

POST OFSTED IMPROVEMENTS TO CHILDREN'S SERVICES

Report of the Independent Chair of the Improvement Partnership and the Improvement Director

1. SUMMARY

This report is to provide an update on the response to the Inspection of Local Authority Children's Services (ILACS) undertaken in January 2020 where the Council was judged to be inadequate.

2. INTRODUCTION

- 2.1 In January 2020 Devon County Council's Children's Services were judged to be inadequate following inspection by Ofsted. Ofsted found that senior leaders did not know about the extent of the failures to protect some of the most vulnerable children and young people from harm. They were unaware that a very small minority of their care leavers were or had been living in tents on the streets. These were not judged to be isolated incidents. In general, care leavers with the greatest needs, including struggles with their mental health, were found to be left in unsuitable accommodation for too long because their corporate parents do not step in and act.
- 2.2 Overall Ofsted identified eight areas for improvement, including the concerns about care leavers, these are outlined below. The Council immediately prioritised a response to ensure that children and young people were safe and that concerns identified by Ofsted were addressed.
- 2.3 The inspection report was due to be published in late March, at the same time as the Country went into lockdown as a result of the CV-19 pandemic. As a result, the approach to improvement has taken two key phases to date;
 - **Phase 1 (April – July):** an approach to improvement which was focused on addressing the context of the pandemic, ensuring vulnerable children, young people and their families were safe and supported appropriately and addressing the priority areas for improvement. During this phase the governance of improvement sat with the Devon Children and Families Partnership Executive.
 - **Phase 2 (July – November);** a more comprehensive improvement plan was developed covering all the deficits identified in the ILACS and including the CV-19 response post lockdown. During this phase the governance of improvement became the responsibility of the Improvement Partnership, comprised of elected members, senior council officers, senior representatives of statutory partners (health, police and schools), the DfE

and a representative from Cornwall Council. Nigel Richardson was appointed as the Independent Chair of the Improvement Partnership.

- 2.4 During this second phase, the DfE appointed Eleanor Brazil as a Commissioner for Devon and Eleanor has also attended and provided her reports to the Improvement Partnership.
- 2.5 Each month the Improvement Partnership has received an update on the action plan together with a highlight report, and a scorecard covering priority areas of improvement (care leavers, children in care, neglect and the impact of leaders). In addition, the Improvement Partnership has considered priority improvement activity in specific areas in more detail as needed including;
- A review of the Disabled Children's Service
 - The engagement of young people
 - Partnership 'Reset' of priorities post lockdown
 - Preparations for and findings of the monitoring visit.
- 2.6 The improvement plan matrix, highlight report and scorecard have also been presented each month to LG-8, Children's Standing Overview Group, Children's Scrutiny, Corporate Parenting Members Group and the DCFP Executive.
- 2.7 Ofsted would usually complete a first monitoring visit six months after an inadequate judgement. There was some delay to this for Devon as Ofsted's inspection activity was suspended due to CV-19. Ofsted re-established a programme of visits in September and Devon received its first Monitoring Visit on the 22/23 September.
- 2.8 The final letter of the Ofsted monitoring visit has now been received which confirmed that during the visit Ofsted identified areas of strength, areas where improvement is occurring and some areas where they considered that progress requires further improvement. These are discussed in more detail below.
- 2.9 Ofsted identified in the monitoring visit that whilst the improvement plan and the partnership are in their infancy they are well-designed to build on a good CV-19 action plan and that given the context of the pandemic, that improvements are being made at a reasonable pace following an initial phase that correctly focused on immediate risk for care leavers and other children in Devon.
- 2.10 In October 2020, Eleanor Brazil prepared her first report as Commissioner. This report makes a number of recommendations for action by Devon and is with the Minister, Vicky Ford. Her response is expected imminently.

3. PROGRESS TO DATE

- 3.1 In relation to the eight priorities identified by Ofsted in the ILACS;

Services to care leavers;

