

<b>Report to:</b>	Overview and Scrutiny Committee (Children's Services and Safeguarding)	<b>Date of Meeting:</b>	Monday 7 November 2022
<b>Subject:</b>	Children's Services Commissioner		
<b>Report of:</b>	Executive Director of Children's Social Care and Education	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member – Children's Social Care		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

**Summary:**

To outline the role of the Children's Services Commissioner for Sefton and the final report.

**Recommendation(s):**

To note and comment upon the content of the report.

**Alternative Options Considered and Rejected:** (including any Risk Implications)

Not applicable

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

Not applicable at this current time and further budget consideration will be considered in the budget setting process in 2023 for 2023/24.

**(B) Capital Costs**

Not applicable

**Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> Not applicable
<b>Legal Implications:</b> Non identified as the Commissioner has not recommended any material change to the way services are delivered.

**Equality Implications:**

There are no equality implications.

**Climate Emergency Implications:**

The recommendations within this report will

Have a positive impact	Yes
Have a neutral impact	N/A
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

**Contribution to the Council's Core Purpose:**

Protect the most vulnerable: The Improvement Programme seeks to deliver change across Children's Services whose activity protects and supports those children and young people who have complex care needs.

Facilitate confident and resilient communities: Children's Services work with partners to support families in need of support and improve resilience.

Commission, broker and provide core services: Activity within the Improvement Programme considers the Children's Commissioned activity.

Place – leadership and influencer: The Council will take a lead role in work with partners to deliver change in Children's Services.

Drivers of change and reform: The Council will work with partners to deliver change in Children's Services.

Facilitate sustainable economic prosperity: N/A

Greater income for social investment: N/A

Cleaner Greener: N/A

**What consultations have taken place on the proposals and when?****(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services (FD. 6993) and the Chief Legal and Democratic Officer (LD. 5193) have been consulted and any comments have been incorporated into the report.

**(B) External Consultations**

Not applicable

## Implementation Date for the Decision

Immediately following the Committee meeting.

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### Appendices:

The Commissioner's report is attached

### Background Papers:

There are no background papers available for inspection.

## 1. Introduction/Background

- 1.1 The Department for Education appointed the Commissioner on 22 May 2022, the Commissioner undertook a review of Children's Service from June 2022 to September 2022.
- 1.2 Sefton has been found to be 'inadequate' across all of the key judgements in the ILACS inspection conducted in February 2022 by Ofsted and in the formal report published in March 2022.
- 1.3 There is a presumption in cases of persistent or systemic failure that children's social care services will be removed from local authority control in order to bring about sustainable improvement, unless there are compelling reasons not to do so. In line with the recommendations set out in the Ofsted report of children's social care, published 9 May 2022, the Children's Services Commissioner for Sefton is expected to take the following steps:
  - To issue any necessary instructions to the Council for the purpose of securing immediate improvement in the Council's delivery of children's social care; to identify ongoing improvement requirements; and to recommend any additional support required to deliver those improvements.
  - To bring together evidence to assess the Council's capacity and capability to improve itself, in a reasonable timeframe, and recommend whether or not this evidence is sufficiently strong to suggest that long-term sustainable improvement to children's social care can be achieved should operational service control continue to remain with the Council.
  - To advise on relevant alternative delivery and governance arrangements for children's social care, outside of the operational control of the Council, taking account of local circumstances and the views of the Council and key partners.
  - To report to the Parliamentary Under Secretary of State by the end of September 2022.

- 1.4 The Commissioner has concluded that the Council should retain its services and will not be required to form a separate Trust, or for another Local Authority to take over its services and have its services removed. There are compelling reasons for this including the new senior leadership team and it would be a distraction from the core work now been undertaken in delivering the improvement plan. The Council and its partners however recognise that there is still much to do. A summary of the commissioner's report is highlighted below, pulling out the salient points for further discussion.
- 1.5 The Council was of the view that the OFSTED Inspection would be widely and extensively critical and this was evidenced by the significant requests for funding to Full Council and Cabinet during 2021, by the OFSTED pandemic visit in March 2021, and reinforced by the introduction of a DfE Advisor.
- 1.6 The Council welcomes the recommendations and it is noted that many of the issues raised were also identified by OFSTED when they visited a few months earlier.

