

Commissioner's report on children's services in Solihull Metropolitan Borough Council

**Report to the Secretary of State for
Education, by Children's Services
Commissioner, Sir Alan Wood CBE**

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Contents

Report to the Secretary of State for Education on children's services in Solihull	4
1. Executive Summary	4
2. Solihull an overview	6
Population and Households	7
Ethnicity	7
Poverty & deprivation	7
Children looked after in Solihull	8
3. Background	9
4. The Ofsted report	11
5. Children's services key priorities	12
Early Help	12
Recruitment and retention of Social Workers	13
Financial provision	14
Corporate parenting	15
Independent Reviewing Officers (IROs)	16
Emergency Duty Team (EDT)	16
Data - analysis, intelligence and information	17
Schools and education	17
6. Capacity to improve social work practice	18
The Family Valued Model	23
External assistance	23
7. Solihull Local Safeguarding Children's Partnership (LSCP)	24
The MASH	26
Independent scrutiny	27
8. Is an alternative delivery model (ADM) needed for Solihull?	28
9. Conclusion	29
10. Recommendations	30
Department for Education	30
The Council	30
Solihull Local Safeguarding Children's Partnership	32

11. Appendices	33
Appendix 1	33
Appendix 2	37
Appendix 3	39
Appendix 4	40

Report to the Secretary of State for Education on children's services in Solihull

1. Executive Summary

In November 2019 Ofsted inspected children's services in Solihull and judged their overall effectiveness as "requires improvement". Their report said that the Council's self-evaluation did not provide a clear picture of the quality of practice. It judged that the experience and progress of children who need help and protection to be good. It identified nine specific areas needed to improve.

Arthur Labinjo-Hughes a was six-year-old boy who lived in Solihull. He was murdered on 17 June 2020 by his carers who were sentenced in December 2021.

In January 2022 the Department for Education (DfE) appointed an improvement adviser and issued an improvement notice in February 2022 following serious concerns around practice.

In January 2022 a Joint Targeted Area Inspection (JTAI) carried out by four national inspectorates found significant failings in the delivery of services to protect and safeguard children provided by the local safeguarding children's partnership (Police, NHS, Probation and Solihull Council).

In May 2022 the national independent Child Safeguarding Practice Review Panel published their report into the circumstances leading up to the murder of Arthur Labinjo-Hughes. It identified a catalogue of failings in the practice of health, social work and police professionals.

A review by DfE in September 2022 identified insufficient improvement, this led to the decision by the DfE to appoint a Commissioner, alongside a statutory direction.

Ofsted carried out an Inspection of Local Authority Children's Services (ILACS) in Solihull in early November 2022. They judged the Council's services to children as inadequate and identified serious failings on behalf of strategic leaders. This failing led to children being harmed and others left at risk of harm. They judged that strategic leaders had overseen a decline in services to vulnerable children and families since the inspection of 2019.

I was appointed by the Secretary of State for Education to undertake a review of children's services in Solihull Metropolitan Borough Council (SMBC). I carried out fieldwork for the period 31 October 2022 to 31 January 2023. I arranged 93 meetings with individuals and groups who shared with me their thoughts, opinions and ideas about the functioning of children's services in Solihull.

These reports, and many other reviews carried out by other local authorities, the Local Government Association (LGA) and the private sector, provide up-to-date detail on the quality of practice-particularly in children's social care. Although I met with a substantial number of practitioners, this report is not focused on a detailed service by service assessment of practice. That area has been covered more recently in detail by the Ofsted report published 13 January 2023. I believe that is a complete and true representation of the quality of practice. The area I believe needs examining more acutely is the role and leadership of the senior strategic leaders in Solihull Council and the wider safeguarding partnership.

Lead safeguarding partners (LSP) in Solihull have not been sufficiently prominent in overseeing the effectiveness of services to safeguard and protect children. Their functions were delegated to colleagues. However, their delegates did not have the authority to undertake the full range of statutory functions of the safeguarding partner. Independent scrutiny has been ineffective as the postholders were not able to provide challenge to the lead safeguarding partners.

Solihull children's services has suffered from a lack of effective leadership for a considerable period. During the period of the pandemic the leadership of these services was not sufficiently visible or active in making the necessary checks on the quality of service. While the pandemic had a significant impact on public services and restricted the ability of staff to carry out their functions, most local areas functioned effectively, Solihull did not. The weaknesses in the quality of service which existed before the pandemic deepened and led directly to the judgement of inadequacy in 2023.

The self-assessment of services presented to Ofsted as part of the inspection was judged by them to be a picture that had no base in reality and showed that Solihull's senior leaders did not know their services.

The Council has had to invest substantial resources in children's services to try to drive improvement. A significant number of staff have been employed over budgeted provision. This has resulted in large numbers of agency staff with high levels of turnover. It has not provided the stability required or the improvement needed. This lack of stability in the workforce is a key contributor to the failures of service.

In response to the recent Ofsted judgement the local authority has worked constructively with me to demonstrate their commitment to put right the problems they have. The Chief Executive of the Council has resigned with immediate effect (January 2023). The Leader of the Council and the acting Chief Executive have led the way in fundamentally changing the framework and governance of accountability of the LSP in partnership with new senior leaders in the police and health service. They are refocusing the improvement plan and ensuring at the highest level of governance across the partnership is prioritising improvement in the delivery of service to safeguard and protect children.

Two key priorities are beginning to be addressed. Improvement in the quality and practice of social work across all of children's services and the need to build a wide-ranging early needs service. Getting these two areas working effectively will promote improvement across the range of service. The Council has not been an effective corporate parent. It must now put its children at the centre of its policymaking, ensuring a one Council approach to engaging with children ensuring their needs are met.

This report looks at the challenges facing Solihull Council and the Solihull Local Safeguarding Children's Partnership. They are many and deep. I think the new commitment of leaders across the partnership to develop the capacity to meet these challenges is encouraging, but they will need to accept external guidance support and help. The next three years must see them perform at the best level of public service leadership. The ability to analyse the cause of the problem, to devise policies, strategies and plans to remedy them and the ability and capacity to deliver the plan will begin to ensure children and families in Solihull are safeguarded and protected such as they are as safe as it is possible to be.

2. Solihull an overview

In this review I held 93 meetings. In my discussion with individuals and groups, Solihull was often referred to by commentators and officials as an "affluent" or "small" borough. I was told that there are two Solihulls. The deprived North and the wealthy South.

Some said that the Council was not committed to children's services, seeing them as uncooperative or having been placed on the naughty step for overspending or providing poor services. These differing views were firmly held. It is possible to conclude, fairly, that children have not been one of their core priorities despite words to the contrary. In terms of the quality of service, over the last decade or so inspectors have never given a better judgement than "requires improvement" to the services designed to protect and safeguard children. In some single theme inspections, adoption and fostering occasionally achieved a good judgement. Over that time the Council has had seven Directors of Children's Services.

The data below show a clear pattern of change taking place in Solihull. Key aspects of this are the increase in poverty and the significant growth in children being looked after. Geographically it can be shown that both factors are concentrated primarily in the north of the borough. This should have provided a specific focal point for planning and delivering services to children. Up until now it does not seem to have happened in any sustainable or planned way.

Population and Households

Solihull is a Borough of 216,200 people (2021 Census), located in the West Midlands conurbation between Birmingham and Coventry, sharing many of the same challenges as its neighbours.

In the 2021 Census, there were 49,133 children in Solihull aged 0-18 years, 22.7% of the Solihull population similar to England (22%) and the West Midlands (22.9%).

North Solihull has a greater proportion of children and young people (22% aged 0-15 years vs 18% in the rest of Solihull).

The Solihull population aged 0-15 years increased by +6.5% (9.1% in North Solihull) between 2011 and 2021, more than the national or regional average. The increase was almost entirely due to an increase in those aged 5-10 years. The proportion of young people aged 16-18 fell substantially over this period.

Lone parent with dependent children households account for 7.2% of all households in Solihull, in-line with national and regional averages. The proportion of lone parent households with dependent children is however, more than twice as high in North Solihull as elsewhere in the borough (12.6% vs 5.1%).

Ethnicity

The proportion of Solihull residents from a Black or Minority Ethnic (BAME) group increased from 11% in 2011 to nearly 18% in 2021, slightly below the national average (19%) and significantly below its metropolitan neighbours.

Younger age groups are more ethnically diverse and school census data (spring 2022) shows that 72% of Solihull resident pupils are white and 28% from a Black or Minority Ethnic (BAME) background.

Between August 2020 and November 2022, Solihull admitted over 1200 pupils into its Schools as a result of Hong Kong British Nationals (Overseas) welcome programme, the equivalent to 40 forms of entry, creating a significant pressure on school places.

Poverty and deprivation

5,652 Solihull children aged 0-15 years (13% of all children in the borough) live in a low-income household. The proportion in north Solihull is 22.9%, compared with the England average of 18% and the West Midlands average of 25%.

At the time of the 2019 Index of Multiple Deprivation, 21% of Solihull children lived in one of the most income deprived 20% of Lower Super Output Areas (LSOAs) in England.

From 2007 through to 2019, an increasing number of Solihull LSOAs have become relatively deprived on the Income Deprivation Affecting Children Index (IDACI) measure. The number of Solihull LSOAs in the most deprived 10% of neighbourhoods in England increased from 4 in 2007 through to 20 in 2019.

Table 1: Solihull LSOAs in Most Deprived Neighbourhoods in England from Child Income Perspective

	2007	2010	2015	2019
Most Deprived 20% in England	17	20	22	23
Most Deprived 10% in England	4	7	16	20
Most Deprived 5% in England	0	0	7	9
Most Deprived 2% in England	0	0	2	2

Source: MHC&LG – Index of Multiple Deprivation

Children looked after in Solihull

In 2007, Solihull had 205 Local Citizen (i.e., non UASC) Children Looked After (CLA) at a rate of 44.6 per 10,000 Under 18 compared with a rate of 50.7 for England. However, by 2022 there were 478 at a rate of 99.7 compared with 63.3 nationally. The Solihull CLA rate increased four times faster than the England rate.

