

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

1. The Secretary of State for Education ("the Secretary of State") issued directions to Worcestershire County Council ("the Authority") pursuant to section 497A(4B) of the Education Act 1996 in 2017, 2018 and 2019 in light of inadequate performance by the Authority of its children's social care functions.

2. The Secretary of State has further considered the advice of his Children's Services Commissioner in respect of the performance by the Authority 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 section 10 of the Children Act 2004.

3. The Authority has with the agreement of the Secretary of State voluntarily established a company limited by guarantee (company number 11447965) named Worcestershire Children First ('WCF') which from 01 October 2019 has discharged the Authority's children's social care functions on its behalf, pursuant to the terms of a Service Delivery Contract entered into by the Authority and WCF.

4. Having considered the Ofsted inspection report of July 2019, which saw progress in Worcestershire's Children's Services, before the establishment of WCF (although the children's social care functions still required improvement to be good) and the Commissioner's report of 22 January 2020, which concluded that the twin track approach of the improvement journey in practice and the creation of the alternative delivery model, was successful so far in Worcestershire, with the authority no longer needing a commissioner to oversee the intervention process. The Secretary of State intends to withdraw the Children's Services Commissioner from 1 January 2020.

5. In order to further secure that the Authority's children's social care functions are discharged to an adequate standard, the Secretary of State considers it expedient to continue to direct the Authority as set out below.

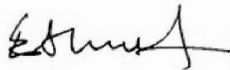
**NOW THEREFORE**

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

- a. To continue to work with WCF, and the Authority's partners whose work impacts on the delivery of the Authority's children's social care functions, in a way likely to facilitate continued 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 Authority's children's social care functions and provide such assistance as may be required
- c. Provide joint progress reports with WCF to the Department, with the first report on 1 October 2020 - the first full year of the Company's operation; with further quarterly joint reports thereafter.

7. In consequence of this revised direction, the Secretary of State for Education revokes the direction dated 17 September 2019. This direction will remain in force until it is revised or revoked by the Secretary of State.

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



Emily Whitehead  
A Senior Civil Servant in the Department for Education  
Dated: 30/06/2020