- 3.2 The improvement response has prioritised senior leadership oversight of care leavers identified by Ofsted to be at risk (those identified as being 'high risk' in unsuitable accommodation and inappropriately placed in unregulated settings). In addition, the improvement response has included increased capacity of Personal Advisers to support care leavers, improved planning through the development of an improved Pathway Plan template (the plan which sets out what is needed to support a young person to adulthood) and improved management oversight of risk. Work has also been taking place to improve accommodation and support options, through work to strengthen the offer to care leavers by accommodation providers, including District Councils, and partners including in health.
- 3.3 During the monitoring visit in September, Ofsted found that the CV-19 response had been effective in ensuring care leavers were seen and kept safe. Personal Advisers were found to have strong relationships with young people and demonstrated tenacity and commitment to them, often through challenging circumstances, and this increasingly translates to extra support and interventions when young people are struggling.
- 3.4 In addition, the monitoring visit found a clear line of sight from senior leaders and elected members to young people living in unsuitable and risky situations and in some cases, this resulted in accelerated positive change for the young person. Care leavers who were most at risk were found to retain a high profile with their corporate parents.
- 3.5 Ofsted also found that assessing and responding effectively to complex risks was improving but more needs to be done to equip personal advisers and managers with the skills and knowledge to find swift and effective solutions for those young people most at risk through multi-agency solutions. Further development work is planned with key staff and partners to develop improved multi-disciplinary approaches to develop proactive plans that prevent and reduce risk.
- 3.6 The revised Pathway Plan format, which embeds risk as part of the analysis, will now be used to review the plan for all young people, ensure their voice is clear and that our plans for young people's futures are ambitious. An audit of the completion and quality of Pathway Plans is planned this autumn.
- 3.7 In the monitoring visit Ofsted identified that the health of care leavers and the issuing of health passports has been slow to improve. Whilst we are now confident that all young people are offered their health passport appropriately there is more being done to ensure these are taken up by young people and evaluate how they impact on their overall health.

The quality of social work practice, to assess, support and protect children who experience neglect, and the effective use of pre-proceedings;

- 3.8 Ofsted found that children living with chronic neglect were not always being safeguarded in a timely way. Significant development work has taken place to skill up staff in the use of evidence-based tools (such as the 'Graded Care Profile') to assess and intervene with families where neglect is a concern. This

has linked to development work with the partnership workforce through the focus on neglect of the DCFP Quality Assurance Practice Development Group.

- 3.9 In addition, two Case Progression Managers were appointed in May to provided scrutiny to our pre-proceedings work, to reduce drift and delay, ensuring pre-proceedings are being used in appropriate cases and to improve the quality of initial application where proceedings need to be issued. This has resulted in fewer pre-proceedings over 12 weeks and more issued care proceedings leading to more children coming into care in line with the social work recommendation. We are currently completing additional audit work to evaluate additional impact.

The effectiveness of child protection conference chairs in responding to escalating risks and identifying when progress is not being made for children;

- 3.10 Initial development work has been undertaken with CP Chairs to ensure they are effective in their role of having oversight of the progress of plans for children at risk. This has included scrutiny of child protection plans that have been in place more than nine months, to identify and address drift where needed, and a review of repeat CP Plans to identify any learning.
- 3.11 We are currently negotiating with the DfE for Cornwall to offer us support with our improvement priorities through a 'Partners in Practice' arrangement. One of the priorities for this work will be a diagnostic of the effectiveness of our Independent Review Officers and CP Chairs, to evaluate the impact of improvement work to date and inform any further improvement work needed. Cornwall were identified to have very effective arrangements in this area with their staff acting as children's right advocates. The diagnostic is planned for November.

Consideration of child protection medicals when children disclose physical abuse or present with injuries;

- 3.12 All staff were reminded of the criteria for child protection medicals, this is being monitored by managers and a review was completed by a CP Chair in September.
- 3.13 A rapid review of a child under one who was the subject of physical abuse and where a child protection medical hadn't been sought appropriately was completed in July and as a result a Child Safeguarding Practice Review is being undertaken using an appreciative inquiry approach, to identify learning.

Permanence planning for children;

- 3.14 A new practice framework to ensure planning for permanence starts early in a child's care experience has been developed and is being implemented. Significant progress has been made in ensuring all children in care have early permanence planning meetings and a permanence plan recorded on Eclipse and ensuring associated permanence actions, such as matching for permanence with their foster carers, are complete. Improved permanence outcomes are being seen through our legal work which is securing early permanence for children with adoption plans.

The quality and timeliness of life-story work;

- 3.15 The Principal Social Worker has developed an extensive range of tools, guidance and good practice examples on life story work and these have been promoted extensively to staff through a network of practice champions and training is provided. Independent reviewing Officers are required to ensure life story is in place appropriately from early in a child's care experience, as part of our improved approach to permanence.
- 3.16 An audit is planned this month to determine whether life story is in place where required and is the required quality to help young people understand their journey's.

The assessment of children looked after placed with parents;

- 3.17 An audit was completed in August which confirmed that all young people placed with parents had been appropriately risk assessed and there was appropriate oversight by senior managers. This is now monitored through Locality Panels chaired by Locality Directors. A further audit is planned this autumn to ensure practice expectations continue to be met.

