

Kirklees Children's Services: report to the Secretary of State

**Ways Forward for Children's Services in
Kirklees**

September 2017

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Executive Summary

This report covers a period of 4 months following an Ofsted inspection in October 2016, which judged services in Kirklees to be inadequate. I was appointed as Commissioner in December to undertake the review. I have looked specifically at what went wrong, the steps taken by the Council to deal with the concerns, the impact this has had, and whether this has been sufficient to give confidence in the Council's capacity and capability to make improvements rapidly going forward, or whether alternative arrangements need to be considered.

Concerns about practice were first identified in the summer of 2015, and the then Chief Executive and Director of Children's Services took immediate action to understand better what was happening in the service, to review the role of the LSCB in relation to its effectiveness in monitoring the system, and to action a number of steps to address the concerns. This included the appointment of a new Assistant Director, and the commissioning of independent reviews and auditing.

The concerns in respect of quality of practice were such that the Chief Executive set up a Development Board which subsequently became the current Improvement Board. Additional resources were agreed by the Council and used to bring in external auditing capacity, and additional social work staff and managers.

When Ofsted inspected the service, the extent of the problems in the service were found to be substantial. The initial improvement work was not felt to have had enough impact. The new Director who had taken over in April 2016 struggled to drive the improvements forward effectively.

There have been many changes in management and leadership during 2016 and 2017 until now and while some of this has been necessary it has not helped in providing coherence and clarity about the priorities for the service. Most recently, a former Assistant Director has taken over as interim Director of Children's Services, when the previous Director left the authority in December 2016, and an interim Assistant Director has taken over as the previous one also left recently. An Improvement Director started in February 2017. The leadership is beginning to demonstrate a more robust and rigorous approach to addressing the problems in the service, but it is too early to see evidence of impact.

Whilst the report describes a range of activity that has taken place during the past 18 months, there has been too little co-ordination and understanding of the potential implications of actions and changes. This has resulted in staff being confused by all the changes, and uncertain about the future. Performance information remains a significant problem, with poor data collection and analysis. The KSCB has not functioned well and will take time to be effective in its role of monitoring the system.

The service has struggled to recruit social workers and managers, like many other authorities in a similar position, and is reliant on a significant number of agency staff. Changes to the way the service is organised, creating Assessment and Intervention teams to manage cases from assessment through to a child becoming looked after, have created too much pressure on the social workers in those teams. This has had a significant impact on the quality of their work with children.

There have been delays in replacing the out-moded electronic case management system which has added to the difficulties, and makes it harder for social workers to access and input information. Work is underway to improve recruitment and training and development opportunities. The first Ofsted monitoring visit took place in March, focussing on the front door and MASH. They identified some small signs of progress but overall the issues relating to poor practice and case management were still evident in the service. However, Kirklees have begun to work with Leeds Council, who as a neighbouring good authority are able to bring in some much-needed capacity and expertise to help address the practice concerns more quickly.

The corporate and political leadership of the Council understand the challenges facing the service and are fully committed to ensuring necessary improvements as quickly as possible. They have accepted that they are not able to do this on their own.

In my view, Kirklees does not currently have the leadership and management capacity and capability to drive forward the changes necessary to achieve the required standards in children's social care and alternative forms of service governance need to be considered.

Leeds Council have been approached to provide assistance in the short term, and have responded very quickly and positively. They are very willing to look at a longer-term formal partnership with Kirklees. Discussions have started between the two Councils and my recommendation is to seek to secure a formal arrangement which will support rapid and sustainable improvement.

Introduction and Context

I was appointed by the Secretary of State for Education as Commissioner on 25th November 2016 and my appointment was included in the Statutory Direction to Kirklees Council in relation to children's social care. My responsibilities required me to support the improvement of children's social care, review leadership and management capacity and, within 4 months, make recommendations on future delivery arrangements.

The Council has been extremely welcoming and co-operative, and has sought to provide full support to enable me to undertake this task. I am very grateful for this.

Children social care services in Kirklees do not have a long history of being inadequate. However, from July 2015 onwards there were a number of reviews and audits commissioned which began to indicate that the quality of practice was a cause for concern. Concerns about performance data were raised by the chair of the Kirklees Safeguarding Children Board (KSCB) which led to the commissioning of an LGA peer safeguarding review. An interim Assistant Director was appointed by the then Chief Executive in November 2015 to add capacity, and following concerns about the quality of practice raised by her, audits and reviews were commissioned from an independent ex Ofsted inspector in January 2015, which identified significant failings in the service.

In the years prior to the recent inspection under the Ofsted single inspection framework, which was introduced in November 2013, external inspection and assessment of services judged the quality of services in Kirklees to be at least adequate, and at times good or performing well. Whilst the framework for inspection has changed over this period, with new requirements and standards being introduced, those judgements demonstrate a service that for some years was operating reasonably well, but showed that there were a number of issues, identified under areas for development that the Council needed to address to ensure the service would move forward positively.

In November 2011, in the annual assessment letter to the then DCS, Ofsted commented as follows:

An unannounced inspection of contact, referral and assessment arrangements for children in need and children who may be in need of protection in July 2011 found one strength, a large number of areas that were satisfactory and six areas for development. There were no areas for priority action. An announced inspection of safeguarding and services for looked after children in October 2011 found that the overall effectiveness of both these areas of provision were good. It noted that both leadership and management and capacity for improvement were also good and that swift action had been taken to tackle the areas for development which were identified in the unannounced inspection.

However, the letter also noted the following areas requiring attention:

While safeguarding was judged as good at the most recent inspection, there are areas for development from the inspection of front-line child protection services which need to be addressed. These include: the use of the Common Assessment Framework; the implementation of the electronic recording system; and improving the record of strategy discussions to include evidence that decisions have been agreed by a social work manager and to note whether other agencies have been consulted.

Summary of external judgement and assessments from 2009-2016:

Type of Inspection	Date Published	Overall Outcome
Unannounced inspection of contact, referral and assessment	November 2009	No priority areas for action
Annual Performance Assessment	2009	Performs adequately
Annual Performance Assessment	2010	Performs well
Unannounced inspection of contact, referral and assessment	August 2011	No priority areas for action
Annual Performance Assessment	2011	Performs well
Adoption	January 2012	Good
Fostering	July 2012	Adequate
Safeguarding and looked after children	November 2011	Safeguarding effectiveness – good Looked after children effectiveness – good Capacity for improvement - good
Single inspection framework	November 2016	Overall – inadequate

Summary of external judgement and assessments (2009-2016)

The judgement reached by Ofsted in 2012 was very different from their conclusions in 2016 and from the current position. One very significant example of this is in relation to recruitment and retention of social workers. Ofsted commented in 2012 that:

Effective action has resulted in considerable improvements in the recruitment and retention of qualified social work staff. Staff turnover and vacancy rates are low and this has created a stable workforce. There is a very low level of dependency on social work agency staff and a good balance of experienced and newly qualified social workers (NQSWs) who are well-supported by their managers.

NQSWs receive appropriate training and have a protected caseload that enables them to develop their confidence and skills. NQSWs who spoke with inspectors report that they receive good support from their managers.

The current position in relation to workforce, including recruitment and retention is described in section 13b of this report. Currently there is a high level of agency workers and interim managers in the service.

Whilst the report and judgements in 2011 are mainly positive, there are references in the text and in the recommendations to some key issues that have not been addressed and continue to be problematic. One of the most significant of these is the need to improve the ICS system to facilitate social workers' casework recording and to reduce time spent on inputting onto the system.

Terms of Reference

The November 2016 Statutory Direction states that:

The Secretary of State has carefully considered Ofsted's report of its inspection carried out between 12th September and 6th October 2016. The inspection report found that children's services were 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.

