

**STATUTORY DIRECTION TO CROYDON BOROUGH COUNCIL IN
RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A(4B) OF
THE EDUCATION ACT 1996**

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has carefully considered Ofsted's report, in respect of Croydon Council ("the Council"), of its inspection carried out between 20 June – 13 July 2017. The inspection report found that children's services are 'inadequate'. The sub-judgements for children who need help and protection, children looked after and achieving permanence and leadership, management and governance were all rated as 'inadequate'.
2. The Council's failure led the Secretary of State to issue a statutory direction on 4 September 2017 ("the first direction") requiring the Council to take a number of steps to improve the quality of services, including to cooperate with the Children's Services Commissioner.
3. The Secretary of State has carefully considered:
 - a. Ofsted's inspection report of 4 September 2017 which found that children's services are 'inadequate'; and
 - b. The Children's Services Commissioner's report of 4 December 2017 which concluded that the Council be given a three month period to develop a proposal for intensive peer support with Camden Council.
4. The Secretary of State is therefore satisfied that the Council is still failing to perform to an adequate standard, 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 Council 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 Council under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
5. The Secretary of State has reappointed Eleanor Brazil as Commissioner for Children's Services in Croydon ("the Children's Services Commissioner") in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex to this direction.
6. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with his powers under

section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social care functions are performed to an adequate standard.

NOW THEREFORE:

7. Pursuant to his powers under section 497A(4B) of the Education Act 1996 Act, the Secretary of State directs the Council as follows:

- a. To comply with any instructions of the Secretary of State or the Children's Services Commissioner in relation to the improvement of the Council's exercise of its children's social care functions and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;
- b. To co-operate with the Children's Services Commissioner, including on request allowing the Commissioner 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 him/her to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference.

- c. To provide the Children's Services Commissioner with such amenities, services and administrative support as s/he may reasonably require from time to time for the carrying out of her/his responsibilities in accordance with the Terms of Reference, including:
 - i. providing officers' time or support;
 - ii. providing office space, meeting rooms or computer facilities;
- d. To work with Camden Council to develop a proposal for intensive peer support over a minimum of a 12 month period and submit that proposal to the Secretary of State by the end of March 2018.

8. In consequence of this direction, the Secretary of State revokes the first direction.

9. This direction will remain in force until it is revoked by the Secretary of State.

Signed on behalf of the Secretary of State for Education

A handwritten signature in cursive script, appearing to read 'Suzanne Lunn', is centered on the page. The signature is written in a dark ink on a light, textured background.

SUZANNE LUNN

A Senior Civil Servant in the Department for Education

Dated: 25th January 2018

ANNEX

Non-Executive Commissioner for Children's Services

Croydon Council

Terms of Reference

In line with the recommendations set out in the Ofsted report of children's social care published 4 September 2017 the Children's Services Commissioner for Croydon is expected to take the following steps.

1. To issue any necessary instructions to ensure that the local authority continues to secure improvement in the authority's delivery of children's social care.
2. To use best endeavours to broker appropriate support arrangements with Camden Council with the aim of embedding long term and sustainable improvement in the Council's provision of children's services.
3. To provide an assessment of the proposal for intensive peer support developed by Croydon Council, which includes a view on the appropriateness of the proposal to address the shortcomings in the performance of Croydon Council's children's care functions to the Secretary of State by 27th April 2018