

# PEOPLE (CHILDREN) SCRUTINY PANEL

22 January 2015

## SAFEGUARDING CHILDREN IN NEED OF CARE AND PROTECTION

Report of the Director for People

STRATEGIC AIM:	Creating a Brighter Future for All
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### 1. PURPOSE OF THE REPORT

- 1.1 The purpose of this paper is to provide an update on improvement within front line Children's Services taking account of previous peer review and inspection recommendations.

### 2. RECOMMENDATIONS

- 2.1 That People (Children) Scrutiny Panel notes the progress on the service improvement programme within this paper
- 2.2 That People (Children) Scrutiny Panel support the areas of particular focus in the report.

### 3. BACKGROUND INFORMATION

- 3.1 An unannounced Ofsted inspection took place between 7th and 16th January 2013. The Ofsted Inspection of the Arrangements for the Protection of Children considered key aspects of a child's journey through the child protection system in Rutland and focused on the experiences of the child or young person and the effectiveness of the help and protection that they are offered.

It did not include any inspection of Looked After Children (LAC) as at that time the Ofsted inspection framework was separate and the LAC inspection had taken place previously in November 2011.

- 3.2 Within the January 2013 inspection, Ofsted Inspectors scrutinised case files, observed practice and discussed the help and protection given to these children and young people with social workers, managers, elected members and other professionals, including the Chair of the Local Safeguarding Children Board. The inspection team also analysed data, reports and management information.

- 3.3 The Ofsted inspection in January 2013 made judgements under four headings:

- a) The effectiveness of the help and protection provided to children, young people, families and carers;
- b) The quality of practice;
- c) Leadership and governance; and
- d) Overall effectiveness.

There were four possible judgements within the Ofsted inspection framework at that point:

- i. Outstanding
- ii. Good
- iii. Adequate
- iv. Inadequate

The report was published on 15th February 2013 and Ofsted's judgement across all four categories was "adequate", meaning that the minimum required standards for the protection of children were met.

- 3.4 Within the inspection report there were significant issues raised in relation to the threshold for decision-making for intervention with families at a Children in Need (CIN) and Common Assessment Framework (CAF) and the need to evidence clear planning in case work. The inspectors commented on the fact that plans were adult focused and lacked specific assessment of the child's needs.

Concerns were also raised about the evidencing of timely robust management decision-making and targeted social care interventions, including clear and well recorded access to social work advice and expertise.

There were also significant concerns about the lack of a robust performance management system and the need to ensure performance management and quality assurance arrangements include a clear and consistent focus on service quality.

#### **4. THE NEW 'OFSTED INSPECTION FRAMEWORK' - WHAT WE CAN EXPECT?**

##### **4.1 Summary of Framework**

The new inspection framework differs significantly and was implemented in September 2013.

The aim of the 2013 Inspection Framework is for inspectors to closely experience what happens for children and families through a more in-depth examination of the journey of the child undertaken from the point at which the Local Authority comes into contact with a child through to the provision of specialist services and ultimately adoption.

Practice is tested through a more rigorous approach than under previous Inspection Frameworks. The inspectors are no longer in and out of the Local Authority within 1 week. Instead they now embed themselves within the workforce over a four week period in order to comprehensively test and evaluate the effectiveness of the child's journey throughout the social care system.

## 4.2 The New Inspection Regime

All inspections will be announced at short notice (1 full working day). The Local Authority will receive a call from Ofsted to “announce” the inspection and will be informed that the lead inspector and a small team of inspectors will be arriving on site the following day to begin the inspection. The remainder of the inspection team will arrive on site at the beginning of the week following the local authority case auditing of files.

The inspection itself takes place over a four week period and the schedule is as follows:

Week 1 - Small inspection team on-site (3 days) (Wednesday to Friday). The Lead Inspector identifies 18 cases for the Local Authority to audit and draft a report to the inspection team about their findings.

Week 2 - Inspection team off-site (5 days) examining Annex A information whilst Local Authority undertakes robust internal auditing of the nominated 18 cases. This activity is carried out by a first tier of managers and subsequently re-audited by senior managers who prepare a report on the findings for the Inspection Team

Week 3 - Full inspection team on-site all week (5 days).

Week 4 - Full inspection team on-site Monday to Wednesday (3 days).

