

Commissioner's progress report on children's services in West Sussex.

**Progress Report for the Secretary of State for
Education– and Final Recommendation Concerning the
Paused Proposal for a Children's Trust in West Sussex
– by John Coughlan CBE, Commissioner for Children's
Services in West Sussex.**

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Introduction

1. The purpose of this report is twofold. Firstly, it provides a routine progress report for the Department for Education's improvement intervention for West Sussex County Council's (WSCC's) children's social care services further to the inadequate Ofsted judgement in 2019. Secondly, and more specifically as required, the report addresses the continued question of the introduction of a children's trust for West Sussex, following the agreement by the then children's Minister Ford to pause that recommendation in early 2021.

2. The recommendation of this report will be to firmly decide now that a children's trust is no longer required for West Sussex because such a structural reform is no longer necessary and would probably be actively detrimental to the continued and secure progress of the services under the direct auspices of the County Council.

Summary Background

3. WSCC's children's social care services were judged to be inadequate by Ofsted in February 2019. This was the most recent in a series of poor or inadequate judgements over a number of years which caused DfE to place the authority into intervention. It is fair to note that the Ofsted report at that time was extremely critical in its findings, even by the standards of an inadequate judgement. Under the terms of a DfE Statutory Direction, Hampshire County Council (HCC) was appointed as the Improvement Partner with the Chief Executive of HCC appointed as the Commissioner in May 2019.

4. As the first stage to that intervention, the Commissioner and Hampshire Children's Services' senior managers conducted an "assessment and diagnostics" exercise to seek to determine why the services were in such a poor state for such an extended period of time and to recommend the way forward for secure and lasting improvement.

5. The report of the assessment and diagnostics exercise was published in the autumn of 2019. It echoed and supported the Ofsted critique but in particular was highly critical of the WSCC corporate context for children's services as a significant contributory factor in the children's failings and an impediment to those failings being sustainably addressed. Among other issues that report identified: weak corporate structures which served to diminish the importance of children's services; dysfunctional relationships, especially at the highest level, between officers and members; a poor decision-making culture that impeded improvement; and alarming levels of senior management turnover, or churn, which indicated an unstable corporate malaise and contributed to a paucity of effective leadership and accountability.

6. The report made a number of service specific recommendations for the improvement of the services themselves. It also made a number of recommendations for corporate reform. Notwithstanding those reforms, the report recommended that steps should be taken to introduce a children's trust in West Sussex as the Commissioner judged that the council could not be trusted to take forward the necessary reform at the necessary pace.

7. Immediately following the report there were substantive changes within WSCC triggered by the immediate departures of the Leader of the Council and the then Chief Executive. With the Ministry of Housing, Communities and Local Government's involvement (through concerns about related wider corporate concerns), an arrangement was brokered for the Chief Executive of East Sussex County Council to assume officer leadership of both organisations and this was approved formally by WSCC subject to review after the May 2021 County Council elections. That review subsequently confirmed the arrangement as permanent. In addition, a new political Leader was elected by the County Council. A highly regarded and experienced Director of Children's Services (DCS) was then appointed on a permanent basis (with that post being properly placed in a new corporate structure) with the involvement of both the Commissioner and the Hampshire improvement managers, and she set about the appointment of her senior

team and the service action plans agreed with HCC. Other changes to the Council's corporate governance, made in response to concerns raised in the report, were implemented at the time of and following the appointment of the new Chief Executive and the change of political leader.

8. In line with the Commissioner's original recommendation, during 2020 progress was made on the establishment of a children's trust for West Sussex, with the technical foundations being laid. However, such was the radical pace of change in corporate conditions, matched by service changes beginning to take effect on the service improvement plan, questions were raised, including by the Commissioner, about the appropriateness of a trust arrangement after all. The original case for a trust was largely related to the poor corporate conditions. These conditions had changed substantially and were now the basis of increasingly confident service reform, with much firmer, clearer and responsive political and corporate leadership. Not only was the case for a trust no longer as clear, the cost and distraction of progressing the work for a trust would arguably detract from the developing momentum of service change for children,

9. Consequently, the Commissioner wrote to the then Minister and secured an exceptional agreement for a "pause" in the progression of a children's trust for WSCC. The pause was on condition of a deeper re-assessment within a calendar year on the basis that it would clearly be unacceptable to hold such a matter in abeyance indefinitely. The Minister reasonably required that by the end of the year a firm recommendation would be needed to confirm if the trust proposal should be finally withdrawn or immediately enacted.

