

Report into Children's Services in Dudley following inspection

**Report for the Secretary of State for
Education by Eleanor Brazil,
Commissioner for Children's Services
in Dudley**

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1. Introduction and Context

I was appointed by the Secretary of State for Education as Commissioner in April 2016, included in the Direction to Dudley Council in relation to children's social care. My responsibilities required me to support the improvement of children's social care, review leadership and management capacity and, within three months, make recommendations on future delivery arrangements.

The Council have been extremely welcoming and co-operative, and have sought to provide full support to enable me to undertake this task. I am very grateful for this.

Children's services in Dudley do not have a long history of being inadequate. However, when the new Strategic Director People took up post at the end of March 2015, he commissioned a very early review of children services and found that they were in a very poor state. This was reported to the cabinet in June 2015 so there was awareness in the Council when Ofsted arrived in January 2016 that it was likely that the outcome of the inspection would not be good.

The officer leadership of children's services is relatively new to the Council. The Chief Executive started in the authority in January 2015. She was previously the Director of Children's Services (DCS) in Wolverhampton so has extensive knowledge of children's services issues. Following his arrival, the Strategic Director People appointed an interim Chief Officer for Children's Services (responsible for all of children's social care) who took up the role in April 2016. Both the officer and the political leadership of Dudley Council are determined to improve the quality of its children's social care services to a good standard, and they are all very clear about the work that is needed to achieve this. The Council has recognised the need to support this work with additional resources.

The Strategic Director People took the initiative to establish a Dudley Improvement board with an independent chair to over-see the work that was needed to address the identified failings in the service. The Board has been in place since September 2015.

Prior to the recent inspection under the Ofsted single inspection framework, which was introduced in November 2013, external inspection of services since 2010 has judged the quality to be at least adequate, and at times good or performing well. Whilst the framework for inspection has changed over this period, with new requirements and standards being introduced, those judgements demonstrate a service that for some years was operating reasonably well.

This report will focus particularly on why the service has deteriorated over the past three years, the steps taken in the past year to address the issues, the current position, and the likelihood of improvement continuing at pace.

Type of inspection	Date published	Overall outcome
Unannounced inspection of contact, referral and assessment	2010	No priority areas for action
Adoption	Nov 2010	Good
Annual Performance Assessment	2010	Performs well
Unannounced inspection of contact, referral and assessment	2011	No priority areas for action
Annual Performance Assessment	2011	Performs well
Fostering	Nov 2012	Satisfactory
Safeguarding and looked after children	January 2012	Safeguarding effectiveness – adequate Looked after children effectiveness – good Capacity for improvement – good
Fostering	Nov 2012	Satisfactory
Single inspection Framework	April 2015	Children who need help and protection, Children looked after and achieving permanence, Adoption, Leadership, management and governance, LSCB – all judged inadequate. Care leavers – requires improvement

Table 1 – Inspection History – Dudley Metropolitan Borough Council

2. Terms of Reference

The April 2016 Direction states that ‘The Secretary of State has carefully considered Ofsted’s report of its inspection carried out between 11 January and 8 February 2016. The inspection report found that children’s services are inadequate. The sub-judgements for children who need help and protection, children looked after and achieving permanence and leadership, management and governance were all rated as ‘inadequate’. The Direction appointed myself as Commissioner and states that:

In line with the recommendations set out in the Ofsted report, the Children’s Services Commissioner is expected to take the following steps:

1. *To direct and support the improvement of children’s social care*
2. *To review the Council’s leadership and management capacity and capability to drive forward the changes necessary to achieve the required standard*
3. *To make a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement.*

The Commissioner will provide her report to the Secretary of State by 5 July 2016.

3. Process

In the three months leading up to delivery of this report, I have sought to use existing forums and observation of practice, and, as far as possible, not to put additional pressure on the service to attend meetings or gather information that they would not otherwise be doing. There is a significant amount of information already available, from work commissioned by the Strategic Director People and from the work undertaken by the Safeguarding Children Board and the Improvement Board set up by the Council in October 2015.

During this period, I have worked with the Strategic Director People and the interim Chief Officer Children’s Services to support them with their planned improvement activity, to identify any additional areas for improvement and development and to advise them on how best to address those.

