

STATUTORY DIRECTION TO BUCKINGHAMSHIRE 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 Buckinghamshire County Council ("the Council") that performance of children's social care services is 'inadequate' as detailed in Ofsted's inspection report of 29 January 2018 ("the 2018 Ofsted report").
2. The Council's failure led the Secretary of State to issue a statutory direction on 5 March 2018 ("the first direction"), requiring the Council to take a number of steps to improve the quality of services, including to cooperate with the Commissioner for Children's Services ("the Commissioner").
3. The Secretary of State has carefully considered:
 - a. Ofsted's inspection report of 29 January 2018, which found that children's social care services are 'inadequate'. The key judgements for children who need help and protection; children looked after and achieving permanence; and leadership, management and governance were all rated as 'inadequate'. The sub-judgement for adoption performance was rated as 'good' and the sub-judgement for the experiences and progress of care leavers was rated as 'requires improvement to be good'.
 - b. The Commissioner's report of 4 June 2018, which concluded there was "no valid reason for the introduction of an Alternative Delivery Model in Buckinghamshire"; and his recommendation that Buckinghamshire has some form of external support and challenge to oversee and monitor the delivery of the improvement plan.
4. The Secretary of State is therefore 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 services 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.
5. The Secretary of State has appointed Hampshire County Council, as the Council's improvement advisers in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex A to this direction.
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 services functions are performed to an adequate standard.

NOW THEREFORE:

7. Pursuant to his powers under section 497A(4B) of the Education Act 1996, the Secretary of State directs the Council as follows:
 - a. To comply with any instructions of Hampshire County Council in relation to the improvement of the Council's exercise of its children's social care services functions and provide such assistance as it may require;
 - b. To co-operate with Hampshire County Council, including on request allowing Hampshire County Council 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 Hampshire County Council to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference;
 - c. To provide Hampshire County Council with such amenities, services and administrative support as they may reasonably require from time to time for the carrying out of their 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 ensure a comprehensive progress report is provided by the Director of Children's Services to each meeting of the Improvement Board.
8. In consequence of this direction, the Secretary of State revokes the first 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



SUZANNE LUNN

A Senior Civil Servant in the Department for Education

Dated: 12 July 2018

ANNEX A

Improvement Advisers

Terms of Reference – July 2018

1. Buckinghamshire County Council (“the Council”) has failed systemically and persistently in its delivery of children’s social care services. The 2018 Ofsted report found the service to be ‘inadequate’ overall and for all key judgements.
2. Hampshire County Council is expected to support the Council’s improvement programme on those areas of practice that Ofsted has judged to be inadequate. It shall in particular:
 - a. Chair Buckinghamshire’s Children’s Services Improvement Board (‘the Improvement Board’);
 - b. Ensure that the Council:
 - Continues the implementation of a robust improvement plan which spans children’s social care services, and includes clear and specific actions that reflect the journey of the child and which address all recommendations made in the Ofsted report so as to improve the quality of services for children;
 - Implements a revised early help offer that links more closely with social care activity and an improved multi-agency safeguarding hub;
 - Invests specifically in leadership and management development for the senior leadership team and team managers;
 - Continues to embed a new organisational culture that supports social work practice;
 - Creates an effective performance and audit framework;
 - Reviews the role and impact of child protection conference chairs and Independent Reviewing Officers; and
 - Develops a fully-realised transformation plan that sets out a vision for how the service will deliver high-quality social work and related services.
 - c. Provide leadership, support and practice advice in line with priorities agreed with the Council and set out in the Commissioner’s report and areas of weakness identified by the Ofsted report;
 - d. Provide where appropriate direction, monitoring, and coaching to the children’s services senior team to secure the necessary improvements and to build on their capabilities; and
 - e. Provide regular reports to the Department for Education that assess improvements in Buckinghamshire by reference to the Ofsted report. These reports may cover but are not exclusive to practice; performance; culture; leadership, management and governance; management oversight; early help; and local multi-agency arrangements.
3. Agree to review support arrangements with DfE 12 months after the date of the Direction.