

**Inspection of Local Authority Children's Services (ILACS)**

**Report of the Head of Children's Social Care (Deputy Chief Officer)**

**Recommendation**

To secure the improvements identified by the recent Ofsted Local Authority Inspection of Children's Services

1. Cabinet approve total investment of £2.2 millions in 20/21 and £1.6 millions in 21/22. 30 full time equivalent (FTE) staff.
2. Of the total investment, Cabinet approve 21.2 full time equivalent (FTE) employees at an ongoing cost of just under £1.1 millions in 20/21, reducing to £1 million from 21/22 onwards and;
3. Cabinet approve one-off investment for 8.8 full time equivalent employees for a short-term period at a cost of just over £1.1 millions in the 20/21 and £618,000 in 2021/22
4. Cabinet note that due to the current COVID-19 pandemic recruitment to some posts is likely to be delayed and therefore the profiling of costs across financial years may change.

**1. The Inspection**

- 1.1 Ofsted inspected Children's Services in January 2020.
- 1.2 The last inspection, under a different inspection framework, was in 2015. Ofsted carried out Focused Visits (September 2018 focused on support for care leavers, and May 2019 focused on support for children in need of help and protection). Both were reported to the Children's Overview and Scrutiny Committee.

Ofsted published their report on Children's Services in Devon on 17 March 2020. The report is [available here](#)

- 1.3 Inspectors concluded that children's social care services in Devon are inadequate having identified 'serious failures'. A very small minority of our care leavers were left living in unacceptable accommodation and senior leaders were not aware of this. As a consequence, the judgement for '*The impact of leaders on social work practice with children and families*', and '*The experience and progress of children in care and care leavers*' was inadequate.
- 1.4 Inspectors also identified that some children who have suffered chronic neglect and emotional abuse are being left with families for too long, most evident in the work that we do prior to going to court (pre-proceedings). Findings in this area relate to 'getting to good' and are not responding to serious failures.
- 1.5 Inspectors identified eight areas of practice that need to improve:

- Services to care leavers, including:
  - sufficiency of accommodation and support available for young people
  - assessment of risk and safety planning for young people
  - access for young people to full information about their health histories
- The quality of social work practice to assess, support and protect children who experience neglect and the effective use of pre-proceedings
- The effectiveness of child protection conference chairs in responding to escalating risks and identifying when progress is not being made for children.
- The consideration of child protection medicals when children disclose physical abuse or present with injuries.
- Permanence planning for children.
- The quality and timeliness of life story work.
- The assessment of children looked after placed with parents.
- Strategic oversight and grip on areas for improvement and oversight of senior leaders, including case audits and supervision

1.6 Inspectors also identified areas of strength and note that early help for families, a mature approach to addressing exploitation and strong partnerships with key agencies are all making a positive difference to children's lives.

Other strengths identified include the Multi-Agency Safeguarding Hub (MASH); the Adolescent Safety Framework; Return Home Interviews for children who go missing from home or care; the response to young people who present as homeless; the Local Authority Designated Officer (LADO); private fostering, elective home education and arrangements to track children missing from education; visits to children in care; the work of the Virtual School, support for foster carers and for adopters.

The strengths are considerable, they are wide-ranging and far-reaching.

## 2. The response

2.1 The publication of the inspection report coincided with the announcement of new government restrictions in response to the CV19 pandemic. The usual protocol in response to an adverse inspection outcome commenced, including receipt of a draft statutory direction, a formal meeting including the Leader of the Council, Lead Member and Chief Executive with Department for Education (DfE) officials and the production of a detailed SMART Improvement Plan. Further government restrictions were announced on 23<sup>rd</sup> March and a more pragmatic response was agreed between the DfE and the Council.

- DCC will publish an improvement plan that shows how, in its response to CV19, DCC will address the most immediate risks to children and young people identified in ILACS 2020. The Improvement Plan is [here](#).
- The Devon Children and Families Partnership Executive will act as a temporary Improvement Board, overseeing the partnership response to CV19 and providing check and challenge of the Improvement Plan. The extraordinary terms of reference for the DCFP executive are [here](#).
- DCC will secure an independent expert, approved by DfE, to provide consultancy to the DCC Chief Officer. This resource has been secured.

- 2.2 The cases of care leavers in unsuitable accommodation were reviewed immediately after the inspection. The DfE definition of unsuitable is complex; for example, it includes care leavers in custody and those in homes of multiple occupation (HMO). For students at University, HMO accommodation is the norm and custody is not amenable to social work intervention. So, not every young person in 'unsuitable' accommodation requires intervention. A RAG rated weekly report of young people in unsuitable is produced for the Chief Officer and Lead Member. This sets out the actions to be taken to remedy the circumstances of young people rated red.
- 2.3 At the time of writing there are 6 young people rated red, there were 12 a few weeks ago and 8 at the time of inspection. One of the young people identified by Ofsted remains red. Every Local Authority will have a similar sized group of very vulnerable young people. There are no quick fixes; what has changed is the seniority of management oversight and the explicit expectation on senior managers to take action to resolve young people's circumstances.
- 2.4 Similar, weekly, reports are in place for children in unregulated placements, children in pre-proceedings for longer than 12 weeks and children's permanence plans. These are monitored by the Chief Officer and Lead Member.
- 2.5 The Council has appointed a temporary Improvement Director and Improvement Lead to work alongside the Deputy Chief Officer to the direction of the Chief Officer and has also replaced two key roles, the senior managers responsible for corporate parenting and for safeguarding and quality assurance.
- 2.6 Children's Overview and Scrutiny held its first virtual meeting on 31<sup>st</sup> March to scrutinise the Council's response to the inspection report. Its Standing Overview Group met in April to examine the Improvement Plan prior to it being finalised

### **3. Financial Implications**

- 3.1 The additional resources requirement to support the Improvement Plan can be broadly categorised into three main areas
- Increased capacity for data quality, information and assurance teams
  - Increased capacity for corporate parenting and participation teams
  - Increased senior leadership capacity to drive improvement

Ofsted are also temporarily deploying three inspectors, at no cost to the Authority, to work with us in the areas of Care leavers, Case Progression and Disabled Children's Services.

