

# **Options for delivering children's services in North East Lincolnshire Council**

**Report for the Secretary of State for  
Education**

**May 2022**

# Contents

Introduction: The role of the commissioner	3
Executive Summary and Main Recommendations	4
The Local Authority area: North East Lincolnshire	8
Methodology	10
The Challenges as described by Ofsted:	12
What lay behind the challenges posed by Ofsted?	14
Strategic Leadership	14
Governance of the Children’s Agenda	16
Leadership & Management Culture and Partnership Working	18
Demand Management and implications for Childrens Social Care:	19
Workforce Instability	22
Resourcing	22
Summary analysis of what led to the Ofsted findings	23
Analysis: LA Response to the 2021 Ofsted report	24
Summary analysis of the LA response to Ofsted findings:	32
Current Performance	34
Options: Alternative Delivery Models	35
Concluding Analysis	37

## **Introduction: The role of the commissioner**

The Secretary of State in December 2021 appointed Peter Dwyer CBE as Commissioner for Children's Services in North East Lincolnshire. He was asked through a Statutory Direction pursuant to powers under section 497A(4B) of the Education Act 1996 Act:

- To issue any necessary instructions to the Council for the purpose of securing immediate improvement in the Council's delivery of children's social care; to identify ongoing improvement requirements; and to recommend any additional support required to deliver those improvements.
- To bring together evidence to assess the Council's capacity and capability to improve itself, in a reasonable timeframe, and recommend whether or not this evidence is sufficiently strong to suggest that long-term sustainable improvement to children's social care can be achieved should operational service control continue to remain with the Council.
- To advise on relevant alternative delivery and governance arrangements for children's social care, outside of the operational control of the Council, taking account of local circumstances and the views of the Council and key partners.
- To report to the Parliamentary Under Secretary of State by 31 March 2022.

The work of the commissioner has complied with the above expectations. The findings of this report have been subject to ongoing transparent dialogue with senior leaders within the Local Authority (LA).

## Executive summary and main recommendations

The October 2021 Ofsted inspection of Children's Services in North East Lincolnshire judged the LA to be inadequate against all judgements. In my discussions with senior leadership of the LA I have found no challenge to that assessment nor denial about the complexity of improvement work the LA and its partners face. There is clear evidence that families have not been sufficiently engaged by arrangements for early help and support and children in need of help and protection and their families do not receive the consistent quality of assistance that is required. These omissions are additionally concerning given the significant levels of deprivation in the area and its underlying impact on individual, family and community resilience.

Ofsted found that practice had significantly deteriorated since 2017. The recommendations they made about caseloads, quality of social work practice, quality of assessments and planning and management oversight extend over time. The efforts of the LA leaders and partners have not addressed these concerns in a manner which endures. This LA has historically lacked consistent quality strategic leadership on a partnership basis to effect sustained change. It also highlights weaknesses in the governance of the children's agenda with partnership challenge and scrutiny unable to reach beyond the presentation of core data to face the reality of frontline practice. Where change and impact had been made it has been discrete rather than systemic and indicators of that progress were overly reliant on progress against compliance measures rather than based on whether interventions were truly making a difference in the lives of children, young people and their families.

The local system was overwhelmed by demand pressures particularly around 2019 with volumes of activity far in excess of even comparator LAs. This resulted in greater workforce instability, unacceptable caseload pressures and further limitations to the continuity and quality of social care interventions with children and young people. Changing strategic leadership had only limited impact in resolving these challenges.

There are clearly some good people in the organisation who understand what good delivery looks like, who care deeply about the place and have a significant history and understanding of the organisation. The Ofsted inspection has resulted in the LA acting quickly to address some specific issues of concern and reprioritising activity to seek to address other issues. An improvement plan is in place and new leadership arrangements with enhanced capacity have been established. The LA has approved both long term increases in the base budget for children's services and the use of one-off resources to fund immediate pressures and improvement activity. There are examples of these resources now being used to enhance capacity within front line services. A strong package of support from other LAs and the Local Government Association (LGA) is currently on offer and being finalised, at the time this report was drafted.

Operational challenges are such that it appears the LA is still at risk of perpetuating the sense of "firefighting" within the organisation. Of dealing with immediate issues around

caseload pressures and unallocated work, which divert focus from the strategic source of those issues. Such approaches have a long history in the organisation with pressing issues distracting leadership from coherent strategic change activity. This may currently be somewhat inevitable given the scale of the challenges the LA currently faces but strategic oversight must be enhanced. Strong governance and programme management will be crucial to achieving that. It is encouraging that some strategic activity, for example early help strategy and a sufficiency strategy, have been completed. Senior leaders rightly also recognise that there is much to do to build relationships within and across the organisation, to enhance communication like never before, to build the sense so clearly needed of a single service focused on shared agreed priorities and a coherent change programme.

It is of concern that key ingredients for the delivery of the strategic change agenda are not yet secured. Pragmatic enhanced leadership arrangements are in place which bring strengths and experience, but these are not the arrangements which will be able to see the LA through a change programme of significant duration. It is also of concern that strong governance arrangements for improvement work are not already established. There is no current body bringing independent experienced strategic overview and challenge to the work being initiated against the improvement plan. Political leadership whilst demonstrating some greater engagement remains underdeveloped and current member led governance arrangements do not provide sufficient credibility. It is encouraging that this has been recognised by the LA and amended governance proposals are now under further development. Partner organisations are well placed to support and at times lead the improvement and stand ready to play their part but greater strategic alignment and greater clarity of the ask needs to be expressed.

In summary, analysis concludes that given the extent of the challenges faced, the history of recent improvement board activity and the uncertainties surrounding future leadership and governance, this does not feel like an LA where more of the same provides assurance on the delivery of future sustainable progress. Services cannot be allowed to be led and governed in the same way. This will not, in my assessment, deliver a service of the quality required to ensure positive outcomes for vulnerable children in the timeframe necessary. In those circumstances, it is therefore necessary to explore whether alternative delivery models carry greater potential.

Whilst Trusts have some attractions, there is a significant risk that during the considerable period of setting up a new organisation the service would deteriorate further. The existence of some strengths in an LA of this scale and its geographic location creates alternative delivery options which carry greater potential, in my view, for earlier impact. In that context, I would support an approach which explores the potential for a new strategic partnership with another LA. Such a partnership would see a model of integrated leadership for children's services or elements of children's services for the two LAs. In my view, such an approach presents the best opportunity to secure and sustain earlier improvement. As a next step, a fuller options appraisal to determine the nature of

that partnership needs to be completed, that builds from rather than revisits the conclusions reached in this report. Given this, it is recommended to the Secretary of State that:

- The LA enters into an LA partnership agreement with a strong LA. The nature of the agreement is to be shaped following a full “options appraisal” commissioned by the DfE. The brief for the work will seek detailed analysis of a range of models for integrated leadership against criteria which would include assessments of likely impact against the improvement plan, timescales, risks and financial implications. Primacy in this analysis must be afforded to the potential for new organisational arrangements to tackle the practice issues identified by Ofsted. It is estimated that the work will be completed by September 2022 at the latest.
- If a formal partnership of the nature described above is not possible, then alternative arrangements including another LA or a trust model should be considered at a 6 month commissioner review.
- The LA establish, by the end of April 2022, strong independently chaired governance arrangements which will see a new Improvement Board comprising senior leaders from the LA (including the DCS/Chief Executive), external expertise and senior leaders from partner organisations accessing high quality reports and analysis against the Improvement Plan. Cross party groups can add value but are in addition to the core Improvement Board.
- The Independent Chair of the new Improvement Board will produce quarterly progress reports for the Minister on delivery against the improvement plan.
- A DfE Advisor be appointed to join the new governance arrangements, oversee the options appraisal process and support interim improvement activity.
- Commissioner oversight should continue through further reviews and assessments of progress against the findings of this first review in around 6 and 12 months.

In addition to the above specific recommendations to the Secretary of State, I have taken the opportunity in the body of this report to comment and make further recommendations to the LA and its partners. The need for improvement, as all recognise, cannot simply await longer term structural solutions. Future organisational arrangements will benefit from progress in key areas. LA leadership credibility has been weakened internally and externally by historically inconsistent responses to known problems and reputational damage needs addressing. I would particularly highlight the need for the LA and partners to:

- Provide greater clarity of roles and expected leadership culture for the extended leadership team ensuring that system leadership skills are matched by practice wisdom. The former is evident and the latter exists within the service but its voice needs to be fully heard. There is a need to reorientate the organisation to face practice and reconnect leaders with frontline reality.