4. How Dudley’s Children’s Services are Currently Organised and Staffed

The DCS is also the Director of Adult Social Services (DASS) and his title is Strategic Director People. When he started in Dudley, there was one post reporting to him covering all of children’s social care and education. He recruited two interim senior managers: the interim Chief Officer Children’s Services focussing on social care, and an interim Assistant Director (AD) to cover the education responsibilities. There was a short period of overlap with

previous senior leadership, but, following early retirements and a re-structure, a number of senior managers left the authority. The latter post has now been appointed to and a permanent post holder will start in July. Recruitment is currently underway for a permanent Chief Officer Children's Services. There are seven Heads of Service or equivalent posts reporting to the Chief Officer Children's Services, of which only three are filled by permanent post holders:

- a. Interim Head of Service Referral and Assessment – multi-agency strategic hub (MASH) and assessment;
- b. Head of Family Solutions – early help, youth offending service (YOS), troubled families;
- c. Interim Head of Support and Protection – children in need, child protection and majority of children looked after;
- d. Head of Children in Care – children looked after aged 14+ (changing to 11+), care leavers, residential and adoption and fostering;
- e. Head of Safeguarding and Review – Independent Reviewing Officers (IROs), child protection chairs, Local Safeguarding Children Board (LSCB) business unit;
- f. Head of Children's Transformation – supporting the implementation of the Programme Board activity; and
- g. Chief Social Worker and Head of Workforce – practice development, recruitment, learning and development.

In addition to these roles, there is a Head of Commissioning who reports to the Strategic Director People and covers both adults' and children's services commissioning. He and his team participate in and contribute to the Programme Board, which is driving forward the improvement work.

The lead member for children's services has been in this role since 2015. His background was in education and teaching. Although he works full time in another authority, he has 20 days a year to fulfil his Council responsibilities. He took on the role having been deputy chair of scrutiny committee for a year, and having raised concerns with the Leader about issues in children services. He meets regularly with the senior managers both formally and informally. He chairs the corporate parenting board, and undertakes some visits to frontline services. His intention is to work closely with the current chair of scrutiny committee and other members believing that it is important for other members to assist with children's services through awareness, challenge and support.

5. Leadership of Children's Services in the Council

From 2008 onwards, there were a number of acting up arrangements in place to cover the DCS role and AD roles. A permanent appointment of DCS was made in 2009, but

unfortunately the post holder became seriously ill during 2010. He remained off sick until leaving the authority in 2012, with the post being covered on an acting-up basis for two years and then that individual being confirmed as permanent. A year later, the post was again vacant and covered again by acting up arrangements for 16 months prior to the current Strategic Director People's appointment.

Those acting up arrangements created the need for further acting up arrangements to cover the AD role. The leaders of all three political parties have said to me that, with hindsight, this was not the best way to deal with the situation initially caused by the long term sick leave of the Council's first appointed DCS and it would have been better for the service to have taken the decision much sooner to enable permanent recruitment. However, they had wished to be fair to the incumbent in clearly difficult circumstances. The Conservatives were in power at that time and the leader of the conservative party now believes that there was too much of a leadership vacuum during this period.

The Conservatives were in power from 2004 for eight years, and then Labour became the majority party in power. The current leader has been Leader since 2014. In the May 2016 elections, the Council moved from a Labour administration to No Overall Control. Labour remains the largest party and has formed a minority administration ensuring continuity of Leader and lead member. All parties are concerned about the state of children's services and supportive of the officer leadership in place. They are represented on the Improvement Board and have supported the recent report to cabinet which has agreed additional £1.2m short term investment in social care, allowing for additional posts to be established and recruited to.

6. The Improvement Board and 'Getting to Good' Programme Board

The Improvement Board was established in September 2015, is chaired by an experienced former DCS, and meets every six weeks. The membership includes senior representatives from the key partner agencies, as well as senior representatives of the Council. The Board is a time-limited group, which brings together the political and system leadership, drives the delivery of the Improvement Plan to address the feedback and areas of concern identified through self-assessment and the Ofsted inspection, adhering to the Ofsted framework. It provides direction and holds partners to account for the improvement journey.

The Board has agreed partner sponsors to oversee the key themes of the Improvement Plan, which are leadership and governance, children who need help and protection, children who are looked after and the effectiveness of the LSCB. The plan is clear and comprehensive, with clarity about how delivery and success will be evidenced, including seeking feedback from children and their families.