- 3.2 The budget requirement is estimated to be £2.2 millions in 20/21, of which just under £1.1 millions is recurrent and £1.1 millions is one off. For 21/22 the requirement is estimated to be just over £1.6 millions, of which £1 million is recurrent and £618,000 is one off.

This represents an increase of 30 full time equivalent staff (FTE), 21.2 of whom will be permanent, and 8.8 on fixed term appointments. Note that 4 staff are already in post on a fixed term basis. The proposal is to make these posts permanent.

Appendix A refers.

- 3.3 The budget takes account of additional Corporate costs where these can be reasonably estimated. However, for Legal Services it is uncertain how changing activity relating to pre-proceedings and court work will impact on caseloads. It is not anticipated that there will be additional premises costs, but this is not certain. For now, the potential for additional cost is noted but not included. This will be kept under review
- 3.4 Due to the current COVID-19 pandemic recruitment to some posts is likely to be delayed. Where possible and appropriate, staff with the relevant skills sets may be redeployed from other service areas to bridge some of the gaps. It should be noted that the profiling of costs across financial years may therefore change.
- 3.5 COVID-19 will have a considerable and adverse impact on the financial future of the Council. Before the Coronavirus outbreak the Council did not know the funding that it would receive from Government beyond this financial year. COVID-19 has greatly increased the uncertainty around future funding. The Government has incurred unprecedented levels of debt to support the national economy. This may well have an impact on funding available to Local Government in the short and medium term. In recognition of this, the proposal has been reviewed and permanent costs reduced. Despite that, this proposal still represents a considerable investment in times of great uncertainty.

#### **4. Statutory Implications**

Under the Education Act 1996, the Secretary of State can issue a Statutory Direction to an Authority where he is satisfied that it is failing to perform its functions to a satisfactory standard.

Following the Ofsted report, a draft Statutory Direction has been issued which sets out that a Commissioner will be appointed and that the Council is to cooperate with that Commissioner as to the Council's approach to improvement and its improvement plans. However, the appointment of a Commissioner has been postponed until later in the year in light of the CV19 pandemic and the alternative arrangements as highlighted earlier in this report have been agreed.

The Statutory Direction also requires the Council to comply with instructions of the Secretary of State in relation to improvement of the Council's social care functions, assist the Secretary of State as required; continue improvement activity; and submit improvement plans.

The Statutory Direction is not time limited and will remain in force until revoked by the Secretary of State.

#### **5. Partnership Implications**

- 5.1 Partnership working was identified by Ofsted as a strength in Devon. There are some very specific issues for partners in response to the findings of the report, health passports and the availability of suitable housing for example. These are not a strategic priority for the duration of the pandemic. Partners have engaged fully with the requirement of the DCFP to act as an Improvement Board and are contributing to the Joint Incident Management Team for children and the Incident Management Teams in place for specific groups (vulnerable children under 8, vulnerable children over 8, disabled children and children in care & care leavers)

**Darryl Freeman**  
Head of Service (Deputy Chief Officer)  
Children's Services  
13 May 2020

Electoral Divisions: All

Cabinet Member for Children's Services and Schools: Councillor James McInnes

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

None

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Appendix A

<b>Post Ofsted Improvement Plan - Costs summary</b>				
<b>Recurrent costs</b>				
<b>Description</b>	<b>FTE</b>	<b>20/21 £'000</b>	<b>21/22 £'000</b>	<b>22/23 and ongoing £'000</b>
Eclipse Team	6.0	204	204	204
Management Information	0.2	10	10	10
Quality Assurance Team	4.0	317	235	235
Personal Advisers & Business Support	10.0	309	309	309
Children's Participation Team	0.0	37	37	37
Maintain non statutory social worker capacity		80	80	80
Corporate Costs - estimated	1.0	117	113	113
	<b>21.2</b>	<b>1,074</b>	<b>988</b>	<b>988</b>
<b>One off costs</b>				
<b>Description</b>	<b>FTE</b>	<b>20/21 £'000</b>	<b>21/22 £'000</b>	<b>22/23 £'000</b>
Case Progression Officers	2.0	166	83	0
Project support - Improvement Programme Management	2.0	90	45	0
Adolescent Safety Framework	2.0	76	0	0
Corporate Parenting Service	1.0	117	58	0
Improvement and Development	1.0	200	100	0
Strategic Management - Improvement Director	0.8	178	178	0
Training, scrutiny and independent chairperson		250	125	0
Corporate Costs - estimated		75	29	0
	<b>8.8</b>	<b>1,152</b>	<b>618</b>	<b>0</b>
<b>Total annual cost of recurrent and one-off funding</b>	<b>30.0</b>	<b>2,226</b>	<b>1,606</b>	<b>988</b>