuring the action plan is owned politically, strategically, corporately and operationally.
 - The governance arrangements to support improvement (Appendix B)
 - The reporting cycle underpinning the governance arrangements to evidence improvement is being made
- 1.3 The approach adopted to support improvement will apply the 3 pillars of improvement set out in the DfE policy driver, 'Putting Children First'¹

2. Background Information

- 2.1 In Kirklees we are committed to getting it right for children; this is an ambition that is articulated within our vision statement for the Health and Well Being Board and one that underpins our New Council approach:

'Having the best possible start in life through every child and young person being safe, loved, healthy, and happy, supported to be free from harm; and having the chance to make the most of their talents, skills and qualities to fulfil their potential and become productive members of society'.

2.2 National Context

In July 2016, the DfE published, 'Putting Children First' making clear their intention 'to bring about the widest reaching reforms to children's social care and social work in a generation.'

This plan involves fundamental reform of each of the three pillars on which the children's social care system stands:

People and Leadership – bringing the best into the profession and giving them the right knowledge and skills for the challenging but hugely rewarding work ahead, and developing leaders equipped to nurture practice excellence.

Practice and Systems – creating the right environment for excellent practice and innovation to flourish, learning from the very best practice, and learning from when things go wrong.

Governance and Accountability – making sure that what we are doing is working, and developing innovative new organisational models with the potential to radically improve services.

This report will set out Kirklees ambition for improvement adopting the 3 pillars of success articulated above.

2.3 Local Context

¹ <https://www.gov.uk/government/publications/putting-children-first-our-vision-for-childrens-social-care>

In February 2016, a Development Board was established by the Chief Executive (CE) of the Council in response to issues identified through the auditing of social care case files in Family Support and Child Protection. The audit identified inconsistencies in quality of social care practice centring around:

- Lack of management oversight
- Timeliness of decision making
- Evidence of the voice of the child
- Timeliness of assessments

The establishment of the Development Board was a proactive decision by the CE in response to an external review of the service and the imminent retirement of the longstanding Director for Children and Young People (DCS) and Assistant Director (AD) for Children and Young People. The membership of the Development Board includes: the Chief Executive (chair) the Portfolio Holder for children; the DCS, Kirklees, the independent chair of the Safeguarding Board, the Chief Superintendent, Divisional Commander of Police, DCS for North Yorkshire, Director for Public Health, Principal Social Worker, Finance, HR and the AD for Family Support and Child Protection.

To drive improvement; a robust action plan was created by the Interim Assistant Director for Family Support and Child Protection, focusing initially on compliance in response to the issues identified through external review and audit.

In April 2016, the long standing DCS retired and the new DCS took up post and established a multi-agency Operational Group to accelerate the pace of improvement and to provide a more systematic approach and ensure that the focus within the Development Board was on making decisions to support improvement.

In July, there was a review of the action plan to support improvement and 4 key priorities were identified:

- Recruitment and retention of a stable workforce to sustain and accelerate improvement
- Sufficiency and quality of placements for LAC
- Review of the MASH and Front Door to facilitate a swifter and earlier response to need
- Embedding a performance culture across the service to demonstrate and articulate impact.

2.4 Ofsted Outcome

The provisional overall judgement for children's services by Ofsted is an overall judgement of inadequate with separate judgements in the following areas:

