

Cabinet

Date of Cabinet: 7 June 2015

Report title Lambeth Council's response to the OFSTED inspection of Children's Services and the Lambeth Safeguarding Children's Board

Wards: All

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Portfolio: Deputy Leader for Policy, Cllr Imogen Walker

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Report summary

This report outlines the council's response to the Office for Standards in Education, Children's Services and Skills (OFSTED) inspection published on May 12 2015 where Lambeth's children's services and Local Safeguarding Children's Board (LSCB) were found to be inadequate. The council is taking the OFSTED findings seriously. We acknowledge the failures cited and we are in the process of preparing a Priority Action Plan (PAP) which when delivered will achieve the significant transformation required to address OFSTED's recommendations.

The council has established a Children's Services Improvement Board (comprising senior council representatives, politicians, partner agencies and external peers able to offer significant challenge) to oversee the delivery of the PAP and a broader Single Improvement Plan (SIP) for Children's Services.

The Children's Services Improvement Board will play a vital role in providing assurances to Department for Education that the council has the leadership and capacity to manage these changes within prescribed timeframes and transform our services for Lambeth's children and young people.

Finance summary

None identified at this point. At this stage it is proposed that changes will be delivered within existing agreed budgets for Children's Services. Any changes that have financial implications will be brought back to Cabinet for decision before they are implemented.

Recommendations

- (1) To endorse the council's response and the setting up of the Children's Services Improvement Board

- (2) To agree, consider and challenge the progress of the Children's Improvement Board on a least quarterly basis (as a minimum) for the coming 18 months.

1. Context

- 1.1 In 2012 OFSTED inspected children's services, and the LSCB and found Lambeth to be outstanding. During February to March 2015, these same functions were assessed under the new assessment framework which resulted in the council's services and LSCB being judged as inadequate. The inspectors found inconsistencies in social care practice and the organisation's approach to collecting and using performance data. It found serious failings relating to leadership and management and an organisation and LSCB which has been seriously and detrimentally affected by high levels of turnover at all levels.
- 1.2 OFSTED identified two areas as requiring improvement within the children's services inspection these were: children who need help and protection and experiences and progress of care leavers. Three areas were found to be inadequate: children looked after and achieving permanence; adoption performance and leadership, management and governance. This led to an overall judgement of inadequate.
- 1.3 It is worth noting that OFSTED recognised that the council and LSCB identified some of these issues and in some cases actions were already being taken at the time of the inspection to turn things around. However, OFSTED concluded that it was too early for the inspectors to be assured that changes were embedded and that the issues had been addressed. OFSTED also identified areas where it felt the council and its partners were doing well – particularly in relation to the good work we are doing on early help and protection, education, school inclusion and the Virtual School's education outcomes. OFSTED were also positive about the multi-agency safeguarding hub and first response service work.
- 1.4 The LSCB chair decided to stand down at the end of her term, and in May 2015 an experienced interim chair was appointed to drive forward the improvement of the LSCB whilst an open recruitment process is undertaken to appoint a long term chair. The interim LSCB chair will play a central role in the Children's Services Improvement Board.

External challenge and support

- 1.5 In circumstances where authorities and LSCBs are found to be inadequate it is usual practice that the Department for Education (DfE) has formal involvement to ensure the local authority and LSCB improves. At the time of drafting this report a formal meeting has been scheduled for June 8 2015 between the DfE and Lambeth Council's Chief Executive, Director of Children's Services and Lead Cabinet Member. A briefing will be prepared by the DfE for the Minister based on this discussion. This briefing will outline the scale of their concerns and the DfE's assessment of the capacity of the council and partners to drive the improvements required. On the basis of the recommendation from the DfE the Minister will formally let the council know what sort of intervention will be undertaken.
- 1.6 Lambeth council is open to, and indeed is seeking external support and challenge to ensure we make this rapid transformation. In particular we will be making use of:

1.7 **Support from OFSTED** which includes four key elements over the next 12 months:

- an improvement planning seminar;
- monthly monitoring by HMI of key aspects of the improvement plan;
- quarterly assessments of progress that will be presented to the improvement board; and,
- a five-day progress inspection that will take place approximately twelve months from the publication date of the original inspection report. This inspection will evaluate the extent and rate of progress that has been made against the key elements and milestones of the improvement plan.

1.8 **Support from the Local Government Association (LGA)** which includes an LGA representative with significant experience of supporting inadequate local authorities to actively participate and challenge us through the Children's Services Improvement Board.

1.9 **Support from peer authorities.** We will work with a peer local authority with good or outstanding children's services from the DfE approved list. We are also in conversations with other local authorities who have had impressive improvement journeys in relation to children's services who may be able to provide us with peer support, challenge and audit our approaches to performance, staff retention and practice development.

1.10 **Support from the DfE** which includes an external expert organisation appointed by, and paid for by the DfE. Morning Lane consultants have been appointed by the DfE and will produce a diagnostic report on Lambeth, taking about three months, which will set out what they consider needs to be done to achieve the improvement required. They will also provide advice and support regarding the improvement plan and report on progress back to the DfE.

1.11 We are committed to undertake this rapid and urgent transformation within the next 12-18 months and seek Cabinet endorsement to come back next month with a more detailed priority action plan and then at least quarterly thereafter to report on progress. Similarly the council proposes that quarterly update reports are shared with Overview and Scrutiny for robust challenge on an ongoing basis for at least the next 18 months.

2. Proposal and Reasons

2.1 OFSTED made 22 recommendations relating to children's services and 14 in relation to the LSCB which included priority areas in need of immediate action. A Priority Action Plan is under preparation to respond to these specific recommendations from OFSTED.

