

Children's Services Improvement and Intervention

Purpose of report

For discussion and direction.

Summary

Following a recent review of Children's Social Care in Birmingham City Council, Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families, wrote to Sir Merrick Cockell on 27 March 2014 to outline the Government's future plans for children's services improvement. This letter is attached at **Appendix A**.

This included a commitment to a wider review aimed at "developing capacity for the delivery of children's services, including outside of local authorities", which will report in September 2014.

Recommendation

That the Executive provides guidance on the Chairman's response to Edward Timpson MP's letter of 27 March 2014.

Action

Officers to proceed according to Members' comments.

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Background

1. In December 2013, the Government ordered a review of Children's Services in Birmingham City Council, following a number of high profile child protection cases and ongoing concerns about the ability of the council to ensure the safety of children in the area.
2. The review was led by Professor Julian Le Grand with support from Alan Wood (Director of Children's Services in Hackney and now President of the Association of Directors of Children's Services) and Isabelle Trowler (the Government's Chief Social Worker for Children and Families), and was charged with providing clear, independent and expert advice to inform future decisions about improvement activity in Birmingham.

Edward Timpson MP's letter to Sir Merrick Cockell

3. On Thursday 27 March 2014, the Parliamentary Under Secretary of State for Children and Families, Edward Timpson MP, wrote to Sir Merrick Cockell to outline the Government's response to the review's recommendations for the future delivery of Children Services in Birmingham City Council.
4. This included the appointment of Lord Norman Warner as Commissioner for Children's Social Care in Birmingham, to oversee future improvement work in the council. This has been largely welcomed by the sector, allowing the Council to continue with its long term improvement plan while adding an additional layer of expert oversight and independent challenge.
5. The Minister also stated that he has asked Professor Le Grand to oversee the commissioning of an additional piece of work to "explore developing capacity for delivering children's services, including outside of local authorities". This will report in September, and will be used "not only in future thinking about the commissioning of services in Birmingham but elsewhere".
6. There is some ambiguity about whether this means that the Government may consider more drastic action in response to future concerns about council performance in this area. However, the letter serves as a reminder that the Department for Education (DfE) has the power to remove children's social care from council control, as set out in Clause 82 of the Children and Families Act 2014.
7. LGA officers have sought clarification with officials at DfE about the terms of the review. DfE continues to value the role of the sector to drive improvement and the role of the LGA in delivering support and brokering expertise into councils where needed. But Ministers are concerned about overall capacity within the system and whether enough alternative models exist for either DfE to draw upon in the case of councils in intervention, or for councils looking to outsource services.

Current Children's Services performance

8. Ofsted introduced a new single inspection framework for local authority child protection and looked after children services in November 2013. Twelve of these inspections have been completed to date, and the results of ten have been made public. Of these, five (50 per cent) have been rated "good", three (30 per cent) as "requires improvement" and two (20 per cent) as "inadequate". No councils have yet been rated outstanding under the new framework.
9. Under the previous model of safeguarding and looked after children inspections, which rated all councils between 2009 and 2012, almost one in five councils (17 per cent) were found "inadequate" for child protection. A further 44 per cent were judged "adequate" (rebranded as "requires improvement" under the new framework) and just 36 per cent were rated "good". With only 3 per cent (5 councils) achieving an "outstanding" rating, it is clear that these inspections set a high bar and it is important that local government is prepared to respond robustly to this challenge.

Improvement activity

10. Improvement activity for those councils rated inadequate or requires improvement has taken a number of forms, ranging from peer support through the LGA's sector-led improvement programme to more formal intervention from the Department for Education. In two cases, the Isle of Wight and Kingston upon Thames, the LGA brokered partnership arrangements between inadequate children's services departments and neighbouring councils (Hampshire and Richmond). This approach was widely welcomed as a proactive sector-led response to driving improvement.
11. In the case of Doncaster Council, a number of high profile child protection concerns and successive "inadequate" inspection results led the government to order an independent inquiry into the delivery of children's services in the council. This was led by Professor Julian Le Grand, Alan Wood and Dame Moira Gibb (Chair of the Social Work Reform Board).
12. The Doncaster review reported in July 2013, and initially proposed removing responsibility for all children's services, except for education, from the council. The government later accepted a proposal from the council for the establishment of an independent trust to oversee children's services instead, without the requirement to remove Doncaster's children's services function entirely.

Next steps

13. The Executive is asked to provide guidance on the Chairman's response to Edward Timpson MP's letter of 27 March 2014. In particular, Members are asked to consider:
 - 13.1. What involvement, if any, the LGA should seek to have in the latest Le Grand review. There are two main opportunities for influence: in drafting the specification for the work; and during the review itself.

- 13.2. The capacity within the system to drive improvement in children's services and the menu of options available for future improvement activity or intervention.
- 13.3. The potential for alternative delivery models where accountability and budget responsibilities remain with councils. This may include the provision of further peer led support such as the shared service models recently adopted by the Isle of Wight and Kingston upon Thames.
- 13.4. The extent to which the current Ofsted inspection framework gives an accurate picture of council performance.
- 13.5. Any further issues that the Chairman should include in his response to the Parliamentary Under Secretary of State for Children and Families.

Financial implications

14. There are no financial implications for the LGA arising from this paper.