Social care improvement is progressed through meetings of the fortnightly 'getting to good' Programme Board chaired by the Chief Officer Children's Services and attended by all the

heads of service and additional key support such as human resources (HR), communications and children's commissioning.

7. Background

The view of the current political leadership is that prior to the arrival of the current officer senior management, children's services and the wider council had operated in silos and it had been difficult to know what was happening or to encourage change and improvement from outside the service.

Within the service, retention of staff had been very good. Although there was some turnover, it was relatively low so there was a longstanding group of staff in place. Whilst this should have been positive in terms of continuity, the staff group were not well led or developed so practice remained old fashioned and did not move forward in line with national best practice.

Outcome of Ofsted 2012 and recommendations

The Ofsted inspection of safeguarding and looked after children took place in November/December 2011 and the report was published in January 2012. The effectiveness of safeguarding services was judged to be adequate overall. The report commented that '*Arrangements for contact and referral, including children with disabilities, are explicit and understood across the partnership. Child protection cases are allocated promptly to suitably qualified and experienced social workers and are overseen by managers, although the timeliness of assessments and quality of recording is variable.*' Capacity for improvement was considered to be good.

The judgement relating to the overall effectiveness of services for looked after children was good. It was reported that '*An active and knowledgeable Corporate Parenting Board effectively champions the interest of looked after children and care leavers. Careful attention is paid to safeguarding the welfare of looked after children and young people.The partnership demonstrates ambition for looked after children and young people and outcomes are mainly good with outstanding outcomes for education and attainment on a comparative basis.*

Capacity for improvement was also considered to be good. Nevertheless, there were a number of recommendations, several of which focussed on the need to improve the contribution of health, the case management system, early help and performance management and quality assurance, including:

- establish joint and agreed quality standards for safeguarding practice across the partnership and implement a joint quality assurance and performance framework underpinned by efficient information systems;
- extend audit processes to routinely monitor the consistency and quality of practice;

- ensure the electronic recording system in children's social care is fully operational and embedded to support effective case recording, captures the views of service users and collate data and information in a way that is immediately useful to front line and senior managers;
- develop explicit arrangements for the use of the common assessment framework (CAF) within strategies for early intervention and family support to ensure that all agencies are assuming responsibility for being lead professionals in suitable cases;
- NHS Dudley to review the capacity of the specialist health services to looked after children and young people to ensure health support, including dental health care and annual health assessments, is accessible, timely and user-friendly;
- NHS Dudley and partners to review the additional supports needed for teenage and looked after parents, including those who have experienced loss and establish relevant joint services to support their identified therapeutic needs;
- ensure there is sufficient IRO capacity to enable the team to fully implement their quality assurance responsibilities including data collation on quality and performance and reporting to relevant boards and committees; and
- strengthen quality assurance and auditing systems across the partnership to ensure there is in-built and robust challenge to practice against jointly agreed service and quality standards.

Given the positive comments throughout the report, it is probable that had Dudley acted on the recommendations, the service would have not deteriorated so significantly in the subsequent three years. The current leadership is still trying to address the issues identified here.

Review of the Quality of Practice in May 2015

In May 2015, Ingson Ltd., a children's social care consultancy, were commissioned by the Strategic Director People and interim Chief Officer Children's Services to undertake a broad spectrum review of current practice in Dudley. During their review they looked at and reviewed 114 items of work, including contacts, child protection enquiries, assessments, children in need, child protection and looked after children plans and files.

The consultants considered that were Dudley to be inspected at that time under the new single inspection framework the service would probably be judged to be inadequate. The main reasons for their findings were '*weak and unfocussed care planning, incomplete files, lack of supervision, drift and considerable problems with the timeliness of assessments*'. They found evidence of major inconsistencies in practice, and that the quality of professional practice was often poor.

They made a number of recommendations, including that:

- a series of management instructions are quickly considered to set some key minimum standards as baseline for practice, covering areas such as supervision, minimum frequency for children subject to child protection plans and assessment timelines;
- senior managers quickly agree a new and clear process for all professional social work activity;
- a working group is established to review if the care management system is fit for purpose; and
- current children in need (CIN) and child protection plans are audited against a clear set of standards to ensure planning quickly becomes more focussed and effective.