The Direction appointed myself as Commissioner and states that:

In line with the recommendations set out in the Ofsted report, the Children's Services Commissioner is expected to take the following steps:

- 1. To make recommendations for the immediate improvement of children's social care and to recommend any additional support required to deliver improvement;*
- 2. To review the Council's leadership and management capacity and capability to drive forward the changes necessary to achieve the required standard; and*
- 3. To make a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement, and if so, to recommend the form those alternative delivery arrangements should take.*

The Commissioner will provide her report to the Secretary of State by 31st March 2017.

Process

In the 4 months leading up to delivery of this report I have sought to use existing forums and observation of practice, and, as far as possible, not to put additional pressure on the service to attend meetings or gather information that they would not otherwise be doing.

There is a significant amount of information already available, from work commissioned by the previous Chief Executive and previous Director of Children's Services (DCS), and from the work undertaken by the Safeguarding Children Board and the Development Board set up by the Council in February 2016. I have also met with the previous two Directors of Children's Services.

During this period, I have worked with the current interim Director of Children's Services and the Assistant Director Family Support and Child Protection to support them with their planned improvement activity, to identify any additional areas for improvement and development and to advise them on how best to address those. I have been assisted in my work in Kirklees by Mark Gurrey, a very experienced improvement advisor, and by Claire Burgess, who was appointed by the Council in October 2016 to the role of Independent chair of the Development Board, now known as the Improvement Board.

Mark and I have met separately with groups of front line staff from across the service including from Assessment and Intervention, Looked After Children, IROs and Conference Chairs, Fostering, Adoption and the ASYE teams. The fora we have attended include Performance Clinics, the Quality Assurance Group, a case familiarisation session, 'Getting to Good' Programme Board, the KSCB, the Health and Well-being Board, Early intervention and Prevention Board, and a number of different social care and council management meetings.

Both Mark and I have spent considerable time with operational managers and front line staff to gain a better understanding of the current challenges facing the service

Leadership of the Service

Recent Changes

Political and officer leadership is a key factor in ensuring effective use of resources to deliver and commission high quality services, which best meet the needs of vulnerable children. In 2012, Ofsted commented positively on leadership and capacity to improve. However, by 2016 the picture was very different. In the year prior to the 2016 inspection there were significant political and officer changes in leadership. Changes have continued since then in senior officer roles.

In April 2016, the longstanding Director of Children's Services, who had been in post for ten years, retired. The Assistant Director Social Care, who had also been in that role for several years, and had spent most of his career in Kirklees, retired in January that year. From 2014-2015 the Director of Children's Services was the Vice President of the Association of Directors of Children's Services, and during 2015- 2016 she was the President. These important national roles, particularly that of President, inevitably require considerable time spent away from the authority. During the first of those years the Assistant Director also spent time away as a seconded inspector on Ofsted inspections. Children's social care is challenging and demanding, requiring continuous leadership

focus and attention. It is very possible that the engagement at the same time of the two key senior managers in matters outside the authority reduced the level of senior oversight and direction.

The Council were also making changes in corporate leadership roles, although they retained the same overall number of Directors. As part of these changes, the Director of Children Services was asked to also cover the Director of Adult Services from October 2013 to January 2015. This will have created significant demands on her time in addition to her other responsibilities.

In 2016, there were also issues affecting the political leadership of the Council. For a period of two months until the end of June there was a gap in political leadership following a successful challenge by the deputy Leader for the leadership of the Labour group. During this period, the Chief Executive became temporary leader, managing without a political administration. Following national and local events including the referendum and the tragic murder of local MP Jo Cox, these two councillors resolved to work together and the previous Leader was re-instated, forming a new Cabinet on the 30th June 2016. The Lead Member for children's services, who took on the role in May 2015, returned to the role.

The Council as a whole is 'No overall Control'. Labour is the largest party and forms the cabinet, who work closely with the Leaders from the other political groups to ensure effective administration and decision making. The Cabinet, in particular the Leader, Deputy Leader and Lead Member became aware of the failings in the service about a year ago. They describe it as being a considerable surprise that the service deteriorated at a time when they had in place very experienced senior leadership in the Director of Children's Services and Assistant Director, both of whom had held key national roles and were well respected in the sector. However, they are now committed to doing whatever is needed to find the best way to improve things for children. Given their recent experience they are very concerned to ensure that in the future appropriate governance and monitoring arrangements are in place to avoid finding themselves in this kind of situation again. They are clear that they do not want politics to impact negatively on the improvements needed to children's services. The Leaders of all the political groups have firmly expressed their support and commitment to work with the Cabinet on this.

In November 2016, the Chief Executive announced that he would be leaving the authority in February 2017. The Cabinet appointed the deputy Chief Executive to be Chief Executive for a year, and she took over in mid-February

The previous Chief Executive appointed an interim Assistant Director in November 2015 to initially provide extra capacity to tackle the already identified concerns about the quality of practice, and subsequently to take on the role of Assistant Director Family Support and Child Protection Service on the retirement of the longstanding post holder. Her first actions were to seek to fully understand the current state of the service. The areas of concern that were identified were such that the Chief Executive and Director of

Children's Services established a Development Board in February 2016 to oversee improvement in performance. At the same time a recruitment process was underway to recruit a new Director of Children's Services, as the incumbent was due to retire. The new Director of Children's Services started in April 2016, when concerns about the quality of practice were already apparent, although perhaps those concerns had not been quite as clear at the time of the recruitment process. Her background was in education and she lacked experience therefore in managing children's social care and improving an inadequate service. She did however, seek to increase scrutiny and oversight of the service, and it is her view that she did everything she could to drive improvement forward.

The leadership in the Council was disappointed at the lack of pace to improve the service, evidenced by the outcome of the Ofsted inspection. In December 2016 agreement was reached with the new Director of Children's Services that she would leave the authority. The Assistant Director Learning and skills, who was due to retire, became the interim Director of Children's Services.

Timeline of Senior Leadership Changes

November 2015: Appointment of interim Assistant Director.

January 2016: Appointment of new Director of Children's Services.

February 2016: development board established

March 2016: retirement of previous Assistant Director

April 2016: retirement of previous Director of Children's Services → new Director of Children's Services takes up post.

MAY 2016: no political Leader → Chief Executive temporary Leader.

July 2016: Leader re-instated and new cabinet formed.

September 2016: Ofsted inspection.

November 2016: report published → CE announces retirement → independent chair of Improvement Board appointed → Government Direction published.

December 2016: Director of Children's Services leaves → newly retired Assistant Director of Learning and Skills becomes interim Director of Children's Services.

February 2017: Improvement Director starts → Chief Executive leaves and deputy Chief Executive becomes Chief Executive → Assistant Director resigns.

Current position – strategic and operational

Children's issues are discussed at a strategic level in a number of different partnership forums including the Children's Trust, Health and Well-being Board, Community Safety Board, Safeguarding Children Board, Early Intervention and Prevention Board, and more recently the Improvement Board. However, there is no effective co-ordination of the work of these Boards to ensure that the Kirklees vision for children is clear and understood with priorities flowing from that, and multi-agency activity co-ordinated and effective in improving outcomes for children.

The leadership of the Council is committed to transformation of the whole Council over the next 4 years. The future of children's services is very much at the heart of this work, which is focussed on two priorities: early intervention and prevention and economic resilience. All the political parties understand the challenge and have expressed strong support for whatever is needed to turn the service round and do the best they can for vulnerable children in Kirklees. It would be timely to review the work of all the partnership groups to ensure that they support this commitment effectively.

In January 2017, in line with my advice, the interim Director of Children's Services appointed an experienced Improvement Director for 6 months. The Assistant Director Family Support and Child Protection who had been in the authority since November 2015, left Kirklees during March. An experienced interim Assistant Director has been secured and started at the beginning of March.

The number of recent changes in senior officer leadership at a difficult time for the service have been unsettling for staff and have added to the anxieties about what the future holds. The current interim leadership, recognises this and is endeavouring to reassure staff through clear communication and support.