Help and Protection – Inadequate

LAC – Inadequate

Adoption – Requires Improvement

Care Leavers – Requires Improvement

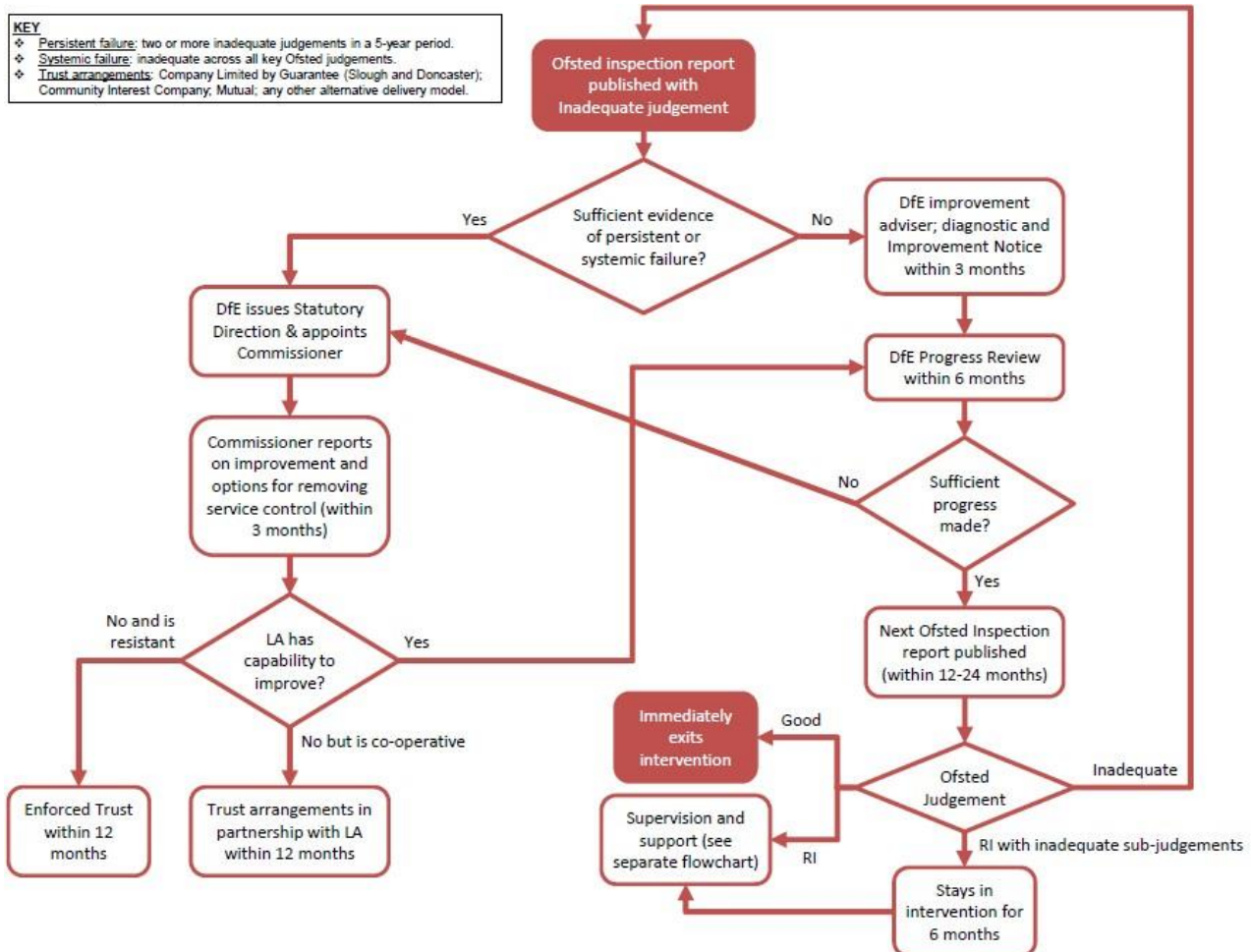
Leadership Management and Governance– Inadequate

Kirklees Safeguarding Children Board (KSCB) – Inadequate

This means there will be intervention from Ofsted and Department for Education (DfE) to assist Kirklees with the required improvements. A timeline of key dates is attached at Appendix A.

2.5 Intervention – what we know now

There are different levels of intervention following a SIF inspection when an inadequate judgement is applied, ranging from an Improvement Notice to a statutory direction from the Department for Education (DfE), which can include directing the local authority to enter into a contract with a third party to perform the function(s) on the local authority's behalf.



2.6 Statutory Directions

The DfE Intervention Unit contacted the DCS on 11th November to advise that they would be issuing a statutory direction; the implications of this are that a Commissioner will be appointed to undertake three month review about the capacity within the Council to improve.