At the same time the Solihull under 18 population increased by nearly half the rate of England (4.3% vs 8.4%).

Image 1: Children Looked After Trend

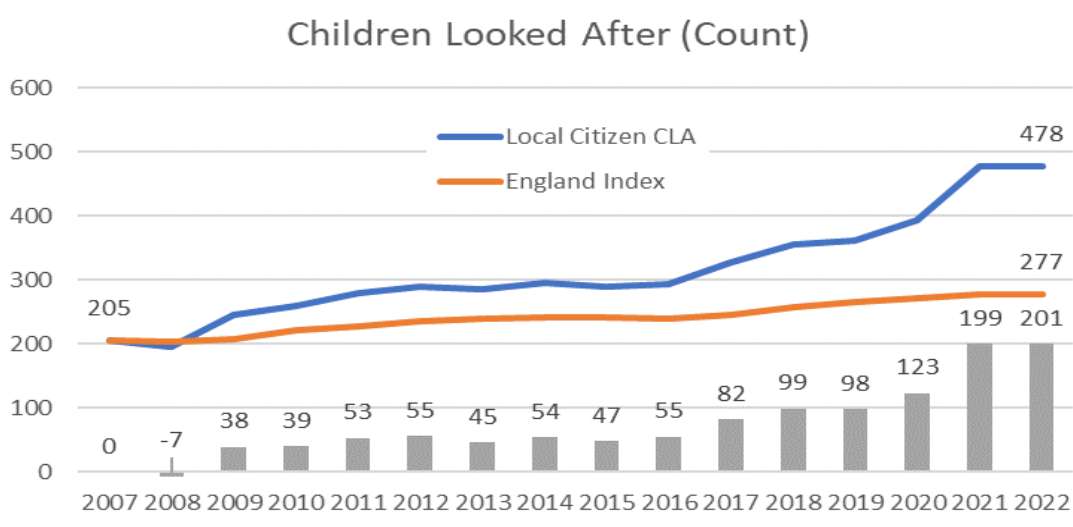


Table 2: Children Looked After Rate (per 10,000)

	Solihull	England
2007	44.6	50.7
2022	99.7	66.3
Change 2007-2022	124%	31%

Two trends are evident in Solihull in relation to child deprivation:

- An increasing number of Solihull neighbourhoods (LSOA) are in the most deprived 10% of IDACI neighbourhoods in England. In 2007, Solihull had only 4 LSOAs in the most deprived 10% of IDACI neighbourhoods in England, rising to 7 in 2010, 16 in 2015, and 20 in 2019;
- The under 18 population has increased far more rapidly in the most deprived 10% of Solihull neighbourhoods than in the least deprived.
- The 2019 statutory children’s social care return identifies 426 children with Solihull postcodes who were CLA at some point during the year. These postcodes can be assigned to an IDACI deprivation decile. This method shows that the chance of a child being looked after in Solihull is around 25 times more likely in the most deprived decile than the least deprived.

Only now is the Council recognising these trends. They must use the intelligence and data provided by this analyses to plan and prioritise their services to safeguard and protect children.¹

3. Background

On 31 October 2022, I was appointed by the Secretary of State for Education to be the Commissioner for Children’s Services in Solihull. The reasons for this, and my remit are laid out in Appendix 1.

Ofsted undertook an ILACS inspection of Solihull children’s services between 31 October and 11 November 2022. I attended the oral feedback session given by Ofsted to the authority’s senior staff on 11 November. The feedback by the lead inspector was comprehensive, focused, detailed and compelling. She described with great clarity how, “Strategic leaders and partners have overseen this decline in services to vulnerable children and their families.” She identified the Self-Assessment provided as part of the

¹ (I am grateful to the Business Intelligence & Improvement Team of Solihull Council for providing the information and data and in this section.)

inspection as weak and inaccurate and not reflective of the poor practice inspectors had seen, demonstrating leaders did not know the services they were responsible for.

The report laid out a devastating assessment of,

- The impact of leaders on social work practice with children and families,
- The experience and progress of children who need help and protection, and
- The experience and progress of children in care and care leavers.

Each area was judged to be inadequate, and the overall effectiveness of services was therefore inadequate.

This report followed publication of the Joint Targeted Area Inspection (JTAI) in January 2022 which had identified significant weaknesses in the practice of all partners at the ‘front door’ of child protection.

In January 2022 the DfE appointed an improvement adviser to the Council. In February 2022 the DfE issued a non-statutory improvement notice to Solihull Council. This provided substantial grant funding and the appointment of a very experienced and knowledgeable adviser to work with the Council on improving the quality of social work for children. The Council failed to engage actively with the adviser.

In May 2022, the national independent Child Safeguarding Practice Review Panel published a review looking at the circumstances leading up to the death of Arthur Labinjo-Hughes a resident of Solihull. It found that safeguarding partners did not have a clear enough understanding of child protection practice, there were failings in several areas of practice of the three partners, the police, the local authority and local health service. As well as national recommendations, the review set out several recommendations for Solihull’s safeguarding partners.

Several key reports were provided to Solihull in addition to these inspections and national review. These were carried out by several local authorities and the LGA.

There is therefore a mass of information about the quality of practice in Solihull. Previous inspection reports by Ofsted, going back to 2011 also identified a need for improvement in the services designed to protect and safeguard services. There was therefore a detailed library of information to show all was not well in the quality of practice for some time. The judgements by Ofsted in three inspections show a clear reason for this.

Table 3: Ofsted Inspection History in Solihull

Inspection	Help and Protection	Impact of leadership
2016	Requires Improvement	Requires Improvement
2019	Requires Improvement	Requires Improvement

Inspection	Help and Protection	Impact of leadership
2023	Inadequate	Inadequate

Reading this material, I became clear that there was a gap about the role of the most senior strategic leaders and their decision making about children. Not just within the children’s services department of Solihull but across the multi-agency partnership. It was agreed with the DfE to make this the key line of enquiry in my report.

I wanted to understand whether leaders had a good diagnosis and analysis of the problem they were trying to remedy; a ‘smart’ plan to address the challenges; and the capacity to deliver the plan. In brief it became very clear that there was no clear analysis of what the challenge was. Most often people would provide a narrative description of the presenting issues - the symptoms. The plans drawn up to oversee improvement were dense and confusing with an overwhelming list of actions. They were over bureaucratic and were not aiding and assisting improvement. A decision was made in February 2022 to form a new body, the Improving Outcomes for Children in Solihull board and to merge the action plans (JTAI, Improvement and National Panel) to be overseen by the new board. This side-lined the LSCP and created another meeting for leaders to attend and report on progress. This board became top heavy with a volume of papers and action plans. Despite the efforts of a very skilled and experienced chair the board has had little impact on practice. It had its last meeting in February 2023. My initial conclusion was therefore that the Council and the partnership were not able to drive improvement. This knowledge shaped the approach I took to my review.

4. The Ofsted report

The Ofsted report was published on January 13, 2023. It made clear children are not getting the help they need at the right time. The response to a child at risk of harm is too slow and consequently some have experienced significant harm. Too many interventions have not led to an improved outcome for the child. Strategic leaders have not been effective in dealing with the decline in services and they do not have an accurate understanding of the poor quality of practice and experiences of children. The lead safeguarding partners have not given sufficient scrutiny and challenge and the pace of change in response to the JTAI and National Panel recommendations has been too slow. Partners do not have a shared vision or strategy to make the required change. Their report outlines nine areas to improve.

- Senior leaders’ recognition, understanding and ability to address the quality of social work practice, through an accurate evaluation of performance information and implementation of an effective quality assurance framework, and a credible and resourced improvement plan.

- The timeliness and quality of decision-making in relation to concerns received about children and allocation to a social worker to ensure that children are seen without delay.
- The quality of practice for all children, including assessments, plans, planning and purposeful visits that identify and analyse risk and are responsive to need.
- The sufficiency and stability of the social care workforce, so that children experience fewer changes of social worker.
- Partnership arrangements to enable effective working together to both protect and support children.
- Permanence planning, to ensure that the full range of permanence options are achieved in a timely way for all children in care.
- The impact of independent reviewing officers to ensure that children’s plans are progressed, that drift and delay is challenged, and that escalation is effective.
- Corporate parenting responsibility for children in care and care leavers, including consultation and partnership with the children in care group, OVOS (Our Voice, Our Services), to ensure that this is prioritised and embedded across the Council and all partners.
- Timeliness of safeguarding checks for children in private fostering placements.

Following the feedback by Ofsted on November 11, 2022, the initial response of Council leaders was that they had been misled about the situation leading them to believe things were better than Ofsted reported. That is a fundamentally flawed view which demonstrated their ineffective oversight of improvement. Since then, the top senior leaders have moved at pace to get a grip on improvement at both Council and partnership level. The Council’s Chief Executive has resigned. The acting Chief Executive and the Leader of the Council have fully accepted the judgements made by Ofsted a new lead safeguarding triumvirate has been created – (the new Chief Constable, Chief Executive of the Birmingham and Solihull ICB, the acting Chief Executive of the Council) and has met to begin the process of improving the Solihull Safeguarding Children’s Partnership. Importantly, the Leader of the Council, the Police and Crime Commissioner and the Chair of the Birmingham and Solihull ICB have met and agreed to work together to ensure the programme for progressing improvement stays on track. These are very significant changes and an encouraging start; it needs to be maintained to ensure children in Solihull are protected and safeguarded.

5. Children’s services key priorities

Early Help

The overwhelming view of those I met with, especially school leaders, was that the early help service was in a state of crisis. Warwickshire County Council was appointed to review the service. They identified a sense of “organisational trauma” among staff after the early help system was reorganised. After an eight month review the Family Support

Service was put in place in April 2019. They report confusion as to who leads the service, who is responsible and a lack of overall accountability. This has a significant impact on dealing with referrals in the MASH as there are few early help services to which children and families in need can be referred.