- Stabilise the workforce, even where still reliant on agency staffing, and engage passionately and intensively to recreate a sense of a single service with shared purpose.
- Review the management structure and delegations document with the aim of reducing drift and delay and panel systems, creating greater service resilience and revisit supervisory responsibilities.
- Whilst there are strengths in the data and analysis service and some effective internal processes this could be enhanced by greater capacity and skills in programme management.
- Review the approach to team and service planning to ensure a clearer thread and connectivity of frontline teams with key strategic priorities.
- Re-establish the police physical presence in the front door. Partners should reconsider whether all roles fulfilled at the front door are appropriate or additional capacity including administrative support is required.
- Ensure the ambitions for an edge of care service better aligned with resource provision and ensure delivery against the wider creditable ambitions of the sufficiency strategy.
- Develop a greater sense of alignment of strands of strategic activity on a partnership basis within a unifying set of shared values and priorities. Partners are looking for greater clarity of where and how to strategically engage with the children's agenda and a greater sharpness about the partnership ask is sought.
- Progress the new Early Help Strategy which has real merit in recognising that more is needed to better manage demand across the system, empowering universal provision to feel confident in the provision of early support.
- Strengthen direct interventions with families which effect change through a combination of reduced caseloads, consistent supervision, an enhanced staff development offer and enhanced family support and administrative capacity.
- Work closely with other LAs (Lincolnshire and North Yorkshire) to support improvements in practice and audit respectively and the LGA to enhance member engagement.
- Progress revisions to the audit approach with North Yorkshire and establish secure baseline understanding about current practice by service area.
- Review current savings proposals to ensure they are deliverable and align with the targets expressed in the improvement plan.

## The local authority area: North East Lincolnshire

North East Lincolnshire is a comparatively small unitary authority covering a geographic area of 192km. The majority of the resident population live in the towns of Grimsby and Cleethorpes with the remainder living in the smaller town of Immingham, or in surrounding rural villages. North East Lincolnshire as an authority was created from the boroughs of Cleethorpes and Great Grimsby on 1 April 1996 with the abolition of Humberside. It is a unitary authority bordering the unitary authority of North Lincolnshire and the county of Lincolnshire.

The total population of North East Lincolnshire in 2019 was 159,600 of which approximately 37,800 (24%) are children aged from 0-19 years. 1 in 4 of these children live in low-income families. 7.1% of school children are from a minority ethnic group.

The LA and its partners want North East Lincolnshire to be seen as an attractive place to live, work, visit and invest. They say: "Our location makes us ideally placed as the 'Gateway to Europe', enabled through our existing ports infrastructure in Grimsby and Immingham, the latter being the UK's premier energy port and Britain's largest port by tonnage. We are driving the growth of the 'Energy Estuary' as an international centre for offshore renewable energy". Leaders are seeking a transition from a historically low wage economy heavily reliant on the fishing industry to a richer more diverse economy centred around the new freeport status, food processing and offshore power. The Local Plan features an additional 9,000 jobs by 2032 and 10,000 more houses.

The Indices of Multiple Deprivation (IMD) 2019 shows that deprivation in North East Lincolnshire is concentrated in pockets rather than evenly spread throughout the borough, meaning that there are considerable inequalities within the area. Five council wards (East Marsh, West Marsh, South, Sidney Sussex and Heneage) are in the most deprived 10% of wards in England, and two of these wards (East Marsh and West Marsh) are in the most deprived 1% of wards in England. Since a large proportion of North East Lincolnshire is counted among the most deprived 10% of England, health inequalities are a major issue for the area and are only likely to have been exacerbated by Covid-19. Homelessness and unemployment are above national trends.

North East Lincolnshire also has a much higher rate of premature mortality than the national rate and the rates of many regional neighbours. On average, those living in the most deprived areas of North East Lincolnshire can expect to live shorter lives than those living in the least deprived areas. They are also more likely to spend a greater proportion of their lives living in poor physical health, as well as to suffer from poor mental health and wellbeing. Despite this, the most deprived individuals are less likely to consume preventative NHS care, to identify risk factors, and to present to healthcare services at an early stage of illness. They are therefore more likely to be admitted to hospital as emergencies and at a later stage of illness, and to suffer worse outcomes. This is highly relevant for our later analysis.



The council leader has been Councillor Philip Jackson since 2019 and Rob Walsh is the long-established Chief Executive of both the LA and the North East Lincolnshire Clinical Commissioning Group (CCG). The statutory role of Director of Children's Services is held by Joanne Hewson who has a significant history in the LA and took up this role again in November 2021. At the time of writing this report, the Cabinet is made up of seven members from the Conservative group who have been in overall control since 2019, including the Leader and Deputy Leader of the Council. The Portfolio Holder for Children and Education is Councillor Ian Lindley.

# Methodology

As the commissioner, I have engaged in the following activity:

- A series of structured individual interviews with key senior officers and political leaders within the LA. Structured interviews with the Chairs of the safeguarding partnership and the previous Improvement Board and with key senior leaders within partner organisations. Most interviews were conducted on a face-to-face basis, spending 2 days per week on site.
- Focus Groups with front line staff and with first line and middle managers. These well attended groups provided the opportunity to discuss with staff at different levels of the organisation the challenges facing the LA and their confidence that improvement would be delivered. Focused group discussions were then followed up by themed discussions, for example placement sufficiency and recruitment and retention, and visits to frontline delivery teams including the MASH.
- Meetings with the Chief Officer of Resources and Finance team, Performance and Commissioning lead, and with legal services. Additionally, meetings with key HR and business support personnel and those leading staff recruitment and retention activity took place.
- Meetings with senior representatives of Ofsted and with Trade Union representatives for most children's services staff in the LA.
- A wider staff consultation exercise which received a significant level of detailed individual submissions from front line staff and managers.
- Interviews and subsequent engagement activity were conducted with other Directors of Children Services whose LAs were currently or potentially well placed to provide improvement support including the regional LGA lead for children. These discussions were brought together in a facilitated joint meeting with all in developing coherent support plan to the LA.
- Access to national comparator datasets and self-assessment submissions and data analysis from the regional performance group of the Association of Directors of Children's Services (ADCS).
- Limited file audits focused on recent casework activity. These audits were timed to avoid replication of earlier audit work and to create every opportunity for any early practice progress to be viewed.
- Approaches from two members of the public going through complaint investigations and one foster carer concerning permanency planning.

Through the above activity I have been able to access a wide cross section of views from within the LA and across the partnership. Views have been shared in a manner and with a directness which reassures that I have been able to hear the honest appraisal of staff from all levels of the organisation. I have also benefitted from the feedback of staff who have recently joined as well as staff who have worked for extended periods within the service. As a consequence, I have heard both experienced and objective thoughts and considered reflections on the barriers to future progress. All engaged in the work of the

commissioner with considerable enthusiasm through individual submissions and the focus groups described above. The continued restrictions of Covid-19 on meeting and communication channels has had only limited impact on my work. I am grateful for the time people have given to engage and their many detailed written submissions have all assisted my work greatly. I have sought to insert direct messages from staff to help convey and strengthen key points made in this report. I am also very grateful for the administrative support I have received from officers of the LA.

## The challenges as described by Ofsted:

An Ofsted inspection conducted between 4 to 15 October 2021 and published on the 26 November 2021 judged the LA to be inadequate across all 4 areas. The full report is accessible [here](#).

In that report, Ofsted described that in their assessment “Since the last inspection in 2017, when North East Lincolnshire Council was judged to be good, services to children and families have significantly deteriorated. Corporate leaders have overseen a decline in services to vulnerable children and their families. Two focused visits in March 2019 and October 2019 identified significant weaknesses in practice, resulting in areas for priority action which have not been fully addressed”. This 2021 inspection identified widespread weaknesses in assessment, planning and management decision-making, leaving many children at risk of harm. There was said to be weak oversight of work, and risk assessment and management systems that should provide robust oversight of practice were described as ineffective.

The 2021 Inspection sought priority improvement in the following areas:

- Child in need and child protection planning and the effectiveness of multiagency reviews to ensure that children are safeguarded, and their needs met.
- Timely escalation to Public Law Outline and robust monitoring of children subject to pre-proceedings.
- The quality and effectiveness of managerial oversight and supervision.
- The response to allegations against professionals.
- Timeliness of safeguarding checks for children in private fostering and connected carers’ placements.
- Permanence planning.
- Senior leaders’ self-evaluation of practice.
- Auditing and summary of findings to facilitate an accurate understanding of current practice.
- The sufficiency and stability of the social care workforce, so that children experience fewer changes of social worker

This most challenging report did also identify areas where some progress was recognisable. Ofsted inspectors found that “Strengthened arrangements at the front door have been assisted by improved partnership working” and how “greater engagement of partner agencies and voluntary groups has also contributed to the development of an enhanced early help offer”. They also referenced positively the work of the Regional Adoption Agency and how “personal advisers work hard to ensure that young people leaving care are well supported and pathway plans are timely and regularly reviewed” and how “school leaders spoke positively about the support they receive from the virtual school”.

