

STATUTORY DIRECTION TO NORFOLK COUNTY 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 noted in respect of Norfolk County Council ("the Council") that following earlier 'inadequate' judgements for arrangements for the protection of children (February 2013) and for services for looked after children (August 2013), performance in respect of services for looked after children has remained 'inadequate' as detailed in Ofsted's inspection report of 19 October 2015 ("the 2015 Ofsted report").
2. The Council's failure to put in place effective improvement plans to address the weaknesses identified by Ofsted in 2013 led the Secretary of State to issue a statutory direction in December 2013, requiring the Council to take a number of steps to improve the quality of services. The action taken did not, however, result in service improvement to an adequate standard.
3. The Secretary of State has carefully considered the 2015 Ofsted report which found the Council's delivery of children's services, particularly in relation to children looked after, to be 'inadequate'.
4. The Secretary of State has also considered the report of 31 March 2016 submitted by Dave Hill in his role as Commissioner for Children's Services in Norfolk ("the Children's Services Commissioner") and has chosen to appoint an adviser to oversee and support the Council's response to this.
5. The Secretary of State is satisfied that the Council is still 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.
6. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her 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:

7. Pursuant to her 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 in relation to the improvement of the Council's exercise of its children's social care functions and provide such assistance as she may require;
 - b. To co-operate with the Secretary of State's advisers, including on request allowing the advisers at all reasonable times access to:

- i. any premises of the Council;
- ii. any document of, or relating to, the Council; and
- iii. any employee or member of the Council,

which appears to them to be necessary for supporting the Council's improvement programme.

- c. To provide the advisers with such amenities, services and administrative support as they may reasonably require, including:
 - i. providing officers' time or support;
 - ii. providing office space, meeting rooms or computer facilities;
- d. To develop and implement an improvement plan, to be approved by the Secretary of State's advisers, which addresses the weaknesses identified both in the 2015 Ofsted report and in the report of 31 March 2016 submitted by the Children's Services Commissioner. This will include:
 - i. Arrangements for establishing partnerships with the voluntary sector and regional local authority partners to improve the quality and delivery of services for looked after children and care leavers;
 - ii. Arrangements for increasing the capacity and capability of the senior leadership team through external coaching, mentoring and management development; and
 - iii. Engagement from officers and members of the Council at all levels and, where appropriate, from outside of Children's Services.
- e. To put in place arrangements for monitoring progress and reviewing the improvement plan as appropriate.
- f. To co-operate with the Secretary of State and her advisers, including by:
 - i. Attending and participating in reviews of progress on dates to be notified to the Council;
 - ii. Preparing and making available to the Secretary of State's advisers, when requested, up to date improvement plans and assessments of progress evidenced by performance data;

iii. Reporting to the Secretary of State on the nature and rate of improvement of children's services when instructed to do so.

8. In consequence of this direction, the Secretary of State for Education revokes the direction issued to the Council dated 7 January 2016.

9. 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

GRAHAM ARCHER
A Senior Civil Servant in the Department for Education
Dated this day of