

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

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has noted in respect of Barnet Borough Council ("the Council") that performance in respect of children's social care services is 'inadequate' as detailed in Ofsted's inspection report of 7 July 2017 ("the 2017 Ofsted report").
2. The Council's failure led the Secretary of State to issue a statutory direction on 12 September 2017 ("the first direction"), requiring the Council to take a number of steps to improve the quality of services, including to cooperate with the Commissioner for Children's Services ("the Commissioner").
3. The Council then appointed Essex County Council as their Improvement Leadership Partner. In addition, the Secretary of State appointed Essex County Council as improvement advisers in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex A to this direction.
4. The Secretary of State has carefully considered:
 - a. Ofsted's inspection report of 7 July 2017, which found that children's social care services are 'inadequate'. The sub-judgments for children who need help and protection, children looked after and achieving permanence; leadership, management and governance were all rated as 'inadequate';
 - b. The Commissioner's report of 8 December 2017 which concluded that in order to provide sustainable improvements to children's social care services the council requires external direction and intensive support; and
 - c. The Commissioner's recommendations following a review, in May 2018, of the partnership arrangements that had been put in place with Essex County Council acting as the Improvement Leadership Partner in Barnet.
5. The Secretary of State is therefore satisfied that the Council is still failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 ("the 1996 Act") is applied by section 50 of the Children Act 2004 ("children's social care services 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 his powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social services functions are performed to an adequate standard.

NOW THEREFORE:

7. Pursuant to his powers under section 497A(4B) of the 1996 Act, the Secretary of State directs the Council to comply with the recommendations made by the Commissioner following her review in May 2018. Specifically, that Barnet Council:
 - a) Allow **Essex County Council** to continue to provide support and challenge as the improvement partner in Barnet and additionally to operate their stocktakes of services on a quarterly basis until services are inspected again.
 - b) Support the **Chair of the Improvement Board** to report to the Secretary of State, on a quarterly basis, on progress in delivering the improvement plan, liaising with the Chair of the Barnet Safeguarding Children's Board (BSCB) and Essex County Council (reporting arrangements are detailed in Annex A).
 - c) Chief Executive will meet regularly with the **Chair of the BSCB** to receive support and challenge to improve the Council's leadership and management of Children's Social Care services.
 - d) Lead Member and Leader will meet regularly with the **Chair of the BSCB** to receive support and challenge to improve the Council's scrutiny and oversight of Children's Social Care services.
 - e) Will engage with, and seek support from, the new **Regional Improvement Alliance** across North Central London.
8. In consequence of this direction, the Secretary of State revokes the second direction.
9. This direction will remain in force until it is revoked by the Secretary of State.

Signed for the Secretary of State for Education



SUZANNE LUNN
A Senior Civil Servant in the Department for Education
On this day 27th June 2018
ANNEX A

Terms of Barnet Council reporting to

Chair of the Improvement Board

The **Chief Executive and Leader** should provide assurances to the Chair of the Improvement Board, to inform his quarterly reporting to the Secretary of State, that there remains a continuing commitment from the Council:

- i. to ensure best value from the resources made available for safeguarding and related early-help services for children and young people particularly whilst services are still inadequate; and,
- ii. to the resourcing of the Improvement Plan and the partners delivering it as required by the Improvement Board.