

**DIRECTION UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996  
TO BUCKINGHAMSHIRE COUNTY COUNCIL**

**WHEREAS**

1. The Secretary of State for Education (“the Secretary of State”) has carefully considered Ofsted’s inspection report of 8 August 2014 in respect of Buckinghamshire County Council (“the Authority”) which found the Authority’s delivery of children services, particularly in relation to the protection of children, to be “inadequate”;
2. The Secretary of State is satisfied that the Authority is 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 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 to appoint a person or persons to provide advice (“the Children’s Social Care Adviser”) in accordance with, and for the purposes of, the terms of reference (“the Terms of Reference”) set out in the Annex to this direction.
4. The Secretary of State, having considered representations made by the Authority, considers it expedient, in accordance with her powers under section 497A 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, in particular, do the following in order that the Children’s Social Care Adviser can carry out the responsibilities set out in the Terms of Reference:
  - a. provide such assistance as the Secretary of State or the Children’s Social Care Adviser may require;

- b. comply with any instructions of the Secretary of State in relation to the improvement of the Authority's exercise of their children's social care functions;
  - c. cooperate with any reasonable recommendations made by the Children's Social Care Adviser in relation to the improvement of the Authority's exercise of their children's social care functions;
  - d. cooperate with the Children's Social Care Adviser, including, on request, allowing the Adviser at all reasonable times access to any premises, document or employee/member of the Authority which appears to the Adviser to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference;
  - e. provide the Children's Social Care Adviser with such amenities, services and administrative support as the Adviser may reasonably require from time to time for the carrying out the responsibilities in accordance with the Terms of Reference, including providing officers' time or support, and providing office space, meeting rooms or computer facilities;
  - f. cooperate with the Secretary of State and her officials, and the Children's Social Care Adviser, in relation to implementing this direction.
6. The Authority shall address and remedy, without delay, each of the points or areas outlined in the Ofsted inspection report of 8 August 2014 as priority and immediate actions.

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 long, thin horizontal line that spans across the width of the signature area.

Graham Archer

A Senior Civil Servant in the Department for Education

Date:

## **ANNEX**

### **Children's Social Care Adviser Terms of Reference**

The Children's Social Care Adviser will take the following steps to challenge and support the Authority in the improvement of their children's social care functions and will report to the Minister for Children and Families at quarterly intervals:

- 1) examine the causal factors in respect of child protection which led to the findings of the Ofsted report of 8 August 2014;
- 2) assess the quality of the Authority's improvement plans;
- 3) review the Authority's leadership capability and capacity to drive forward the changes to achieve adequate performance by the Authority of their children's social care functions; and
- 4) oversee all improvements necessary to achieve adequate performance by the Authority of their children's social care functions.