As the 2021 Ofsted report referenced, earlier monitoring visits had made significant recommendations for improvement. In **May 2019** a focused visit called for “swift and decisive action to address the following areas of weakness in child protection”:

- The identification and screening of risk and need when contact is made with children’s social care.
- The quality of assessments and decision-making.
- The quality and effectiveness of managerial oversight and supervision.

A subsequent **October 2019** monitoring visit found how “risks to children are not being appropriately assessed, and, therefore, some children remain in unsafe situations for too long” and they concluded that “Management oversight at senior and operational levels is weak. Performance data is unreliable. Scrutiny and challenge by senior leaders are ineffective”. Ofsted also highlighted the need to reduce “The size of caseloads for all social workers in the children and family assessment and safeguarding teams to enable effective social work practice to take place”.

More confidence had been taken by the LA from a further focused remote visit to the LA in **May 2021**. This visit found that “while much progress has been made against the areas for priority action identified in May and December 2019 regarding the quality and effectiveness of assessment, planning and supervision, some weaknesses in practice remain”. Concerns remained most significantly around:

- the sufficiency and stability of the social care workforce, so that children experience fewer changes of social worker.
- social worker caseloads, to enable social workers to carry out purposeful direct work with children and help to effect change for children and their families.

The LA and partners had also previously experienced a challenging Joint Local Area SEND inspection in **July 2018** which determined that a Written Statement of Action was required from the LA and the area’s clinical commissioning group because of significant areas of weakness in the local area’s practice. Ofsted and the Care Quality Commission (CQC) found that “North East Lincolnshire local area has made too little progress in implementing the disability and SEN reforms since 2014” and concluded that “Leaders have failed to translate their ambition for children and young people who have SEN and/or disabilities into a clear and coherent strategy for improvement”. The SEND revisit by Ofsted occurred on the 21 and 22 March 2022 but at the time of writing this report the findings were not yet in the public domain.

## **What lay behind the challenges posed by Ofsted?**

There is a sense, in reading the most recent Ofsted report, of frustration from the regulator in finding earlier recommendations still pertinent to the present time. A sense of an almost cumulative judgement by Ofsted in the quest for a more fundamental response to their serious, repeated concerns. We are not talking here about a temporary lapse in performance but something of a far more persistent nature. Ofsted were also and rightly concerned about the discrepancy found between the presented self-assessment of the LA with the reality seen in practice. Leaders either by default or deliberately describing a world less recognisable to either practitioners or inspectors. A position which understandably erodes confidence in the eyes of the Ofsted as to whether key messages will be heard and necessary improvement activity will be actually delivered. In the face of the level of concerns found, Ofsted took the unusual step of approaching the DfE to highlight their concerns in advance of the full publication of their findings.

In circumstances of either systemic or persistent failure, in the delivery of children's services, it is government policy to appoint a commissioner. The involvement of a commissioner in North East Lincolnshire was triggered by the identification of systemic failure in the 2021 inspection with inadequate outcomes named across all categories. It could also be concluded that many of the challenges identified have been persistent in nature. Such a conclusion is significant in understanding not only the nature of the challenges now faced but also the depth of the response required. So, what may lie behind such a situation? What are the factors which have contributed to the current position?

### **Strategic leadership**

There are some very good people working within the LA and partners deeply committed to their roles and to the place. There is a history of radical innovative corporate leadership over an extended period and new delivery models in advance of national thinking. The Chief Executive has a deep understanding of place and carries responsibility for strategic leadership of both health and LA provision. He appears to consistently carry the confidence of the partnership. The DCS has a similarly long history and a positive reputation within the organisation at DCS and Deputy Chief Executive level. The DCS is currently in their third iteration as a DCS in the LA. The latter comment reflects however the far less consistent strategic leadership of the children's agenda experienced over recent years. There is no doubt that this volatility has created a lack of consistency of purpose and a lack of any well communicated understanding across the organisation of key strategic direction, approaches and priorities.

As a smaller LA, North East Lincolnshire has struggled to attract existing Directors to the role and appointments over recent years have brought strengths but also strategic inexperience. Leadership over recent years has often carried strong practice knowledge and delivered pockets of both innovation and creativity and at times improvements in

strategy development and compliance. However, these initiatives have not coalesced into a clarity of leadership and strategic planning which has effectively harnessed the talents across the whole system including the wider council. Leaders have lacked the experience and confidence, or their tenure has been too short lived to develop the longer-term strategic activity, to consolidate the LA as a great place to practice and deliver sustained improvement. Focus would appear to have been on initiatives and projects rather than programmes of improvement without an underpinning organisational culture and priority on creating the conditions for practice to genuinely flourish. Over optimism, inexperience and/or denial at senior levels of children's services, are issues that have a history beyond any individual.

Under some senior leadership, children's services increasingly became something of a silo within the Council and there was little if any sense of a culture which enabled the children's agenda to be either supported by, or championed by, the wider organisation. Leaders appeared to lack the experience to see a desire for good business case analysis as anything other than a frustration of service resourcing ambitions. Key corporate support functions around finance and HR were not routinely integrated into leadership team conversations and opportunities as a result appear to have been missed, to bring capacity and expertise to address key service issues. Leaders, it would appear, were aware of growing concerns about frontline practice receiving clear evidence from the IRO service and from the organisations own audit activity. Strategic activity to address the challenges faced require consistent leadership overtime. This was not in place and ambitions to resolve were frustrated by short term firefighting pressures.

Staff said:

"We are constantly told we are on an improvement journey, however not told where this journey is going, who is on the journey and what it looks like at the end - there have been tokenistic gestures, or suggestions that they have, but this has never been done with any feeling, or conviction to use this information to make the service better and develop."

"Vision and leadership – what does NE Lincs stand for?"

"Sometimes senior managers try and micro-manage in response to issues of poor practice instead of tackling the underlying issues---which hugely limits their capacity to do their job and make decisions when needed."

"Senior leaders and elected members are out of touch with the needs of the local population."

Noteworthy progress has been made in some areas, for example the front door and some excellent service developments are evident around child exploitation, crime prevention, street youth work and family group conferencing. Improvements in leaving care arrangements are visible. There is not a sense that such progress has followed systemic processes but have developed and evolved based on opportunism, funding opportunities or the activity of key individuals. Staff do not describe the service holistically and one gets a sense of the service operating through internal silos. Covid-19 and home working has certainly exacerbated this sense. If accurate this will all cumulatively impact upon the quality of the support and intervention offered during a child's journey through that system.

## **Governance of the children's agenda**

There have been significant weaknesses in the governance of the children's agenda over recent years. This has restricted the level of strategic engagement, challenge, and open debate on the right issues.

There has been no explicit overarching vision or children and young people's plan to inspire and connect the range of existing strategic activity and plans. The Place Board has commissioned strategic work around the education and skills agenda which is welcome in creating cohesion against a regeneration but not a wider children's agenda. The Place Board priorities are grouped around Learning and Skills; Investing in our Future; Vitality and Health; Economic Recovery and Growth and Sustainable and Safe Communities. In the aspirations against each priority there are references to the children's agenda but it doesn't coalesce into a clear equivalent of a children and young people's plan. In essence, the children's agenda has not had the strategic profile that you would ideally expect.

Neither have those usually charged with holding the children's agenda to account provided the transparent challenge and scrutiny essential to good governance:

**Political leadership:** The 2019 election victory and scale of majority for the Conservative group was potentially unexpected and as a result unprepared for. New and more experienced councillors, who had been scrutiny chairs, were to form the new Cabinet. But the election did result in a high number of new inexperienced members finding their way into key roles. As a consequence, one can question whether members were close enough to and challenging enough. There is a sense that they were receiving core information from senior officers but this was not the subject of wider triangulation or sophisticated debate. The Portfolio Holder had carried previous experience holding the role under different party leadership in the past. Despite this it did not result in the quality of political leadership of the children's agenda that one would wish to see. Corporate Parenting Board does appear to have operated with more potential under experienced leadership and wider member engagement. This forum has creatively sought to hear the views directly of children in the care system.



**The council:** The LA has certainly positioned itself as Leaders of Place rather than a single organisation and this must carry merit. By 2019, the council had moved away from having discrete organisational plans. It does not appear there was a Council Plan which described both organisational contributions to the Place Strategy but also clearly articulated organisational culture shared priorities and pressures. Whilst this omission has since been rectified it may have further undermined a sense of organisational cohesion and understanding.

