

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Children's Services
<b>Date:</b>	25 May 2016
<b>Title:</b>	Supporting Improvement in Torbay Children's Services
<b>Reference:</b>	7566
<b>Report From:</b>	Director of Children's Services

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#### 1. Executive Summary

- 1.1. The purpose of this paper is to seek agreement from the Executive Lead Member for Children's Services to the use of Hampshire County Council resources, specifically managers from Children's Services, to support the improvement of Torbay Children's Services.
- 1.2. Hampshire County Council (HCC) has been approached by the Department for Education (DfE) to support the improvement of Torbay Children's Services, following Torbay being judged as inadequate in November 2015.
- 1.3. Hampshire County Council will not be taking full responsibility for Torbay Children's Services. The Chief Executive of HCC has been asked by the Minister of State for Children and Families to take on the formal role of 'Commissioner', with Hampshire Children's Services Department acting as 'expert advisers'. This means HCC will have the responsibility for supporting and directing Torbay's improvement journey.
- 1.4. This is not the same role as Hampshire County Council has with the Isle of Wight Children's Services, where HCC runs those services. In the case of Torbay, Hampshire County Council will not be so intensively involved with staff and management time but will provide support, challenge and direction. This will not detract from officers' day to day work in Hampshire.
- 1.5. The arrangement is subject to a 'Government Direction' which requires Torbay to cooperate with HCC.
- 1.6. The day to day improvement work will be undertaken by the Director of Children's Services and a small team of his managers who will ensure there is no detrimental impact on Hampshire Children's Services work. It is anticipated the improvement work with Torbay work will last for a period of 12 months.

1.7. HCC will receive a standard fee from the DfE for officer time, leading to a modest income for the Authority, ensuring there is no cost to Hampshire taxpayers.

## **2. Background/Context**

2.1 Torbay was judged inadequate in the inspection of safeguarding in 2010. The improvements that followed resulted in a judgement of adequate at a child protection inspection in 2013. This trajectory of improvement has not been sustained. In October 2015, Torbay Children's Services received an inspection of their Children's Services from Ofsted under the Single Inspection Framework (SIF), being judged as inadequate over all. The specific outcome judgments were:

- Children who need help and protection – Inadequate
- Children looked after/achieving permanence – Requires improvement
- Adoption performance – Requires improvement
- Experiences and progress of care leavers – Requires improvement
- Leadership, management and governance – Inadequate.

2.2 The Ofsted report noted the following key issues:

- Leaders and managers in the local authority have been ineffective in prioritising, challenging and improving the quality of practice, in particular for children in need of help and protection
- High turnover within the senior leadership team over several years, combined with inconsistency in management style, sickness absence and ineffective challenge throughout the organisation, have adversely affected the speed and effectiveness of improvement
- Performance information is not reliable and, therefore, cannot be used to enable effective scrutiny of activity. Quality assurance processes are not yet embedded and do not routinely lead to identifiable improvements across the service. Audit activity has been limited until recently and findings from audits have not been used effectively to inform staff training and improve practice
- Important weaknesses remain in social work practice across the service. While no children were found to be at immediate risk, children in Torbay do not receive timely responses to their needs and thresholds for access to services are not well understood or applied
- Children and families experience delay in gaining access to help and protection at referral, assessment and planning stages
- Practice across the service is not sufficiently proactive and a culture of incident-led social work is evident
- Delays experienced by children and families in receiving services are not sufficiently challenged by managers or child protection conference chairs

- Management oversight and supervision remain variable in timeliness and quality
- Arrangements to support and assess 16 and 17 year olds who are homeless are not robust. Assessments of need and consideration of becoming a child looked after for each young person are not routinely undertaken. This means that young people may remain at risk
- Arrangements to investigate allegations of abuse or poor practice by people who work with children are not consistently timely or robust
- The quality of early help work is significantly underdeveloped. There is no coordinated overview of early help provision across Torbay and no evaluation of its impact
- Services to families experiencing domestic abuse are underdeveloped
- Some children have to wait for many weeks for Child and Adolescent Mental Health Services
- Decisions to look after children in Torbay are not sufficiently timely or effective. Children experience delays in becoming looked after, particularly in cases where they have been exposed to ongoing chronic neglect.

2.3 Whilst some areas of strength were noted and some areas where there were early signs of improvement, the report was clear that these were not well embedded and that the service had not maintained previously achieved improvements.

2.4 As a result of this failed inspection, the second within five years, the DfE approached Hampshire Children's Services to discuss the possibilities for Hampshire supporting Torbay in making the required improvements. This request was made on the basis of Hampshire's consistently high performing Children's Services and its successful work with the Isle of Wight Children's Services who had found themselves in a similar position in 2012/13. It is a positive reflection on Hampshire that the DfE have approached the County Council to lead on this work.

2.5 As part of leading the improvement work, it is proposed that the Chief Executive of HCC become the Commissioner for Torbay, chairing the Children's Improvement Board (CIB), a mandatory multi agency board overseeing the improvements to the service, required by all Children's Services deemed inadequate. The Commissioner will regularly report on progress to the Minister of State for Children and Families at the DfE.