The Commissioner will:

- Make recommendations for the immediate improvement for Children's Social Care, including additional support required.
- Review the Council's Leadership and Management capability and capacity to drive the necessary changes.

- Make a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement

At the end of the review, the Independent Commissioner will produce a report making a judgement about whether Children's Services will remain within the Council or out sourced to a Children's Trust arrangement.

It should be noted that there is a national policy drive for Children's Services to be outsourced; however, in instances where Councils have been able to demonstrate a strong political and corporate commitment to support improvement with the appropriate resources, services have remained within the Council.

Children's Services in Kirklees have previously been judged as good, albeit under a different inspection framework and it was noted throughout the Ofsted inspection by Inspectors that the mechanisms are in place to support improvement, however the impact of these changes are not sufficiently evidenced; these things combined indicate that the Council is well positioned to demonstrate the capacity to improve.

3. Next Steps

Our Improvement Framework

- 3.1 Provisional judgements indicate the need for a rigorous and swift response to demonstrate commitment and ownership to drive through change to support and accelerate improvement.
- 3.2 We now need to plan our next steps and continue with the next phase of our Improvement Plan to address those areas of concern and improve services.
- 3.3 Our Improvement framework will be structured around the three key principles contained within Putting Children First:
 - People and leadership
 - Practice and systems
 - Governance and accountability
- 3.4 We will continue to work with our partners to deliver the improvements identified within the four key priority areas and the recommendations contained within the Ofsted report.

The four key priorities are:

- Recruitment and retention of a stable workforce to sustain and accelerate improvement
 - Sufficiency and quality of placements for LAC
 - Review of the MASH and Front Door to facilitate a swifter and earlier response to need
 - Embedding a performance culture across the service to demonstrate and articulate impact.
- 3.5 We will have an improvement plan that is signed up to and owned by the Council, strategic partners, staff and partner agencies.
 - 3.6 Our improvement plan will be linked to the draft seven Kirklees partnership outcomes:

- Children in Kirklees have the best start in life
- People in Kirklees are as well as possible for as long as possible
- People in Kirklees have aspiration and achieve their ambitions through education, training and lifelong learning
- People in Kirklees feel safe and are safe/ protected from harm
- Kirklees has sustainable economic growth for communities and businesses
- People in Kirklees experience a high quality, clean, sustainable and green environment
- People in Kirklees live independently and have control over their lives

3.7 We will have improvement plans for each of our key priorities that include outcomes, benefits, risks and mitigation, budget, resources and costs and performance measures.

3.8 Each plan will be linked in to the governance structure and provide regular progress reports and a process for risk and issue escalation. The governance arrangements will support a cycle of accountability that will be clearly measurable, owned and evidenced.

3.9 The governance arrangements will be underpinned by a reporting cycle that ensures detailed progress reports against the priorities and Ofsted recommendations are provided. The frequency is:

- two weekly detailed reports set against agreed measures and outcomes to the DCS/AD;
- highlight reports including risks, issues and decisions escalated monthly to the DCS vis the Operational Group
- summary progress report and escalated risks and issues are considered monthly by Improvement Board.

We will:

- allocate appropriate resources to deliver the improvements and have a process in place for ensuring the action plan is owned politically, strategically, corporately and operationally.
- have clear governance and accountability arrangements in place that ensure strong leadership and management lead the improvements.
- have a reporting cycle that underpins the governance arrangements to evidence improvement is being made.
- have performance measures in place that set targets and tolerance levels, demonstrate impact and clearly articulate outcomes for children and young people.
- have a financial strategy that sets out the costs of the improvement work and recognises the financial pressures these place on the council as a whole.
- have a communication strategy and plan that ensures that staff and partners are engaged in the improvement planning and delivery and understand what needs to be done.
- The governance and accountability arrangements are set out in appendix B and are aligned to the governance arrangements for New Council Board, so where there are interdependencies issues can be unblocked.