10. To that end the Commissioner then established, in consultation with DfE officials, HCC and WSCC, a framework for assessing the progress or otherwise of the council against a number of domains relevant to the trust proposal. A copy of that framework is attached as Appendix 1. The framework was subject to a mid-year review in the summer of 2021, showing continued generally positive progress.

11. WSCC then prepared a more thorough self-assessment of their progress against the framework in advance of a formal meeting in December 2021 which was the final review upon which this report is based, as is the Commissioner's final recommendation.

This Report

12. This report will be a summary of that self-assessment against the framework including a review of the evidence base upon which the assessment is based and the Commissioner's own comments on each domain. The report will not regurgitate all of that evidence as doing so would be unhelpful and unwieldy, but will draw out highlights. The Minister should be assured that the evidence base has been closely scrutinised and verified by both the Commissioner and the HCC improvement managers. The core detailed document which supported the final review is attached at Appendix 2, and further evidence can be brought forward on request. It is well understood that a decision

to reverse from a trust proposal would be a unique one and so all concerned have sought to ensure the basis of that decision should be as sound as it can possibly be. The remainder of this report will therefore simply follow the headings of the agreed assessment framework. Each section will summarise the presenting evidence from all parties. Each section will also include a clearly defined opinion on the part of the Commissioner based on the evidence and in relation to the overall conclusion. But there is a particular additional point which needs to be made first.

Covid

13. Obviously, the pandemic has had a major impact on all public services and arguably the most profound concerns relate to the broad and long-term implications for children and their services, from schools to social care and child and adolescent mental health services (CAMHS). Managing those impacts will be a challenge for years to come. In the context of this report, it needs especially to be stressed that the period of the pandemic has almost exactly matched the beginning and continuation of the WSCC improvement journey. Perhaps the best way to exemplify that is with regard to the role of the DCS in WSCC. There is no question that any effective improvement journey is contingent on having an effective DCS in post and empowered. WSCC have made an experienced and strong appointment, but the new DCS commenced in April 2020 and has only known WSCC in terms of managing the pandemic alongside the intervention. Leading during a “crisis on top of a crisis” like this is especially challenging and debilitating to progress. This is not an excuse and addressing the needs of vulnerable children should not be compromised, but the real terms challenges the DCS and WSCC have faced, in attacking their improvement programme alongside managing through Covid, need to be acknowledged. That takes us to the separate domains of the framework.

Assessment of Progress

Political Leadership – there should be strong, informed and engaged political leadership providing appropriate levels of support and challenge.

14. As is well documented, the original assessment report led to a major overhaul of political leadership in WSCC, including personnel and systems. The “new” Leader has now been in role for over two years having previously been the Lead Member for children who had provided some urgently needed stability to that role at the peak of the crisis. Subsequent changes were made to the key roles of Lead Member and Chair of Children’s Scrutiny and to the Council’s Corporate Parenting Panel of elected members. An externally facilitated Good Governance review was then undertaken.

15. Alongside the personnel changes, and arguably of more importance, recommendations were accepted and enacted with regard to addressing the political cultures and decision-making processes within WSCC. That included overhauling the formal decision-making processes, bringing Cabinet into a more open style of public scrutiny and taking the broader membership through a series of briefings on the issues within children’s services. In addition, regular progress reports to public meetings of the full Council by the lead Cabinet Member.

16. WSCC additionally point to the following key pieces of evidence: the Lead Member’s strong engagement with the service and the management team; engagement in political learning through Local Government Association (LGA) and related events; an established routing of quarterly formal monitoring exercises through Scrutiny; the close tying together of a new corporate plan, approved by the full Council in April 2021 incorporating service outcome priorities and measures for improvement complementing the new children’s plan; unequivocal political support for a substantial investment programme in children’s services. The Leader and Lead Member have been active participants of both the Improvement Board and Partnership chaired by the Commissioner.