**The Safeguarding Children's Partnership:** When we look again at the period from 2017 onwards, partnership safeguarding arrangements were under review with large scoping exercises and one wonders again whether this diluted and distracted the partnership from its safeguarding focus. New arrangements which were introduced included the establishment of a model of agency based professional scrutineer functions, that have not delivered in the way intended and are currently being further reviewed.

**Partner organisations:** As described earlier, the LA and partners have been in advance of national models and thinking for the delivery of integrated provision. Locally developed "Care Trust" models, dating back to 2007, see the LA assume early responsibility for key children's health provision, for example health visiting and school nursing, with adult services transferring to health leadership. It is suggested that this has worked highly effectively in adult services with stability of leadership and strong challenge and governance from the retained LA Director of Adult Services. Investments in prevention have been possible and significant impact on reducing external provision made. Some within health would reflect that the children's agenda was left to the LA under leaders who have not over recent years fully embraced structures, for example the Union Board designed to engage the wider health community. A "loss of challenge from elsewhere" is described. The fact that new governing arrangements around the Integrated Care System are seeking to provide "equal weight to the children's agenda" possibly further acknowledges historic deficits.

**The improvement board:** In the face of the earlier 2019 Ofsted challenges described above, an Improvement Board has been in place in the LA with an independent advisor chairing. Whilst the Board had oversight of some important progress against compliance measures and completion of strategic planning activity it does not appear to have accessed the insights into practice difficulties which were to be found by Ofsted in 2021. As one person suggested, the Board operated as though the job was done when the strategy was completed not when its implementation and impact was seen. This previous Improvement Board stopped meeting in March 2021. At that stage it was felt that sufficient progress had been made to mainstream further activity as the new DCS took up role. What continued between the DfE Advisor and the DCS was a monthly conversation particularly focused on issues of caseload levels and outcomes from audit activity. With hindsight the ending of the Improvement Board at that stage was premature.

I would suggest that such omissions in critical analysis and collective debate described above during a number of transitional changes are particularly relevant given the demand and performance challenges the service was experiencing.

## **Leadership & management culture and partnership working**

Inconsistencies in senior and middle leadership over recent years have weakened the clarity of leadership and organisational culture. New leadership have not joined stable organisational arrangements and as a result individual styles and approaches have dominated. As described earlier at times the culture did not appear inclusive or transparent. Within the service we see a potentially very hierarchical multi-tiered management system. It results in confusion about roles and delegated authority and it potentially contributes to a fragmentation of the service. This may have further contributed to both the lack of a whole system approach and siloed thinking. It has also resulted in confused and slow decision making and ultimately drift and delay for both frontline workers and most importantly children. A system of panels have been introduced that are often perceived as further hurdles to effective decision making bringing additional expectations on documentation. It would appear that senior leaders strove for greater consistency of decision making through models based on a lack of confidence in the quality of their own core frontline management.

The local management structure also surprisingly sees social work staff in the main supervised by Assistant Team Managers (ATMs). This approach takes the best, most experienced practitioners away from direct practice but also potentially increases inconsistencies and quality in supervision and decision making. Some will perform very well others with less confidence. Whilst ATMs supervise, decision making often sits elsewhere which again perpetuates drift delay and inconsistent communication to staff and families. I say "in the main" ATMs supervise, as I came upon services, for example children with disabilities team, where the interim Team Manager had sensibly and pragmatically resumed this responsibility. Another example of inconsistency and possible deficiencies in organisational wide approaches and discipline.

Staff said:

“Too many management levels who do not appear to work together - there is still a lot of inconsistency in management decisions, and this becomes even more difficult when there are so many layers of management.”

“There has been a high turnover of management, no one is clear exactly what role each manager has in the team as there are too many managers. This leads to inconsistent decision making, confusion and demoralisation of the social workers and ATMs. - too many senior managers, but a lack of succinct decision making.”

“There is very high level of panels to attend where cases are micromanaged leaving social workers and ATMs feeling untrusted to care plan - the processes, amount of paperwork needed - Forms are long, repetitive and different for each panel.”

## **Demand management and implications for children's social care:**

Analysis of data relating to the children and young people's service in North East Lincolnshire, over recent years, makes compelling reading. Based on national datasets we see a marked increase in demand on children's social care (CSC) in the period 2019-20. Increases in advance of any full impact of Covid-19. Prior to that time there had been steady reductions in demand at the beginning of the decade to levels surprisingly below statistical neighbours by 2016. By 2020 we see:

- Over 300 more children in care over the period 2016-20 (297 to 600) – within this an increase of some 128 in a single year 2019/20 at a time when nationally there was a 2% increase mainly attributable to reduced adoptions and not new admissions.
- Rate of referrals to children's social care double that experienced nationally and significantly ahead of statistical neighbours.
- A rate of section 47 enquiries which increased from 236 per 10k population in 2019 to 424 per 10k in 2020 (national rate was 167/statistical neighbours 240).
- 164 child protection conferences in 2020 compared to 98 in 2019.
- An 80% increase in the rate of children on child protection plans (CPPs) and a 38% increase in children on CPPs.
- A 40% increase in care applications and a rate of applications double that of statistical neighbours and treble the national rate.
- Allocations in social care at 2300 against statistical neighbours data indicating some 1000 below NEL figure.

As a consequence of the above, caseloads were increasing in a service already - and as described in the May and October 2019 Ofsted monitoring reports – challenged to

provide the quality and effective management of social care interventions. Caseloads in that early 2020 period were remarkably high (40/50/60 not being uncommon). The LA response was to invest significantly (£2M) in additional social work capacity which, as we will come to, led to an increased reliance on agency workers and increased instability in the workforce. This investment may have had some limited impact in reducing some caseloads, but it did not impact across the system which was behind the explosion of demand described above. Neither did the additional investment itself, result in immediate improvements in practice.

So, what may lie behind those stark increases in demand? It would not appear to be an issue around thresholds as all analysis reviewing thresholds has found that cases allocated into social care met appropriate local and Children Act definitions. There may be issues as to whether the work is in the right place within the social care system or whether this is determined by capacity issues. There is some evidence, as Ofsted and North Yorkshire found, that some cases have been moved from a child protection plan to a child in need plan prematurely. If the presenting need warrants social care engagement, then what else might be the issue?

**The quality of social care intervention:** Progress against some key indicators were being seen in the first half of 2021, for example reduced numbers of children in need or those on a child protection plan, a slight reduction of children in care, increased contact in early help and better performance on visits to children in care and in need. Post Ofsted reflections would be that such progress was misinterpreted. Interpreted as synonymous with improved interventions rather than, given the evidence of re-referral rates, being more to do with compliance measures met. Decision making based on assessments and plans completed regardless of whether they were affecting sustained change in families. 2021 saw a rate of re-referrals into social care of some 31%, significantly above national (22%), statistical neighbours (21%) and Yorkshire and Humber (22%). In short, children and families' cases were either being escalated through an increasingly pressurised system and those that were closed were often to be found bouncing back potentially due to limitations on the quality of the initial work.

Caseloads and workforce instability prevented the opportunity for the development of the strong relationships with families which affect change. At the same time limited family support capacity in support of social work interventions restricted the intensity of direct help. An in balance between assessment and intervention that persists. There is also evidence that children stay in care longer in North East Lincolnshire than elsewhere and there is drift and delay in progressing plans for children. Some of this delay is self-generated through a history of complex decision-making processes and local rules which prevent the finding of less interventionist routes, for example special guardianship order funding. All serve to inflate social care allocations in ways that are counterintuitive to organisational and professional intentions.

Staff said:

“Social workers are unable to complete any meaningful work with the children and families and now we do not have the Family Support Workers to complete this work - children and families having to repeat their story over and over, it damages relationships.”

**Early intervention engagement and capacity:** As described in earlier, the community served in North East Lincolnshire are less likely to proactively seek assistance whether that is for health concerns or for challenges experienced within the family. As a consequence, problems are more likely to escalate in complexity before crisis or statutory intervention becomes engaged. Engaged however at a time when harm has been experienced and change is more complex to achieve. The earlier model for preventative support for families in North East Lincolnshire had diminished and early support capacity has been seriously underdeveloped. The need to move beyond a referral culture of identifying need and looking for others to address has not always assisted children and families in the area. In some areas, e.g. Lincolnshire and Middlesbrough, 70% of early help activity is held at a single agency/partner level. This certainly has not been the experience in North East Lincolnshire.

Omissions in early intervention were also exacerbated post the critical Ofsted monitoring visits of 2019. Staff reflect on an anxious, possibly non explicit message, to partners to almost “tell us everything”. This may have contributed to pressure on the front door escalating issues through the system but also reinforced the message to partners about confidence in their own capacity to hold and manage concerns.