2.2 There will also be a wider Single Improvement Plan, which will incorporate both the OFSTED recommendations, as well as other actions from our own broader evidence base (including the Youth Offender Service (YOS) inspection, mock inspections, peer reviews and other internal reviews and Quality assurance which have been undertaken).

2.3 The council has set up a new Children's Services Improvement Board which will meet monthly and will involve key senior council staff, the interim LSCB chair, partners, politicians and significant external challenge from the DfE, LGA and peer authorities. We believe it is only by having this external challenge and peer input that the Children's

Services Improvement Board can robustly and quickly oversee the changes that are needed. The Improvement Board will take responsibility for driving both these plans and making sure it delivers the outcomes we are seeking for our young people.

3. Finance

- 3.1 At this stage there are no financial implications associated with this key decision. Changes will be delivered within existing budgets and include changes to operational activities including data management process and social care practice. Any changes that do have financial implications will be brought back to Cabinet for decision before they are implemented.

4. Legal and Democracy

- 4.1 The Education and Inspections Act 2006 requires the Council to:

- (a) publish the report within 30 working days of receipt by sending it to recipients specified in the Education and Inspections Act 2006 (Inspections of local authorities) Regulations 2007; and,
- (b) prepare and publish a written statement of action they intend to take in response to an inspection report within 70 working days and to send it to recipients specified by regulation.

- 4.2 This proposed key decision was entered in the Forward Plan on 07 May 2015 and the necessary 28 clear days notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

5. Consultation and co-production

- 5.1 Responding to the recommendations will involve a period of reflection and engagement and working with stakeholders, including staff and young people. That process has already begun through the convening of the Shadow Improvement Board which met on May 6, through initial conversations with Lambeth's looked after children on 13 May 2015 and conversations with staff and unions from across partner agencies on 11 May 2015.
- 5.2 These are all ongoing conversations. It is important that the council continues to involve a wide range of people to ensure that through the PAP and SIP provide a holistic response and meaningful actions able to deliver better practices and better outcomes for children and young people in Lambeth

6. Risk management

No children were found to be at immediate risk of harm through the OFSTED inspection. However, in several areas OFSTED found that inconsistent practice meant that it was possible that children were being placed at risk of harm.

- 6.1 There is a risk that actions within the Improvement Plan are not actioned in accordance with the prescribed deadlines set out by the DfE; neither do they deliver demonstrable change/outcomes needed to satisfy their requirements resulting in imposition of special measures. The action plan will be programme managed, there is high level commitment from Board members to who have been drawn from within the council and across the partnership.
- 6.2 There is a risk that the Children's Improvement Board lacks the authority to drive necessary changes. The Board has made itself accountable to Cabinet, Overview and Scrutiny and other partnership governance functions. All members hold strategic positions and are able to delegate and mobilise resources to expedite outcomes. The role of lead member has been strengthened.
- 6.3 There is a risk that the judgement may exacerbate existing issues, negatively affect motivation and morale amongst staff causing essential staff leaving thus impacting on the council's capacity affect the change/improvement. Senior leadership will host a series of briefings with to encourage staff and there will be a specific focus on recruitment and retention, culture and morale through the Single Improvement Plan.

7. Equalities impact assessment

- 7.1 No equalities impact assessment (EIA) has been undertaken as yet which looks at the implications of the inadequate judgement. An EIA will be undertaken in relation to the overarching Single Improvement Plan and will set out the issues as they relate to particular protected characteristics and the specific mitigations which are being put in place.

8. Community safety

- 8.1 As a result of delivering the Single Improvement Plan, and Priority Action Plan Lambeth's children will be safer from harm. Specifically, by improving the effectiveness of the safeguarding board, improving child protection planning and improving how the organisation collects and uses data especially in respect of child sexual exploitation; children will safeguarded from risks of harm.

9. Organisational implications

9.1 Staffing and accommodation

- 9.2 There will be staffing implications as we reduce reliance on agency workers and seek to improve our retention of permanent members of staff. Any proposed structural changes to children's social care will be developed in collaboration and go through appropriate processes and consultation with unions.

9.3 Health

- 9.4 As a result of delivering the Single Improvement Plan, and Priority Action Plan the health outcomes for Lambeth's children should improve.

10. Timetable for implementation

- 10.1 A detailed timetable for the preparation and implementation of both the Single Improvement Plan and Priority Action Plan will be presented at the next report to Cabinet in July 2015.

Audit trail				
Consultation				
Name/Position	Lambeth cluster/division or partner	Date Sent	Date Received	Comments in para:
Sue Foster	Strategic Director, Delivery	11.05.2015	12.05.2015	throughout
Cath Knowles	Director Children's Social Care, Delivery	11.05.2015	11.05.2015	none
Sean Harriss	Chief Executive	11.05.2015	21.05.2015	Throughout
Finance	Business Partnering	11.05.2015	12.05.2015	3
Legal Services	Enabling: Integrated Support	11.05.2015	12.05.2015	4
David Rose, Democratic Services	Enabling: Corporate Affairs	11.05.2015		4.2
Councillor Imogen Walker	Deputy Leader, Policy	21.05.2015		

Report history	
Original discussion with Cabinet Member	22.04.15
Report deadline	27.05.15
Date final report sent	27.05.15
Report no.	15-16/25
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	Yes
Date first appeared on forward plan	07.05.15
Key decision reasons	Meets community impact test.
Background information	None.
Appendices	OFSTED report into Lambeth children's services and LSCB.