

## **Direction to Reading Borough Council in relation to children's services:**

### **DIRECTION UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996 TO READING BOROUGH COUNCIL ("THE COUNCIL")**

#### **WHEREAS**

1. The Secretary of State issued a direction to the Council pursuant to section 497A(B) of the Education Act 1996 on 16 September 2016 following Ofsted's report of 5 August 2016 on its inspection. The Secretary of State issued a further direction on 12 September 2017 following receipt of the Children's Services Commissioner's report of 7 April 2017 and an Ofsted letter of 30 June 2017, recording the findings of its monitoring visit of 31 May 2017 – 1 June 2017, which noted that the Council *'is still not making the expected progress in improving services for its children and young people'*.
2. The Secretary of State has further considered the advice of its Children's Services Commissioner ("the Commissioner") in respect of the performance by the Council 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 Authority 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 Authority under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
3. The Council has, by agreement with the Secretary of State, voluntarily established a company limited by guarantee (company number: 11293709) named Brighter Futures for Children ("BFfC") which from 3 December 2018 will discharge the Council's children's social care functions on its behalf pursuant to the terms of a Service Delivery Contract to be entered into by the Council and the Company.
4. The Secretary of State has re-appointed Nick Whitfield as Commissioner for Children's Services ("the Children's Services Commissioner") in Reading for the purpose of supporting the establishment of BFfC and reporting to the Secretary of State on progress.
5. In order further to secure that the Council's children's social care functions are discharged to an adequate standard, the Secretary of State considers it expedient to direct the Council as set out below.

## **NOW THEREFORE**

6. Pursuant to his powers under section 497A(4B) of the 1996 Act, the Secretary of State directs that the Council shall, in particular, do the following:

a. Engage with BFfC, and the Council's partners whose work impacts on the delivery of the Council's children's social care functions, in a way likely to facilitate improvement in the exercise of those functions.

b. Comply with any instructions of the Secretary of State in relation to the improvement of the exercise of the Council's children's social care functions and provide such assistance as the Secretary of State, or any person acting on his behalf, may require.

c. Cooperate with the Children's Services Commissioner and officials, including on request allowing them at all reasonable times access:

i. to any premises of the Council;

ii. to any document of or relating to the Council; and

iii. to any employee or member of the Council,

which appears to them to be necessary for achieving the purposes of assessing or improving the performance of the functions set out at paragraph 2. above;

d. Provide the Children's Services Commissioner with such amenities, services and administrative support as they may reasonably require from time to time for the carrying out of their instructions from the Secretary of State, including:

i. providing officers' time or support;

ii. providing office space, meeting rooms or computer facilities.

7. The Direction dated 12 September 2017 is revoked from the date of this Direction.

8. This Direction shall remain in force until revised or revoked.

**SIGNED ON BEHALF OF THE SECRETARY OF STATE FOR EDUCATION**

A handwritten signature in cursive script, appearing to read "Suzanne Lunn". The signature is written in black ink on a light-colored background.

Suzanne Lunn  
A Civil Servant in the Department for Education

Dated: 3 December 2018