4. Resourcing the Improvement Process

4.1 The Improvement Plan is a large transformative change programme that will help us to deliver the improvements identified within the four key priority areas and the recommendations contained within the Ofsted report. This is an ambitious collection, or programme of related projects and change activities, which will work together to achieve the required benefits and outcomes to support the Improvement Plan.

Dedicated resources will be needed to coordinate and project manage the improvement process, specifically the review of the Improvement Plan and reporting framework to evidence impact and improvement, and organisation of the regular improvement board meetings where progress will be monitored.

At this time the exact resource required from HR, Finance and other enabling services are not known but as the improvement plan progresses there will be significant support required. The approach being considered is to review existing capacity, prioritise internally and then supplement with additional capacity for specific areas of expertise.

We have identified already the need to enhance our programme and project management capacity. It is anticipated that the Improvement Plan will be a two to three year programme consequently the posts would be offered on a fixed term or secondment basis.

We have also identified that resources will be required to support the change management support to embed new and improved working practices and workforce development.

Human Resource capacity will be required to support the workforce changes including recruitment, support to restructures/reshape services and support general staffing matters. An HR representative will be required to attend Operational Group and Improvement Board.

Immediate and additional capacity is required to in performance and intelligence so that we can be confident that there are clear measures to demonstrate impact, set targets, tolerance levels and articulate the outcomes for children. To meet this immediate need the funding attached to a vacant service manager post will be reallocated to recruit a performance manager with the skills and experience necessary to develop and embed a quality performance management framework.

We also need to strengthen our commissioning capacity and develop a dedicated resource to negotiate & monitor placement contracts within and out of authority placements.

Resource to develop a communications strategy will help to ensure that staff and partner agencies are engaged in the improvement planning and delivery and understand what needs to be done.

As part of strengthening our governance we have appointed an independent Chair of the Development Board with a proven track record of DfE improvement and being a previous LGS adviser. It is anticipated that this is a short term cost as the DfE will commission support once we have our final plan.

Finally as part of developing the response to the improvement plan finance capacity will be pivotal to ensure that there is a clear and structured financial strategy that sets out the costs associated with realising the ambitions of the improvement plan. There are considerable financial pressures currently being borne by the council and we need to understand these in the longer term context of the improvement plan. These also need to be considered in the context of the Medium Term Financial Plan and forthcoming budget process.

The resource requirements identified within this section of the report will be funded through the New Council Development Reserve which is delegated to the Deputy Chief Executive authority to determine the spending priorities.

The approved New Council Development Reserve is £4,000k and £2,932k is currently uncommitted

At this stage, the additional costs have to be quantified but will be contained within the New Council Development Reserve.

4.2 Current, Urgent Workforce Pressures

There is an immediate workforce capacity pressure within the service that is caused by the high number of individual agency workers who are leaving at short notice. This results in a churn of staff within teams which destabilises the workforce, increases caseloads of individual social workers and impacts on compliance. The current way of recruiting individuals from agencies does not give us the quality or stable workforce that we need.

We need to be able to quickly recruit quality agency staff to address the current demand of work whilst maintaining high quality social work delivery and prepared for the anticipated increase in work following the Ofsted report.

In order to alleviate the current pressures and stabilise the workforce it is proposed that we commission an experienced social work team from the independent sector for a period of six months. The preferred supplier offers a bespoke, fully managed social work delivery service. Their model uses a robust and unique infrastructure with a proven track record that the design achieves a far greater throughput of high quality social work than existing traditional models used by local authorities.

This commission will help reduce the level of unallocated cases, reduce the high caseloads which are unsafe & provide capacity to cover sickness and vacancies which are creating pressure on individual staff.

The total cost of this commission for six months is £448,707 and will be funded from the earmarked risk reserve in keeping with the earlier decision of Cabinet on the 23 August 2016 & 15 November 2016.