It is also interesting, when looking at the local Joint Strategic Needs Assessment (JSNA) under SEND, that a common theme is made in describing the need for “school nursing to be reorientated back to public health foundations” i.e. prevention and early intervention. Further confirmation of evidence that over time the whole system had been drawn towards higher levels of need and crisis engagement with children and families. In an area of such deprivation with low take-up of free childcare, further compounded by Covid-19, children and families in some level of need are at risk of being increasingly invisible.

Staff said:

“The council to work for the community and understand the needs of the community and what the challenges are for children, young people, their parents and families.”

“Care is not the answer but we don’t have a strong enough early help service.”

“Lack of clarity and availability of Early help services...feels like a big black hole when children could do with stepping down from CIN.”

## Workforce instability

There is no coincidence that the service areas which see more consistent performance in the LA are the areas of service which have seen the most stable workforce. This is often in early help provision or specialist teams but not in core social work assessment and intervention or children in care teams. The injection of the additional £2M in 2019/20 by the LA, aimed at reducing caseloads and responding to the Ofsted monitoring challenges, brought agency worker levels in the LA to potentially one of the highest in the country. Nationally in 2018, 26 LAs had more than 30% agency staffing and 10 LAs had no agency social work staffing. Whilst agency staff do have a role to play, all DCSs would aspire to be in a place where they were not dependent upon them. There is no doubt that the LA has and continues to experience considerable volatility in capacity to consistently deliver core statutory safeguarding functions. This matters as it has a direct impact on the quality of interventions. Relationships with children and families and with colleagues become more tenuous, training programmes become less effective, organisational knowledge becomes more fragmented and the risk of inconsistencies in approaches are increased. I also came upon internal rules running counter to retention ambitions with illogical limits imposed, for example on the number of senior social work posts within teams.

### Staff said:

“I feel that the biggest barrier is the caseloads and the turnover of staff. I think families need time to build relationships and these are fractured so easily when one worker leaves and another arrives – one of my cases is on the 7<sup>th</sup> social worker and she is only three years old.”

“I think morale dips when agency workers come in on significantly more pay but sometimes don't seem to have the passion that permanent staff have - the reliance on agency social workers from different areas of the country who are not invested in the local community or the young people/families within it.”

## Resourcing

The 2021 Ofsted report, unusually, questioned the adequacy of resourcing available to the children and young people's service. My assessment does not concur with that challenge, with a comparable spend per head of population ahead of many others including comparator LAs. There are however historic and some current concerns about the use of resources and the recent base budget position of the department. The service has over recent years had significant budget overspends met corporately at year end. Whilst necessary such an approach fails to establish the base budget from which leaders can invest and provide surety. This has now been responded to positively and I will

comment further later in this report. The lack of surety of resources results in weakened strategic planning, too many staff on short term contracts with all the subsequent risks of even greater workforce instability. The LA has clearly not used their financial resources in preferred areas of activity, for example prevention, instead needing to fund the consequences of system deficits around the escalating care population and increased numbers of agency social workers.

## **Summary analysis of what led to the Ofsted findings**

It must be clear from the above description that the concerns expressed by Ofsted in October 2021 have a very extensive history. The concerns about caseloads, quality of social work practice and management oversight are visible over a number of years and have an extended history. Equally it is also telling that the efforts of the LA leaders and partners have not addressed these concerns in a manner which endures over time. This raises further questions about the consistent quality of historic strategic leadership on a partnership basis to effect sustained change. It also highlights weaknesses in the governance of the children's agenda with partnership challenge and scrutiny unable to reach beyond the presentation of core data to face the reality of frontline practice. Where change and impact had been made it has been specific rather than systemic and indicators of that progress were too reliant compliance measures rather than based on whether interventions were truly impacting upon outcomes for children and young people.

The system was overwhelmed by demand pressures particularly from 2019/20 period with volumes of activity far in excess of even comparator LAs. This resulted in still further workforce instability, unacceptable caseload pressures and limitations to the continuity and quality of social care interventions with children and young people. Changing strategic leadership had only limited impact in resolving these challenges.

## Analysis: LA response to the 2021 Ofsted report

The response to the 2021 Ofsted report should be viewed in the context that it builds from previous Improvement Board activity. It also builds on some existing strengths within the service which should also be recognised. As a result, I reflect here on both current activity but also the work that was underway in advance of the Ofsted inspection.

As described, there are many good people working in children's services in North East Lincolnshire and evidence of innovative and effective service delivery in some places. I met many staff who care deeply for their local community and are passionate in their desire to make a difference.

Staff said:

"The majority of social workers in NELC are committed to their role - I am proud of my colleagues - I do believe that we do make a difference and there are a lot of unsung heroes out there - I feel that we all band together to try and make a difference. I feel proud that we remain passionate in the work."

"I have seen some amazing work with families and children - locally born and bred social workers offer positive role modelling - I am absolutely passionate and driven to making this a safe place for children to live."

**Leadership:** Post Ofsted inspection in October 2021 the then DCS left her role with the LA. This was not at the request of the LA who describe how they rightly recognised that her practice knowledge and leadership may well have been of value to the future improvement journey. The Deputy Chief Executive who had previously held the local DCS position returned to the role. The leadership team was also supplemented by the addition of a Deputy Director for Children. The role was to be immediately filled by a known experienced children's services professional already undertaking system improvement work within the LA. These pragmatic decisions are understandable in the context of immediate need and the imminent commissioner review. They bring capacity, experience and importantly stronger corporate engagement to the necessary improvement work. There is a greater sense of collaborative endeavour from the new senior leadership team than may have existed previously. Whilst there are some signs of greater political engagement in the children's agenda, particularly from the Leader, the quality and confidence of other political leaders is still underdeveloped. Clarity of roles within the now extended leadership team is needed and a balance to ensure system leadership skills are matched by practice wisdom. The former is evident and the latter exists within the service but its voice needs to be fully heard.



The LA recognises that current leadership arrangements are not those which will take the LA through intensive improvement activity likely to be over an extended 2-to-4-year period. The LA rightly seeks to move to more substantive recruitment when greater clarity on future organisational arrangements is in place. The aim would be to recruit at a point where the post is most likely to attract a high-quality shortlist of external candidates. I would support this approach.

**Resourcing:** As described earlier demand pressures in children's services have a significant impact on the LAs overall budget. Children services currently account for some 33% of the council budget. Behind a predicted £11M overspend in children's services are unsurprisingly escalating costs in funding agency safeguarding social workers, the placement costs associated with an increased care population and more placements than planned outside of the LA. These pressures were recognised by the LA and base budgeting activity predates Ofsted. The outcome of this work will see a recurring £9M increase in the children's services base budget from April 2022. In addition, a council wide transformation fund of £2.5M has been established with children's services the key priority for accessing these improvement resources. Understandably the LA is also looking at where efficiencies can be achieved within the children's services budget over the coming 3 years. This may be reasonable, but ambitions need to be more closely aligned with trajectories described within the improvement plan and sufficiency strategy. The current profile which sees significant savings (£3.5M) delivered in year one of the programme rather than in year 3 is, I understand, being reviewed in the light of my feedback.

In response to the October 2021 inspection the LA has developed both an **improvement plan** and a supporting dataset. In doing so, they have benefitted from learning from elsewhere. The plan has been discussed with Ofsted and subsequent adjustments based on their feedback have been made. The plan seeks to balance activity against specific issues named by Ofsted with organisational change activity aimed at creating the conditions where excellent social work practice is more likely to flourish. It appears fit for purpose, but it must remain visible and a driving force for change through enhanced governance arrangements. The draft of the new plan was considered at the Children and Learning Scrutiny Panel on the 13<sup>th</sup> January 2022 and a further update was provided at the March 2022 meeting.

**Governance of improvement:** As described earlier, an independently chaired Improvement Board had previously been in place. We described with hindsight how the work of the Board made areas of discrete progress in some areas and against some compliance measures. Most recognise that it did not have a clear enough line of sight to the social work practice deficiencies identified in October 2021 by Ofsted. In response the LA initially developed and obtained Member approval for new governance arrangements which would see a tiered approach with an overarching cross-party body supplemented by external expertise and partners. This body was intended to be supported by a more operational delivery body. Initial meetings of those bodies have now

resulted in a further recalibration of governance proposals. Current thinking sees a strengthened independently chaired officer group at the most senior partner level, benefitting from external expertise and some member engagement. Such a body could then report into the cross-party member group leaving that body free to question and challenge rather than directly lead such specialist work. This amended approach is welcomed but must be progressed as a matter of priority hence the recommendation in this report. It is of concern that clarity in the governance of improvement is not already in place.