The inspection team itself normally consists of seven suitably qualified and experienced Her Majesty’s Inspectors (HMI) who will carry out the inspection. Six will be experienced in both the delivery and inspection of social care whilst one inspector will be experienced in the inspection of education provision. The size of the inspection team may be adjusted to take account of the geography and demography of the Local Authority being inspected. Local knowledge and discussions with the Lead Inspector indicates that Rutland inspection will take place at the same time as the inspection for Leicestershire.

The inspection will always be led by a social care HMI. The inspection team will normally be on-site for 11 working days across the four-week period; this during weeks 1, 3 and 4

## 5. INSPECTOR’S KEY JUDGEMENTS

5.1 Inspectors now make three key judgements within the single inspection; these are:

- The experiences and progress of children who need help and protection.
- The experiences and progress of children looked after and achieving permanent homes and families for them.
- Leadership, management and governance.

If a Local Authority is judged 'inadequate' in any of these three critical areas, it will automatically be judged 'inadequate' overall.

## **6. SIGNIFICANT NEW DEVELOPMENTS**

6.1 For the first time, Ofsted will also make discrete, graded judgements on the following:

- Experiences and progress for care leavers.
- Adoption.
- Quality of plans for children's futures.
- The management and practice oversight and accountability of those plans including the extent to which any delays are being swiftly reduced.

6.2 They will also consider the quality of support and care for young people becoming independent and leaving the system, including:

- The provision of safe and good housing.
- Access to education and training.
- Employment.
- The extent to which those individuals feel supported by their corporate parents.

## **7. LEGAL FRAMEWORK**

7.1 The Ofsted Inspectors will carry out the imminent inspection under Section 136 (2) of the Education and Inspections Act 2006 (EIA). Her Majesty's Chief Inspector (HMCI) has the power to carry out inspections of certain local authority children's services functions as listed in Section 135 of the EIA if they deem it appropriate. These Ofsted inspections focus on the Local Authority functions with regard to the help, care, and protection of children and young people.

7.2 Under the new Ofsted Inspection Framework - when scheduling inspections Ofsted take account of previous inspection outcomes, information from other sources, such as whistleblowing, complaints, and serious case reviews and any other relevant information.

7.3 It is worth noting that inspections will only be deferred in exceptional circumstances. Staff absence, including the absence of the Director of Children's Services, is not a reason for deferral.

## **8. PUBLICATION OF INSPECTION FINDINGS**

8.1 At the end of the inspection Ofsted will publish a report on their website within 30 working days. Where a review of the Local Safeguarding Children Board (LSCB) has been undertaken at the same time, this review will be part of the final report.

## **9. OUTCOME**

### **9.1 What Happens Next**

Action Statement (within 70 Working Days):

The Local Authority is then required to prepare and publish a written statement of the action it intends to take in response to the report.

Where inspection evidence suggests that there are weaknesses in multi-agency practice, the relevant inspectorates will be notified and may decide to inspect in accordance with their statutory powers. This will be clearly identified in the report and shared with the relevant inspectorate at pre-publication stage using Section 149 and schedule 13, paragraph 8 of the EIA.

### **9.2 Inadequate Judgement**

If an authority is judged to be inadequate, the relevant inspectorate will be required to attend the Ofsted-led improvement challenge seminar.

### **9.3 Current Results**

Since the implementation of the new inspection framework, approximately 44 councils have been inspected.

The results for Early Help and Child Protection are ;

- 11% - Good
- 67% - Requires improvement
- 22% - Inadequate.

Looked after children;

- 22% - Good
- 67% - Requires improvement
- 11% - Inadequate.

## **10. WHAT HAVE WE DONE SINCE THE INSPECTION IN JANUARY 2013 and WHERE ARE WE IN OUR IMPROVEMENT JOURNEY?**

Since the appointment of the new Director of People (DCS) in 2014 we have implemented a more robust and rigorous performance management framework. Preparation for the logistics plan for the inspection is now underway. This process has allowed us to take stock of significant areas such as:

### **10.1 Access Point for Children**

- i. In response to concerns around the need for clarity on the threshold for intervention at the level of Children in Need (CIN) and Common Assessment Framework (CAF) process the previous Assistant Director implemented a new "Step up and Step down" (SUSD) procedure. Sitting underneath this procedure was a Tracker System to

ensure that cases did not drift and were adequately overseen by the duty manager, resulting in a tighter management grip on the tracking of case work.