5. Recommendations

Cabinet are asked to;

- 5.1 Note and endorse the proposed approach outlined in this report
- 5.2 Endorse the proposed governance arrangements set out in Appendix B
- 5.3 Note the key dates prescribed by Ofsted and support the proposed response to enable partnership ownership of our improvement journey as outlined in Appendix A
- 5.4 Note the actions being proposed in Section 4.1 and the resource implications being met from the New Council Development Reserve
- 5.5 Approve the sum of £448,707 to commission an independent agency to provide social work capacity as detailed in paragraph 4.2.

6. Contact Officer

Sarah Callaghan – Director for Children & Young People

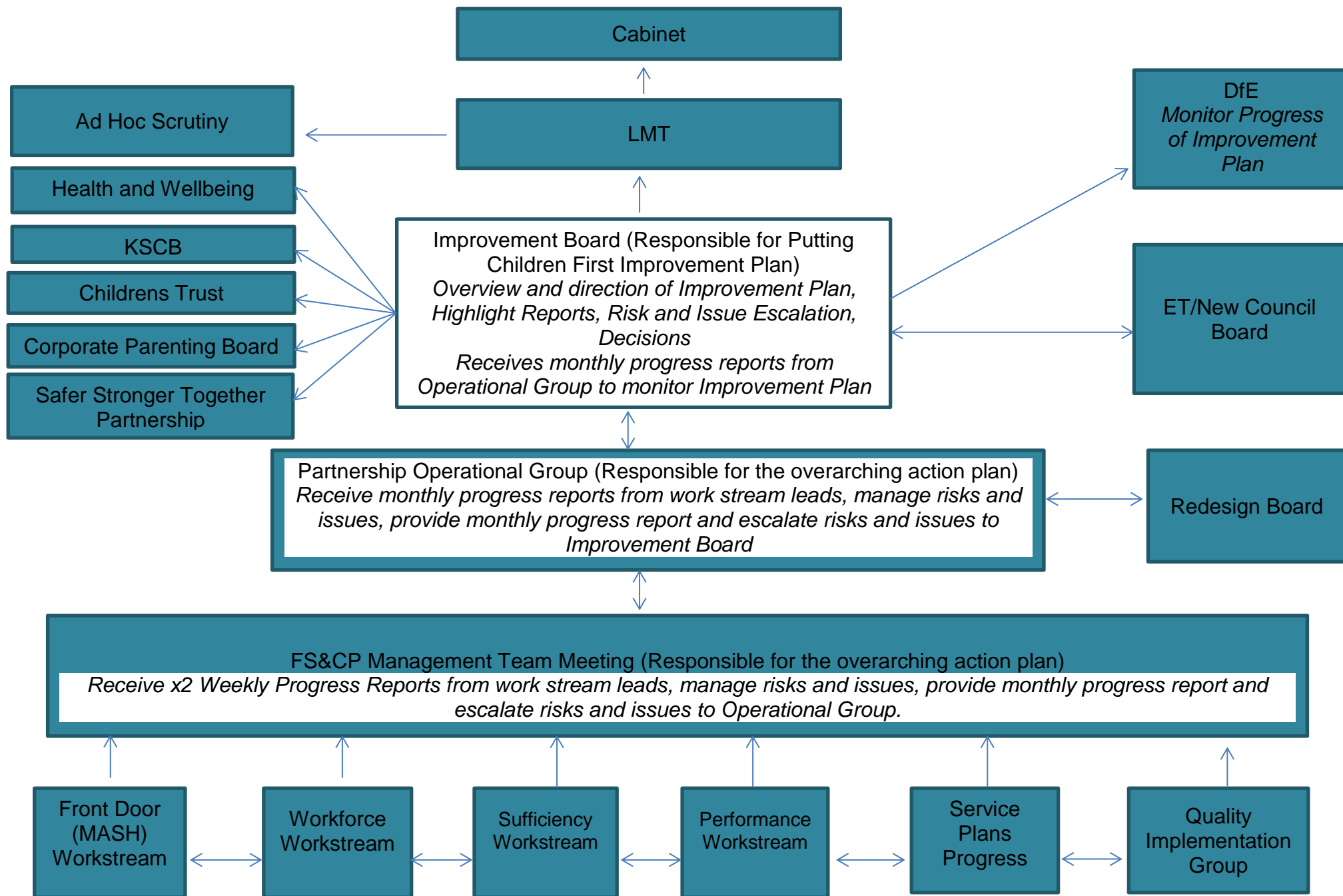
7. Director Responsible

Sarah Callaghan – Director for Children & Young People

Key Dates

- Friday 4th November 2016. Kirklees receive a copy of the Ofsted report by 17:00 to consider for factual accuracy
- Friday 4th November 2016. CB to meet Adrian Lythgo and Sarah Callaghan
- Monday 7th November 2016. Children's Services Development Board (CSDB) meeting at 11:00 (CB to attend).
- Friday 11th November 2016. Response to factual accuracy of Ofsted report to be submitted no later than 17:00
- Wednesday 16th November 2016. Review and refresh of CSDB and Operational Group membership and governance completed.
- Friday 18th November 2016. Review of current Improvement plan is complete and the plan contains actions that are cross referenced to:
 - the messages emerging from Ofsted under each of the 4 areas of focus;
 - corporate objectives,
 - Commissioning intentions within the JSNA.
- Wednesday 23rd November 2016. Pre-publication copy of Ofsted report sent to Kirklees by 1700.
- Wednesday 23rd November 2016. The letter that accompanies the pre-publication copy of the inspection report will confirm the submission deadline for the action plan – within 70 working days of receiving that report. A copy of this letter will be sent to the lead inspector and the responsible regional SHMI.
- Friday 25th November 2016. Kirklees inspection report published on Ofsted website
- Wednesday 30th November 2016. Post Ofsted workshop(s) for members, partners, strategic directors, members of the KSCB, HWB, CT, ET, Development Board, Operational Group, children and young people and the Family and Support Service to collaboratively arrive at populating a plan with actions, leads, timeframes and partners to deliver the plan.