It is also important to recognise that over the last 12 to 18 months there has been considerable churn of middle and junior managers. Front line staff who had been in the service throughout this period spoke about changes in team managers, service managers and Heads of Service, all posts which have a direct impact on their day-to-day work. Some of these changes have been a result of management action to address areas of incompetence and some as a result of the not unusual coming and going of agency staff. The impact on front line staff has been considerable. Given the high levels of change at all levels of management over this relatively short period, future changes will need to be handled sensitively and carefully.

How Kirklees Children Services are Currently Organised and Staffed

At the time of my appointment as Commissioner, there were the following Head of Service and additional posts reporting to the Assistant Director Family and Child Protection:

- Head of Service integrated front door – permanent in place since July 2016;

- Head of Service corporate parenting – interim since July 2016, will be permanent from April 2017;
- Head of Service assessment and intervention – permanent since July 2016 (previously Head of early help until March 2016, then Head of Corporate Parenting until July 2016);
- Head of Service sufficiency, I.T and performance – interim in place since April 2016 Includes responsibility for adoption, fostering, short breaks, I.T liaison and business support, performance and data analysis;
- Head of Service safeguarding and quality assurance (role shared across adult services) – permanent in place since June 2016;
- Head of Service Youth offending and Workforce development (this HOS is covering the YOT manager role while the post holder is on long term sickness, and has some responsibility for workforce development but that is mainly held by the interim improvement manager and principal social worker); and
- Head of Service early intervention, targeted support, integrated youth and disabled children's service – acting arrangements in place, permanent appointment made in December, being attending Kirklees weekly since then but withdrew mid-March.
- Principal Social Worker also reports to the Assistant Director and in the past few months has also had responsibility for workforce strategy.

The Heads of Service each have a number of service managers reporting to them.

The Council lead on early intervention and prevention is an Assistant Director accountable to the Director Adult Services and to the Director Children Services. Co-ordination on early help for children takes place at the early intervention and prevention board and through liaison with the managers in children's services.

Under the previous Director, the Assistant Director for Education had a dotted line reporting to the Chief Executive. She was responsible for working with schools and supported the development of the community hub arrangements which are referred to in the section on early help.

A considerable amount of work was undertaken throughout 2016 to ensure the service structure was more effective than previously. In February 2016 referrals came into a duty and assessment team which was part of the Care and Assessment service. During 2016, these arrangements were changed and MASH (Multi-agency safeguarding hub) arrangements established to receive referrals, with Assessment and Intervention teams re-organised to take all work requiring social work assessments.

There remain areas of uncertainty most especially in relation to the interface between Assessment and Intervention teams and the Looked After Children Service. As it stands, the Assessment and Intervention teams hold children from immediately after MASH through to the making of final care orders. This is admirable in terms of system continuity for children and families (although high levels of staffing turnover mitigates against this somewhat) but leaves an enormous section of the 'child's journey' under one Head of

Service and means that the needs of children being assessed or of children in need often take second place to those subject to child protection plans or those in care proceedings. This is a fragile and potentially high risk structure and unlikely to deliver the breadth of improvements needed.

More worryingly, there remain plans to further restructure with the intention to both de-layer the hierarchy by losing the Service Manager and Deputy Team Manager levels (and increase the number of Heads of Service) and to move to a geographical structure aligned to early help provision. Whilst these plans have much to commend them, the timing is unclear, the impact on service delivery has not been thoroughly assessed and the ability to fill more Heads of Service roles not fully quantified.

The arrival of new senior leadership through the new interim Assistant Director and Improvement Director is an opportunity to re-consider urgently the potential impact of earlier changes and the benefits or otherwise of proceeding with further planned structural change.

Period 2012-2015

The service benefitted in the period since the last full Ofsted inspection in 2011 from the continuity of leadership of a very experienced Director and Assistant Director.

However, despite this, by late 2015 it was clear that the quality of social care had markedly deteriorated leaving vulnerable children potentially unsafe. There are differing views about what were the main reasons for this. There were changes during this period that will have impacted on social care staff. This includes the decisions made in Kirklees in relation to “single status” which was implemented in 2009 across the Council and included poorer terms and conditions relating to the use of cars. The latter changes impacted all Council staff who lost essential car user allowance, but were still able to claim mileage and parking when they used their cars on Council business. Although a market rate supplement was put in place for social work staff affected by the loss of essential car user allowance at the implementation of single status, dissatisfaction has remained high. A very small number of staff in social work lost “headroom” under single status and this was addressed in 2011 through the realignment of roles. In addition, during this period, the Assistant Director put in place new market supplements. It is likely however that this was a matter that pre-occupied staff during this period.

A number of key support functions were centralised, in particular performance management and training, with the subsequent loss of some people experienced in and committed to supporting children's social care. Most significantly, the decision to procure a new electronic case management system, as recommended by Ofsted, was delayed for nearly 3 years.

During this period, the Council's focus on performance monitoring and robust scrutiny also reduced. This has now been recognised as a significant issue for the Council, and the new Chief Executive is taking rapid steps to address this.

The Director reported monthly to the Chief Executive on key matters in her service area, and this reporting was continued by the Assistant Director during the year when she was president of ADCS, under agreed formal deputising arrangements. There is little performance data or analysis of practice issues in the written record of these meetings. There is reference to the activity of the Safeguarding Children Board, but this is mainly in relation to process issues or notification of serious incidents relating to individual children. In addition to this reporting, children's service performance was reported on quarterly by the corporate performance team, as were other Council services. Although these reports were discussed with operational managers, the information is not sufficiently timely and lacks robust analysis. It does not seem from these reports that the leadership had effective quality assurance arrangements in place to ensure that they were aware of emerging performance issues.

Service Issues 2015-2016

Concerns first seem to have emerged during the summer of 2015 when the Director and Assistant Director became aware that demand was rising and cases were not being dealt with in a timely way. During summer 2015, the KSCB commissioned a small number of multi-agency case audits, following the conclusion of a serious case review. These audits raised initial concerns about the quality of social work practice. Four cases were looked at in detail, and the findings reported to the Director in September, and to the KSCB in December. The issues had not been reported to the previous Chief Executive prior to the report going to the KSCB. The Assistant Director commissioned 'deep dives' into parts of the service to assess the impact of poor quality social work practice and the Director worked with the LSCB to seek to develop improvements in the auditing process. During November, further auditing of cases identified poor practice and poor decision making across a number of teams.

In November, the Assistant Director announced his intention to retire in March 2016. The Council were already aware that the Director of Children Services would also be retiring at that time. The Chief Executive decided that in addition to recruiting a new DCS, to also recruit an interim Assistant Director to provide overlap and continuity to support the incoming DCS for a period of up to two years.

The interim Assistant Director started in November. Concerns about the quality of practice became more evident at that time as she began to look at how the service was functioning. The detail of this is outlined further on in this Section.

Peer challenge review

A peer challenge review (as part of the sector led improvement programme in Yorkshire and the Humber) was also commissioned jointly by the Chief Executive and the KSCB. In

November 2015, the 2-day peer challenge involving an LSCB chair, 2 LSCB business managers from other local authorities in the region, and the regional advisor, took place. The focus was on the overall effectiveness of the Board, including evidence of positive partnership working and appropriate challenge at all levels

This is a helpful review in identifying some strengths in respect of the work of the LSCB, such as the involvement of schools and governors in the work of the LSCB. However, a significant number of areas for development were outlined. There was concern about the lack of clarity in relation to priorities, not having a coherent and up to date work plan and the lack of performance information. The review did not really expose the concerns around quality of practice in social care but did give some indication that gaps in the work of the LSCB limited its ability to understand the quality of front line practice and to provide effective challenge.