These recommendations were acted upon. A directive covering standards and expectations relating to practice was issued to all staff immediately after the report was received. Other recommendations are being progressed by the Programme Board, chaired by the Chief Officer.

The Services' Assessment in June 2015

In June 2015, the Strategic Director People and his managers reviewed the service in Dudley against the Ofsted descriptions of good local authority service features. A good service would ensure that children and young people are protected, the risks to them are identified and managed through timely decisions and the help provided reduces the risk of, or actual, harm to them. In the case of Dudley this was not the case for a number of reasons. There were four points of contact with variable application of threshold. Social work practice was not robust and was inconsistent in too many cases, assessments and plans were not of a good quality with some being very poor. Children experienced delays in having their needs and risks identified and addressed particularly those children living in situations of chronic neglect.

A good service would ensure that children and young people looked after, those returning home and those moving to or living in permanent placements outside of their immediate birth family have their welfare safeguarded and protected. The review of the service found that this was not happening and in particular: there were too few IROs to fully implement their quality assurance responsibilities, poor permanency planning, insufficient numbers of local placements and delays in health assessments, ineffective service planning, under developed Corporate Parenting Board and inability to evidence the voice of the child informing practice.

The assessment formed the basis for a detailed confidential report being presented to Cabinet, and the findings informed the improvement activity embarked on by the Council from that date.

Ofsted inspection January / February 2016

The report was published in April. The Council accepted the overall judgement of inadequate and the individual judgements, although they felt that adoption could have been considered requires improvement as were services for care leavers. The Safeguarding Children Board was also found to be inadequate.

Ofsted concluded that there are serious and widespread failures in the services provided to children and young people who are in need of help and protection and who are looked after in Dudley. The local authority has been aware of the deficits for some time but has not taken sufficiently swift or robust remedial action to ensure that the most vulnerable children and young people are protected. This means that senior leaders and elected members cannot be assured that children and young people are safe or being effectively protected. Further, the long period of inaction means that many services have deteriorated since the last inspection of safeguarding and children and young people looked after in 2012. The majority of areas that were found to require improvement at that inspection have not been progressed.

Ofsted recognised the steps that the authority had taken in the previous six months to address the service deficits but did not find evidence of impact.

Summary of the key findings:

- Too many children experiencing drift delay and risk;
- Recommendations from 2012 not addressed;
- Member scrutiny under- developed;
- Poor practice not challenged;
- Positive development of Child Sexual Exploitation team but looked after children not effectively safeguarded;
- Positive development of Single Point of Access (which had been in place for five weeks) and support for domestic violence;
- 38% of single assessments took longer than 45 days;
- 103 single assessments waiting for a management decision;
- Too many looked after children stay in care, only 4% reduction in past year;
- Poor use of Public Law Outline, court reports done by lawyers not social workers;
- Not enough recruitment of in-house foster carers or adopters;

- No corporate parenting forum from January to October; and
- Aspirational quality assurance framework, but not yet in place, delivery due to start in March.

There are 22 recommendations covering all aspects of the service including the need to improve care planning, IT systems, quality assurance, corporate parenting, the work of the virtual school, children in need plans, the recording of decisions, the use of public law outline to protect children and the quality and purposefulness of social work visits.

8. Service Changes and Improvements Since 2015

Service Leadership and Management

One of the first acts of the new Strategic Director People was to bring in an interim Chief Officer Children's Services to drive forward improvements in children's social care. Dudley had not previously made use of external interim managers preferring to put in place acting up arrangements. However, they recognised that the state of the service required greater knowledge and expertise than existed in the service, and they had already tried to recruit externally unsuccessfully to the role.

Having reviewed the capability of current managers, the Strategic Director realised that significant changes had to be made. The two most senior managers in the service took early retirement in April 2015, and following a management restructure a third left the authority in September. Long standing frontline and middle managers and some social workers left the authority. He also recognised the need for additional capacity, both operationally and strategically, to manage demand and workload more effectively. The immediate consequence of this is a sharp rise in the use of agency staff and managers. There is more detail on this in the section on workforce.