The programmes which do exist e.g., parenting programmes commissioned by the Public Health team, open access services such as EPEC, Solihull Approach are not able to deal with the demand for service. There is some question as to whether the Health Visitors are carrying the lead professional role, this is not clear and outcomes of this are not available. The Communities service offer a substantial level of support as a universal offer, but this is not suitable for complex or challenging cases There is insufficient targeted service to manage children whose needs are at tiers 3 and 4.

Solihull has been awarded a £1 million grant from the Leadsom review fund to establish four 'one stop' family hubs. They will offer health appointments, virtual appointments and outreach services. Three are planned for the north of the borough where need is most severe. They are planned to open in the Spring of 2024. While welcome, this is not of the scale to make a significant impact on demand especially at tiers 3 and 4.

It is not yet clear as to how the Council will deal with Warwickshire's recommendations for a comprehensive service. The national implementation proposals in response to the care review led by Josh MacAlister has been published. This included proposals to fund projects to develop early help and support to families. These proposals could have significant implications for working with children and families at the early stages of help and the way safeguarding and child protection is delivered through local partnerships. It will be crucial to build a new early help service which benefits from thinking outlined in the implementation proposals.

Recruitment and retention of social workers

In December 2022 Solihull had a base funded establishment of 115 FTE social workers/managers. There were 102 permanent staff on the payroll. In addition to the base funded establishment there were 72 FTE agency staff giving a total of 187 staff (33 managers and 154 social workers). This is 72 posts (62%) over establishment. Thus, a very significant investment is being made by the Council. Agency workers are placed across the teams in children social care; however, they are almost the full establishment in some of the critical child protection teams for example I was told 21 of the 25 staff in the Child Assessment Team were agency staff. Agency staff spoke about being overrepresented in some teams and generally concerns that induction was not very good. Such a high presence of agency staff with a reasonably high turnover, creates significant challenges for management, stability, and consistency in casework with children and families.

Solihull has 25 ASYEs, two cohorts of Front-Line practitioners and several apprentice social workers. In some areas a significant percentage of the team are ASYEs. In a meeting with ASYEs they spoke about good wrap around support and reasonable workforce development opportunities.

Social workers and managers in Solihull are paid toward the top quartile of boroughs in the West Midlands. The Council has an open recruitment campaign for social workers which generally results in a handful of applications each month. It developed a new recruitment campaign which will promote the specific work force development and career development opportunities it will offer. If the Council wants to reduce its reliance on agency staff the campaign will need to be clear about its offer and the unique aspects, it provides. It should stress specific career development opportunities as the reason why candidates should apply to work in Solihull, given the incredibly challenging recruitment market. As this report was presented the LGA published its peer review of children's resources and efficiency in Solihull. This includes a recommendation, with ideas, for a new approach to recruiting and retaining social workers.

Financial Provision

The 2021-22 budget for children and families' services was £27.6million. The budget for 2022-23 is £36.5 million. Solihull has made substantial additional payments children's services each year between 2019-2023 with a commitment to provide additional funding for the next three financial years totalling £24.6 million. These payments have covered the costs of additional staff, placement costs, areas of early help, UASC and the cost of youth custodial remand. Going forward they will continue to cover the cost of additional staff and the service improvement plan. These figures were identified before the publication of the Ofsted inspection report. The Director of Finance will need to take a view on this total after considering the potential further additional costs required to cover the nine areas of improvement identified by Ofsted.

Support provided by the DfE has totalled £1.1 million with additional support through the sector led improvement programme (SLIP). This has covered work in early help, additional social work capacity, support for the MASH, sampling of assessment cases, clearing unallocated case backlogs, the improvement hub, practice improvement training, and other activities. The DfE are also funding Solihull to implement the Leeds Family Valued model as part of the DfE's Strengthening Families Protecting Children Programme. DfE will need to consider additional funding to assist Solihull to effectively implement their improvement plan 2023-2025 in addition to the funding provided by the Council.

It is important to say that there is clearly room for more effective use to be made of existing funding. I have mentioned the MASH and the use of agency staff but there are other areas too.

The LGA report (December 2022) on efficiency and resources in children's services advises the Council,

“Managing demand more appropriately will require reviewing decisions made several years ago as they have had the unintended impact on demand, principally through significant gaps in early help and family support in the area.”

Corporate parenting

The Council published a Corporate Parenting strategy 2019-21. The strategy is reasonable in its best intent and suggestions. It states, in relation to children in care, “This strategy establishes the broad framework through which we will provide the best possible support and care for them.” Evidently this purpose has not been delivered.

The strategy lays out the seven principles of corporate parenting. This commits the Council to encouraging children to express their views, wishes and feelings. It also states that these will be taken into account. Ofsted concluded that over the period this strategy was in place,

“There are widespread and serious failings for children in care and care leavers and services have declined significantly since the last inspection in 2019. This means that children are not being safeguarded effectively and their welfare promoted.”

This damning finding demonstrates that the strategy has not influenced or impacted policy or service delivery for children. The young people interviewed by Ofsted were clear in their view. The report states,

“The young people spoke openly and honestly; the majority of them were disappointed with the service they had received. They spoke of difficulty accessing support and of a lack of transparency in respect of what their rights and entitlements were. They reported that a lack of support left them vulnerable, isolated and having to make decisions unaided at key points in their lives, such as transition to their own tenancy.”

I should point out that I spoke with a young person, with extended experience of being in care in Solihull, whose views were more supportive. They were very positive about their experience and felt their social worker could not have done more to support them.

The Council is reviewing its strategy for 2022-25. Looked after children do not feature at the centre of Council planning and delivery. The Council needs to ensure that the review goes well beyond warm words to ensure the children's views, wishes and feelings matter and will be positively responded to. They should ensure that the children play a central role in developing and presenting the strategy to the Council.

Independent Reviewing Officers (IROs)

The statutory role of the IRO is to monitor the local authority's performance of its functions in relation to looked after children and care leavers and to ensure the wishes and feelings of children are considered. IROs duties require them to, among other things, promote the voice of the child; ensure the child's assessment is effective and up to date; identify any gaps in the assessment or services provided; prevent drift in care planning and monitor the activity of the local authority as corporate parent. To carry out these functions effectively they are independent.

I met with the IRO team. They spoke caringly about the children they were responsible for. They identified a lack of senior management support (until recently), the rapid turnover in social workers and their non-attendance at conferences. They pointed to the level of poor reports and assessments and challenges with the Liquid Logic system. I was struck by the lack of confidence about their role being independent and required leadership and challenge to ensure their children were receiving good services. It seemed like a service that was at the edge of the process as opposed to being a central player.

Ofsted met with staff and young people and reported their findings they said,

"The practice of IROs is not robust enough to identify and challenge when drift and delay is occurring. They do not provide sufficient independent scrutiny and challenge to influence timely and effective progress of children's plans." They went on to say,

".....ineffective management direction and lack of oversight by independent reviewing officers (IROs) means that even when there are no longer any risks, the decision to discharge the care order is not made."

When asked about representation of their views to the Council, Ofsted stated,

"The children described the Our Voices Our Services (OVOS) group as broken, with no influence on how services to children should be delivered".

There is clearly a link between the performance of the IROs and the delivery of the Council's corporate parenting strategy. The service needs to be overhauled, given confidence that it has the authority to perform its functions and ensure it plays a leading role in the development of the new corporate strategy. Consultation should start immediately with children to discuss this and ensure a strong OVOS comes into place.

Emergency Duty Team (EDT)

I met with the EDT. It is a small resource. It covers both children and adults. Its caseload is usually 60% children and 40% adults. There is no local interface with the police as they are based in Coventry. Many EDTs in the West Midlands have a separate child and adult

teams. The team were not convinced the work they were doing, or the increase in contacts they are experiencing was fully understood in the Council. They stressed they were not an out of hours social work service and felt some thought they should be doing such work. There is a need to clearly state what the role of the team is, set clear expectations for it, ensure its work is performance managed and that it has the appropriate level of resources and support to fully cover the work with children.

Data analysis, intelligence and information

The range of expertise in using data to analyse activity and design intelligent assessment available to the Council and wider partnership is very rich. Solihull Council has a skilled and effective Business Intelligence and Improvement Team (BIIT). It analysed data for children in care 2007-22 and identified key factors which should inform policy and resource decisions. The quality of this was better than any of the data in children social care. This capacity can play a significant role in analysing data and informing senior managers of issues and options they can use to improve practice. The Council should enlist this capacity in its improvement work to ensure a smarter analytical approach to intelligently using data to improve services.

More widely, the skilled analysts in the West Midlands Police and Birmingham and Solihull NHS ICS should work closely with the BIIT to ensure the LSCP has access to detailed analysis of cross partnership activity and information. This will provide insight and trends that can assist the lead safeguarding partners in their decision making, identification of key priorities and assessment of the pace of improvement in outcomes for children. The DfE report on the effective evaluation on sector improvement identified the critical importance of the integration of analysis into informed practice. It argued

“...skilled and knowledgeable data teams were crucial for effective and accurate analysis and interpretation, which needed to be done in collaboration with children’s social care teams.”

Given the skills across the partnership, such a team should be the core of a remodelled business support resource to the LSCP.

Schools and education

Aspects of the good work of the education services were highlighted by Ofsted and headteacher representatives. This included robust systems to monitor children who are electively home educated and those missing from education to ensure they are safe and accessing suitable education. Their effective support for children in care was recognised.

“Most children in care progress well in education. Members of the virtual school have a good understanding of children’s needs. The virtual school is focused on providing

support to improve the quality of personal education plans (PEPS) and improve outcomes for children. PEPs are reviewed regularly....”

Education is now a key part of the MASH and provides support to schools’ designated safeguarding leads (DSL). This has helped improve the attendance of school representatives at strategy meeting for individual children.

School leaders gave a very clear view that early help was a serious deficit with children having little access to support across the tiers of need. This is something all the headteachers I met with raised. They felt in the absence of early help services schools were being expected to cope with an increasing level of complexity and need of children.