Once established, new governance arrangements must be supported by the delivery of high-quality **programme management**. The Board must be able to access key data sets, detailed analysis and open transparent reflections on progress or lack of progress made against priorities. Whilst I have not met a defensive stance in my work there are moments when the organisation still presents as over optimistic on the progress of improvement. They recognise that this does not support sustained progress. Whilst there are strengths in the data and analysis service, and some effective internal systems and processes, this could be enhanced by greater capacity and clarity of programme management. Capacity to ensure that governance forums access the highest quality reports but also that activity is more consistently viewed as within a coherent improvement programme rather than as isolated projects.

As Ofsted recognised there are “strengthened arrangements at the **front door**” that “have been assisted by improved partnership working.” My observations would echo that assessment. Confident leadership and good systems and people making what appears to be appropriate decision making on a partnership basis. The service remains under considerable pressure but some additional capacity has been approved. The service is currently responsible for an additional range of activity - multi-agency risk assessment conferences (MARAC), multi-agency public protection arrangements (MAPPA) and DBS and immigration settlement checks – and it certainly would be worth considering whether this is always appropriate or if further additional capacity, administrative support, would be a more appropriate use of existing resources. I would also recommend that the Police’s physical presence in the front door is re-established. It had moved during the pandemic and whilst good relationships have been maintained, co-location would further consolidate collective approaches.

I have seen further evidence that where good consistent leadership is in place, strong partnership working can be delivered based on a long-standing commitment to preventative community-based activity, for example Young and Safe. In these discrete areas, managers said “it doesn’t feel like turmoil.” The New Futures/Leaving care service also has strengths and potential allied with good partner relationships. The longstanding investment and capacity which exists within the Family Group Conference/Conflict Resolution Service is impressive and would be the envy of many. Again, consistent ambitious leadership with a stable workforce able to evidence real impact. This service also offers a valued Lifelong Links offer reconnecting young people with lost relatives

who can offer future support. Similarly, the existing and well-regarded stable capacity which exists around exploitation, missing children and edge of care is passionately led and has considerable further potential.

Unlike many LAs in intervention, **partnership working** in North East Lincolnshire does not look totally fractured. This is not a place where partners have turned inward in the face of individual regulatory criticism. This is not a place where relationships between leaders are broken. Partner organisations carry strengths and express an appetite for effective engagement. There are new examples of projects, e.g. PITSTOP, seeking to reduce police notifications into the already pressurised front door. The headteachers I met were impressively inclusive and contrary to Ofsted feedback talked positively about working with the LA and access to the front door, new early help provision and their engagement with the virtual school. A shared strategy with schools “Together for All” is in place with shared governance and the LA has just produced its new LA Education Strategy. There is some innovative joint activity evident, such as undertaking joint QA visits to alternative education provision. Whilst Covid-19 has disrupted progress in delivery against “Together for All” the desire and joint will appears to still remain at hand. Recent strategic conversations for example with school leaders at a summit on specialist provision proved to be “pushing at an open door” in achieving solution focused engagement. Partners are generally however looking for greater clarity of where and how to strategically engage with the children’s agenda and a greater sharpness about the partnership ask.

The work of any new governance arrangements must also be within wider partnership arrangements which provide greater **strategic coherence** than may have previously or currently exist. This is recognised by local leaders but will be challenging to deliver given its complexity. It is timely that a development day for the local Safeguarding Partnership has just been held which could deliver greater clarity in the aspects of the improvement plan which partners are to lead within those arrangements. As indicated earlier there is also an appetite within the new Integrated Care System arrangements to engage more closely with the children’s agenda, including safeguarding. Whilst welcome, such engagement should ensure it adds value rather than potential confusion. Existing well engaged partnership bodies, for example early help, SEND and strategic activity including the sufficiency strategy, run the risk of operating detached from a wider children’s services agenda. It is complex but a greater sense of joined-up planning, demonstrating alignment of strands of strategic activity within a unifying set of shared values and priorities, is needed.

Another example of where partnership progress has clearly been possible is in the context of the **SEND** reforms. Since the 2018 inspection new governance arrangements (SEND Executive) have overseen specific service improvements. The partnership is described as better able to evidence improved self-awareness with a commissioning framework and shared data dashboard in place, joint improvements in the quality of the Local Offer, in reducing some waiting times for specialist assessments and in

establishing both universal coverage of school engaged mental health support teams and an assertive outreach team keeping admissions to Tier 4 mental health places down. They are also delivering a range of interesting successful bids, for example autism in schools, emotional support to elective home educated, a Covid-19 linked bereavement and loss project etc. Progress was recently revisited by the regulators in March 2022 but at the time of writing this report the feedback is currently subject to validation processes.

A specific area of concern identified by Ofsted related to the delivery of **Local Authority Designated Officer** (LADO) responsibilities. The LA has moved quickly and positively to respond to this challenge. A highly experienced LADO is now in role with informed line management. The new postholder has significantly raised the profile of the role and practice in this area. Importantly, the role is supported by a full-time business support officer enabling more effective recording and tracking of LADO investigations. The LADO with other managers has reviewed all allegations initiated in the 6-month period leading up to the October 2021 inspection. Whilst finding actions that needed updating or revisiting, they did not discover any evidence of children at risk of harm as a consequence of deficiencies in earlier LADO arrangements. There is more to do but there appears to be some evidence of better multi agency understanding and engagement in LADO discussions and proposals to extend this further. A more consistent informed service is in place and the LA have now gone out to advert for a substantive permanent role at a slightly higher grade than was previously in place. The current interim LADO is committed to ensuring there is a smooth transition to the new postholder.

Historic deficiencies in the approach to **early help and prevention** had been recognised and by the summer of 2021 a new approach to early intervention was being implemented. The creation of discrete 0-19 locality teams, a system of locality panels with wider partners and dedicated family support capacity within social care. It rightly sought to address identified gaps in provision of early help interventions to prevent the escalation of concerns. It sought to avoid the recent history of early help capacity being sucked into support for those in most complex circumstances alongside social care staff. The approach has much of merit and is recognisable from elsewhere in the country, albeit being implemented potentially belatedly given the demand challenges described above. Care is needed that the operating model around specialisms does not overly fragment locality connectivity and capacity. The model and the new Early Help Board and Strategy has real merit in recognising that more work is needed to support universal provision to feel empowered in the provision of early help at an individual agency level. Encouragingly the new strategy also sees additional roles and capacity created around the partnership itself, workforce development and voice and influence. The desire to create greater dedicated early help capacity has resulted in rigid rules preventing early help and social care being involved with the same families at the same time. However understandable from an organisation perspective the impact again fractures relationships of potential influence with children and families and weakens the sense of a single

service. Leaders are now recognising the issue and are keen to explore future flexibilities.

Post inspection and working with the commissioner, the LA has demonstrated an openness to the involvement of others. A clear package of support is now being finalised which will see:

- Lincolnshire: providing dedicated expertise through 3 workers with a particular focus on quality of practice and demand management.
- North Yorkshire: extending earlier audit activity to support the introduction of an amended audit approach which is more engaging of frontline practitioners
- Local Government Association (LGA): have arranged peer mentoring and development opportunities for key political leaders.
- The LA has also engaged positively with other LAs who have made progress against similar performance challenges.
- Offers of engagement of external experienced others in new local governance arrangements are at hand.

Given the concerns highlighted by Ofsted about the **quality of social work practice** the LA initiated, in advance of the publication of the Ofsted report, immediate action intended to provide greater levels of assurance concerning recent cases. The LA recruited 3 additional experienced auditors to undertake screening of significant numbers of cases across themes highlighted by Ofsted, cases of potential drift and delay within Public Law Outline (PLO) proceedings; cases which had been closed potentially prematurely in the 6-month period leading to inspection; children in need for extended periods and 16 plus young people on child protection plans. The ask was twofold, identify any omissions in practice and seek compensatory action, and identify themes arising from the overall work. At the time of my involvement approximately 400 cases are said to have been screened from these cohorts. The findings confirmed much of what was identified by Ofsted, namely concerns about the quality of assessment activity; a lack of consistent use of chronologies; a lack of oversight and planning for children in need and subsequent drift and delay. Other concerns included inconsistent levels of staff supervision, management oversight and evidence of staff not recognising disguised compliance. The work did suggest some more recent evidence of stronger tracking of cases known to legal gateway and highlighted again positive interventions by the “Keeping Families Together” service. It is encouraging to see the LA reflecting on the feedback and proposals are currently being considered which would see child in need cases separated from core assessment functions to afford both areas with dedicated capacity and focus. They are also exploring how some additional auditing capacity can be retained to support mainstream audit capacity and potentially team planning activity. The findings described on supervision are echoed in the recent national annual social work survey. Completed in December 2021 it found relatively high levels (84%) of staff feeling they make a difference to the lives of families but only 48% report having a manageable caseload,

only 67% feel supported to practice effectively and only 35% having an up-to-date professional development plan or equivalent in place.