**Key Issues:**

- 2.1 The Council has responded swiftly to the outcome of the 2022 inspection, creating additional leadership capacity. Additional capacity has been created at Assistant Director and Service Manager level and the new post holders are also talented and experienced as individuals.
- 2.2 Senior leaders have a core foundation task to develop and implement a coherent improvement plan, a performance and quality framework and operational strategies built from a clearly articulated vision which are visibly defined in team plans and individual appraisal, creating the 'golden thread' of everyone having a key role in improvement. These are very significant foundations of improvement which need to be relentlessly driven, and further pace to the implementation will need to occur over the next 6 to 9 months.
- 2.3 Although the Council is experiencing recruitment difficulties in some areas, some very good staff have remained, and they are highly committed and keen to make the improvements.
- 2.4 Staff report a more positive experience of organisational culture since the new senior team have been in place, citing more visibility of leaders and a culture of openness. This is a key foundation for onward improvement. Nevertheless, recruitment remains a major challenge, with over reliance on agency staff and 'managed service' teams. However, a clear workforce strategy is now agreed and further improvements to the terms and conditions of staff are currently being considered. Sefton is not alone in this situation, with many Councils throughout England reporting challenges with recruitment and retention and neighbouring Councils experiencing similar problems.
- 2.5 Not all the workforce have yet been sufficiently skilled and developed, and they are now dealing with very complex legacy cases and this was also raised by OFSTED and the improvement plan addresses the mechanisms to address these matters.

- 2.6 The work being supported by Leeds City Council on the Family Values approach is very positive, giving a good value-driven basis upon which good relational practice can thrive. However, this is a framework and not a practice model, and current work shows elements of various previous models still apparent in casework. Following the funding received from the DfE staff training sessions have been extensive and are addressing these concerns.
- 2.7 It is acknowledged that many assessments are still descriptive and lack critical thinking and analysis, and many of the children's plans require improvement, and this was clearly evidenced by OFSTED. However, plans are in place to improve and monitor this and some evidence is emerging of improvements, but as stated this will take time to improve.
- 2.8 There is a variation in practice around safeguarding strategy discussions, where police and other partners attend these are much better quality, but police are often not in attendance, and some strategy meetings are just the social worker and team manager. There is a need for additional learning across the workforce in understanding the guidance. Leaders and partner agencies are aware of these deficits, and work is now underway at pace to address these. As stated by the Commissioner good work has taken place around revising practice standards, and leaders recognise that previous work.
- 2.9 The SEND service has recently experienced a further decline in performance, with significant challenges in respect of staffing and the increase in the number requests for EHCP's. Plans are in place to address the performance issues and additional capacity has been secured to strategically oversee the work of the Local Area Partnership and to improve the operation of the SEND Service.
- 2.10 There are areas of work beyond quality of practice which need significant additional and specialist capacity in order to drive the pace and quality of sustainable improvement. These include quality assurance, performance management, project management, business support and commissioning and resources have been secured to make these improvements.
- 2.11 The Council has commissioned an external review of the LiquidLogic system, to improve performance management systems and dashboards and the actions arising from this are being driven at pace.
- 2.12 The quality assurance arrangements have been underdeveloped and plans are in place to improve this position, which are articulated in the improvement plan.
- 2.13 OFSTED also highlighted the improvements that were required regarding supervision and management oversight and the department has taken steps to address these and senior Leaders have a much better grip on the key issues and actions have now been taken to address these areas and are highlighted in the improvement plan.
- 2.14 The Local Government Association (LGA) Peer Review in May 2022 recognised the need for further work on good governance for members and made recommendations regarding the need for greater scrutiny of plans at a Corporate and administration level and the Council has strengthened its Overview and

Scrutiny functions by meeting on a new six weekly cycle, strengthened its Corporate Parenting Board; and plans will be further developed for training in 2023. In addition, the Cabinet Member responsible for children social care has undertaken 'training' and provided with peer support. The Cabinet Member is also a very visible Politician.