17. This progress is evidently not yet complete. There is a continuing need to ensure that the wider political membership is more closely aligned with its children’s services and its corporate parenting role. The latter has been reinforced by a complete overhaul of the Council’s Corporate Parenting Panel of elected members, now chaired by the lead Cabinet Member and showing progress in engagement with both councillors and partners. The Lead member has gone about her work carefully and methodically but would be the first to acknowledge a lack of prior involvement and her own need for further development and support.

18. In the Commissioner’s opinion the requirements of this domain have been strongly progressed. Whereas all concerned acknowledge that there is more work to do, the scale of improvement here is commendable. Securing this progress should not be taken for granted. WSCC went through more than a decade of children’s services failings

which were related to a poor political decision-making culture. It is fair to say that this domain is vital for the case against implementing a children's trust and in the Commissioner's opinion that case in this respect is well made. But there should be no room for complacency going forward.

Corporate Officer Leadership – the newly established Chief Executive and corporate senior leadership arrangements should continue to develop and offer a secure corporate platform for children's services

19. The original model developed in 2019 for the corporate "rescue" of WSCC, which had faced a wider MHCLG intervention, was a unique partnership with neighbouring East Sussex (ESCC). This included leader to leader political support but also, crucially, the Chief Executive of ESCC taking responsibility for both roles and authorities at the same time. That unusual model has held firm for two years now and is established on a permanent footing following separate reviews by each Council after the county council elections of May 2021. The Chief Executive has since succeeded in filling the leadership roles within the Council which had previously been subject to churn through temporary or interim appointments.

20. Alongside the introduction of this much needed stable and effective officer leadership has come a substantive review of corporate mechanisms and culture, both issues having been identified as contributory to the failings of children services. The Chief Executive readily accepts that this work is not complete. The senior leadership team is now fully recruited to on a permanent basis and additional corporate capacity secured through a new Assistant Chief Executive being appointed. Good progress is being made in other areas of including fire and rescue services. There is also increasing evidence of the corporate governance and decision-making systems hindrances, which had been seen to impede previous attempts at improvement, beginning to reduce. WSCC has also invested in a substantive and long-term project of cultural reform alongside a robust business and resources planning system.

21. All of these developments, which are on a positive trajectory, reflect an increasing recognition of the importance of children's services to general corporate success – not least through the status of the DCS role being properly placed in prominence and corporate seniority – in a much more functional corporate leadership team.

22. In the Commissioner's opinion the requirements of this domain are being progressed very effectively, but there are two caveats. Firstly, the scale of corporate work that remains to progress and stabilise WSCC should not be underestimated. The original analysis indicated a long-standing corporate malaise which had been resistant to change for some considerable time. Even with the good progress being made, achieving solid corporate stability and confidence will take more time. Secondly, a huge amount of this progress has been dependent on the exceptional contribution of the Chief Executive. This unique model was a risk but has paid off. The permanent establishment of the arrangement is a positive step. The model continues to depend upon this exceptional

individual's contribution. It is appropriate that more recent steps have been taken to ensure effective support to the post of Chief Executive going forward.

Children's Departmental Officer Leadership – the new DCS and leadership team should be seen to progress the leadership of the service as confident, effective and inspirational drivers of accelerated improvement

23. This domain is fundamental to this task as it concerns the core senior leadership at the top of the service which would be most implicated by any trust arrangement. As is well documented, WSCC appointed a strong and experienced DCS who took up post in April 20. Since then the DCS has established herself in role and has appointed a strong team of senior managers who have worked closely and effectively with their Hampshire Improvement Partners. Their consistent work in support of the DCS and the general progress is evidenced by: the work of the improvement board; the servicing of Ofsted; and the direct engagement with HCC as improvement partner.

24. WSCC cite the following comment from a recent Ofsted visit (Sept '21): "A stable senior leadership team is resolute in its approach to achieving sustainable improvements for the children of West Sussex."