Extracts (below) from the reviewer's letter to the chair of KSCB provide some examples of this:

- *Increase your pace to systemically connect across the system and ensure a more coherent and efficient approach to safeguarding*
- *A need for multi-agency, systematic performance reporting. The LSCB does not, yet, receive regular integrated performance reports and analyses. Although individual work streams report regularly on work stream performance, there is no regular overall performance report shared with the Board, other than an annual report*
- *We saw evidence of a range of audit activity, but that which is specific to front line multi-agency practice could be further developed*

Reviews across the service

In January 2016, the Director of Children's Services and the new interim Assistant Director commissioned a number of reviews, including an audit of 200 cases (10% of the open cases in the service), from an ex Ofsted inspector who found some strengths in the service but considerable weaknesses and risks. Findings included the following:

Strengths

- Single assessment completed in 45 days consistently good.
- Children in need (CIN) - there is a low rate of referrals that result in no further action 4.8 Kirklees, 6.9 Statistical Neighbours(SN) and 13.8 National (NAT) - so a high rate of children benefit from an assessment of their need.
- Rate of Looked After Children (LAC) is consistently low - LAC rate going-up could suggest reduced impact of edge of care service.
- LAC permanence planning - use of Special Guardianship Order (SGO) very good and improving and use of residence orders very good and improving.
- LAC Percentage of children at 31 March with three or more placements in the year good and improving.

Areas for development

- Children subject to CP plan seen by their SW - Very poor performance on this at 32%. High risk
- Early help - percentage of target troubled families turned around inadequate.
- Hospital admissions caused by unintentional and deliberate injuries in children (aged 0-14 years) not good and deteriorating.
- CP plans longer than 2 years not good but improving. The percentage of repeat CP plans is not good and deteriorating.
- LAC permanence planning – performance on adoption score card is inadequate.
- Sufficiency – low rate of children in foster care 69 Kirklees, 73SN and 75 NAT and high use of residential settings
- Care leavers accommodation - The data is not sufficiently robust so the picture on where care leavers are living is not clear.

The Assistant Director reported in January 2016 on this review of performance to the then Director of Children's Services and Chief Executive. She outlined a range of serious concerns beyond the performance data which included the following:

- Unallocated cases are not regularly reported and are not visible, when I asked for the information specifically I received a report that told me there were 258 cases unallocated. For the most part, this was the case. What is extremely concerning is that some of these children are subject to a Child Protection Plan.
- Some 16/17 year olds are still being placed in bed and breakfast accommodation.
- Caseloads for some social workers are dangerously high and there is no caseload management system in place. One worker that the reviewer spoke to had a caseload of 37 and 8 of the children on his caseload had not been seen.
- There is very little evidence of management oversight across all management levels.
- The scheme of delegation allows fairly junior and inexperienced staff to make decisions that one would normally expect to be taken at a more senior level.
- Supervision is not routinely happening or being recorded. One member of staff whose file I reviewed had not had supervision for twelve months. In all cases I have reviewed, the supervision policy has not been complied with.
- Staff are overly optimistic about their current practice and don't appear to be able to describe what good practice looks like.
- Managers are not considering permanence for children at the earliest opportunity.
- There is no systematic process in place to ensure learning is shared and that audit themes are revisited and demonstrate improved practice. This has led to a high number of audits being undertaken, many of which have highlighted the same themes.
- There is no clear workforce strategy or training plan for staff and available training is often not taken up.

- The Management Information System is not fit for purpose and there are three different systems for recording children's information. This has led to the use of paper systems and therefore there is the potential that information/children will get lost.
- Car parking has been raised consistently as an issue and leads to a distraction from the key focus of work.
- There is evidence that social workers and managers do not clearly understand how to identify and manage risk.

The Assistant Director created an action plan to address the practice issues and the Development Board was set up by the Director with the Chief Executive to oversee progress.

Action Taken by the Council

The Council took the concerns raised very seriously. In February, details of the failures in the service and the proposed remedial actions were reported to the Leadership Management Team, a meeting of the cabinet with the Council's corporate management team. The report talks of serious professional practice and management issues having been identified during January. Action taken included: briefing the KSCB, Cabinet and scrutiny members, establishing the Development Board chaired by the Chief Executive and a separate member scrutiny task and finish group to over-see improvement. An action plan was agreed, and approval given to bringing in external support and additional capacity. The Director also secured agreement from a neighbouring good authority for their Director to sit on the development board and to support the authority's improvement work.

A number of actions were agreed to strengthen performance management including external resources brought in to carry out a further 150 audits and producing guidance for Practice Standards, Quality Framework and Supervision policies. Additional Interim Head of Service capacity was agreed with the intention to enable more rapid attention to issues across the rest of the social work service. An experienced former Assistant Director was brought in to work 2-3 days a week as Improvement Partner, reporting to the Assistant Director, to focus on workforce development, together with refocussed council support, and to develop a model of social work practice, known as 'Risk Sensible' for Kirklees. The programme included training, initially to address high priority refresh of statutory requirements, staff briefings and organisational development.

In 2016-17 the Council invested an additional £6.6m on additional staffing to support the improvement requirements and provide capacity to assess and support the rising number of children being brought into care.

These financial pressures were recognised as part of the Council's budget setting process for 2017-21 resulting in an additional £7m being provided for the cost of care placements and additional staffing.

In addition, the Council has committed to and provided for the costs associated with the replacement of the child care information system.

Development Board and Monitoring of Progress

The Development Board was set up in February 2016. It was chaired by the (then) Chief Executive and was essentially an internal (including the KSCB Chair) Board designed to drive improvements – although the membership was broadened during April, and included a Director of Children’s Services from a nearby ‘good’ local authority. It initially met fortnightly, then 3 weekly and then monthly from the end of June 2016. When the new Director of Children's Services joined Kirklees in April, she established an operational group to meet fortnightly to drive improvement within the service.

After the Ofsted inspection, in November 2016, the Board formed the basis of the current Improvement Board – at which point it became independently chaired and included the full range of partners.

The minutes of the Board suggest that there was an over reliance on process and insufficient co-ordination and understanding of the range of improvements needed. This is a crucial point – authorities that are inadequate require improvement activity across a wide range of issues and it is necessary to progress a range of activities simultaneously. However, there needs to be both a co-ordination and coherence to that work and a relentless focus on improving front line practice all the time. Despite the considerable amount of work and investment made during this period, that coherence and focus was not always evident. During this period the Chief Executive was also dealing with significant political issues that would also have been extremely time consuming.

By the time of the full inspection in September, the Development Board had met 7 times. It would have been reasonable to expect that that activity would have impacted more substantially on the performance issues within the service, generated a more detailed sense of an organisation that knew itself and developed a clarity about next and future improvement actions. Whilst the Ofsted inspectors did note some positive benefits of the work of the Board and the renewed improvement focus of the new director it is clear that these failed to make the impact needed or expected over the period in question.

During this period, the member scrutiny panel also met and provided a focus for members to better understand the work that was underway. Meetings were useful in that respect, for example during a meeting in February, the Principal Social Worker and two of the Advanced Practitioners presented a session on the work of children’s social work. Six members were there, including the Lead Member, and there was evident interest and involvement in the issues presented. However, it is unlikely that the panel had the knowledge and experience to challenge the effectiveness of the improvement work

Ofsted Inspection of Services for Children in Need of Help and Protection, Children Looked After and Care Leavers and Review of the Local Safeguarding Children Board

The inspection took place during September and October 2016 with the report being published in November. Ofsted's key findings were summarised as follows:

Services for vulnerable children in Kirklees are inadequate, due to serious and widespread failures which result in some children not being protected or having their needs met. Although senior managers and councillors are aware of the inadequacies and have implemented an improvement plan, this has yet to result in sufficient improvements to the experience of vulnerable children in Kirklees. During the inspection, inspectors identified concerns in many of the cases that they scrutinised, due to inadequate actions currently being taken by the local authority to safeguard and promote children's welfare.