Strategic oversight and grip on areas for improvement and oversight of senior leaders, including case audits and supervision;

- 3.18 Immediately following the inspection arrangements were put in place for senior leaders to have weekly oversight of young people identified by Ofsted as of concern. In the recent monitoring visit Ofsted judged these arrangements to have been effective and management oversight is currently moving to more business as usual arrangements with regular oversight of priority young people by the Area Manager, Senior Manager. The Chief Officer is continuing fortnightly oversight to the end of November and then monthly oversight until the end of the financial year.
- 3.19 The Chief Officer also had weekly oversight of pre-proceedings cases over 12 weeks, until performance in this area improved, and of issued care proceedings that have not concluded within the target of 26 weeks. This had led to detailed analysis of the reasons for delay, including significant delays attributable to the scheduling of cases by the judiciary and the use of expert witnesses and the Chief Officer has a meeting planned with the Judiciary to raise these findings.
- 3.20 Following the inspection a revised Quality Assurance Framework was developed to strengthen the quality and impact of the oversight of practice. During the CV-19 response phase quality assurance took the form of extensive management dip sampling of risk assessments with feedback to managers where needed. In addition, some limited partnership audits took place of the CV-19 risk assessment approach.
- 3.21 The revised quality assurance framework has been being implemented since July with the initial focus on practice evaluations of work with individual children, including moderation by senior managers to ensure increased consistency in judgement about practice standards (leading to 17% being downgraded usually from good to requires improvement). In one quarter, 125

practice evaluations have been completed of which 21% were judged to be 'good', 67% 'require improvement' and 11% were inadequate. Tracking is being undertaken to ensure that where actions were needed in individual cases, they are carried out. Findings from the first quarter are being finalised for presentation to managers and elected members as appropriate. In the monitoring visit, Ofsted found that the quantity and quality of audits has improved since the last inspection and that additional quality assurance has been extensive since the last inspection including a full review of all young people in high risk situations.

- 3.22 Improvements have also been made to performance management arrangements with the development of service plans, linked to the improvement plan, and Performance Clinics in each area aligned to a service Improvement Challenge Board which is designed to scrutinise, support and challenge progress in priority areas.
- 3.23 A further strategic priority identified for action by senior leaders is the need to address high rates of agency staffing in some parts of the County, and put in place recruitment and retention measure which stabilise and develop the workforce to enable improvements to be secure and sustainable. A revised Recruitment and Retention Strategy and plan is in development which includes clear career progression opportunities and important to this is the further development and implementation of our restorative practice framework.

4. NEXT STEPS

- 4.1 The Improvement Plan is currently being refreshed to reflect the actions from the monitoring visit and the Commissioners report. In this next phase (December to March) attention will be given to ensuring all areas requiring remedial action are fully addressed and on evaluating the impact and sustainability of the improvements made through focused quality assurance activity.
- 4.2 Ofsted have announced a programme of visits to LAs children's services to evaluate the response to CV-19. The visit after the first monitoring visit likely be a 'focused visit' and is expected to take place in Devon in January 2021. The inspection team will usually be four social care HMI and one schools HMI. The focused visit will consider the context of the local authority, including the local impact of the pandemic. Inspectors will look at what has happened for children and families in the 6 months before the visit to understand children's experiences.

- 4.4 The focus of the visit will be on help and protection, children in care and care leavers and the impact of leaders including;

"child-centred practice that has been carefully risk assessed to result in the best possible decisions for children in the context of the pandemic locally. We are evaluating and seeking assurance about the quality and impact of practice within a challenging context, when circumstances may have resulted in decisions that may have been different to those taken in normal times. Inspectors will give credit to evidence of practitioners and managers doing the right thing for children in the circumstances." Ofsted Sept 2020.

- 4.5 Preparations have begun for this visit and we would expect significant scrutiny of the progress of the eight priority areas for improvement identified in the ILACS, progress in relation to the findings of the monitoring visit and progress in relation to the recommendations of the Commissioners first report.

5. FINANCIAL CONSIDERATIONS

Additional funding for improvement work was identified.

6. LEGAL CONSIDERATIONS

There are no specific legal considerations.

7. ENVIRONMENTAL IMPACT CONSIDERATIONS (INCLUDING CLIMATE CHANGE)

There are no specific environmental considerations.

8. EQUALITY CONSIDERATIONS

Equality Impact Assessment will be carried out where required.

9. RISK MANAGEMENT CONSIDERATIONS

Risks are included in Children's Services Risk Register.

10. PUBLIC HEALTH IMPACT

None

[Electoral Divisions: All]

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