

STATUTORY DIRECTION TO CROYDON 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 carefully considered Ofsted's report, in respect of Croydon Council ("the Council"), of its inspection carried out between 20 June – 13 July 2017. The inspection report found that children's services are 'inadequate'. The sub-judgements for children who need help and protection, children looked after and achieving permanence and leadership, management and governance were all rated as 'inadequate'.
2. The Council's failure led the Secretary of State to issue a statutory direction on 4 September 2017 ("the first direction") requiring the Council to take a number of steps to improve the quality of services, including to cooperate with the Children's Services Commissioner.
3. On 25 January 2018 the Secretary of State issued a further direction ("the second direction") following the Children's Services Commissioner's report giving the Council a three month period to develop a proposal for intensive peer support with Camden Council.
4. That proposal has now been received and the Children's Services Commissioner has advised that it is fit for purpose. The Council will now proceed, with Camden, to implement this proposal.
5. The Secretary of State remains 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 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:

7. 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 in relation to the improvement of the Council's exercise of its children's social care functions and provide such assistance as the Secretary of State may require;
 - b. To co-operate with Camden Council including providing reasonable access to premises, documents and employees, and providing such amenities, services and administrative support as may be necessary to facilitate the delivery of the peer support proposal submitted to the Secretary of State.
 - c. To co-operate with arrangements for monitoring and reporting on progress in Children's Social Care performance (see Annex A), including ensuring that the Chair of the Improvement Board provides reports of progress.
8. In consequence of this direction, the Secretary of State revokes the second direction.
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

A handwritten signature in cursive script, appearing to read 'Suzanne Lunn', written in black ink.

SUZANNE LUNN

A Senior Civil Servant in the Department for Education

Dated this 8th day of May 2018

ANNEX A

Croydon children's social care services improvement programme – monitoring and reporting arrangements

1. Croydon Borough Council has failed in its delivery of children's social care services. Ofsted's inspection report, published on 4 September 2017 found the service to be 'inadequate' overall.
2. The Council is implementing a programme of improvement overseen by an independently chaired Improvement Board.
3. The Government appointed Children's Services Commissioner recommended that this work be strengthened by an intensive peer support arrangement that has been developed by Croydon and Camden councils.
4. Camden will report on this work through monthly attendance at the Improvement Board, and progress and planned work will be reviewed through quarterly meetings attended by Camden, Croydon, the Improvement Board Chair and the Department for Education.
5. Formal reviews of the overall improvement programme – also attended by Croydon, Camden, the Improvement Board Chair and the Department for Education – will be held every six months. These will be supported by reports to the Secretary of State from Camden and the Chair of the Improvement Board, with Croydon invited to provide their own report/commentary if appropriate.