Ofsted noted that concerns first arose in August 2015 and that the Chief Executive had acted on those concerns, appointing an interim Assistant Director, a new Director of Children's Services and establishing the Development Board to oversee an agreed Improvement Plan. However, although the senior leadership had implemented a number of actions there was little evidence of impact, with the significant needs of many children failing to be met. From a total of 27 recommendations, all important, there are a number which are particularly key, pointing to failures in acting to protect children, to take prompt and appropriate action to secure positive outcomes for children, and to have in place an essential quality assurance system:

1. Take urgent action to ensure that all children currently being provided with a service are safeguarded and their welfare is promoted.
2. Ensure that all staff, including agency staff, are supported to have more consistent relationships with children and to deliver high-quality services through manageable caseloads, induction, supervision and training.
3. Ensure that robust performance data drives improvements in the service.
4. Fully embed the quality assurance framework across children's services.
5. Ensure that the procured electronic recording system is fit for purpose and supports improved practice across the whole service
6. Ensure that the children and young people are visited within the timescales identified in the plans and that, when appropriate, children are seen alone.
7. Ensure that all partners are sufficiently involved in the multi-agency safeguarding hub information sharing and decision making, and that thresholds are consistently applied.
8. Ensure that all assessments and plans focus on reducing risk and improving children's outcomes, with clearly defined timescales for actions, responsibilities and regular review.

9. Ensure that all child protection conferences are held to statutory timescales and that planning meetings, including core groups and child in need meetings, are held as required.
10. Ensure that, when children need to become looked after, this is actioned promptly, to include improving the quality of pre-proceedings letters to parents, clear contingency planning and ensuring robust monitoring of cases in pre-proceedings.
11. Review all arrangements when children are placed with parents to ensure that these are appropriate and that children are not unnecessarily made subject to a care order.

Kirklees Safeguarding Children Board (KSCB)

The KSCB was judged inadequate by Ofsted. Key deficiencies were consistent with those identified by the 2015 peer challenge and included:

- Incomplete partner representation – (this was mainly in relation to all education phases not being represented);
- Failure to recognise the extent of improvement work needed;
- Insufficient auditing – (there was a process in place but insufficient cases had been completed);
- Failure to progress SCR findings – (actions were overly complex making it difficult for final sign off);
- Poor multi agency data set; and,
- Insufficient oversight on the range of vulnerable groups of children and young people (there are now champions for identified groups).

The Chair of the Board had undertaken the role for over 6 years and was planning to retire. She did so in March this year and a new Chair, experienced in working in authorities judged inadequate, has now been appointed and will shortly be taking on the role.

There is a KSCB Action Plan in place designed to address Ofsted's concerns, and progress against it is reported positively. However, this action plan, and progress noted against it, needs more partner ownership if it is to be an accurate measure of the improvements. The new chair should, with some key partners (including the Director of Improvement), review both the plan and the RAG rating of progress made.

The Board is well-funded with an adequate annual income. In addition, the Board has accrued substantial reserves from additional contributions from partners. Some of this is currently being used to strengthen the performance management function. The Board's Business Unit consists of an interim Board Manager, a retired Police Officer who in November 2016 stepped up from leading the CSE work for the Board; 3 business support officers; a performance and data officer and a multi-agency trainer currently covering a maternity leave. These latter two post holders have little direct knowledge or experience

in safeguarding. The incoming Chair will need to review the work and contribution of the unit.

The Board meets quarterly for 3 hours and is supported by nine sub groups, (CSE, missing children, education, female genital mutilation, early help and neglect, serious case review, trafficking – jointly with community safety, learning and development and online abuse). The chairs of these groups meet together with each other to co-ordinate activity. This is a large number of sub groups not necessarily focussing on all the key priorities, and it would be timely to review their functions.

The Board has recently brought in some external capacity to drive their Quality Assurance framework and as a consequence a draft multi agency data set is emerging as is a more comprehensive quality assurance approach, including the completion of multi-agency audits. The 2015-16 Annual Report is yet to be published although we understand work is in hand to develop the 2016-17 one.

The new Chair should, potentially with an external facilitator:

- convene a review of the Board;
- examine its relationship with the Improvement Board;
- accelerate the implementation of the quality assurance work;
- review how it can move from a focus on process to one on challenge and scrutiny and begin to map out how it will respond to the Wood Review recommendations (as yet undiscussed); and,
- review some core membership issues – for example, mainstream schools are not represented at the Board (and the addition of the Virtual Head cannot be said to be an adequate substitute).

The Wood Review in particular offers the local partnership the opportunity to think longer term about the relationship between the Children's Trust and the LSCB and the Improvement Board and to agree how it can build more robust scrutiny and challenge into the system in the future. The Board is fortunate in its levels of reserves and some of that could be further invested to help drive change and improvements.

Serious Case Reviews (SCRs)

Kirklees LSCB has developed a range of responses to individual cases – completing SCRs (as required), conducting Learning Lessons Reviews (LLRs) and Case Discussions for those cases that warrant further examination but do not meet the SCR criteria. Last year there were three SCRs published and, so far, one has been published this year. A further SCR has been commissioned and work on it is due to start very soon. Two LLRs have been completed (one of which was recently subject to some national news coverage) and a new one is about to commence. Finally, the SCR Sub Group is considering two other children, one where there is to be no SCR and one where they are awaiting further information from a post mortem to decide further action.

There are no obvious discernible patterns in the notifications to Ofsted of serious incidents. However, the different issues and the varied response to cases does provide positive opportunities to maximise multi-agency learning. It is unlikely that the extent to which that learning has been effectively communicated across the system has been maximised. Ofsted noted this too and included a recommendation to: “Improve the quality of serious case review (SCR) action plans and robustly address delays in progressing SCR Action Plans.”

The recently completed SCR is available on the KSCB website although the previous SCR reports and action plans were not found there and nor are the LLRs which potentially reduces the ability of local professionals to access them and their learning. It also has meant that it is not possible to easily gain an overview of any themes or patterns that might emerge from them. Overall the KSCB website is not as up to date as it needs to be in a number of areas.

Performance Management

The new Chief Executive has initiated work to address the corporate weaknesses in performance management. There is insufficient corporate oversight across the Council, partly to do with the lack of timely business critical information and underdeveloped analysis of data in some service areas. A process is underway to refresh and improve the corporate performance management approach urgently to have timely information to drive delivery and improvement. The intention is to have a far greater understanding of the relationship between financial and operational grip and achieving desired outcomes for people in Kirklees. This is part of a wish to have stronger strategic partnerships around shared outcomes and for the Council to be less inward looking. However, there is clear recognition of the need to learn from the experience of children’s services and to re-build confidence in a new performance framework and to develop a more ambitious culture. There is now a much better understanding of the importance of corporate support to help drive improvement in children’s social care services.

Within the services in question, performance management is under developed and is a pressing concern. It is driven through a number of routes:

- Getting to Good Board – recently created by the Improvement Director, this Board has been developed from the pre-existing Operations Group and is intended to programme manage the raft of improvement activities within and across the service and to prepare for and feed into the Improvement Board. Given the amount of uncoordinated improvement activity in Kirklees, this is a welcome addition to the governance arrangements.
- Performance or Compliance Clinics – now separated into service specific meetings, these bring team managers, service managers and Heads of Service together to look at core performance issues in their service. Serviced by IT and Performance staff who establish the ‘key lines of enquiry’ for each session, the clinics have focussed on compliance with Key Performance Indicators. They have

been chaired either by the Assistant Director or Head of Safeguarding. The new interim Assistant Director or the Improvement Director should lead these clinics – they are opportunities (not currently being taken) to better understand the journey of the child through the system and to establish important practice issues – ‘the way we do things around here’.

