

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

WHEREAS:

1. The report of Ofsted's inspection of children's social care delivered by the London Borough of Bromley ("the Council"), carried out between 11 April and 5 May 2016, found that the Council's delivery of such services was inadequate overall and inadequate across all key sub-judgments.
2. The Secretary of State's Commissioner, Frankie Sulke reported to the Secretary of State in October 2016 and recommended that the Council should retain control of children's social services for a period of six months, pending a further review of improvement progress.
3. On 10 October 2016, the Secretary of State issued a statutory direction pursuant to section 497A(4B) of the Education Act 1996 ("the first direction") requiring that the Council cooperate with the Secretary of State's Commissioner in respect of the improvement of the performance of children's social care services.
4. The Secretary of State's Commissioner further reported to the Secretary of State on 25 May 2017, noting positive improvements in service delivery and that subject to certain reporting conditions, as described in paragraph 7b. below, the Council should retain control of the delivery of children's social care.
5. Despite certain improvements noted by the Secretary of State's Commissioner, the Secretary of State remains 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.
6. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her 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 her 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 issued by the Department for Education on behalf of the Secretary of State in respect of the improvement of children's social care functions;
 - b. To ensure that the independent Chair of the Council's Improvement Board reports in writing to the Secretary of State at quarterly intervals on the progress being made in securing improvements to the discharge of children's social care functions, and provides any information which the Secretary of State requests, with the first such report to be provided by 01/10/2017.
 - c. To ensure that the Deputy Chief Executive of the Council's focus is directed exclusively towards improved delivery of children's social care functions until agreed otherwise by the Secretary of State.

The first direction is hereby revoked.

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 black ink, appearing to read 'Suzanne Lunn'. The signature is written in a cursive style with a large initial 'S'.

SUZANNE LUNN

A Senior Civil Servant in the Department for Education

Dated this 12th day of September 2017