Communication with headteachers and DSLs was raised as a serious issue. While there were examples of excellent feedback to schools the majority identified a lack of information about strategy meetings, no minutes of children in need (CIN) meetings to keep schools informed, no feedback on referrals and no support for specific issues. Harmful sexualised behaviour was raised with the only support being a telephone contact in Birmingham Council as an example. Heads gave positive feedback on the training and support days for DSLs.

Heads reported a level of confusion about thresholds for social care intervention and the expectations of schools in respect of early help. Given the issues raised about communication with schools, it would be helpful to consult further with school leaders to produce joint information for all schools about what they are ordinarily expected to do in respect of the help they provide to children and families within the resources all schools receive. This would create a common baseline allowing for more effective use of referrals and would be a reference point in communication between schools and the Council to reduce a sense of not being listened to.

I did not look at the issues of support for children with SEND in this review. However, this matter was raised with me by headteachers. They pointed to several challenges including, resources, the quality of assessment and specialist support. This is clearly a significant issue of concern to school leaders and needs to be considered.

6. Capacity to improve social work practice

Ofsted identified nine areas for improvement in their report. One gave a clear picture of the shortcoming in practice saying an area for improvement is, “The quality of practice for all children, including assessments, plans, planning and purposeful visits that identify and analyse risk and are responsive to need”.

So, the task is for social work practice across all areas of the service to improve. Ineffective practice and a delay in response has meant that some children have

experienced serious harm. This is the priority issue for improvement. It sits beneath the reasons why the service has been judged to be inadequate.

Solihull has had seven DCSs in the last eleven years. It has had a variety of management structures and has struggled over the last few years to attract sufficient high-quality leaders and senior staff. The current position is, the Chief Executive of the Council has resigned, a new DCS is in post (October 2022). This is his first DCS post, he has started well and is building staff morale and developing a new approach to improvement. There are four Assistant Director posts. Two are vacant including the post that has been leading of safeguarding and child protection. The other post is focused on the technical side of improvement planning and process, an appointment has been made to this post and started in February 2023. The third post leads on CIN, courts, children with a disability, youth justice and wider services for young people. The fourth is for Education the postholder previously being the interim DCS for over 17 months. In my view the portfolios for the three social care posts are out of balance given the key areas for urgent improvement in the front door and child protection services. The severity of the challenges ahead merits a review of the portfolios to bring a sharp focus on driving improvement in practice and the quality of casework.

In its report Ofsted summed up this issue as, *“... managers at all levels do not ensure that children benefit from safe and effective social work practice. There is a culture of high support and low challenge which is not benefiting children”*.

In my discussions with social workers the majority spoke of high levels of support. In the main they accepted the notion of low challenge. They identified several reasons for that. The turnover of managers and supervisors, the lack of supervision, the absence of a service wide model or framework to help the development of practice, silo barriers between different teams, especially around referrals for assessment. Some spoke of good supervision and support for casework. The majority spoke of changes in process not being properly implemented, creating for some a, “use it if you want to” mentality. ASYEs spoke of a lack of guidance with no report templates for some activity like assessments. Agency staff spoke of poor or non-existent induction, negative comparisons of Solihull to other authorities in the region they had worked for, about the model of working and lack of effective process. Across permanent and agency staff the Liquid Logic system was criticised.

Solihull introduced a programme of quality assessment audits of casework supported by issuing new Practice Standards for assessments. Below is a set of charts. This is for the period March-December 2022.

Childrens Case File Audit position at 04/01/23

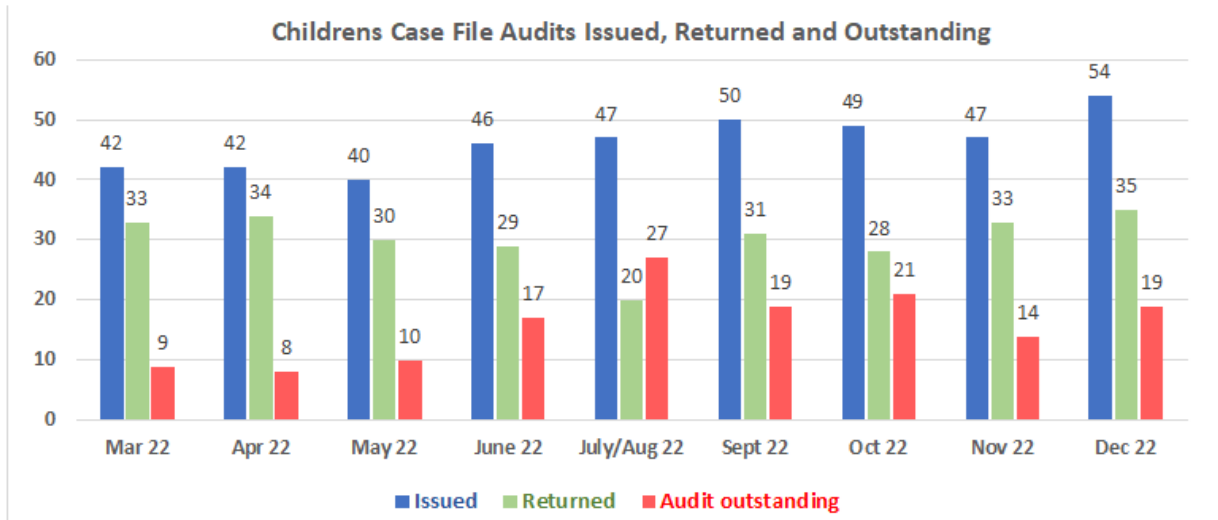


Image 2: Children’s Case File Audit Position

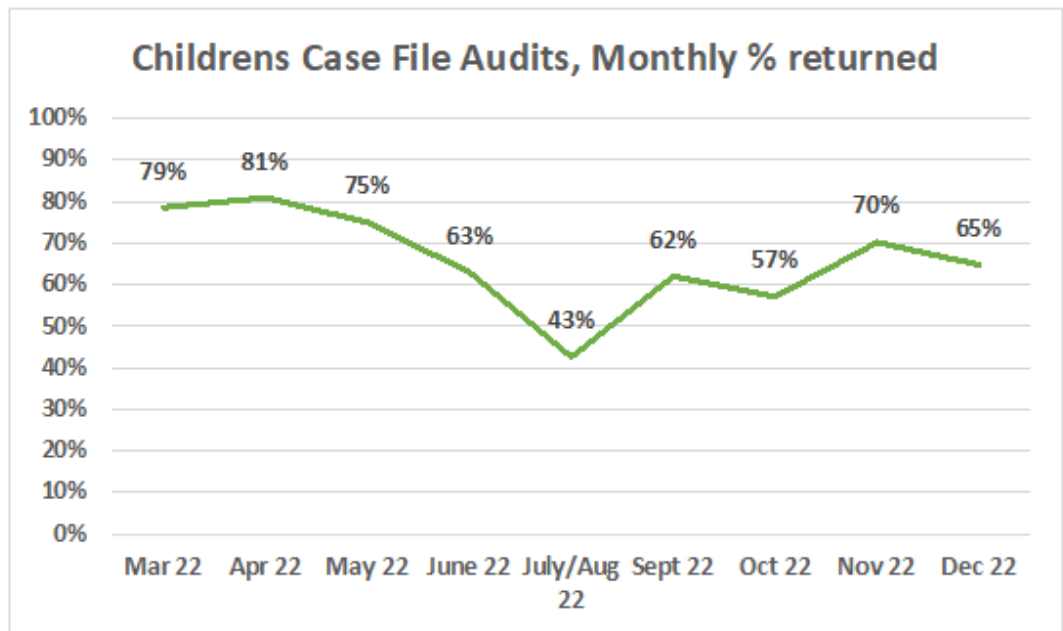


Image 3: Children’s Case File Audits Monthly % returned

Image 4: December 2022 Audit Gradings

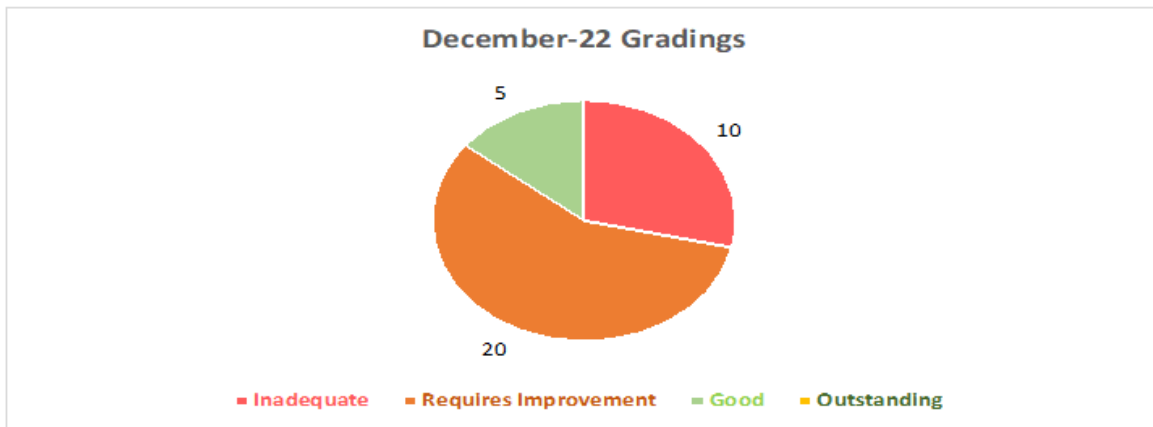
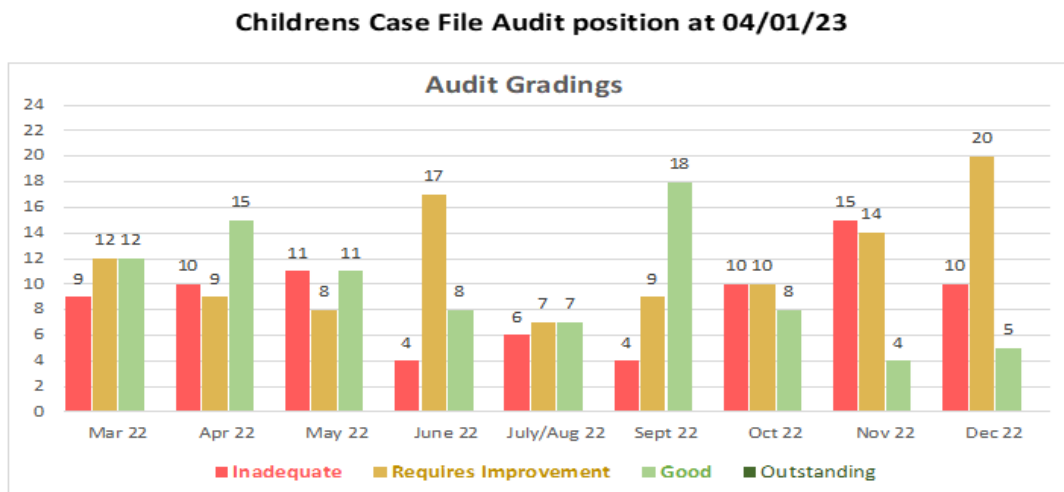


Image 5: Audit Gradings Trend



Between March 22 & December 22, 417 audits have been issued, with 273 been returned, giving an average 65% return rate. (Was 66% return rate for March to Nov 22).