As described earlier, there is also work underway with North Yorkshire County Council (NYCC) to review the local approach to **case audit**. Post Ofsted NYCC undertook a specific review of 82 cases which had stepped down from child protection to child in need plans. This work reconfirmed the Ofsted concern, finding that in 29 cases this had been done prematurely. NYCC have also supported amendments to the audit tool used with more explicit judgements on quality being now recorded and they continue to support activity seeking to engage practitioners more directly in the audit process. Historic expectations of approximately 30 audits per month feeding into tiered performance challenge discussions and action planning suffered due to both the quality of the tool but also compliance with the process. Rarely, if ever, did completion exceed 20. Currently this remains a challenge. As a consequence, the LA is not yet in a position to be able to confirm with any confidence key benchmarked data on the current quality of practice. This needs to be resolved as a priority if governance arrangements are to be able to oversee progress against any explicit improvement targets. Such work would also be able to provide heightened intelligence on the quality of interventions made in different elements of the service enabling more targeted improvement activity proportionate and specific to need.

As commissioner, I took the opportunity to work with one of the 3 practice improvement practitioners to look at a small number of very recent assessments and plans. The impressive practice improvement practitioners work to the Principal Social Worker (PSW) and are well regarded within the service. The cases we considered demonstrated some good assessments but also reminded of ongoing inconsistencies in quality. The stronger assessments demonstrated good multi agency engagement and subsequent plans which lacked the naivety Ofsted had described and included good interventions in support of affecting change. Poorer assessments suffered due to weaker analysis, a lack of clarity in multiagency planning and from being overly focused on parents.

**Practice model:** The LA has a significant history and commitment to the implementation of an explicit social work practice model. Such a history, in my experience is not always to be found in LAs facing current challenging performance issues. In 2015 the LA received DfE innovation funding to support the partnership roll out of a Signs of Safety restorative practice approach including commitments to outcomes-based accountability approaches and a dedicated Family Group Conference service. The LA was to be awarded a subsequent LGC Award for the successful implementation of this work. They now reflect that momentum and impetus behind the model slowed over time as leadership and system changes weakened ownership of the approach. A re-launch of the practice model is now underway with the expertise and capacity of the PSW being released to lead delivery. The relaunch, under the governance of a Strategic Steering Group and implementation plan, has already seen significant externally commissioned re-training of leaders and front-line staff including agency staff. The training is intended to

be reinforced through bespoke training and the work of the PSW and practice improvement practitioners. The quality of practice based on this model has been undermined by considerable instability in the social care workforce and excessive caseloads. The language and approach of the practice model is still clearly heard and seen during interviews and in case recording. The practice model remains more consistently embedded in service areas, such as early help which have seen greater levels of workforce stability.

The LA is also now revisiting its approach to the **recruitment and retention** of social care staff. This is being led in a more inclusive way with stronger corporate HR engagement alongside service specialists. Additional project management capacity has been agreed; a specialist marketing partner identified, and some additional market supplements and travel assistance allowances have now been introduced to support retention. The strategy will be structured around the usual key issues of recruitment, marketing and crucially retention linked to stronger conditions of service and development offer. Care is needed that this work is not viewed as a disconnected strategy completed when written. Progress on retention for example will not be made unless there is also progress in creating the conditions for good practice with manageable caseloads, strong professional and career development opportunities and excellent management and supervision. The strategy does, however, have the ability to build on good historic work in attracting and supporting students and ASYEs; an embryonic social work academy model; and existing use of step up and apprenticeship programmes. There is now a recognition that whilst not ideal the deployment of individual agency social workers and project teams will be required through the improvement journey. This recognition if followed through could lead to more planned approaches to agency engagement with potential subsequent improvements in consistency of worker/teams and importantly relationships within the organisation and with families. It is also encouraging to see very recent decisions made to enhance family support work capacity in social work teams and consideration of enhanced administrative capacity within teams. These non-social work roles will be easier to recruit to and have the potential to enhance support to social workers and interventions with families.

The LA has dedicated specialist commissioning capacity for children's services and work to develop a local **sufficiency strategy** is of merit. The strategy has clear ambitions including confident targets for reductions in the care population. External expertise has been used to support these projections. In comparison with other LAs of this scale the LA retains significant in house fostering and residential care provision. There are, for example, 9 residential units offering a range of between 2 to 5 beds. Despite this local capacity, the nature of the offer has been slow to modernise and develop. In fostering, for example, there are current proposals for reshaping the service into distinct functions around connected carers; mainstream and recruitment/assessment. These changes are recognisable from elsewhere and have the potential to address the Ofsted challenge concerning the assessment and support offered to connected carers. Change however, has been slow to implement. In residential care we see some evidence of needed

improvements in individual inspection outcomes and much needed core management activity being put into place around management meetings, placement plans, statements of purpose and regulation 44 visits. Ambitions exist for a consistent training and development programme for staff on trauma informed restorative practice. In both fostering and residential services, change has taken time and engagement of the workforce has not always been positive or consistent. The ambitions for enhanced edge of care provision better aligned with resource provision and access to emergency placements are of merit; the enhancement of therapeutic support to resource provision has to be right; the confidence in regional adoption arrangements is all worthy. There is still however much to do to see the services better operating as part of a wider service rather than a discrete silo and more to do to ensure the good people and resources available are aligned with strategic intent.

There is a raft of impressive action and initiatives to develop the **voice and influence** of young people in the LA by a dedicated service well located organisationally to be heard. Children in care groups, newsletters, participation champions; young inspectors and award-winning young reporters. There is strong engagement in annual consultations via secondary schools and interesting prioritisation of work around young people's mental health and street safety as a result. A "Promise" has been developed by the Corporate Parenting Board following engagement activity with young people. Whilst much well led engagement approaches are underway the individual voice of children and young people known to the service will fail to be heard unless greater stability in relationships with social work staff are established.

In addition to the above the LA has also, post Ofsted:

- Strengthened connections to the **emergency duty service** through completion of management recruitment and the establishment of handover meetings with the front door.
- Strengthened the chairing at a senior level of **Legal Gateway Panel** and increased communication between the service, legal services and the local judiciary.

## **Summary analysis of the LA response to Ofsted findings:**

The above analysis evidences the work of some good people, provides examples of some effective individual service delivery and notes strategic activity and ambitions of some potential. There are some good people in the organisation who understand what good social care delivery looks like, who care deeply about place and have a significant history and understanding of the organisation. The Ofsted inspection has resulted in the LA acting quickly to address some specific issues of concern e.g. LADO and reprioritising activity to seek to address other issues. An improvement plan is in place and new leadership arrangements with enhanced capacity have been established. The LA has approved both long term increases in the base budget for children's services and the use of one-off resources to fund immediate pressures and improvement activity. There are



examples of these resources now being used to enhance capacity within front line services.

Whilst worthy and of note the activity underway is still at risk of being distracted by the sense of “firefighting” within the organisation. Of dealing with immediate issues around caseload pressures and unallocated work which divert focus from the strategic source of those issues. Such crisis led approaches have a long history in the organisation with all somewhat “acting down” to resolve pressing issues at the expense of delivering coherent strategic change. This may currently be somewhat inevitable given the scale of the challenges the LA currently faces. It is highly encouraging that strategic activity, such as Early Help Strategy and the Sufficiency Strategy have been prioritised and the LA have engaged well with external capacity and expertise to support improvements in the quality of practise. Leaders also recognise that there is much to do to build relationships within and across the organisation, to enhance communication like never before, to build the sense so clearly needed of a single service focused on shared agreed priorities and a coherent change programme.

However, it is of considerable concern that the key ingredients for delivery of the strategic change agenda are not yet secured. Pragmatic leadership arrangements are in place which bring strengths and experience but are clearly not the arrangements which will be able to see the LA through a change programme of significant duration. It is of concern that strong governance arrangements for improvement work are not already established. There is no current body bringing independent experienced strategic overview and challenge to the work being initiated against the improvement plan. Current member led arrangements do not carry sufficient credibility. It is encouraging that this has been recognised by the LA and amended proposals are now under further development. Partner organisations are well placed to support and at times lead the improvement and stand ready to play their part but greater strategic alignment and greater clarity of the ask needs to be expressed.