25. WSCC would also focus on two critical elements to the work of the new leadership team as evidence of their progress. Firstly, the departmental managerial restructuring is finally complete. This "de-layering" of the former management systems which the Commissioner had found to be contributory to the service malaise in 2019 is critical. It addresses the repeated concern that the former system contained "too many managers and not enough management". It is coupled by a stronger definition of roles and accountabilities. All of this work has been carried out in close liaison with Hampshire improvement partners. Secondly, a strategic and clear approach has been taken to the training of all managers to ensure they are working more effectively to those roles and responsibilities and especially ensuring the line of accountability from individual case work to strategic direction is drawn and understood.

26. WSCC argue that this managerial and cultural shift is further complemented by the way in which the social work practice model has been identified and progressed for the service. The Family Safeguarding model is being introduced with the additional support of Hertfordshire County Council with DfE funding. It replaces Signs of Safety – which remains an effective model but had become tarnished in WSCC through poor application previously. The new model goes "live" in early '22 as a "unifying managerial approach to social work practice".

27. In the Commissioner's opinion the progress of this service management and leadership, through the DCS and her team, is both real and sustainable. There is a strong level of skill, experience and coherence in the senior team and the work to resolve structures and roles and accountabilities has been driven at an appropriate speed to get the best balance between necessary change and bringing managers and staff alongside those changes. The importance of an effective and suitably supported DCS in leading

this work cannot be over-estimated. It should also be noted that the work has progressed through the pandemic with all of the constraints that has brought – especially with regard to service pressures and the challenges of redesigning a service through remote working.

28. That said, there are aspects to the positive assessment of this domain which need to be caveated. To be done well this work is painstaking – especially in the context of the particularly “stuck” approach to practice improvement which applied to many individuals and teams in this large authority two years ago. Pace of change needs to be maintained if not accelerated. Also, senior managers are quite reasonably placing a great deal of store on the introduction of the new practice framework. That is doubtless important but is not a substitute for relentless sound management oversight and accountability at a worker-by-worker, case-by case level. Finally, it is arguable that the senior team have necessarily focussed on internal practice improvement for all of the right reasons. There are aspects to this report about working with local statutory partners which will need additional attention going forward (see below).

Performance – there should be empirical evidence of high levels of performance understanding and of progression of consistency, continuity and general improvement.

29. This is arguably the most critical of the domains used for this exercise, not least as it relates most closely both to what children will experience from the service and to how Ofsted will measure progress. WSCC strongly argue progress in this domain but reasonably acknowledge that this was from a very low base at the start of this process. It is, in fairness, important to remember how very poor indeed these services were in 2019 – and how much denial pervaded the various tiers and teams. This was an early priority for the improvement partnership with Hampshire.

30. Performance management systems and data are now well established with regular monthly scrutiny of that data across all levels of the service and against an established Practice Improvement Plan. This is further reported closely to a quarterly session of the Scrutiny Committee and forms the basis of substantive items on every meeting of the Improvement Board (including meetings which are internal and external). There is an exceptionally thorough and well-crafted quarterly self-assessment document, the latest version of which (Quarter 2, 21/22) is appended to this report.

31. Clearly, there are risks in seeking simplistic right or wrong answers in such performance reporting. The key issues are to seek out and address significant flaws, such as timeliness in visiting, and to watch for indications of volatility in key pieces of data which may in themselves point to issues of instability or weak management control. There is good evidence of this being well understood at senior levels in WSCC and improving evidence of that understanding being better shared across the services.

32. WSCC also have good evidence to support their contention that their revised quality assurance (QA) framework is embedded and that there are improvements in the consistency and compliance of case auditing. This in turn is supported by a more

frequent and compliant approach to the management supervision of individual social workers. WSCC do acknowledge that there is still more to be done in all of these efforts which started from a low base in a large organisation.

33. In the Commissioner's opinion all of the WSCC self-assessments of their progress in performance management are credible and evidence based. They are also validated generally by the work of the improvement partner through HCC where robust challenge is maintained throughout and across the services.