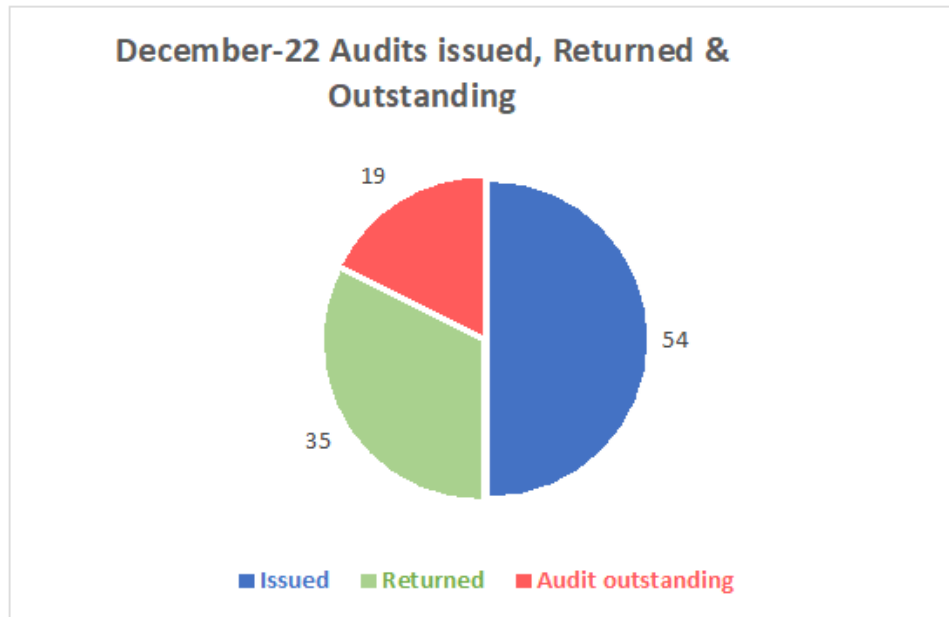


Image 6: December 2022 Audits Issues, Returned and Outstanding

These data show an up to date and stark illustration of the problem with the quality of practice, casework and compliance with the request for audits to be undertaken. Despite the introduction of practice standards and the partial roll out of 'back to basics' training over 66% of returned casework was requiring improvement or inadequate.

Recently there are encouraging signs of improvement. The number of unallocated has been reduced significantly, but in early help too many are unallocated; the timeliness of reports and visits is improving; and caseloads are being brought down and are currently 16. These are however very small steps. At this time, I do not believe there is sufficient skilled and knowledgeable capacity in the top children's service structure to drive the improvement identified in the Ofsted report. Alongside the need to effectively lead improvement in practice, manage and implement the new improvement plan for children social care, there is a need to develop an early help service, improve the MASH, improve services for care leavers, review and improve the EDT, introduce Family Valued model for social work, review and improve the IRO service and many more activities. For example, the complexity of designing, creating and delivering a new early help service will require leadership at Assistant Director level to oversee a major programme of complicated change and implementation.

The capacity and support available to the DCS must be bolstered for a period of up to three years. The distribution of areas of activity across the Assistant Director and Head of Service (HoS) level should be reconsidered to ensure a focused balance of activity matched to the challenges. This cohort of leadership is essentially the engine room to

drive improvement across the service. It needs to be highly motivated, have the skill sets, capacity and resilience to lead a movement for change.

Consideration should be given to temporarily unlinking the Assistant Director for Education from the DCS for 12-18 months. This alone will not be sufficient. I believe external assistance will be essential over the next three years if the service is to have a realistic chance of moving from inadequate to good. Some additional capacity will be available as the significant step up of activity by colleagues in the West Midlands Police and the Birmingham and Solihull ICB comes into play, especially, but not only, in the work of the reformed LSCP.

The Family Valued Model

Solihull is part of the DfE Strengthening Families Protecting Children (SFPC) programme, which is supporting 17 local authorities to implement three practice models which have shown evidence of reducing the need for statutory services to become involved with children and families. Solihull are due to implement the Family Valued practice model, a whole system model of change based on restorative and relational practice across children's services and partner agencies, the set up or new or expansion of existing Family Group Conference (FGC) services, and new restorative services commissioned to address gaps in provision and act on the outcomes of FGCs. Solihull began implementation of Family Valued in October 2021, but this was paused in December 2021 due to the government's response to the murder of Arthur Labinjo-Hughes and subsequent reviews. The new senior leadership team confirmed their desire to recommence implementation in August 2022.

In discussion with Leeds and DfE, it is agreed that at this time Solihull lacks the necessary capacity and capability within children social care to recommence implementation of the Family Valued model. There is a time limit on participation, however, with the DfE resource needing to be committed before the end of March 2024 when the SFPC programme ends. It is a condition of the funding that the local authority receiving it participates in the formal evaluation of the SFPC programme being carried out by What Works for Early Intervention and Children's Social Care. Solihull needs a new model of social work that is consistently applied across the service. However, trying to shoehorn this in to fit with the SFPC programme timeline is not sensible and should be implemented in a measured way that is consistent with the overall improvement plan timeframe. This will allow the necessary capacity to be introduced such that a new model can be carefully prepared for and introduced in a timely fashion and be supported by the proposed external expertise recommended in this report.

External assistance

In struggling authorities there is often a tendency to seek salvation through the implementation of a 'new model of social work'. If the necessary conditions for

introducing the model, stability in the social work force (not possible with high levels of agency staff) leadership capacity and time, are not available it becomes easy for leadership to focus on the new toy putting at risk the necessary focus and effort on improving practice as the priority.

External support must be organised to complement the roll out of the improvement plan. It must be introduced in a timely fashion and help implement the programme of improvement. The capacity to do this will impact on my recommendations to the DfE. Areas of activity that will particularly need external support include early help, a new model of social work and continuous improvement in practice, expert coaching and/or mentoring for the DCS and his team at Assistant Director and HoS levels.

The Commissioner's role will be central to overseeing progress on improvement. They need to be more deeply involved than is usually the case, more of an executive function. They will work closely with the Leader of the Council, the Chief Constable and the Chief Accounting Officer of Birmingham and Solihull. In addition, they will lead negotiations on the proposed contract with another local authority. The power of instruction should be retained (and possibly strengthened), to allow them to play a central role in the process of overseeing and advising on improvement. They should,

- support and challenge the three LSP,
- be central to the curation of support from a regional partner,
- approve all proposals for external support,
- oversee and assess the quality of that support,
- ensure the approved recommendations in this report are implemented,
- review implementation of the Council's improvement plan and the LSCP's,
- advise the LSP of progress every two months,
- provide guidance and support to the independent scrutineer, and
- report every six weeks for the first six months, then quarterly to the Secretary of State.

As an alternative, the Commissioner supported by expert team of advisers could provide support in a practical way to help the Council and partnership helping them to bring about the necessary improvement.

7. Solihull Local Safeguarding Children's Partnership (LSCP)

The JTAI and ILACS make a succinct case for why the lead safeguarding partners must fundamentally rethink the partnership, its purpose, governance, role, and functions.

In June 2022 the LGA undertook a peer review of the safeguarding partnership. This was a short review with a return visit planned for early 2023. This review found that,

“Current independent chairing / scrutiny arrangements do not enable accountability for the three statutory partners and the partnership should consider options where this can be strengthened.”

It recommended that the partnership needed a new direction and vision and urged all partners to engage in a joint endeavour to achieve this. They said arrangements should be refined to give the executive a line of sight to practice. The review recommended the rationalisation of the business unit to give it a clearer focus on improvement. It also proposed strengthening the role of scrutiny.

The partnership is ineffective. The key reason for this is because strategic leaders have not ensured it can function effectively as governance, decision making, and prioritisation have not been driven across the three agencies. This has meant that simple issues, such as funding and an effective information sharing policy have been left unresolved since the LSCP's inception.

There are several new strategic leaders across the partnership. In discussion with them it is clear to me that there is a new sense of purpose and urgency to improve multi-agency safeguarding in Solihull. I met with the Police and Crime Commissioner and Chief Constable of the West Midlands Police; the Chief Executive and Chair of the Birmingham and Solihull ICB; and the Leader and acting Chief Executive of the local authority. The purpose of these meeting was to allow me to assess at the highest level of accountability and governance for multi-agency safeguarding, how they understood their statutory roles in overseeing the system they were responsible for. I was able to consider their comments alongside those provided in the meetings (see Appendix 2) I had with practitioners across the three agencies.

The LSP have agreed a new model of oversight, governance and accountability supported by independent scrutiny. A model of this is at Appendix 3. This links single agency governance with multi-agency governance and service delivery. If this model is supported by a new combined agencies analytical, intelligence and forecasting capacity and a 'de-bureaucratized' administrative frame, it should pave the way to an effective system of intelligent multi skilled service delivery and learning for children and families in Solihull.