- ii. The "Threshold Document" is now revised and published on the Local Children Safeguarding Board (LSCB) website. It is understood that this document will be launched at the forthcoming Local Children Safeguarding Board (LSCB) conference on 'Neglect' in February 2015.
- iii. It is understood that a training programme for CAF was rolled out over the multi-agency group, however recent audit activity would suggest that further embedding of the threshold is to take place which is exacerbated by the difficulties around the children information database.
- iv. A Multi-Agency Safeguarding Panel ( MASP) was formed in early 2014 in order to consider those cases that remained close to the CIN threshold or where agencies had concerns and wanted to properly consider how best to assist the child and family. It is true to say however that a further strengthening of partnership engagement in this area needs to occur.
- v. The recent implementation of weekly Team Manager Performance Meetings with the Head of Service (HoS) provides a more robust performance framework in which to better understand workload and application of LSCB threshold document.

## 10.2 Intensive Family Support (IFS) and the Relationship with Early Help

The Intensive Family Support (IFS) Service is currently located within the Fostering and Adoption Team but serves all of children's services once appropriate referrals have taken place.

This service works well and is managed efficiently and effectively. Work is ongoing in relation to where this service best sits within the organisation to ensure that it is targeted at the right level and with the correct service.

## 10.3 Management Decisions

The last inspection identified an area of development in management oversight. As part of a rigorous service improvement regime we are working to further improve our performance in this area. However through the recent introduction of a management performance framework and the completion of a compulsory management action case note, there is now a clearer evidence trail of management accountability developing. The ongoing challenges presented by the children database, due to its limitations, prevent good analysis of themed audits such as the recording of management actions and decisions on case work.

## 10.4 Audit Activity

The audit and quality assurance work undertaken has identified a number of significant areas for development and work is underway to ensure that action from the previous inspection is followed through and becomes embedded in long term sustainable service improvement. Some of the more recent developments are:

- a. All managers now complete monthly case audits.
- b. The duty manager completes monthly audits of case where no further action has taken place and this is reported to the HoS for consideration.

Audits are also undertaken within reflective supervision sessions where the manager and allocated worker examine the impact of the work on the improving outcomes for the child / children and examine how this is evidenced on the relevant case file.

Whilst all of this audit activity is helpful and necessary there is a need to draw together the findings from all of this activity and use this information intelligently to develop services and secure improvements. Current capacity within the leadership team is a particular challenge and has stalled this necessary work from being undertaken. It is necessary to invest in this particular part of the business in order to achieve long term sustainable improvement.

## 10.5 Leadership and Governance

It has to be noted that since the last inspection there has been significant change across the senior leadership team. However, there is good stability within the front line practitioners resulting in a relatively consistent staff group.

A further priority area is the embedding of culture of continuous performance improvement and to re-focus on a "Needs led - Outcome based" model of intervention in children and families lives to ensure that services are well evidenced, properly targeted, and compatible with the threshold document.

A significant challenge for Rutland has been the reliance on the current children's RAISE database which does not enable the most effective monitoring and management oversight.

Practitioners have feedback that RAISE is not the most user friendly system and complexities around storage provide real challenges for the workforce. However, with the strong support from leaders and the benefit of a recently appointed Head of Service for Commissioning, work is now well under way to source a good replacement system that will be tailored to the needs of Rutland and to be SMART in its delivery, not only for the benefits of a quality performance framework but clear and simple for the user and based on evidence of outcomes for children and families.