34. However, there are points here of calibration and perspective. For example, the Commissioner regards the QA framework as embedding rather than embedded. At the beginning of this improvement work one of the notable features of WSCC children's staff was the extent to which individuals and teams may have recognised the Ofsted critique of their authority, but thought it applied elsewhere in the service and not to them or their team. There is still a sense of the need for the processes of challenge and audit to become second nature to the routine of the organisation. This is not a direct criticism of the current leadership – it is a more realistic challenge to the helpful optimism of that leadership. Their confidence in the progress of the service, especially mid-pandemic, is commendable. But there remain substantial issues of consistency and of service-wide receptiveness of criticism and audit.

35. The Commissioner agrees with the overall analysis of WSCC leadership but deems it not quite as well progressed yet. However, that should not be an obstacle to the recommendation for the trust proposal to be finally abandoned. It would be remiss now to divert performance management capacity at this key moment and also to risk redirecting the improvement planning processes for the sake of investing in a new structural model when the current one is finally on the cusp of achieving sustainable performance quality.

Ofsted – there should be sufficient evidence of Ofsted visits marking a trajectory of improvement to indicate a removal from special measures (through a full inspection leading to at least an overall Requires Improvement judgement) by the end of 2022 (subject to pandemic conditions).

36. In many respects for these purposes this is the easiest domain to assess. There is a clear record of Ofsted visits since the main inspection in 2019. That record does show a trajectory of improvement, from an extremely low and fragile base, which also endorses the key strategic decisions that have been implemented and are in line with the report here. The various reports also validate the need for the progress to be sustained and for the issue of consistency to be improved.

37. Specific areas for inspection or review have included: achieving permanence; children with disabilities; private fostering; local authority designated officer (LADO) services; and children in care. The inspections and visits have also acknowledged the impact of Covid. They are also triangulated or validated by the work of Hampshire and, more recently, Hertfordshire.

38. In the Commissioner's opinion this Ofsted related domain is met as fully as can reasonably be expected in the circumstances. There is a trajectory of progress which may not yet have reached what might be hoped for at this stage but which is clear and evidential. It is probably reasonable to suggest that some areas of the service are at or bordering Requires Improvement now, but not yet consistently or comfortably so. WSCC recognise this, especially with regard to the continued need to focus upon case work and audit at a highly granular level. There is certainly nothing from this domain to suggest that a move back to a trust proposal would be beneficial for an enhanced Ofsted outcome later this year.

Improvement Board and related arrangements – these should be working effectively to provide a sound base for monitoring and driving improvement for all concerned

39. In the course of this process of review this domain has been extended to include stronger reference to the nature of partnership working for the services and the perspective of partners. This will be addressed below.

40. Firstly, there is general consensus that the board arrangements are well established and being effectively supported and serviced by WSCC. The meetings are well organised with good and pertinent agenda planning. There is a particularly strong level of attendance from senior politicians and executives in WSCC. The meetings are treated very seriously throughout. The meetings usually include well produced reports and clear data based on a coherent forward plan. The model agreed from the outset – of alternating meetings between “internal” for WSCC only and “external” to include main partners – seems to be appreciated (subject to a significant caveat below).

41. Emanating from this summary analysis, there are two issues regarding partnership working which should be highlighted here, one positive, one less so.

42. On the positive front, but in the most tragic and challenging of circumstances, WSCC has been working closely with statutory partners, especially schools, health services and the district council, to deal with a disturbing series of incidents of teenage self-harm and sudden and unexplained death in a part of the county. That episode is well documented elsewhere and while the Commissioner and the Board have been kept appropriately apprised of the issue, it is relevant but not central to the core work of the Board nor is it under the Board's direct jurisdiction. There is ample evidence though of an exceptionally challenging situation being well led by WSCC and representing the very best of partnership working. It is difficult to imply any solace from such a tragic set of events – but it is hard to conceive of an outstanding children's services department handling the matter much better with partners than WSCC.