## Current Performance

When looking at March 2022 performance data we see further increases over past 3 months in demand in key aspects of the service – early help, referrals to the front door, child in need cases and child protection activity. The care population has not reduced as intended but remains relatively stable albeit at exceptionally high levels. Social work caseloads have increased slightly to an average of 25 per social worker in January 2022. However, there are also examples of staff that have significantly more than this. ASYE staff are at target levels of allocation (17). I am particularly concerned about recent evidence of significant unallocated work within the service. Positively this is known and reported at a senior level of the organisation with some immediate activity to manage risk and additional agency teams have recently been approved with late March and April start dates. A new team to support children in need activity will be in place from 14 March 2022, in a quest to see higher priority afforded to a child in need cohort currently lost within assessment team pressures. Whilst welcome, new teams will further increase inconsistency of involvement into the lives of children and families.

Despite significant pressures on the service, we see some compliance measures e.g. timeliness of child protection conferences and reviews and children looked after reviews maintaining good performance. The feedback from children in advance of their reviews makes interesting reading. These children on the care system report high levels of safety (94%) and happiness with where they live (97%). However, and crucially only 49% report seeing their social worker regularly.

## Options: Alternative Delivery Models

The commissioner is asked specifically “to advise on relevant alternative delivery and governance arrangements for children’s social care, outside of the operational control of the Council, taking account of local circumstances and the views of the Council and key partners.”

**Option 1 - No change:** Given the extent of the challenges faced, the history of recent Improvement Board activity and the uncertainties surrounding future leadership and governance this does not feel like an LA where more of the same provides the necessary assurance. It is of considerable concern that in my assessment some key ingredients for the delivery of the strategic change agenda are not yet secured. This will not as a result deliver, in my view, a service of the quality required to deliver positive outcomes for vulnerable children in the timeframe necessary. As a result, there remains concern as to whether long-term sustainable improvement to children's social care can be achieved if operational service control continues to remain with the Council. In those circumstances, it is necessary to explore whether alternative delivery models carry greater potential.

**Option 2 - A Trust:** Trust models in some places have proven a catalyst for change delivering improvements in expert governance and an environment which has attracted and retained high quality staff and leaders. Whilst this is not universally the case, given the circumstances identified in this report, such alternative delivery models carry attractions for tackling the challenges faced. The success or otherwise of such models will be determined by several factors. It is of note that Trust areas where progress has been significant have potentially been in areas of higher populations than are to be found in North East Lincolnshire, for example 0-19 populations in Sunderland are 60,578 compared to 37,800 in North East Lincolnshire. This may be even more relevant where trust delivery models separate social care functions from wider children’s services. As well as the issue of critical mass, capacity and subsequent organisational resilience, Trust models also take time to legally establish and further time to impact upon performance. This option could be likely to deliver real change and improvement over time but there is also a significant risk that during the period of setting up a new organisation the service could further deteriorate.

**Option 3 - LA Strategic Partnership (recommended):** It is positive that other models of alternative delivery are potentially available for consideration in relation to North East Lincolnshire. An LA partnership model carries significant potential and evidence exists from elsewhere of such partnerships effectively improving services for children and young people, based on integrated leadership arrangements delivering considerable impact at pace. I, therefore, recommend an LA partnership arrangement, where North East Lincolnshire partner with a strong performing LA.

Evidence appears to place an emphasis on geographic proximity and capacity when considering an LA partnership. There is an existing sub regional political appetite to see opportunities taken for more integration on a Greater Lincolnshire footprint. This attitude

shaped by political affinity and devolution ambitions, has already seen a pilot of integrated leadership in one other service area. Opportunities for integrated leadership of children's services are worthy of further exploration. Lincolnshire children's services, for example, are geographic neighbours and have an excellent reputation with an outstanding Ofsted rating and many years' experience of undertaking partnering improvement work with other LAs.

Through an LA partnership model the ambition would be to create greater integrated leadership offering enhanced resilience, capacity and expertise to deliver the conditions for social work practice to flourish. The LA partnership must be of a nature that it enables integrated leadership of at least social care services to be in place, strengthening the consistency of good quality practice and increasing the potential for attracting and retaining a high-quality workforce. The partnership must enhance the credibility of North East Lincolnshire as a place for leaders and practitioners to come stay and work.

As a next step, an options appraisal should be commissioned independently by the DfE, to explore the nature of the partnership agreement. The brief for the work should seek detailed analysis of a range of models for integrated leadership against criteria which would include assessments of likely impact against the improvement plan, timescales, risks and financial implications. Primacy in this analysis must be afforded to the potential for new organisational arrangements to tackle the practice issues identified by Ofsted. It is estimated that the work will be completed by September 2022. Relevant LAs should be fully engaged through the options appraisal and a model supported by both LAs will be found, which is appropriate to the improvement need. The implementation of any integrated leadership model would be subject to a recommendation and decision by the Minister.

If a formal partnership of the nature described above is not possible, then alternative arrangements including a trust model should be considered at the commissioner 6-month review.

## Concluding Analysis

I have used the structure of the “seven enablers for improvement” model to provide further concluding analysis.

### **LEADERSHIP & GOVERNANCE in North East Lincolnshire:**

The Deputy Chief Executive for the LA who had previously held the local DCS position, has returned to the role and the leadership team has been supplemented by the addition of a Deputy Director for Children.

There is a greater sense of collaborative endeavour from the new senior leadership team than may have existed previously and a highly credible Chief Executive getting increasingly close to the issues.

There is a stability in political leadership and a wider council senior management team more closely engaged with understanding and supporting required improvement.

Strong governance arrangements for improvement work are not yet established. There is no current body bringing independent experienced strategic overview and challenge to the work being initiated against the improvement plan.

Political leadership whilst demonstrating some greater engagement remains underdeveloped and current member led governance arrangements do not provide sufficient credibility

LA leadership credibility has been weakened internally and externally by inconsistent responses to known problems and reputational damage needs repairing

Current leadership is unlikely to be the leadership available and required for the longer-term improvement journey

The LA has engaged positively in initial discussion concerning integrated leadership with another LA

### **STRATEGIC APPROACH in North East Lincolnshire:**

At no stage during my involvement has the LA or partners attempted to defend a poor-quality service or deny the practice reality described by Ofsted.

There is a new detailed improvement plan with a supporting data set and much learning from elsewhere on governance of improvement.

The Ofsted inspection has resulted in the LA acting quickly to address some important specific issues of concern and reprioritising activity to seek to address other issues.

There is strategic action of merit which needs to both deliver and coalesce into a wider change programme

A previous improvement board had oversight of some improvements but failed to get close enough to and understand practice reality

### **WORKFORCE in North East Lincolnshire:**

There are some very good staff working in children's services in NEL who are passionate about their work and the place that is NEL

The workforce in NEL has high levels of instability and communication on change and current priorities is underdeveloped. Team and service planning is not consistently in place

Further increases in the staffing complement have been agreed although inevitably leading to the further use of significant numbers of agency staff.

Agreements in principle have been made to enhance family support capacity and secure additional administrative support to assist practitioners and develop intervention capacity.

Caseloads are higher than they should be although there are areas of progress eg. ASYEs

Some improvements in terms and conditions have been implemented in a desire to better retain the social care workforce building from a range of initiatives to grow their own.

Staff are not receiving consistent supervision or consistent access to effective management decision making processes

Where stability of leadership and staffing is in place the service can deliver strong services

### **PARTNERSHIP in North East Lincolnshire:**

Partner organisations are well placed to support and at times lead the improvement and stand ready to play their part but greater strategic alignment and greater clarity of the ask needs to be expressed.

This is not a place where partners have turned inward in the face of individual regulatory criticism. This is not a place where relationships between leaders are broken.

Good examples of historically effective partnership arrangements can be found

The work and approach of the Childrens Safeguarding Partnership requires further development and strategic alignment

### **PRACTICE & SYSTEM in North East Lincolnshire:**

The challenge to improve practice and systems remains very significant and the issues faced have persisted over time.

The LA has a long-established social work practice model and a significant relaunch of the approach has been progressed at pace.

The PSW and team and other key leaders within the service have a good understanding of practice issues.

The Early Help service is more stable and a new delivery model launched last year sees increasing access to positive targeted early help

Whilst further reviews of role are needed, the core functioning of the front door service on a partnership basis is well led and effective

The audit approach has been revisited and amended but compliance and benchmarking remains a concern

### **IMPROVEMENT & INNOVATION in North East Lincolnshire**

The LA builds from a history of delivering highly innovative approaches to service delivery

The LA has recognised that additional support and external expertise should be harnessed to support locally led improvement and other LAs and the LGA are closely involved in delivery of that coordinated support.

There is evidence of innovation within the organisation but historically this appears either individually generated or initiative based rather than the product of a wider system and culture.

**Peter Dwyer CBE**  
**Children's Commissioner for North East Lincolnshire**

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