While there is an integral link, the partnership should not conflate the improvement work in an individual agency with the specificity of the multi-agency improvement required by the partnership. Too often partnerships overload their agendas with the issues within the children's social care department which should be being dealt with in that agency. Issues that cannot be effectively resolved in one agency without the support of the other two should be referred to the partnership along with the overall vision and framework for multi-agency delivery and learning.

Solihull merged the improvement plans required by the JTAI, national panel and children's social care. They felt this would bring about multi-agency ownership. The LSCP was not the key driver for this range of improvement, thus the then Chief Executive of the Council created an additional partnership body to lead on implementing the joint plan, the Improving Outcomes for Children in Solihull board. This led to an unmanageable process of reporting and report writing and confusion with the role of the LSCP. The new lead safeguarding partners have determined that the Council will lead and manage a children's improvement plan with the LSCP leading the multi-agency improvement plan. This will include appropriate links between both.

The MASH

In February 2022 the JTAI reported weaknesses in the joint strategic governance of the MASH. It also found that it was significantly under resourced by partner agencies. In January 2023 Ofsted judged the additional capacity provided by each agency did not result in a corresponding increase in timely and effective identification and response to risk. They found managers did not maintain sufficient oversight of the progress and timeliness of referrals to the MASH and identified significant delays with risk not being considered at the earliest opportunity. Earlier in 2022 a dispute with Council staff in the MASH led to a strike about job descriptions. Whatever the merits of such action senior cross agency decision makers should have been able to deal with the issue before that stage, given its potential impact on safeguarding children.

The Solihull MASH is well funded and staffed in comparison with comparable areas. Of late there has been some improvement in processing cases and better cooperation between partner agencies. The health and police leads are ambitious and focused on further improvement. The head of the MASH is determined and has a clear analysis of what needs to change to improve the service. They will be responsive to the Ofsted report. Collectively the spirit within the MASH is positive and that will be a core asset in driving focused improvement.

A characteristic of a good MASH is the visibility and presence of its leaders. The interaction of staff talking and acting together facilitates a speedy response to decision making, tracking and monitoring of referrals. Remote working of social workers and the lack of presence of leadership in the office (while fully available online) contribute to the issues of decision making and timeliness of processing identified by Ofsted and the JTAI.

The MASH does not have one coordinated, visible tracking and monitoring IT system available to all staff. The police have a very sophisticated system which tracks all cases and monitors timeliness. One monitoring and tracking system available to all staff and visible in a prominent position within the MASH would help to monitor and respond to risk in a timelier fashion. This would also help strengthen a sense of common purpose in ensuring children are being directed early to the necessary support they need.

The head of the MASH developed an informal Improvement Plan-May 2022. Considering the findings of Ofsted and the JTAI's comments on joint strategic governance, this will need to be replaced by a new approach approved by the lead safeguarding partners.

Independent scrutiny

The model of independent scrutiny adopted by the LSCP has not been effective. It has not focused on the key issues of governance, leadership and the quality of cross agency service. It did not engage with the lead safeguarding partners as individual agency leaders, nor their role as a team. For example, there was no challenge to the long-standing issues of funding for the business support unit of the sharing of data and intelligence. The Independent Scrutineer left in September of 2022 having been appointed in the Summer of 2021.

The annual report of the partnership 2021/22 contains comments made by the scrutineer in the annual report of the partnership. They are overly optimistic on the improvements made, "an extraordinary amount of improvement activity carried out since the turn of the year" and planned to be made going forward. It also described an evaluation of the local safeguarding arrangements. It states, "The critical focus brought to bear by our external partners has highlighted the areas for improvement and the partnership is already making major changes to bring about developments in the services to help to protect and support children and families. This is about as far away from an effective evaluation as is possible to be. Ofsted said the self-evaluation submitted to them by the Council before the ILACS demonstrated that the Council did know itself. The same can be said of this report and the LSCP.

The role of the Independent Scrutineer should be focused on the impact decision makers are having on outcomes for children through their leadership of the system. This means at one level, working to challenge the lead safeguarding partners on:

- what their priorities are and why.
- what they know about the quality of practice;
- resources for and the effectiveness of the partnership;
- how they operate as a team and not three separate leaders, and
- how they know the system is as safe as is possible.

The challenge and support offered to the designated safeguarding partners in their role as leaders of practice should include:

- the partnership structure to meet multi-agency priorities;
- how learning from serious events is inculcated in practitioners;
- assessing quality assurance and performance management of the partnership;
- the professional development framework for multi-agency staff;
- engagement with relevant agencies especially schools, and similar key issues.

8. Is an alternative delivery model (ADM) needed for Solihull?

The creation of a new delivery model for children's social care has worked effectively in driving improvement in some areas where it has been introduced. I proposed and set up the first children's trust for social care and proposed one for another area. Both have been successful. A key reason for those proposals was a judgement that the leadership of both councils did not accept the depth of problems that existed and lacked the capacity to drive improvement. I founded and set up an independent trust which for ten years provided all the statutory education services of the local authority. I am well aware of the necessary preconditions for recommending a service should be provided through an ADM.

In December 2022, the DfE published an evaluation of the "Effectiveness of the local authority support on sector improvement, partners in practice and interventions." I considered this in the context of Solihull and its findings on a local authority's capacity to improve following a finding of inadequate in an Ofsted inspection.

The evaluation identified five factors which were persuasive in determining that capacity.

- Acceptance of the ILACS judgement of inadequate.
- Sound building blocks for improvement.
- Adequate resources for the service.
- Some new strong and skilled senior leadership, and
- Risk of disruption of externalising the service versus keeping service in-house.

Leaders of Solihull Council, the West Midlands Police and the Birmingham and Solihull ICB have fully accepted the finding of inadequacy made by Ofsted. There are building blocks in place for improvement in the shape of

- new leadership in Solihull Council,
- the development of revised and focused improvement plan,
- a focused programme of improving the IT system, Liquid Logic and
- a strong partnership of multi-agency leaders.

The Council has invested significant additional sums in the annual budget for children's services and is expanding its professional development offer for social workers. In addition, the LSCP is to receive additional funding.

While there is skilled leadership in place, it needs to be strengthened significantly in children's social care. This is a priority issue for the Council. The Council and partnership plan to build additional capacity is clear and key leaders in health for example are leading the review of the LSCP and the delegated safeguarding partners are now at the appropriate decision-making level of seniority.

Creating a new delivery vehicle, and 'opening it for business', will take between 12 and 18 months. During that period the Council will continue to manage and deliver children's services. Setting up and agreeing a contract for delivery of services, and arranging an effective infrastructure will require the appointment of a new external team which will form the leadership of the new ADM. This will be costly and will involve complex and complicated discussion requiring legal, personnel and accountancy expertise. Inevitably this activity will impact on staff and may well lead to further interruption of the work necessary to be improving the service now.

In the case of Solihull, I think that the new approach to accepting the depth of the problem and the commitment of leadership to drive improvement, creates an immediate start to a more propitious phase of improvement. Therefore, within the timescale needed to establish an ADM, a significant move forward on improvement could be achieved by a supporting the new focus of strategic leaders and developing a revised and improved support package to the Council.

9. Conclusion

Vulnerable children and families in Solihull need the support of effective services designed to protect and safeguard them when necessary. They have not been receiving this support for a considerable period.

The Council must ensure they have a one Solihull approach to children. The corporate parenting strategy should ensure all children in care have the support they need as detailed, but not delivered, in their strategy document.

With their partners in the police and health services they must do much more to remedy the failings in service. They need to take immediate action to improve the quality and range of services they provide. Children's services has a new Director, he must build a strong and effective leadership team to bring about the improvement in practice so desperately needed. The large number of unallocated cases has been reduced, but more must be done urgently by this team to ensure no cases are unallocated. Social workers, police officers, health professionals, teachers and other staff in Solihull need the resources, support, encouragement and effective tools to ensure as much as possible is being done to help and protect children.

The LSCP can and must ensure effective multi-agency practice to help and protect children. They must demonstrate that they have the grasp and drive to deliver the plans and strategies to improve services. They should also ensure they are open to truly independent scrutiny of their joint and equal leadership. They need to ensure the services they have joint and equal responsibility for, are assessed as being at least good within a three-year timetable.

I believe assessed against the factors in the evaluation report submitted to the DfE, Solihull is at the threshold of having in place the capacity to oversee improvement. There is a significant caveat about this. The need for external support from a skilled and experienced good or outstanding local authority. The DfE should retain a commissioner with powers of instruction. They should lead work with the Council and LSP to identify a suitable local partner to facilitate an improvement contract for up to three years.

The commissioner should provide an addendum to this report identifying the proposed partner and the scale of the support to be provided. If this can be achieved by the end of April 2023 the likelihood of improvement increases significantly. If it cannot be achieved, the commissioner should produce a report proposing the creation of an alternative delivery model for children's services in Solihull.

10. Recommendations

Department for Education

The DfE to agree the commissioner should work with the Council and the Lead Safeguarding Partners to identify a regional partner to provide the necessary support and guidance to ensure the effective delivery of the improvement plan. Priorities for this support should be,

- Immediate improvement in the leadership and quality of social work practice across the service with a focus on safeguarding and child protection casework,
- oversight of the mobilisation and deployment of external help to develop the framework and model of social work practice, and
- a new model of early help.

This should be for a period of three-years with a review at the end of the second year.

The Council

The Council should develop a three-year plan for improvement in social care. It should,

- concentrate on improving the quality of social work practice and its impact on outcomes for children and delivering key priorities,
- improve the areas identified in the Ofsted report, particularly the failures in effective management of key decision making for children,
- organise activity by priority and timeliness to ensure a pathway of connected and coherent improvement as opposed to monitoring a catalogue of narrative with endless recommendations.

The Council should develop a three-year financial and staffing plan for children's social care. This should complement the implementation of the improvement plan. It should

determine a new enhanced basic establishment of social workers for the next three years and implement a dynamic recruitment and retention package with a guaranteed professional development offer to create a stable workforce and obviate the need to rely on large numbers of agency staff.

