

## **DIRECTION UNDER SECTIONS 497(4B) OF THE EDUCATION ACT 1996 TO CALDERDALE COUNCIL**

### **WHEREAS**

1. The Calderdale Council (“the Council”) is the children’s services authority for its area;
2. the inspection carried out by Ofsted in June 2013 raised serious concerns with the Council’s arrangements for the protection of children;
3. the Ofsted inspection reports dated 6 August 2009, 26 February 2010 and 16 February 2011 found that services for protecting children were “inadequate”;
4. the Secretary of State for Education issued improvement notices to the Council in April 2010 and March 2012 in order to improve children’s services;
5. the Secretary of State is satisfied that the Council is failing to perform to an adequate standard or at all some or all of the functions to which section 497(A) of the Education Act 1996 is applied by section 50 of the Children Act 2004, 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 local authority under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph (a) above); and
  - c. the functions conferred on the authority under section 10, 12, 12C, 12D and 17A of the Children Act 2004.
6. the Secretary of State considers it expedient in accordance with section 497A(4B) of the Education Act 1996 to direct the Council, as set out below, in order to secure that those functions are performed to an adequate standard; and

### **NOW THEREFORE**

1. Pursuant to section 497A(4B) of the Education Act 1996, the Secretary of State for Education directs the Council to:
  - I. Submit the Council’s current plans to improve children’s services to the Department for Education for approval within one calendar month of the issuing of this Direction;
  - II. Review the role and membership of the Improvement Board which should comprise of an Independent Chair (Claire

Burgess), the Leader of the Council, the Cabinet Member for Children and Education, the Director of Children's Services, the Independent Chair of the Local Safeguarding Children Board, representatives of the Department for Education, and independent peer support for the Director of Children's Services and the Cabinet Member for Children and Education. The Council may add other members to the Improvement Board as it sees fit. The Improvement Board will oversee and drive improvements to Children's Services;

- III. The Improvement Board meets at a minimum every six weeks. The Improvement Board Chair will spend sufficient time in Calderdale in order to make an independent assessment of the progress of improvement in children's services. The Improvement Board Chair will provide a progress report on all aspects of the Council's improvement plan to the Secretary of State for Education every two months, for the first six months with timings to be reviewed by DfE officials thereafter;
- IV. Ensure that the Independent Chair of the Calderdale Safeguarding Children Board (CSCB) reports to the Secretary of State for Education on the progress of all agencies in improving children's services in Calderdale every two months for the first six months and every six months thereafter;
- V. Take action to address all of the recommendations within the Ofsted reports cited in paragraphs 2 and 3 of this direction;
- VI. Work with Department for Education officials to commission an independent body to review the functioning of the Council's children's services. The Council must fund this review which will report to the Secretary of State in December 2013.

2. The Department for Education will review progress of the pace and quality of improvements in Calderdale's Children's Services in January 2014. This Direction will remain in force for a period of two years from the date on which it is made.

**Signed by authority of the Secretary of State for Education**



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**Dated this      day of      2013**