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30 September 2014
By email

Sir Michael Wilshaw
Her Majesty's Chief Inspector

Dear Secretary of State

Advice note provided on Rotherham Metropolitan Borough Council to the Secretary of State for Education, Rt Hon Nicky Morgan MP

Background

As you will be aware, Ofsted has commenced its inspection of Rotherham Metropolitan Borough Council's services for children in need of help and protection, services for looked after children and care leavers (SIF) and the thematic inspection of services to support children who have been, are at risk of/or are being sexually exploited (CSE). The local authority SIF inspection will conclude on 9 October 2014 and my report will be published in November 2014.

Although these inspections are not yet complete, I feel it necessary to alert you immediately to my deep concerns about serious weaknesses in:

- the leadership of social services in Rotherham Council
- the effectiveness of social work practice and management oversight
- the Local Safeguarding Children Board.

The emerging evidence from inspectors (outlined below) indicates that there is widespread and serious failure in the Council's ability to help and protect children and young people.

I am writing to you, therefore, in accordance with my duty to have regard to the need to safeguard and promote the rights and welfare of children in the performance

of my own functions¹. I strongly urge you to consult with your officers to take remedial action in Rotherham at the earliest opportunity.

Emerging findings

1. In the absence of a Director of Children's Services (DCS), there is a lack of clear leadership and accountability for children's services.

- a) Rotherham Metropolitan Borough Council announced on the 19th September 2014 that Joyce Thacker, Strategic Director for Children and Young People's Services, was to leave the Council's employ by mutual agreement and with immediate effect. Since that time, no clear arrangements have been put in place by the local authority to identify who is leading and accountable for children's services.
- b) Inspectors have spoken with the Chief Executive on this matter and have been advised, in writing, that plans for a replacement DCS (or interim arrangements) have not yet been agreed. It is unclear whether the Chief Executive himself is assuming the statutory responsibility that the Children Act 2004 requires.

2. Inspectors have identified serious weaknesses in basic child protection practice and oversight, including the quality of risk assessment and care planning for children.

- a) Social work practice does not comply with statutory guidance², including ascertaining and acting upon the wishes and feelings of children and young people. This means that some children are living with potential or escalating risk for too long and do not receive the necessary help to meet their needs.
- b) Inspectors have also found evidence of poor management oversight of practice, poor performance management arrangements and a lack of effective quality assurance. In a number of instances, the quality of practice and case recording seen by inspectors was so poor that the cases were referred back to the local authority because children were judged to be at risk of, or suffering harm. Operational managers who met with inspectors reported that they do not receive performance information. Consequently, they are unable to carry out their roles effectively.

¹ Section 119(3)(a) and section 117(2)(a) of the Education and Inspections Act 2006

² Working Together to Safeguard Children 2013

- c) With specific regard to children who are at risk of, or who are being sexually exploited, there is no single line of management oversight for the 145 cases open to children's social care. This severely compromises and undermines the delivery of effective multi-agency intervention to protect and help these children and young people. Furthermore, professional responsibilities are unclear and, in too many cases, it is not possible to establish that children are receiving the right protection, help and care.

3. The work of the Local Safeguarding Children Board does not comply with statutory guidance

- a) The Local Safeguarding Children Board is not compliant with the 2009 statutory guidance on 'Safeguarding children and young people from sexual exploitation'. Neither is the exploitation of children a priority for the Health and Well-Being Board. After Professor Jay's independent inquiry was published in August 2014, the Council amended their CSE plan in response to her recommendations. However, the pace of change in taking forward the key recommendations from this and other internal reviews has been too slow.

As Her Majesty's Chief Inspector, I consider that it is both necessary and expedient to share this information with you now³. I am sure you will agree that more has to be done, and urgently, to protect and promote the welfare of children and young people in Rotherham. I offer this information to provide advice and assistance for the purposes of the exercise of your functions⁴.

I will be copying this letter to Martin Kimber, Chief Executive, Steve Ashley, Chair of the Local Safeguarding Children Board, Christine Beaumont, Lead Member for Children's Services, and, Cllr Paul Lakin, the Leader of Rotherham Metropolitan Borough Council.

Yours sincerely

A handwritten signature in black ink that reads "Michael Wilshaw". The signature is written in a cursive style with a large, sweeping initial 'M'.

Sir Michael Wilshaw

³Section 115 and paragraph 6 of Schedule 12 to the Education and Inspections Act 2006

⁴ Section 118(3) and section 149 and paragraph 8(1) of Schedule 13 to the Education and Inspections Act 2006.

- cc** Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families
Paul Kissack, Director, Children's Social Care
Tom Jeffrey, Director General for Children, Young People and Families
Graham Archer, Deputy Director Child Protection and LA Performance
Martin Kimber, Chief Executive, Rotherham Metropolitan Borough Council
Steve Ashley, Chair of Local Safeguarding Children Board
Christine Beaumont, Lead Member for Children's Services
Cllr Paul Lakin, the Leader of Rotherham Metropolitan Borough Council.