



Edward Timpson MP

Parliamentary Under Secretary of State for Children and Families

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Cllr Rob Anderson
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Thank you for your letter of 20 June enclosing your response to the independent review of children's services in Slough, conducted by OPM in April/May this year.

As my letter to you of 20 March made clear, I take very seriously any failure to deliver adequate services to children, young people and their families. Following a second overall judgment of 'inadequate' by Ofsted I indicated that I was minded to use intervention powers under s497A of the Education Act 1996 to effect the necessary improvement.

It is clear to me, from the evidence Ofsted has presented, the views of DfE caseworkers drawn from their involvement in your improvement processes, and the findings of the OPM review, that there are serious systemic failures in Slough. Serious concerns about the leadership, management and governance of both children's services, and the corporate oversight of children's services from the Council, are longstanding. The OPM review found that 'Slough has struggled to maintain sufficient capacity and capability of more senior level staff'. Of the Council, Ofsted stated that 'the strategic leadership of the Council has not been able to make the required changes to establish good quality services for children and families' and the review found the Council to be 'reactive and focused on short term rather than sustainable solutions'. Your letter of 20 June, underlines, I'm afraid, that the Council is unrealistic about the scale of the problems it faces.

As you know, the independent review – which I am publishing today – was commissioned to advise on which alternative structure and governance

arrangements will best support improvement in Slough. While we agreed that the review would reflect additional improvement work undertaken by the Council following the Ofsted inspection, the review was not intended to question or verify the Ofsted judgment or to conduct further diagnostics in that respect. The Council was given a further opportunity to submit comments and amendments, and subsequently did so, in your letter of 20 June. For the reasons mentioned above, and having considered OPM's review, I am still persuaded that putting services beyond the Council's control is the right course and wholly proportionate to the problems identified .

In terms of how that is best effected, I have considered the recommendations of the review, and the alternative model proposed in your letter and enclosures (which I will refer to as the 'commissioner model' for ease). Having weighed the merits of your proposal, and on the basis of advice from Officials, I do not consider that it will deliver the necessary improvement.

The commissioner model does not sufficiently put functions out of Council control. Although a Commissioner would have the power to direct the Council, the Council itself would still be running operations day to day. Indeed you state in your response that "the model would not require full time members [of an improvement panel]". The lack of a solid senior leadership structure driving improvement full time would be unlikely, on the evidence I have seen, to deliver the thoroughgoing change required within Slough's children's services. It is also difficult to see how a DCS role would sit alongside a Commissioner with the directive powers you describe. This would create confusing governance arrangements which would be likely to perpetuate the lack of decisive strategic and sustainable improvement that the review has highlighted.

I am similarly not convinced that these governance arrangements would feel sufficiently different from the improvement board model that has been in operation since June 2011. The second 'inadequate' Ofsted report, where indeed some services have deteriorated rather than improved, confirms that this arrangement has not been working.

The OPM review team considered Slough's commissioner model in principle as part of their review. They were clear that they do not support that proposal, stating that 'our criteria require simpler governance [and] clear positioning of top management authority and responsibility for marching children's services out of the present difficulties'.

For all the above reasons therefore, I cannot see that the commissioner model would make the decisive break with current arrangements, an essential element if we are to improve services in Slough with the certainty, sustainability and pace which is critically required.

I have further considered the review team's recommendation that improvement could be best effected either through a partnership with another Authority, or through the creation of a new Children's Services Organisation, outside the Council, to deliver services (the latter I will refer to as the 'trust

model' for ease). I agree with your concerns about a partnership arrangement – namely that it would require a partner authority with the requisite capacity and geographical proximity among other factors. No suitable authority has been identified, and indeed your own misgivings suggest a suitable partnership arrangement would be difficult to establish.

I am therefore minded to pursue an independent trust model using the power vested in the Secretary of State under section 497A(4A) of the Education Act 1996 (as applied to children's social services functions by, in particular, section 50 of the Children Act 2004). This model offers a clear and distinct set of governance arrangements and a model which, to my mind, adequately addresses the serious concerns identified around governance and leadership – both of Slough children's services and the Council.

Full accountability, under the trust model, would rest with the Secretary of State or with a person or persons nominated by him. Such a trust would be governed by a Chair appointed by the Secretary of State and a board which reflects the distinctive features of Slough in its composition. The Chair's leadership of the trust will be critical to delivering the rapid improvement necessary and I have asked officials to consider that appointment urgently.

You raise concerns – both in your letter and enclosures – about the impact of transition to a trust. I share your desire to minimise the disruption caused by the transition period. This has been managed in Doncaster through a robust set of interim arrangements which I feel would be similarly appropriate here. I am minded, therefore, to make an early appointment charged with overseeing the transitional phase, and to advise me on the trajectory of improvement to services during this period. I will write again in due course to seek your representations on a draft direction to appoint such a person.

Having set out my response to OPM's review, I would finally like to address the remaining points made in your letter. You raised concerns about the viability of the Council to adequately perform its other services if a trust model were imposed. Our view is that, while a concern for the wider financial implications is, of course, legitimate and sensible, the risks you outline can be managed through careful implementation of the Trust, learning from the arrangements in Doncaster. There, we have in place a robust agreement between the DfE and Doncaster Council for agreeing and reviewing budgetary requirements and allocations. Setup costs, and limited additional costs for the Council as a result of establishing the Trust, are being met by the DfE, and this will be our starting position for a funding arrangement in Slough.

As we move towards the implementation of a final model it is vital that I continue to have oversight of the work being undertaken to keep children safe in Slough. I would like you and your officers to continue to work with my officials and provide key performance data during the transition to the Trust. My officials will be in touch shortly to discuss what form this oversight will take.

The Council will, of course, have the opportunity to make representations with regard to a draft direction requiring the Council to comply with transition arrangements, and again if a draft '4A' direction is issued. I hope that the constructive working relationship between my Department and the Council will continue and that I can count on your support and co-operation in putting these measures in place.

I am copying this letter to the Commissioner for Education and Children, Pavitar Mann, and to the Chief Executive of the Council, Ruth Bagley.

*Yours sincerely,
Edward.*

Edward Timpson MP
Parliamentary Under Secretary of State for Children and Families