43. On the other hand, in the course of this review, the Commissioner has sought the views of partners about the trust consideration and this report. That has led to two strands of potential concern from within some schools in West Sussex. Firstly, the improvement board's secondary school representative chose to conduct a high level and

simple survey of some secondary colleague heads in response to the Commissioner's request for comments. That survey, such as it was, drew out some continuing criticisms of West Sussex children's services. One of those represented a potentially serious case failure so the Commissioner used the established escalation procedures for that case to be reviewed. On the basis of that escalation process the Commissioner was satisfied that the critique was not consistent with a well evidenced analysis of the case from WSCC. Secondly, in response to communication between the Commissioner and West Sussex MPs, some similar concerns were flagged. These were to do with the quality of some case work and a perceived lack of responsiveness from WSCC managers when schools attempt to address these concerns.

44. These are certainly serious considerations which to at least some degree qualify the WSCC case for their improving partnership working. However, the concerns themselves need to be contextualised and kept in proportion. It is clearly evidenced that practice in WSCC is improving reasonably well but not as consistently or as quickly as might be hoped (but within reason for the poor starting base) so there are bound to be continuing individual problems. Those specific cases that have been examined subsequent to these communications have been found not to be as concerning as they first seemed. This is doubtless a question of perspective as well as the perennial challenge of shared understanding of thresholds. We know as well that the starting base of poor confidence in WSCC's social care among schools was extremely low from 2019. Of equivalent concern is that none of these issues had been surfaced through the channels which have been painstakingly established to enable better partnership working. Finally, for the purposes of this report, there has to be a consideration as to whether these concerns as they stand go to the heart of a recommendation to keep or remove the trust proposal. They do not.

45. In the Commissioner's opinion the core requirements of the main element of this domain are met for the purposes of this report. WSCC has taken its responsibilities towards the mechanisms of improvement extremely well and seriously with strong shared commitment though senior and political ranks. The improvement arrangements are well designed and delivered. Of course, their ultimate measure remains in the quality of improvement and performance and it is well evidenced that there remains more work to be done in that regard. But it is hard to see what more these arrangements can achieve if they had a trust put alongside or over them.

46. That said, the related issues to do with the confidence in some quarters of the schools community that have been drawn to the surface by this process are important. At this stage the Commissioner is satisfied that those concerns need to be better analysed and understood. It is likely that they relate to a complex menu of issues to do with: the historical confidence between council and schools; the changes in an extravagant former early help offer; a typical lack of clarity of roles and responsibilities between schools and children's services, exacerbated by Covid conditions; some level of shared failure to properly exercise the mechanisms of problem identification and

resolution which the improvement arrangements are there for. They must also be seen in the context of the very positive if not exceptional examples of partnership working also described above.

47. In the Commissioner's view these specific schools issues need to be addressed actively but they do not warrant a challenge to the direction of travel of this report for a removal of the children's trust proposal.

“Soft Intelligence” – should be sought and considered in order to further validate the overall conclusions of this report

48. This section allows for additional, more qualitative evidence to inform the overall consideration. WSCC have cited the increasing activity to ensure that there are better staff engagement mechanisms including an engagement plan, a communication strategy, regular DCS updates and regular “drop-ins” with the senior team. They also point to the increasing confidence of dialogue and joint working between WSCC managers and the senior team from Hampshire who in turn express the same levels of progress. Similarly, there is evidence of improved user involvement with children and families – though it is generally acknowledged in the nature of this work that such streams of comment can be distorting if not carefully sought and managed.

49. The local authority surveyed the views of children looked after in a ‘Bright Spots’ Survey in February 2021. A selection of the findings indicates that 81% of all children surveyed said life was getting better, 96% felt settled in their placement and 95% of 11-18 year olds said they trusted their social workers. In relation to education, more 11-18 year olds reported that they liked school compared to other cared for children in other LAs (93% vs 78%). A quote from two young people in the survey states: ‘My foster carer listens to me and speaks up for me when I can't say things to other people ‘ and ‘I like being in care because I am with a family who love me and look after me and I also love having different kids in the house’.