The Council needs urgently to improve capacity at a senior level in children's social care and to ensure its stability over the next three years. The top level of management (DCS through to Heads of Service) should be reviewed to ensure an appropriate allocation of duties and responsibilities with a specific added focus on child protection and the front door. Consideration should be given to temporarily linking the Assistant Director for Education to another senior officer.

The Council should implement a new comprehensive model of early help. This should enhance the support provided in early years and school settings with additional coaching for headteachers and designated safeguarding leads, be graduated on a continuum of increasing support with clear thresholds for step up and down. The role of school nurses and voluntary organisations should feature prominently in the model. It should bring together all aspects for early help across the Council under the management of a senior officer in children's services.

With the support, guidance and oversight of the proposed regional partner, the Council should resume implementation of the Leeds Family Valued programme. This should only happen when the timing is right and as agreed by the regional partner and Commissioner.

The role and organisation of the IROs should be considered urgently. Management needs to address the failings identified by Ofsted to ensure their critical role of independent challenge and scrutiny is effective and the team is led with authority and credence.

The Council's new strategy of Corporate Parenting, should focus on cross Council practical and financial support for looked after children, ensuring their needs are at the centre of all Council policy. They should engage with young people and OVOS to consider how together they can effectively promote the voice of children.

The Council should redouble its efforts to ensure Liquid Logic is implemented in full, including updates, and a major programme of training and support provided to social workers in children's services.

Given the representations and comments I received about services for children with a special educational need or disability (SEND), the Council should consider how it can most effectively support and encourage improvement in this area.

Solihull Local Safeguarding Children's Partnership

The Leader of the Council, the Chair of the Birmingham and Solihull ICB and the Police Crime Commissioner should confirm the new arrangements for accountability and governance of multi-agency safeguarding arrangements devised by the lead safeguarding partners. The LSPs should agree a new three-year model of equitable funding for the work on the LSCP.

The Solihull Safeguarding Children's Partnership should develop an improvement plan to focus on the priority actions needed to drive improvement in multi-agency safeguarding practice and implementing learning from local and national safeguarding practice reviews.

The partnership response to the areas for priority action and areas for improvement identified by the JTAI and the report of the National Panel should be reviewed and built into their plan for improvement in multi-agency working.

The LSPs should review the working of the MASH to ensure implementation of the actions identified by the JTAI, consider best practice in other MASH in the West Midlands and focus on,

- further developing the model of integrated working of staff,
- the creation of one live management data and intelligence display showing, monitoring and tracking live cases,
- better feedback to referrers on case progression,
- ensuring appropriate funding/resource is provided, and
- ensuring visible leadership of the MASH has a physical day-to-day presence with the authority to direct work, take decisions and report direct to the designated safeguarding partners.

This should be completed within two months.

The LSP should appoint an Independent Scrutineer who has the responsibility, authority and credibility to support, advise and challenge them and the designated safeguarding partners on the necessary improvement in multi-agency safeguarding and protection.

The LSP should use the Yearly Report to make a public statement of their level of assurance about the multi-agency arrangements for safeguarding. The report should also contain the opinion of the independent scrutineer on that assurance.

11. Appendices

Appendix 1

STATUTORY DIRECTION TO SOLIHULL METROPOLITAN BOROUGH COUNCIL IN RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has decided that following the Improvement Notice issued on 28th February 2022 to Solihull Metropolitan Borough Council, ("the Council") insufficient improvement progress in regard to children's social care functions has been made.
2. A meeting with senior leaders from the Department for Education (the Department) and the Council to review progress was held on 15th September 2022. The following was established at the review meeting:
 - serious practice concerns across the service with evidence of unknown and unassessed risk leaving some children at risk of harm
 - no clear plan to reduce or mitigate against situations of unallocated cases which has spanned a nine-month period and peaked at over 400 cases in August 2022. Department for Education funding provided to address and mitigate against future situations of unallocated cases has made limited impact
 - ongoing fragility of the workforce and insufficient social worker capacity to deal with presenting need
 - challenges exacerbated by the unreliability of recording systems, data and poor oversight of risk
 - concerns around capacity across the service recognising that wholesale transformation is required at pace
 - actions still to be addressed, embedded, and sustained from the Joint Targeted Area Inspection (JTAI) of the safeguarding agencies in Solihull
 - the Improving Outcomes for Children in Solihull Improvement Board were held to account for the recommendations made to the Local Safeguarding Children's Partnership (LSCP) in the Child Safeguarding Practice Review Panel's (National Panel) report into the circumstances leading up to the death of Arthur Labinjo-Hughes (reported May 2022); concerns remain around capacity and capability within the LSCP's Business Unit which supports the work of the LSCP
 - the Department for Education appointed Improvement Adviser (January 2022) experienced ongoing challenges with engagement with the Council, identified serious concerns across children's social care functions and found evidence of inadequate practice from case audit outcomes. The Department for Education

Improvement Adviser has recommended that more directive action is needed in the form of a Statutory Direction and the appointment of a Commissioner to ensure sufficient improvement is made at pace

3. The Secretary of State is therefore satisfied that the Council is failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 ("the 1996 Act") is applied by section 50 of the Children Act 2004 ("children's social care functions"), namely;
 - a) social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
 - b) the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph a. above); and
 - c) the functions conferred on the Council under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
4. The Secretary of State has appointed Sir Alan Wood as Commissioner for Children's Services in Solihull ("the Children's Services Commissioner") in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex to this direction.
5. The Secretary of State, having considered any representations made by the Council, considers it expedient, in accordance with his powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social care functions are performed to an adequate standard.

NOW THEREFORE:

6. Pursuant to his powers under section 497A(4B) of the Education Act 1996 Act, the Secretary of State directs the Council as follows:
 - a. To comply with any instructions of the Secretary of State or the Children's Services Commissioner in relation to the improvement of the Council's exercise of its children's social care functions and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;
 - b. To co-operate with the Children's Services Commissioner, including on request allowing the Commissioner at all reasonable times access:
 - I. to any premises of the Council;
 - II. to any document of, or relating to, the Council; and
 - III. to any employee or member of the Council,

which appears to him/her to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference.

- c. To provide the Children's Services Commissioner with such amenities, services and administrative support as he/she may reasonably require from time to time for the carrying out of his/her responsibilities in accordance with the Terms of Reference, including:
 - i. providing officers' time or support;
 - ii. providing office space, meeting rooms or computer facilities;
- d. To co-operate with the Commissioner in their review of the leadership necessary for the most effective way of securing and sustaining improvement in Solihull.
- e. To co-operate in the review of the leadership of the three statutory Safeguarding Partners i.e., the Local Authority, Integrated Care Board, and the Chief Officer of police.
- f. To ensure that the Leader of the Council, the Lead Member, the Chief Executive and Director for Children's Services meet monthly with the Department for Education Commissioner and provide such reports to him/her as is required.
- g. To produce an itemised budget for children's services which reflects and aligns with the needs and timescales identified in the improvement plan;

This direction will remain in force until it is revoked by the Secretary of State.

Signed on behalf of the Secretary of State for Education



Dawn Dandy

A Senior Civil Servant in the Department for Education Dated this 1st day of November 2022

Non-Executive Commissioner for Children's Services

Solihull Metropolitan Borough Council

Terms of Reference

The Children's Services Commissioner for Solihull is expected to take the following steps:

1. To issue any necessary instructions to the Council for the purpose of securing immediate improvement in the delivery of children's social care and partnership working.
2. To meet with the three Safeguarding Partners (the Local Authority, Integrated Care Board and the Chief Officer of police) to review the leadership of the three statutory Safeguarding Partners and progress against implementation of the JTAI actions, the National Panel's local recommendations and council's actions. To advise ministers of the work that Solihull Local Safeguarding Children's Partnership is doing to protect the children of Solihull.
3. To ensure an effective improvement board oversees and drives improvements in children's social care (including actions from the Joint Targeted Area Inspection and National Panel's recommendations) with a single coherent plan for the improvement of children's services. To provide direction and challenge where necessary.
4. To ensure that the Council explores and resolves the problem of unallocated cases causing drift and delay and ensure that all children at risk of harm progress swiftly through the child protection system.
5. To review and improve senior management and social work, capacity and capability at the Council.
6. To ensure that the Council improves recording systems and processes, both internally and with local partners.
7. To ensure that the Council builds ongoing independent review and challenge into all of its systems for safeguarding children.
8. To provide an initial report to the Minister of State for Schools and Childhood, within 3-months after the Commissioner commences in post – and no later than 31st January 2023.