- Wednesday 30th November – mid December. Development of an accessible and meaningful brand 'Families First in Kirklees' Stronger Together or an appropriate tag line that enables there to be full engagement in owning and driving our strategy for change.
- January 2017 (date tbc). Between 25 and 35 days after receiving the report an Ofsted inspector will attend an Action Planning visit.
- The local authority must produce a written statement of proposed action (the action plan) and submit this to the Secretary of State and HMCI within 70 working days of the receipt of the inspection report.

Proposed Kirklees Improvement Board Governance Diagram v.06 – 20th November 2016



Proposed reporting cycle for Kirklees Improvement Plan

The governance arrangements will be underpinned by a reporting cycle that ensures detailed progress reports against the priorities and Ofsted recommendations are provided. The frequency is:

Report to	Report	Frequency
FS&CP Management Team Meeting (chaired by AD)	Detailed progress reports from work stream leads set against agreed measures and outcomes, report and escalate risks and issues	Two Weekly
Operational Group (chaired by DCS)	Highlight reports for each Workstream including risks, issues and decisions escalated. Process in place for escalation of immediate and urgent risks and or issues.	Monthly
Improvement Board (chaired by Independent Chair)	Summary of highlight reports. Escalated risks and issues and decisions required. Escalation process in place.	Monthly
DfE	Reports on evidenced progress against performance measure and outcomes	As required
ET/ New Council Board (chaired by Chief Executive)	Standing agenda item for discussion. To include escalation of issues and decisions required.	Weekly
Redesign Board	Reports on progress against performance measure and outcomes. Request for reprioritisation of resources as required to support the Improvement Plan.	As required.
LMT/Cabinet	Reports on progress against performance measure and outcomes, risks and issues	As required
Ad Hoc Scrutiny	Reports on progress against performance measure and outcomes, risks and issues	As required
KSCB	Standing agenda item for discussion. Progress report and links to KSCB Improvement Plan	
HWB Board, Safer Stronger Together, Corporate Parenting Board, Childrens Trust and other strategic partners	Progress report against performance measure and outcomes.	As required