- 2.15 Regarding the Safeguarding Partnership, the department is taking steps to improve these areas.
- 2.16 There has been some fragmentation of services across the Council, and good work has taken place to realign youth offending and targeted services into the single Children's Services Directorate, and the Committee are aware that the early help service will transfer into the department in the near future and this will improve progress in achieving streamlined integrated services which actively prevent the need for high-cost, low impact services.
- 2.17 The Improvement Board is chaired by an experienced effective former DCS, and revised terms of reference and governance have been agreed to refine it to a manageable level with tight targets and criteria to monitor and refocus on accountability across the partnership for delivery and impact.
- 2.18 The Improvement Plan is a work in progress, and intensive work is currently being undertaken to refine it and the Committee are aware that OFSTED have signed off the improvement plan.
- 2.19 The Council is very open to support from other authorities and agencies, embracing Peer Review, formal support from Leeds City Council and other elements of support and advice from the sector. The Council will review the improvement support being offered and streamline this to a single suitably qualified and resourced Sector Led Improvement Partner or improvement partner arrangement with a strong Local Authority or Trust alongside the Leeds input and the Council will confirm how it intends to do this.
- 2.20 Since 2016/17 the Children's Services budget for Social Care has increased in value from £32.5m to £52.069m in 2022/23. This reflects investment in the budget for commissioned accommodation and investment in staffing resources to support the service, further additional and recurrent resource beyond the original investment to secure sustainable improvement will be considered by Council as it sets its budget in 2023/24.
- 2.21 The Council in addition to this Academy is now actively progressing the evaluation of options for the provision of its own Children's Care homes within the borough and as part of the financial evaluation will also be developing bids for DfE funding to support capital and set up costs and initial operating costs.

### **Recommendations to Sefton Metropolitan Borough Council**

1. A Commissioner should remain with oversight for the foreseeable future to ensure the pace and momentum is not lost and services fail to progress.
2. A medium-term financial plan should be developed which commits to recurrent additional investment for a three-to-five-year improvement programme.

3. Review the Council's market position within the region and sub-region regarding pay and benefits for new and existing staff.
4. Refresh the terms of reference and membership of the Improvement Board.
5. Develop a scheduled programme of review of progress at each stage of the improvement journey critical friend/peer review/Ofsted monitoring visits as a means of triangulating progress and reassuring leaders and citizens that progress is on track. Ensure that all forms of monitoring are reported through the Improvement Board.
6. Review and streamline improvement support to include an experienced sector led improvement partner (SLIP) or an improvement partner arrangement with a strong LA or Trust in addition to the Leeds City Council support.
7. Develop a cultural shift strategy throughout the Council to include internal communication, external communication and marketing plans.
8. The work to revise and triangulate the Improvement Plan, the performance and quality framework and the practice improvement programme should continue at pace, with each being completed and shared by the end of October 2022. This should include the publication of a fully owned Improvement Vision.
9. Review team and service planning so it makes a more coherent offer for staff.
10. Complete the shift in resources so that all relevant services are urgently co-located within CSD and urgently review the early help offer to ensure its preventative capacity is maximised.
11. Undertake a systems analysis of the child's journey through services, including modelling short- and medium-term financial implications of improvement.
12. Maintain a relentless focus on the quality of practice, including commissioning an immersive 12-month practice learning programme for all practitioners and managers and a programme of regular supported learning events.
13. As part of the practice learning programme, include comprehensive modules around supervision, decision-making and management oversight for managers, and secure places on national practice supervisors' training.
14. Demonstrate key evidence of political ownership of children's services i.e., fully articulated vision and profile of children's service is clearly set out in key LA and partnership strategic documents including Sefton 2030 and the children's JSNA and is clearly visible within their buildings.
15. Ensure that children and young people's voice, engagement and co-production with families is a central tenet of LA and partnership strategies, including Sefton 2030 and the Children's JSNA.
16. Safeguarding partnership to review any outstanding SCRs and LLRs and establish a timetable for completion and where appropriate, publication.

17. Safeguarding Partnership Scrutineer to prepare a report on work undertaken so far and its impact.
18. Map current governance arrangements for children's services across the partnership to ensure a whole-system 'golden thread' approach which prevents overlap and inconsistency.
19. Elected Members to receive additional training and support to ensure they know how to effectively discharge their duties supported by the LGA.
20. Ensure that the Corporate Parenting Board has representatives from across the political spectrum to ensure that responsibilities are everyone's business and consistency in compliance with statutory corporate parenting responsibilities and local standards as set out in the pledge.
21. Continue the work to develop local residential care provision and ensure sufficient investment to support this.