50. From the Commissioner's own direct dealings with various teams and staff, including a series of focus groups with various staff through the past two years, there is certainly a theme of evidenced progress in the way staff perceive their roles and the relationship between those roles and the wider improvement journey. Again, this needs to be treated with caution as this is a large and dispersed authority that has undergone substantial if not traumatic change (in the context of the pandemic also). It also must be acknowledged that while much of that soft intelligence is generally positive and reflects the direction of travel – some of it also reflects the inconsistency of pace and progress between teams and individuals. But again the question has to be posed as to what if any benefit to those questions of pace and consistency would be offered by a trust at this stage.

51. In the Commissioner's opinion this less scientific but potentially important softer intelligence serves to support the overall analysis that overall good progress is being made and that staff and service users are conscious of that overall journey and its

implications for their individual cases or circumstances. Some of the evidence reinforces the work still to be done. None of it indicates the trust proposal should be retrieved.

Additional Evidence

52. This section would have included additional partner evidence but it made more sense to include that under the improvement board arrangements above.

53. WSCC point to the further work that has gone on to improve fostering services and the mental health offer for adolescents (which links to the self-harm crisis that has been managed). They also cite the substantive investment in children's residential care in the county and the Commissioner has seen first hand evidence of the benefits of this investment in visits to very high quality residential homes which are valued by staff and residents and support a coherent care strategy. Finally, WSCC hold evidence of strongly improving perceptions of the work of the local authority from the local judiciary.

54. In the Commissioner's opinion all of the additional evidence supports the direction of travel of an improving and increasingly confident service. None of it points to the benefit of a return to the trust model.

Conclusions

55. The proposal to introduce a children's trust to secure urgently needed improvement in WSCC children's services was made in good faith as a measure of the scale of the crisis at that time (late 2019). It was difficult to see otherwise how the services could improve as they were so heavily blocked by what seemed to be intractable corporate obstacles. The trust seemed to be the only way in which good governance could be secured, as is well evidenced by comparable radical interventions elsewhere.

56. However, the decision to pause the proposal in early 2021 was also a measure of the radical and wide-ranging overhaul of corporate governance and leadership in West Sussex which followed the original assessments during 2020. During 2020 work was maintained to progress the trust but it was becoming increasingly clear that the senior and related changes were taking place at such a pace as to challenge the costs and benefits of the trust proposal going live.

57. The exercise recorded in this report has been a thorough review of the progress now being made and its implications for the case of progressing the trust now or not at all. It is generally agreed that it would not be appropriate to keep the pause "on hold" for any longer. It is perhaps also a measure of the case for now rejecting the proposal that WSCC has as an authority approached this task with great determination and diligence. It bodes well for the future of the service that the authority is now so determined to look after its own.

58. Clearly, in the view of the Commissioner, the overwhelming weight of the evidence considered for these purposes indicates that the progress in WSCC is on track and that the costs and disruption of introducing a trust now do not warrant the step. The picture is not a perfect one. It is again clear from this exercise that while all of the building blocks are now in place, there can be no avoiding the long, hard iterative work of driving relentlessly and collectively at granular practice improvement on a case by case, worker by worker level.

59. It is also clear from this exercise that while the necessary partnerships in West Sussex have progressed positively in many respects – in relation to schools that is less clear. In particular, there is work to be done to address how schools and the schools' community are able to engage with this work and why concerns were raised as they were at a late stage and without having been surfaced previously. That work is important and needs to be followed up. But those issues do not warrant a divergence from the direction of travel which should now be to finally jettison the trust proposal and focus collectively and solidly at the granular detail of improvement in anticipation of the full inspection later this year.

Recommendations

- 60. The contents of this report and its general assessment of progress in WSCC children's services should be noted.**
- 61. Based upon this assessment it is respectfully recommended that the Minister should agree to finally reverse the original decision for a children's trust in West Sussex and instead confirm that WSCC should continue to progress their own improvement work – with the continued support of external support from the Commissioner and HCC at least up to the point of the next full Ofsted inspection.**
- 62. The precise nature of that support should be considered going forward between WSCC, HCC, the Commissioner and DfE but should retain a good level of continuity including in the board arrangements.**
- 63. The Commissioner should be asked to oversee a specific and immediate piece of work, to be conducted by WSCC and representatives of the schools' community in the county, to consider issues of communication and engagement between children's social services and schools. This work should be reported to DfE officials in due course.**

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