2.6 To provide context for the demographics/deprivation levels of Torbay see table 1 below:

<b>Ofsted inspection</b>	<b>Torbay (12/10/2015) Inadequate</b>	<b>Isle of Wight (16/09/2014) Requires improvement</b>	<b>Hampshire (18/02/2014) Good with outstanding features</b>
<b>Children under 18</b>	<b>25,100 (18.9%)</b>	<b>26,168 (19%)</b>	<b>280,150 (21%)</b>
<b>Poverty</b>	<b>21.6%</b>	<b>20%</b>	<b>12%</b>
<b>BME</b>	<b>8.1%</b>	<b>5%</b>	<b>8%</b>
<b>CiN</b>	<b>1376</b>	<b>1299</b>	<b>6,502</b>
<b>CP</b>	<b>209</b>	<b>219</b>	<b>909</b>
<b>LAC</b>	<b>290 (116.9%)</b>	<b>183 (70/10,000)</b>	<b>1,131 (40/10,000)</b>
<b>LAC living out of authority</b>	<b>47%</b>	<b>11%</b>	<b>27%</b>
<b>Foster families</b>	<b>196</b>	<b>128</b>	<b>833</b>
<b>Adoptions</b>	<b>24</b>	<b>4</b>	<b>62</b>
<b>SGOs</b>	<b>12</b>	<b>20</b>	<b>30</b>
<b>Ceased to be LAC</b>	<b>126 (4% became LAC again)</b>	<b>87 (13% became LAC again)</b>	<b>464 (6.9% became LAC again)</b>

As can be seen, the demographics and level of need in respect of demand for Children in Need (CiN) and Looked After Children (LAC) are almost identical to the Isle of Wight. Torbay is a close comparator authority for the Isle of Wight whose demands and data we understand and are particularly familiar with. This places Hampshire in a good position to understand what data/performance is required to evidence a healthy children's social care system in Torbay.

This current data (2015/16) reports the following issues:

- High levels of referrals with no further action – 35% compared to 10% for Hampshire
- Low rates of assessment per 10,000k of the child population
- High rates of s47 child protection investigations
- High rates of children becoming subject to child protection conferences
- High rates of children becoming subject to a second or subsequent child protection plan
- High rates of children looked after.

This data reflects a children's social care system that is unstable, has inconsistent application of thresholds for services and lacks a robust early help offer, pre-social care.

### **3. Initial scoping**

- 3.1 In early March 2016, as part of the preparation for working with Torbay, the Director of Hampshire Children's Services led a visit to Torbay with a small team of senior managers from children's social care, to undertake an initial scoping exercise.
- 3.2 It is evident from that scoping work that Torbay is well resourced, both financially and in terms of staffing levels, and in a good position to deliver sustained improvement to become a good Children's Services. Many of the systems/structures in place are generally fit for purpose and can be adapted to drive the required improvements.
- 3.3 Torbay is in a stronger position than Children's Services on the Isle of Wight in 2012/13, at the start of the strategic partnership with HCC. However, there are a number of key areas that require improvement which HCC officers consider they can support Torbay in achieving.

### **4. Proposed plan to support improvement**

- 4.1 The DfE has offered for Hampshire to undertake up to 200 days' annual improvement work with Torbay at a standard DfE fee rate.
- 4.2 The following are the key areas of improvement work identified, with a more detailed programme to be prepared in conjunction with officers from Torbay Children's Services:
  - The Chief Executive of Hampshire County Council to act as commissioner for Torbay, chairing the Children's Improvement Board (CIB). This role will hold senior managers to account for the improvement work in children's services and across the Torbay children's partnership as a whole
  - Advise, challenge and support the improvement board
  - Advise and challenge the development of an integrated care organisation that ensures the day to day functions of children's services remain the priority
  - Support the political leadership to help them understand their responsibilities in respect of children's services
  - Advise on the appointment of an interim Director of Children's Services
  - Advise, support and challenge the senior leadership team
  - Identify key personnel throughout the organisation to offer peer mentoring, challenge and support from Hampshire officers
  - Assist in the redesign of the workflows around Multi Agency Safeguarding Hub (MASH) and develop a consistent agreed threshold for services

- Review and develop workflows post-MASH to ensure the right children receive the right service
- Support the review and introduction of agreed policies and procedures
- Help to develop a revised approach to fostering and the commissioning of placements
- Develop improved performance management information and the analysis and use of that data in performance management
- Review the IT systems to ensure they are fit for purpose
- Advise, support and challenge the LSCB in respect of safeguarding priorities across the children's partnership
- Offer additional training to team/service managers based around our aspirant managers training programmes
- Undertake a Hampshire peer review at an agreed point (potentially 10 months) to benchmark progress.

4.3 These are headlines only and a more specific programme will be drawn up to reflect these identified priorities.

4.4 A small team of Hampshire officers will lead this work. As with the Isle of Wight, it is considered that in undertaking this work there will be positive learning for Hampshire as well as and creating a small income to compensate the County Council.

## **5. Finance**

5.1 The DfE has agreed for Hampshire to undertake up to 200 days' annual improvement work with Torbay at its standard day rate.

5.2 It is important to note that there will be no cost to Hampshire taxpayers and a small income will be generated from this work. Officers' time will be collated and regular claims made to the DfE.

## **6. Consultation and Equalities**

6.1 Race and equality impact assessment has been considered in the development of this report and no adverse impact has been identified.

## **7. Recommendation**

7.1 That the Executive Lead Member for Children's Services approves the use of Hampshire County Council resources, specifically managers from Children's Services, to support the improvement of Torbay Children's Services.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
<b>Maximising well-being:</b>	no
<b>Enhancing our quality of place:</b>	no

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

#### **Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

#### **1.2. Equalities Impact Assessment:**

- a) Equality and diversity objectives are not considered to be adversely affected by the proposals of this report

### **2. Impact on Crime and Disorder:**

2.1. Crime and disorder objectives are not considered to be adversely affected by the proposals of this report.

### **3. Climate Change:**

3.1. Climate change objectives are not considered to be adversely affected by the proposals of this report.