

North East Lincolnshire Council Statutory Direction

REVISED STATUTORY DIRECTION TO NORTH EAST LINCOLNSHIRE COUNCIL IN RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996

WHEREAS:

1. On 9 December 2021, the Secretary of State for Education ("the Secretary of State") issued a Statutory Direction ("the first Direction") to North East Lincolnshire Council ("the Council") following a report from Ofsted dated 26 November 2021 ("the 2021 Ofsted report") which judged the overall effectiveness of children's social care services to be 'inadequate.' Peter Dwyer CBE was appointed as the Commissioner for Children's Services ("the first Commissioner").
2. On 27 May 2022, the Secretary of State issued a revised Statutory Direction ("the second Direction") which replaced the first Commissioner and required the Council to work with Anthony Douglas CBE as Commissioner for Children's Services ("the Children's Services Commissioner"). The second Direction followed a report from the first Commissioner dated 31 March 2022 which required the Council to enter into a partnership agreement with a strong local authority in relation to its children's services.
3. Following careful consideration of regular progress reports from the Children's Services Commissioner and Ofsted monitoring visits, the Secretary of State was satisfied that the Council could continue to deliver sustained improvements to children's services without a partnership agreement. The partnership agreement ended on 31 March 2024. On 17 May 2024, the Second Direction was revoked and replaced with a revised Statutory Direction ("the third Direction").
4. An Ofsted re-inspection took place between 14 to 25 July 2025 and was published on 3 September 2025 ("the 2025 Ofsted report"). The report found that children's services have undergone profound and positive change. The overall performance of the Council's children's services has improved to 'good' with 'outstanding' for the impact of leaders.
5. The Secretary of State has carefully considered
 - a. Ofsted's report of 26 November 2021 which found that children's services were overall 'inadequate'.
 - b. The Ofsted's monitoring visits from August 2022 to September 2024 which reported on progress across children's services.
 - c. The first Commissioner's report of 31 March 2022 and the partnership agreement with a strong local authority from October 2022 to March 2024.
 - d. Ofsted's reinspection and report published 3 September 2025, which found children's services to be overall 'good' with 'outstanding' for impact of leaders.

- e. Subsequent reporting and guidance from the Children's Services Commissioner.
6. The Secretary of State is therefore satisfied that whilst there has been rapid improvement across children's services, this is relatively recent and the long-term impact has not yet been demonstrated. The Council must continue to demonstrate that it can sustainably perform to an adequate standard, some or all of its children's social care functions, namely;
- a. social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
 - b. the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph a. above); and
 - c. the functions conferred on the Council under sections 10, 12, 12C, 12D and 17A of the Children Act 2004.
7. The Council is required to continue taking the necessary steps to prioritise, embed and sustain improvements to children's services and demonstrate delivery of its corporate parenting responsibilities, particularly in respect of:
- a. maximising, where possible, continued investment into children's services and its workforce.
 - b. improvements that support how well children are helped and protected from harm, specifically
 - i. the response to disabled children who are in need.
 - ii. the timeliness and quality of recordings relating to the pre-proceeding processes as part of the public law outline.
 - c. the support and prioritisation of care leavers by the Council, specifically
 - i. in line with the Council's care leaver offer that the directions are up to 25 and beyond if needed.
 - ii. remain focussed on the creation and delivery of employability opportunities.
 - iii. supporting care leavers to understand the purpose of/and sharing of pathway plans.
 - iv. delivery of a suitable accommodation provision.
8. The Secretary of State will maintain the appointment of the Children's Services Commissioner in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex to this direction.
9. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure

that all of the Council's children's social care functions are performed to an adequate standard.

NOW THEREFORE:

10. Pursuant to her powers under section 497A(4B) of the Education Act 1996 Act, the Secretary of State directs the Council as follows:

- a. To comply with any instructions of the Secretary of State or the Children's Services Commissioner in relation to the improvement of the Council's exercise of its children's social care functions and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;
- b. To co-operate with the Children's Services Commissioner and any Sector Led Improvement Partners (SLIP), including allowing the Commissioner at all reasonable times access:
 - i. to any premises of the Council;
 - ii. to any document of, or relating to, the Council; and
 - iii. to any employee or member of the Council,

which appears to them to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference.

- c. To provide the Children's Services Commissioner and any SLIP with such amenities, services and administrative support as they may reasonably require from time to time for the carrying out of their responsibilities in accordance with the Terms of Reference, including:
 - i. providing officers' time or support;
 - ii. providing office space, meeting rooms or computer facilities;
 - iii. comply with such reporting and review arrangements as the Commissioner feels necessary to meet the term.
- d. To co-operate with the Children's Services Commissioner and any SLIP in their assessments and any subsequent review, in accordance with the Terms of Reference in the Annex to this Statutory Direction

11. This Direction will remain in force until it is revoked by the Secretary of State.

12. In consequence of this Direction, the Secretary of State revokes the third Direction.

Signed on behalf of the Secretary of State for Education,

A handwritten signature in black ink, appearing to read 'ME', with a stylized, sweeping flourish at the end.

Matthew Edwards

Dated: 17/11/2025

A Senior Civil Servant in the Department for Education

ANNEX

Non-Executive Commissioner for Children's Services

North East Lincolnshire Council

Terms of Reference – November 2025

North East Lincolnshire Council children's social care services have been found to be 'good' overall with 'outstanding' for the impact of leaders by Ofsted in a report published on 3 September 2025, following Ofsted's 2021 inspection, in which services were found to be 'inadequate' overall.

In line with the recommendations set out in Ofsted's 2025 report of children's services, the Children's Services Commissioner is expected to take the following steps:

1. To issue any necessary instructions to the Council for the purpose of maintaining and progressing immediate improvements in the authority's delivery of children's social care; to identify ongoing improvement requirements; and to recommend any additional support required to deliver and sustain those improvements.
2. To ensure an effective Improvement Board is in place with appropriate attendance from corporate leaders, elected members and partners that oversees and continues to drive sustainable improvements in children's social care; and either Chair or support the independent Chair of the Improvement Board.
3. To provide regular updates to the Secretary of State or her officials on progress in North East Lincolnshire, including participating in formal / informal review meetings as may be convened.
4. To bring together evidence to assess the Council's ability to continue taking the necessary steps to prioritise, embed and sustain long-term improvements to children's services and demonstrate delivery of its corporate parenting responsibilities. To recommend whether this evidence is sufficiently strong enough to suggest that long term sustainable improvement in children's social care can be achieved should the Statutory Direction be lifted.
5. To report to the Minister of State for Children and Families by 27 February 2026 and subject to previous recommendations, 30 September 2026 if appropriate.