- Service and Team Meetings – operational managers are given weekly management information that is useful in helping them drive individual and team performance around core issues such as statutory visiting or assessment timetables.
- The Quality Improvement Group –has been chaired by the Head of Safeguarding and brings together QA staff from across the service to oversee the file auditing and other processes (e.g. complaints and representations). There appears insufficient join-up with operational staff who are not represented at the meeting and this should be urgently reviewed.

The IT issues referred to elsewhere mean that much of the data used for performance management remains unreliable. One consequence of this is that managers and performance staff spend a considerable amount of time either in maintaining stand-alone spreadsheets and/or doing manual counts. Both are time consuming and cannot be completely relied on. Another key consequence is that staff do not feel that their hard work is properly reflected in performance data – this is most particularly true in relation to performance on statutory visits. The data that is available to the service remains basic and essentially provides compliance information only. Clearly this is both necessary and important but it doesn't allow managers to develop a more sophisticated understanding of their service – as a consequence it's not a service that knows itself as well as it needs to.

Equally, the file auditing system is also under developed. A ‘case familiarisation’ process of cases held in the Assessment and Intervention teams has recently been completed. This was initiated in response to the first Ofsted recommendation to ‘take urgent action to ensure that all children currently being provided with a service are safeguarded and their welfare is promoted’. This has been a lengthy and labour intensive process that has ensured that every case in this part of the service has been looked at by an independent auditor (this does not constitute an audit – rather it's a look at compliance and identifies next steps). There is then a meeting between the social worker, team manager, service manager and auditor. This meeting agrees next steps for each case, actions are captured on a spreadsheet and then followed up. Each case is RAG rated according to the level of risk faced by the child, but not against quality of practice. This has been a useful process that has helped set direction where needed and in particular identified a number of cases that can be closed, helping with the overall caseload reduction.

However, opportunities were missed to firstly quantify how many cases were judged inadequate, requiring improvement, good or outstanding, and secondly to give a detailed thematic overview of all of the cases reviewed. Plans are in place to move to cases in the looked after service prioritising certain cohorts of cases rather than worker by worker.

Separate from the case familiarisation process, the service has started a series of more in-depth audits. These are carried out randomly across the service by managers and IROs. An external organisation has been commissioned to supply experienced staff who have led on the case familiarisation process and also completed audits and a recent review of the MASH. However, the recent Ofsted monitoring visit has unfortunately raised some concerns about their professional judgements. In addition, within the structure is a Principal Social worker who manages, amongst other responsibilities, four Advanced Practitioners, whose role is to support and advise social workers across the service.

A number of common themes emerge across the performance management range of activities:

- Operational staff are not sufficiently proactively involved – the culture is one of a top down drive to improvement with all the social work expertise located outside of the organisation. This needs to quickly develop so that some of the able and experienced practitioners in the service can be more active in driving change, all staff can and should be involved in their own case and file audits and the emerging pride and sense of personal ownership witnessed amongst some team managers about the performance of their teams should be built on.
- The links between data analysis and quality assurance work is under developed. They are not brought together to tell a more detailed story about progress and there is little or no use of short focussed audit activity to help understand data changes or anomalies.
- The links between performance management information and service development are not yet fully developed – the service needs to be able to better link up findings from performance management activity with training or management action and then show impact and change and set out next steps.

The Council has very recently identified experienced corporate support to work with the Improvement Director on improving performance data intelligence and analysis.

Continuing performance issues

The IT system has been described elsewhere and its long-term inability to generate accurate or timely performance data is well known. Given this was notified by Ofsted in its 2011 inspection it remains a significant concern that data is not routinely and reliably available to managers.

A number of critical KPIs continue to perform poorly – and some indeed appear to have deteriorated (although the validity of the historical data may or may not be reliable):

- Recent reviews of the MASH (internally and by Leeds) showed decision- making timeliness remains an issue – only 41% contact decisions made in 24 hours.
- Repeat referrals remain high – 22% in January but 48% August 2016 with a rolling 12-month figure likely to be over 25%.

- Timetable for the completion (in 45 days) of Single Assessments now stands at 48%, having fallen from 77% in April 2016.
- Initial Child Protection Case Conferences held within 15 days of a strategy meeting is now 46% having been 75% in April 2016 thereafter, 93% of reviews are held on time.
- The number of children subject to Child Protection plans has fallen and the reasons for this are not well known – the application of ‘Risk Sensible’ is unlikely to be the cause given it still remains a new and not yet embedded model.
- Statutory visits to children subject to child protection plans are now reported at much higher levels than previously – over 90% of visits made in a four week period. This figure is based on a manual count but its accuracy remains uncertain given there still remain delays in the writing up of visits and inconsistency about their recording on Carefirst.

Workforce

The Principal Social Worker leads on workforce and has been supported by a task and finish group chaired by the Assistant Director. There is now in place a workforce strategy with 5 objectives:

- To achieve a permanent and stable workforce that reflects the importance of consistent relationships with children and families;
- To implement a workforce strategy that produces a highly skilled workforce;
- To make Kirklees an attractive Place to work;
- To reduce the reliance on agency staff and reduce agency spend; and,
- To reduce staff turnover and reduce capacity lost due to sickness.

A summary of current staffing shows a high level of reliance on agency staff:

	Total FTE	Vacant FTE posts Jan 2017	Snapshot of Sickness/Maternity Leave FTE Dec 2016	Agency Jan 16	Agency rate
Assessment and Intervention (includes MASH, EDS, CSE Team)	139.5	44.68	12.81	68	44%
Corporate Parenting Service (including Contact Team)	94.56	24.50	8.60	34.00	32%
Safeguarding & Assurance Service				8	32%
Total Sufficiency, Performance and IT Support (includes Residential Services)	146.41	17.58	10.50	14.40	6%

Summary of current staffing

It appears that agency staff have been recruited with insufficient attention being paid to the financial implications. The service is projecting a very high overspend on employees and this will need to be addressed. The previous Assistant Director contracted with two external organisations to provide 2-3 teams of social workers to take responsibility for cases that could not be allocated in the service. This is an expensive arrangement which may not be providing good value and the interim Director is now urgently reviewing these contracts.

Across the service there are approximately 96 FTE vacancies (excluding Early Intervention and Prevention and residential homes) and 43 absences through ill health and maternity leave (data supplied by the Council's HR) as of 31st December 2016.

The service is increasing the number of newly qualified social workers (NQSWs) and a third team has been created with 7 NQSWs joining the service during February and March. There is a rolling programme of recruitment underway with some success in attracting applications for experienced social worker, team manager and IRO roles. Even if these prove successful the service still faces a major challenge in recruitment and retention.

Social work caseloads in Kirklees are reasonable in general and are therefore not a major factor impacting on the quality of practice, although there are some workers whose caseloads are high and these need to be reviewed. In mid-February, the average caseload was 18. In December 2015, it was agreed that social workers in Assessment & Intervention would hold no more than 20 children (pro rata for part workers). Caseloads within Assessment and Intervention has increased and is now averaging 23 children per worker. However, there is significant variation between teams and individual workers. In Looked After Children and Care Leavers Service it was previously agreed that Social Workers would hold a caseload of 15 children, and on average this is being adhered to.

The service is not able to collate information on the frequency of supervisions although individual teams are expected to collect this information. A better picture of the frequency and quality of supervision is needed. Induction of staff other than NQSWs is not systematic or robust.

The planned structure changes have been mentioned elsewhere and need to be reconsidered. The previous Assistant Director was successful in having a council agreement to review and improve social workers and Team Managers job profiles and gradings. Improved gradings were agreed in February, but have not yet been implemented.