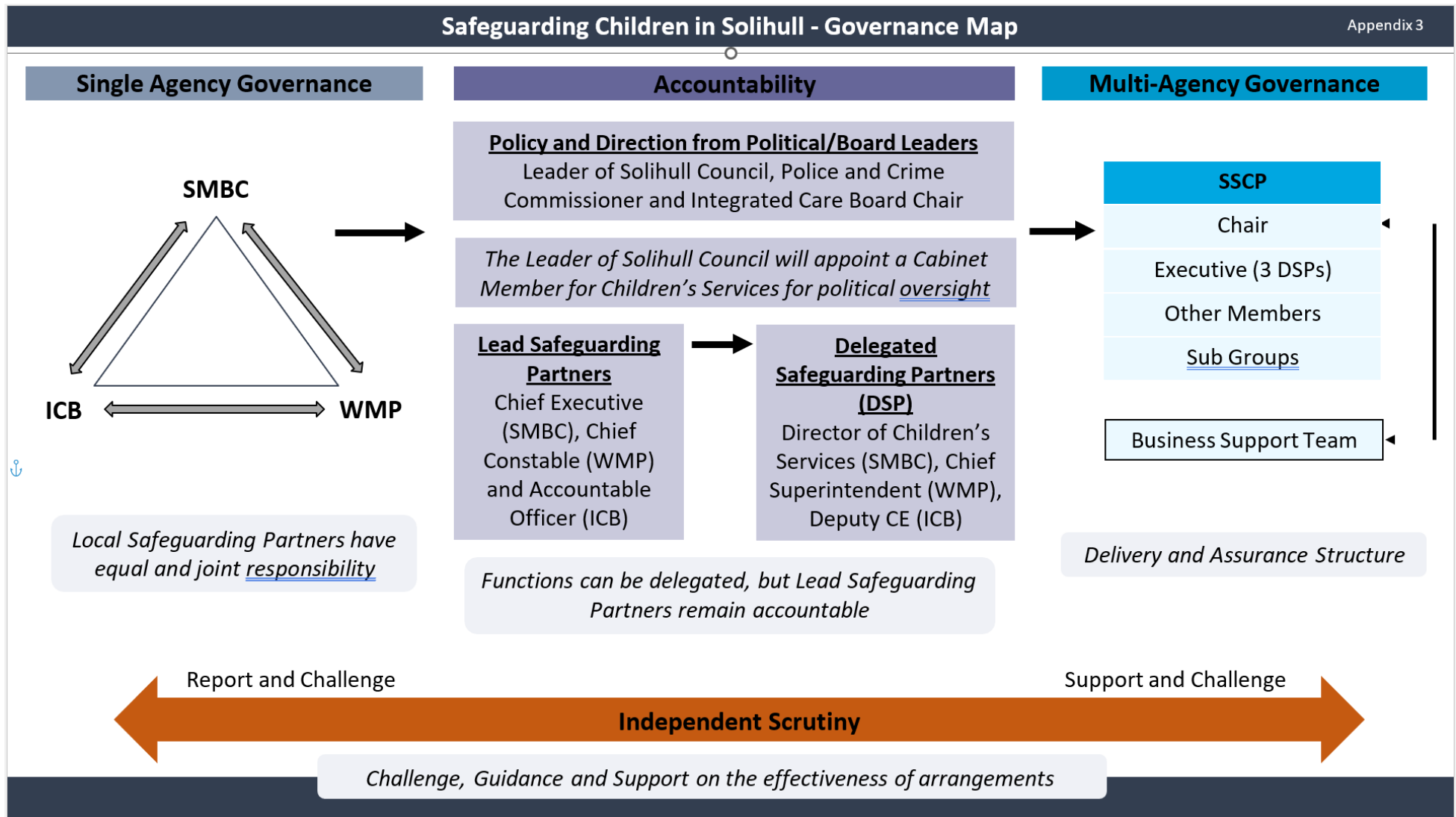
Appendix 2

Meetings Log

- Leader of the Council
- Director of Children's Services (DCS)
- Interim DCS/ Assistant Director – Education
- Assistant Chief Constable
- ICB Chief Executive
- Improvement Board Chair
- Assistant Director – Improvement
- Chief Constable
- Assessed and Supported Year in Employment (ASYE's)
- MASH Social Workers
- Child Assessment Team Social Workers
- Children in Need Social Workers
- Children's Disability Team Social Workers
- Child Protection/Court Social Workers
- Children in Care Social Workers
- Care Experienced Social Workers
- Fostering Social Workers
- EDT social workers
- HR Management
- Cabinet Portfolio Holder - Children & Education
- Director of Resources and Deputy Chief Executive
- LGA Team
- Mash Cross Service Leaders
- Head of Legal Services and Solicitor to the Council
- Leader of the Green Party for Solihull
- Director for Adult Care & Support
- Education Teams for vulnerable children
- Family Support Leaders
- Community based service delivery officers
- Principal Social Worker
- Interim Head of Service for Early Help and MASH
- LSCP Business Unit
- HR Business Manager
- Vulnerable Children's Unit Safeguarding Team
- Headteachers' Forum - Solihull Strategic Accountability Board representatives
- Director of Public Health
- Police Leads

- LAs providing support – Warwickshire, Leeds, North Tyneside and Hampshire
- Head of Safeguarding
- Improvement Hub Team
- Assistant Director - Children's Safeguarding
- Independent Reviewing Officers (IRO's)
- Heads of Service for Children's Services
- Business Improvement Team
- Liquid Logic Lead Officer
- Assistant Director - Quality Assurance, Performance and Improvement
- Health Leads
- Deputy Safeguarding Partners
- DfE Adviser
- Vulnerable Children's Unit Regional Director
- LSCP chair/sponsor
- Birmingham Children's Trust
- Integrated Care Board Chair
- Previous LSCP independent scrutineer/chair
- LSCP Cross Service Leaders
- Lead inspectors and quality assurance managers for the recent ILACS inspection and the JTAI
- Police & Crime Commissioner
- LSCP Business Manager
- National Facilitators
- Equinox Regional Director and Director of Practice
- Solihull local MPs
- Birmingham City Council Chief Executive/ Team
- Chair of the Child Safeguarding Practice Review Panel
- MASH Team
- Corporate Parenting Lead Officer
- Deputy Leader of the Council
- A previous Cabinet Portfolio Holder for Children & Education
- Ex Chair of the What Works for Children's Social Care
- Young People

Appendix 3



Appendix 4

Document Log

- Ofsted ILACS – Inspection of Children’s Social Care Services (November 2019)
- Ofsted Focused visit letter (August 2021)
- JTAI letter (February 2022)
- DfE Improvement Notice (February 2022)
- DfE Statutory Direction
- National review into the murders of Arthur Labinjo-Hughes and Star Hobson
- Minutes to Scrutiny Board - JTAI update
- Local Safeguarding Children’s Partnership (LSCP) LGA Peer Review Feedback Report
- Improvement Plan (merged plan)
- Action plan for the recommendations in the Child Safeguarding Practice Review Panel – LSCP
- Hampshire Early Help Waiting List
- Hampshire Report
- JTAI Statement of Action
- Self-Evaluation Form – Children’s Services and Skills
- Warwickshire Early Help Report
- North Tyneside Audit Report
- Auditing Case Reports
- Improving Outcomes for Children in Solihull Board (IOCSB) Papers
- Unallocated Cases Report
- Scoping paper for LGA Children’s Services Resources and Efficiency Peer Review
- List of the DCSs in post from Nov 2011 to today with dates served
- Organogram for Children’s Services
- Recent reports on the recruitment of social workers, the FTE, the number of agency staff, ASYEs
- LGA Finance Peer Review Report Findings
- Terms of Reference for LSCP Executive Group, Assurance Review Group, Learning and Development Group, MASH Strategic Group and Child Safeguarding Practice Review Panel
- Ofsted draft report - Inspection of Solihull local authority children’s services
- LSCP Independent Scrutineer Job Description
- Children and Young Persons Needs Assessment Report

- LSCP Documents/ Reports including Risk Register, Integrated Business Plan, Learning and Improvement Framework, Safeguarding Performance and Quality Assurance Framework, Independent Scrutiny Reports, Scrutiny Calendar and Solihull Independent Scrutiny Report
- MASH Documents including Story board and improvement plan
- Financial briefing note
- Ofsted SEND Inspection (October 2017)
- Additional Needs Strategy, Alternative Provision Strategy, Specialist Commissioning Strategy, Maternity and Early Years Strategy, Inclusion Strategy and Accessibility Strategy
- DfE Family Hub bid
- Solihull Family Hubs - Updated delivery plan
- Overview slides of the Business Improvement Team
- Children Looked After 2007-22 presentation
- West Midlands PCC Strategic Policing and Crime Board (SPCB) in relation to victims and violence against women and girls
- JTAI – SPCB briefing
- WMP JTAI and CONNECT recommendations
- WMP safeguarding partner role structure
- WMP Vulnerability Improvement Board Papers including Action Tracker
- Health Reports including Quality Committee, Health Safeguarding Board and ICB
- BSOL ICS - Solihull Safeguarding Partnership
- Draft Report – ICS Review of Safeguarding
- Health Partners Safeguarding Workshop Summary Reports
- BSOL CCG Heads of Safeguarding Presentation – creating an integrated safeguarding model
- Head of Safeguarding QPES report
- Evaluation of the effectiveness of the local authority support on sector improvement, partners in practice and interventions
- HMICFRS Update
- Police Force Risk Register
- Connect PCC Update
- Police and Crime Commissioner/ Chief Constable Weekly Meeting - Performance Brief (March 22)
- Strategic Policing and Crime Board – Connect
- Changes in the rate of Children Looked After, 2007-22 including Solihull demographic overview and West Midlands Combined Authority map showing Solihull's geographical position
- Children in Care Safe Reduction Strategy
- Briefing note- breakdown of staffing figures

- MASH Strategic Management Group Documents including Terms of Reference, Agenda's, Minutes, Highlight Reports and MASH OPS Performance
- WMP - Audit Terms of Reference
- Final report: ILACS Standard Inspection Solihull (November 2022)
- WM Child Protection and Safeguarding Procedures
- Safeguarding Children in Solihull - Governance Map
- Children's Social Care Staffing CLT Report - November 2022
- Corporate Parenting Strategy and Corporate Parenting Board Agendas
- Comparison of annual rate in Solihull of children entering care with the number leaving care (2010- 2022)
- Local Child Safeguarding Practice Review
- WMP Draft Audit Report
- Quality Assurance Overview report
- Youth Justice Service overview report and key recommendations
- Evaluations for the Best Practice Training program
- LSCP Action Plan 2021/22
- Children's Case File Audit position as at 04/01/23
- Draft LGA Peer Review - Full Report
- Supporting Families payment by results assurance visit and update on performance
- LSCP Latest draft of the MASA document
- LSCP Multi-agency DA Audit report including action plan
- LSCP Multi agency findings from the dip sample audit of Strategy Meetings
- LSCP Report for the Assurance and Review subgroup of the LSCP on Quarter 2
- LSCP Guidance on multi-agency auditing in Solihull
- Child Protection Toolkit launch - press release
- Briefing Note on new Governance arrangements
- Joint Statement of Commitment
- SSCP Independent Scrutineer Job Description (February 2023)
- Children's Social Care National Framework – government consultation
- Child and Family Social Worker Workforce – government consultation
- Stable Homes, Built on Love: Implementation Strategy and Consultation