

**STATUTORY DIRECTION TO DEVON 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 carefully considered Ofsted's report of 17 March 2020, in respect of Devon County Council ("the Council"), of its inspection carried out between 20-31 January 2020. The inspection report found that children's services are 'inadequate' overall. The sub-judgement for the experiences and progress of children who need help and protections was rated as 'requires improvement to be good'. The sub-judgements for the impact of leaders on social work practice with children and families and experiences and progress of children in care and care leavers were both rated 'inadequate'.
2. 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.
3. 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.
4. The Department for Education will appoint a Commissioner in due course to undertake a review of the Council's children's social care functions and make recommendations for the future of services.
5. Officials or advisers from the Department for Education ("the Department") will assess the Council's progress by undertaking performance reviews at 6 monthly intervals (or more regularly where appropriate) from the date of this direction until the Council's services are inspected again by Ofsted.

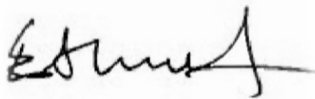
NOW THEREFORE:

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 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 continue improvement activity for care leavers services and current improvement work to urgently address key areas of operation in children's social care, assure the safety and protection of all care leavers, and fulfil the Council's duties as corporate parents;
- c. To submit the Council's plans to improve children's social care functions to the Department of Education for approval within 1 calendar month of the issuing of this Direction; The plan should cover the areas identified in the Ofsted report of 17 March 2020.
- d. To co-operate with an individual/organisation, to be identified and appointed by the Department for Education as Commissioner for Children's Services ("the Commissioner"). The Commissioner will conduct a review of the Council's approach and improvement plans and consider whether, and if so what, additional support is needed is to assist improvement.

7. 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.



EMILY WHITEHEAD

A Senior Civil Servant in the Department for Education  
Dated this day of 17 March 2020