Kirklees has recently entered into a Teaching Partnership with the University of Huddersfield, Calderdale Children and Young People's Services, York City Council, University of York, North Yorkshire County Council, Hearing Voices, Sheffield, Dove House Hospice (voluntary and community sector providers) and Prospects Calderdale Pathway Team. The aim of the Partnership is to drive up standards of social work

practice by promoting excellence and improved outcomes for service users, provide a dynamic programme of pre-qualifying and CPD activities that strengthen existing practice, knowledge and skills; use specific models of assessment and intervention employed by the different LAs; support social workers through the assessment and accreditation framework, linking attainment to career pathways and develop highly competent and confident practitioners who will provide excellence in practice and improve workforce retention rates. It is intended that the partnership will collaborate to share resources, training and learning opportunities, so that CPD programmes are more ambitious and accessible to all social workers. Kirklees will need to ensure that they obtain maximum benefit from this initiative and that it complements other training locally.

The service has invested substantially in a model of assessment and care planning called 'Risk Sensible'. All staff are being trained in the approach although this seems to have taken a considerable period of time and in no way can be said to be embedded. It is not clear why it has taken so long to implement especially given the dedicated trainer and author of the model has been in the service since early 2016. Equally, it does not in and of itself constitute a 'social work model' and is particularly light on interventions designed to drive change for children and families. That said, the Council has recently completed a procurement exercise to deliver a broader social work development programme covering a number of key modules – child development, attachment, parenting capacity, assessment, based on the national Knowledge and Skills set issued by the Chief Social Worker. Once delivered, this programme should go a considerable way to meeting the requirements set out in the national Knowledge and Skills set, especially in relation to the required body of knowledge social workers need.

This raises a significant issue about timing. It is a programme designed to be delivered to the entire workforce over the course of the coming year. At some point, it will overlap with what will also need to be a significant training exercise to introduce the new IT system and potentially at the same time as staff are moving into a new structure. Given known and stated problems about high staff turnover and high numbers of agency staff, these changes (all of which are commendable and positive in themselves) need to be very carefully and collectively managed. In addition, there will be opportunities following from the Teaching Partnership which need to be considered and co-ordinated.

It also raises an issue about recruitment and retention. This is a major investment being made in upskilling the social work workforce and, alongside commitments to reduced and manageable caseloads, access to quality supervision and implementation of a new IT system could and should be used to both attract new staff and to retain existing ones (including some of the longer term agency staff who have developed a loyalty to the service). Pulling this together into a coherent professional offer to staff is not yet visible and is in fact a good example of some good but uncoordinated activity within the service.

Ofsted monitoring visit

Ofsted carried out its first two day monitoring visit under the framework covering the monitoring of 'inadequate' authorities in March. The focus was on the front door and

MASH, looking particularly at the effectiveness of contact referral and assessment, response to enquiries, and single assessments. The letter following this visit will not be published, and at the time of writing had not yet been received by the authority.

Verbal feedback from the inspectors outlined some strengths, particularly with the response to cases involving domestic violence. They met some very committed staff who want to do a good job but feel hindered by the size of caseloads in the assessment and intervention service. Many of the concerns raised at the time of the full inspection are still present. This includes inconsistency in passing referrals to early help or social care. In MASH, some children's risk issues are not identified, and the service suffers from a lack of good performance information. Few face to face multi-agency discussions are taking place and joint investigations with the police are rare. Assessments tend to be poor and too limited in gathering information and analysis. There is evidence of management oversight but this has not led to effective challenge and better practice

Leeds has provided support to Kirklees in the past few weeks to help improve this part of the service and they will continue to work with the Improvement Director and the new interim Assistant Director to address these issues as quickly as they can.

Other Current Issues

a) Early intervention and prevention (EIP): the strategic lead has been held by an Assistant Director who is accountable to the DASS and DCS. Early intervention and prevention are one of two Council priorities, and the approach being taken is across families, adults and children. Work to date has been focussed on developing a strategic framework and clarity around ambition and strategic outcomes and delivering changes to children's centres. At the same time, there are services which provide an early help response to children and families. Within children's services the early help services, including the youth service and children's centres have been line managed by the Assistant Director Family Support and Child Protection. Public Consultation on the future of children's centres has recently concluded and the move to a new model is underway. Schools have also developed their own response separately within a network of community hubs, where a number of primary and secondary schools in a local area have come together to identify vulnerable children and their families, and to provide a range of support to prevent problems escalating.

Schools and the Council have recognised that there needs to be a clear framework developed that pulls all these separate strands together with the intention of having a much more co-ordinated and multi-agency early help offer which will help families and reduce demand on social care.

The pace in developing this approach seems very slow. There is a real need to build on what is in place rapidly to provide a good consistent early help offer across the whole of Kirklees.

b) The problems with IT in Kirklees are longstanding and were identified in the 2011 Ofsted inspection. A new system has been procured but will not be fully operational until January 2018 at the earliest. In the interim, the current system remains unfit for purpose and a source of some considerable frustration for practitioners and managers. It appears that local variations to the Carefirst package, the fact there are three separate elements of the package and that governance arrangements around variations and uploading of new templates and processes all mean that the system does not deliver what is required of it.

In the short term, there is a need to ensure the best use of the current system, making improvements where possible and not just wait for the new one to be implemented. In addition, there needs to be a confidence that the future system will be effective and fit for purpose.

c) Trade union position: there has been a longstanding dispute about some of the terms and conditions relating to social workers and service issues. During the period of this review there has been industrial action by Unison, including a one hour walk out. The dispute remains unresolved, but in the interests of the service, children and families and social workers this is not helpful. The Council are demonstrating a clear commitment to improvement and understand the importance of recruitment and retention of social workers. Given this, it should be possible to achieve a more constructive way forward with the Union, who should recognise the positive intent of the Council. Their concerns remain vague and should be addressed through constructive discussion and working together. The interim Director currently meets with union representatives every three weeks, so there is in place a forum to achieve this. Industrial action has been suspended and regional Unison is offering support to find a resolution. However, very unhelpfully, recently Unison locally have issued a bulletin giving erroneous information on the possible future for children's services. The Chief Executive has rightly in my view, asked the Unison regional office to assist in addressing this.

d) Kirklees is a priority authority in relation to preventing radicalisation. This is a good example of local multi-agency work effectively tackling a very difficult issue which has achieved national recognition, with a very positive article in the Times and coverage on Panorama. The work is driven by the Head of Service Community Safety, who in the past has struggled to get links with children's social care and whilst this is changing, it is still not as connected as it should be. This Head of Service has also taken responsibility to manage information on missing children, another area not getting enough proactive engagement with social care. For example, take up of return interviews of children in care is very low. This needs to change and children's social care must be much more engaged.

Views of Managers and Staff

There is considerable optimism and energy across the service and a sense that things have got better and will continue to get better. The constant change of leadership and

senior managers has presented difficulties and the need for stability and a sense of longer term direction is clearly required.

There are two ASYE teams and the service is properly investing in them as the future workforce. They spoke positively of their experiences in Kirklees and said it compared favourably to those of their student colleagues who were working elsewhere.

Staff generally demonstrated a commitment to the service and the community and nearly all (especially the longer term staff) spoke about the last 6-12 months as one of improvement – no-one however thought the Ofsted judgements were wrong nor did they come as a major surprise.

The positivity has not been as well used as it might be. Some staff described a lack of recognition of the good and hard work they do and a sense that the drive for compliance overtook the identification of good social work practice.

Most practitioners spoke positively about the quantity and quality of supervision available to them. Most reported supervision as covering their personal development needs and offering space for reflection and analysis as well as providing case management advice. They also said they were able to easily access managers outside of diarised supervision sessions.

Access to senior managers was a little less successful although the presence of the (now departed) AD was commented on positively. Staff spoke about what they experienced as a plethora of panels convened to cover different sorts of decision making but they were not always clear what panel did what.

