

Direction to Sunderland City Council in relation to children's services:

**DIRECTION UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996
TO SUNDERLAND CITY COUNCIL ("THE COUNCIL")**

WHEREAS

1. The Secretary of State issued a direction to the Council pursuant to section 497A(B) of the Education Act 1996 on 20 July 2015 following Ofsted's report of its inspection carried out between 11 May and 4 June 2015.
2. The Secretary of State has further considered the advice of its Children's Services Commissioner in respect of the performance by the Council 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 Authority 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 Authority under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
3. The Council has by agreement with the Secretary of State voluntarily established a company limited by guarantee (company number 10085290) named Together for Children Sunderland Ltd ("TfC") which from 01/04/2017 will discharge the Council's children's social care functions on its behalf pursuant to the terms of a Service Delivery Contract to be entered into by the Council and the Company.
4. The Secretary of State intends to appoint an adviser (the identity of whom is to be notified to the Council and TfC) for the purpose of monitoring and reporting to the Secretary of State as to progress in securing improvement in the performance of the Council's children's social care functions and supporting TfC and the Council in securing such improvement.
5. In order further to secure that the Council's children's social care functions are discharged to an adequate standard, the Secretary of State considers it expedient to direct the Council as set out below.

NOW THEREFORE

6. Pursuant to her powers under section 497A(4B) of the 1996 Act, the Secretary of State directs that the Council shall, in particular, do the following:
 - a. Engage with TfC, and the Council's partners whose work impacts on the delivery of the Council's children's social care functions, in a way likely to facilitate improvement in the exercise of those functions.

b. Comply with any instructions of the Secretary of State in relation to the improvement of the exercise of the Council's children's social care functions and provide such assistance as the Secretary of State, or any person acting on her behalf, may require.

c. Cooperate with the Secretary of State's adviser and officials, including on request allowing them 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 them to be necessary for achieving the purposes of assessing or improving the performance of the functions set out at paragraph 2. above;

d. Provide the Secretary of State's adviser with such amenities, services and administrative support as they may reasonably require from time to time for the carrying out of their instructions from the Secretary of State, including:

- i. providing officers' time or support;
- ii. providing office space, meeting rooms or computer facilities.

7. The Direction dated 20 July 2015 is revoked from the date of this Direction.

8. This Direction shall remain in force until revised or revoked.

SIGNED ON BEHALF OF THE SECRETARY OF STATE FOR EDUCATION



Suzanne Lunn
A Civil Servant in the Department for Education

Dated: 31st March 2017