

## **DIRECTION UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996 TO SLOUGH BOROUGH COUNCIL**

### **WHEREAS**

1. The Secretary of State for Education (“the Secretary of State”), has carefully considered the following reports in respect of Slough Borough Council (“the authority”):
  - a. Ofsted’s inspection of safeguarding and looked after children services of the authority, published on 1 June 2011;
  - b. Ofsted’s inspection of services for children in need of help and protection, children looked after and care leavers of the authority and review of the effectiveness of the Local Safeguarding Children Board, published on 11 February 2014; and
  - c. OPM’s independent review of the authority’s children’s services, ‘Slough Children’s Social Care Services: Report to Department for Education’, published on 15 July 2014.
  
2. The Secretary of State is satisfied that the authority are failing to perform to an adequate standard, or at all, 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 local 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 Secretary of State proposes:
  - a. to appoint a person (“the Commissioner for Children’s Social Care”) to:
    - i. act on behalf of the Secretary of State for the purposes of this direction;
    - ii. secure improvement in the authority’s performance of its children’s social care functions pending the formation of a company (“the Trust”) to exercise those functions;

- b. to establish, or secure that the Commissioner for Children's Social Care establishes, the Trust.
4. The Secretary of State, having considered the representations made by the authority, considers it expedient, pursuant to her powers under section 497A(4B) of the 1996 Act, to direct the authority, as set out below, in order to ensure that the authority's children's social care functions are performed to an adequate standard.

**NOW THEREFORE**

5. Pursuant to her powers under section 497A(4B) of the 1996 Act, the Secretary of State directs that the authority shall:
  - a. comply with any instructions of the Secretary of State or the Commissioner for Children's Social Care in relation to the authority's exercise of their children's social care functions;
  - b. in relation to the establishment, setting up or carrying on of the Trust:
    - i. comply with any instructions of the Secretary of State or the Commissioner for Children's Social Care;
    - ii. provide such assistance to the Secretary of State or the Commissioner for Children's Social Care as they may require;
    - iii. cooperate fully with the Secretary of State and the Commissioner for Children's Social Care.

Signed on behalf of the Secretary of State for Education

A handwritten signature in black ink, appearing to read 'Graham Archer', is written over a horizontal line.

Graham Archer  
A Senior Civil Servant in the Department for Education

Date: 7<sup>th</sup> October 2014