Analysis of progress since 2015 and capacity for improvement

Concerns about practice surfaced in the summer of 2015, and the then Director took immediate action to understand better what was happening in the service, to review the role of the LSCB in relation to its effectiveness in monitoring the system, and to action a number of steps to address the concerns

It is clear that over the last 12-15 months there has been considerable activity in the Council and across the service to drive improvements. Some of that has been purposeful and some less so but it has been hard to identify the unifying strategy and vision and as a consequence those improvements have been poorly aligned with one another and have not offered a coherent picture of change that staff and partners could readily identify with and sign up to. There has been a lack of an overarching governance framework to ensure the necessary join-up and to maximise benefits. The Council's Development Board did not provide it and thus far the Improvement Board has not successfully brought the various activities together. Nor has it provided the challenge and scrutiny required. The KSCB has not functioned well and will take time to be effective in its role of monitoring the system.

A significant issue has been the number of changes in managers at all levels and the lack of expertise in the senior leadership team to provide the knowledge and drive needed to tackle at pace the challenges facing the service.

The Council political and corporate leadership is aware of this and has recognised that it does not have the capacity and capability to drive the service improvements needed in the short term. Recently they have welcomed the support of two other neighbouring authorities. Calderdale has offered support to develop the residential homes, and Leeds has provided managers to work with Kirklees to bring about immediate improvements to MASH and the front door.

Discussions are underway with Leeds, who are a good authority and DfE approved Partner in Practice, to explore the potential for a far greater level of support which is likely to include the secondment of Leeds managers for up to 6 months to replace some interim managers in Kirklees, and the potential to develop shared services where Leeds have expertise that is not available in Kirklees.

Conclusion

Prior to late 2014, there was no significant concern about the quality of practice in Kirklees. Previous years' external judgements and assessments indicated a service that was performing reasonably well but with some areas requiring attention and development. During this period, the longstanding Director of Children's Services became the national vice president of the Association of Directors of Children's Services, and then the president. The two years in which she held those roles inevitably meant considerable time spent, especially the presidential year, outside the authority on national issues. This also coincided with the additional responsibilities of adult services, at a time when quality assurance systems were not robust. Once the Director was aware of the issues in 2015, she reduced her commitments outside Kirklees to spend more time tackling the practice concerns.

Where a Director has substantial additional responsibilities, it is essential that good deputies are in place in the Local Authority to ensure issues are appropriately managed, and the Council has in place good scrutiny and performance management arrangements so that the Director and Members can be confident that the service will continue to progress positively during this extended period of holding an important national role. In Kirklees, the year of the vice presidency was also the year in which the experienced Assistant Director responsible for children's social care was allowed to spend time training to be an Ofsted inspector which involved being part of inspections in other local authorities. He was also due to retire early in 2016. Children's social care in Kirklees were not inward looking. They took part in regional ADCS activities to support social work development, but unfortunately did not use the opportunity of a peer challenge review to focus on social care, but on school improvement. It is possible that the practice issues might have become more visible earlier. The lack of awareness by the LSCB which is apparent from the review undertaken in 2015 will also not have helped.

In undertaking this review, I have mainly focussed on events since the end of 2015 to assess the steps the Council have taken once they were aware of the extent of the problems in the service, to consider the impact those actions have had and the potential for the Council to move the service forward at sufficient pace to secure improvements rapidly. The Council should have been aware of the extent of challenges earlier, through better performance management and quality assurance systems.

It is very clear from the analysis of performance undertaken by the former Ofsted inspector and the reports from the Assistant Director in early 2016 that urgent action was required. The then Chief Executive and Director took responsibility to drive forward the response, establishing the Development Board, intended to oversee the action plan developed by the then Assistant Director. Unfortunately, the Development Board did not have the desired impact.

The Ofsted inspection in the autumn of 2016 described a service that was poor, leaving children potentially at risk and failing to take the appropriate action to secure good planning for the most vulnerable children in Kirklees. They did consider that the leadership in place was committed to changing this and were beginning to address what needed to happen, but had yet to see the impact of this.

Kirklees had undertaken diagnostic work in late 2015 and at the beginning of 2016 and had a good sense of the problems in the service, but not necessarily the extent of them. Nor did they have the level of expertise in improving children's social care services at leadership level to create a coherent, well co-ordinated improvement programme to address the quality of practice issues in a timely and effective way. The appointment of a new Director with no experience in managing social care or of improving an inadequate service left the Assistant Director without essential strategic leadership support and challenge.

In addition, there were too few senior and middle managers in both operations and quality assurance with substantial experience in children's social work. This is not to decry the efforts of those in post but there has been a noticeable lack of clarity about 'what good looks like' and the necessary elements of an improvement journey that more experienced staff can bring. The Improvement Director is now helping to bridge that gap but the appointment was only made at the Commissioner's suggestion and the service could and should have moved to do this 12 months ago. The Assistant Director had primarily focussed on establishing a new management team at Head of Service level, structural change in the way teams were organised to create fewer 'hand offs' for families and setting in motion a range of activity to focus on individual issues. Staff have found it hard to understand the rationale behind all the change, and whilst there is some evidence of improved practice, the recent Ofsted monitoring visit has shown how much more is needed.

Going forward it will be essential to put in place robust quality assurance, supported by good Council wide governance arrangements, with opportunities taken to bring in external support and challenge. Given the recent history it will take time to restore confidence in the service but this will be assisted by better knowledge of the service, and of the wider children's system, and assurance that concerns are understood and being addressed.

Kirklees does not currently have the leadership and management capacity and capability to drive forward the changes necessary to achieve the required standards in children's social care and alternatives need to be considered.

Options

Option 1 – Kirklees will continue to drive improvement itself. This will not deliver a service of the quality required to deliver positive outcomes for vulnerable children in the timeframe necessary

Option 2 - Children's social care services to move into the delivery responsibility of an independent Trust. This option would be likely to deliver real change and improvement but there is a significant risk that during the period of setting up a new organisation the service would further deteriorate, unless sufficient effective improvement support was put in place during the setting up period.

Option 3 – Partnership with a good local authority. This would require the positive commitment of a neighbouring good authority willing to enter into a formal arrangement to use their expertise and resources to drive improvement, and is likely to be quicker and less costly than option 2. In my view, the developing partnership with Leeds presents the best opportunity to secure and sustain improvement.

The Council has recognised the need for alternative arrangements and is keen to pursue a long term strategic partnership with Leeds. Leeds Council has responded positively, and whilst they have an understandable desire to minimise any risk to the development of their own services, they are positive about supporting Kirklees, both in the short term and longer term.

A formal partnership will require detailed discussion and negotiation. However, there are some helpful starting points:

1. Kirklees wish to retain their own Director of Children Services who will act as the local champion for children.
2. The partnership is likely to develop in a phased way, with the Director of Children Services in Leeds initially having control over the operation of children's social

care in Kirklees. Over time this level of control could be reviewed with Kirklees assuming more authority if agreed.

3. Issues around scope of services included in the arrangements, governance and accountability, legal, financial, and H.R. matters will all need careful consideration.
4. Longer term Kirklees Council is interested in exploring other delivery models, working with appropriate partners, to deliver children's social care.

Recommendations

1. Kirklees Council and Leeds Council, agree with DfE, a range of short-term measures and support to drive immediate improvements in priority service areas.
2. Both Councils, with DfE, agree a set of principles to underpin a long term formal partnership agreement which will drive and sustain improvement across children's social care, and will be in place at least until services are judged to be 'good'.
3. A formal partnership agreement is established within a timeframe set by the Minister, with control over the operation of Kirklees children's social care initially resting with the Leeds Director of Children's Services.
4. The Minister appoints a Commissioner for a period of at least one year, to continue to drive improvement and to oversee the establishment of the formal partnership arrangements.
5. If it does not prove possible to agree a formal partnership with Leeds as proposed, alternative arrangements will need to be considered, and this may include the option of establishing a Trust.

Eleanor Brazil, Commissioner for Children's Social Care in Kirklees,

With the support of Mark Gurrey

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