## 10.6 November 2014

- A Team Manager's away day took place.
- Compulsory use of Decision & Action records now in place; these will be placed on RAISE with a copy on SharePoint in order that good Governance is seen and evident on the child's journey.
- The introduction of weekly compliance sheets for all social workers to enable efficient manual performance management whilst the work is on-going to replace the database.
- The first set of weekly managers' performance meetings held in order to scrutinise performance within the service, including Early Help.
- The introduction of a more simplistic Contact, Referral and Assessment process now in place, with expected timescales of managers' decisions within 24 hours.
- A refresh of the Transfer Protocol has commenced and will be presented to the performance managers' meeting for approval on 15th January 2015
- A CIN audit day for all TMs took place and the findings of this audit day resulted in a plan to undertake a significant audit activity of the CAF/TAF and Changing Lives cases. This developed into a planned audit week of CIN/CAF/TAF and Changing Lives work open within children's services.
- The first meeting of the Corporate Parenting Sub Group took place to agree Terms of Reference and a work plan. The aim being to implement the revised Corporate Parenting Board and ensure that the board is sufficiently robust and fit for purpose.
- The revised Corporate Parenting board meeting is due to take place on 20th January 2015.

## 10.7 December 2014

- Operational team managers participated in the School Improvement conference in order to rejuvenate and build upon quality relationships across the partners and to grasp the opportunity to work collaboratively as Corporate Parents.
- The draft specification for the new database across children services has been written and the papers are to be presented to informal cabinet for consultation. This work is being led by the Head of Service for Commissioning and Head of Service for Safeguarding / Ofsted Readiness.
- As the existing permanent Head of Service for Children and Families case work is due to leave, a targeted recruitment process for this critical post is underway.

- To ensure a greater sense of stability across the service until a permanent Head of Service is in post an 'acting up' opportunity has been given to the TM for Duty and Assessment.
- An Ofsted "inspector call " information pack is now available and will assist in understanding the content and context of the new inspection framework.

#### 10.8 January / February 2015 (Looking Forward)

- The re-launch of the Corporate Parenting Board.
- The review of the evidence in management decision making process has resulted in a re-launch of the process for 'Key Decision' making and a set of overarching monthly panels has been agreed and will take place commencing January.
- The children review panel will also be implemented from 21st January 2015 to ensure good quality care planning for our Looked After Children. Where possible these panels will be multi-agency.
- Feb 2015 will see the first of a series of conferences initially for all internal staff to adopt a collaborative approach to improvement.
- A review of the effectiveness of the current quality assurance framework will be undertaken and updated.

#### 10.9 March / April 2015

It is anticipated that the new Head of Service for Early Help and Family Support will join the Council by April 2015.

#### 10.10 Areas of Particular Focus

- Workforce Leadership and Stability.
- Application of the LSCB threshold document.
- Evidence of good management decision making.
- The development of a strong quality assurance framework.
- Ongoing development of partnership working.
- The replacement of the children's database

#### 10.11 Opportunities

One particular strength for Rutland is that the social work caseloads are within widely accepted tolerances nationally. This means that there is a good opportunity to evidence quality practice across the service. What is clear is that there is a range of evidence about the high quality of front line practice when working within the area of child protection and there is therefore no reason why this cannot be developed across the service.

As we move ahead and build on the partnership of the Children Trust, the re launch of the Corporate Parenting Board will be key to driving forward improvements and compliance and avoid any further delay in progress.

## 11. FINANCIAL IMPLICATIONS:

There is a need for increased quality assurance capacity to continually drive forward improvement and this requires at least one full time Service Manager. This post will drive the quality assurance frame work and workforce development leaving the team managers able to engage in the LSCB sub groups and keep a strong focus on meeting the needs for children and families. The post holder will also be the identified LADO officer and will ensure compliance across FOI within children's front line services.

A designated part-time Business Support Officer will manage the audit activity and support the business support function of various panels.

Additionally two full time social workers are required in the duty team to deal with implementation of the Care Act and the increase in volume of CIN work from the audit of CAF and CIN.

## 12. RISK MANAGEMENT

RISK	IMPACT	COMMENTS
Time		An Inspection is expected imminently therefore it is of urgent importance that action is taken to evidence the ongoing commitment to service improvement.
Viability		The Local Authority is committed to improving outcomes for children and young people in the immediate and longer term. Actions are now underway and progressing well; however the changes in senior management over the last year have been significant and resulted in a lack of capacity to ensure a confident quality assurance frame work.
Finance		Initial enquires are such that investment to the improvement plan is feasible through the use of contingency funding.
Profile		The imminent Ofsted Inspection outcomes will create interest in the local and wider community.
Equality and Diversity		<b>Effective equality and diversity practices are key factors within a robust improvement plan and will significantly affect the outcomes of an inspection</b>

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