Changes to the Front Door

Prior to December there were four separate routes into social care which created inconsistencies in response. The Single Point of Access (SPA) went live in December. The introduction of the SPA was well planned and managed, but therefore took time to be implemented. The team of social workers were required to meet a high standard, and are a mix of agency and permanent. Referrals now have clear management oversight and receive a much more consistent and effective response. Performance has significantly improved for example, referrals processed within 24 hrs has improved from 45% for Quarter 1 in 2015 to 84% for the same period in 2016. The SPA has recently been developed into the MASH, which has representatives from police, probation, housing and health (although there are ongoing discussions with health about the need for this contribution to be in place). The MASH went live in May. With the launch of MASH, multi-agency strategy discussions now take place, responding to one of Ofsted's central criticisms. Feedback from partners has been very positive about the changes.

Child Sexual Exploitation (CSE) Team

The CSE team was brought together in September 2015, and includes a social worker, youth worker and police officer as the core. Whilst the team were recognised by Ofsted as managing risk well, they are not sufficiently connected to children's social care but this is now being addressed. The SPA does now have access to the systems that hold critical information in relation to CSE. In addition to this, the CSE team are now co-located within the MASH and record activity on social care systems. They cover missing children interviews but have not always been aware of risks for children in care outside of Dudley. The team has come together to meet an operational need to co-ordinate information and agree plans for individual children, but lacks sufficient strategic oversight, including collating and analysing information and trends to inform future service delivery arrangements.

A new senior CSE post has very recently been appointed to and the post holder will commence in July. The Head of Safeguarding and Quality assurance has assumed the role of strategic lead. This additional capacity and strategic oversight is intended to provide stronger links between CSE provision, the LSCB and transitions to adult services.

Court Activity and Permanence planning

A Court progression manager was brought in in September. He found that there were no adequate systems in place to ensure control and consistency. One of his first actions was to put in place a tracker system so that all cases in pre-proceedings and proceedings are known and properly progressed. The more robust and challenging approach to practice has significantly increased the numbers. In September 2015, there were six children in pre-proceedings; this has now risen to 67, mainly due to action now being taken on cases of historical neglect. The focus now is on improving quality of practice and court performance. Timeliness is good with improvement in the number of cases being concluded in fewer than 26 weeks. The tighter grip has created pressures on the legal service to provide increased support; for example, in reducing the high numbers of children on care orders placed at home, and to date there has not been adequate increase in solicitors to meet this demand. However, the legal team has now appointed three additional solicitors to progress court work.

A permanency over-view panel was introduced in October 2015, focussing initially on children on placement orders with no clear plans in place for adoption. This has led to a reduction from 43 to two.

A court team of seven experienced social workers will be in place from June 2016 with the intention that they will work alongside social workers with cases in pre-proceedings to improve quality of practice and ensure better outcomes for those children.

Care Management, Children Looked After and Care Leavers

The current system of a 14+ service, which is responsible for children in long term care from age 14 and care leavers, was implemented about two years ago. Prior to that there was a 16+ service with all looked after children cases up to the age of 16 held in care management. According to staff who were in the service at the time, the changes were not well planned or understood but were implemented to reduce the pressures in the 'district teams'. The current system places significant pressure on the care management service, which holds all children in need, child protection and looked after children below the age of 14. Planning is well underway to move in a phased way to a dedicated looked after children service, starting with responsibility for all children aged 11 and over moving from care management.

The care leavers service was judged requiring improvement. There are some strengths in the work with care leavers including strong links with colleges, a small number of agreed apprenticeships within the council, supported housing options and effective work on transition with adult services. However, the very high numbers of children leaving care create pressures such as high caseload numbers for personal assistants. However, in relation to two key indicators, performance has improved. For example, the percentage of care leavers who are in education employment and training has improved from 40% in April 2015 to 67% at the end of May 2016. Also, Care leavers who are in suitable accommodation is now at 97%, an improvement from 80% in Apr 2015.

Early Help

The early help service includes three Team Managers from different backgrounds: social work, youth offending, children's centre management and Troubled Families. They are co-located with the SPA and can respond directly and quickly to cases.

The Head of Service family solutions is leading on the work to develop early help with greater involvement of partner agencies, better links to universal settings and greater monitoring of outcomes. There is an agreed multi-agency strategy and action plan being progressed and over-seen by the Children and Young People Alliance.

Move to PODs (smaller teams)

The care management service has had very large teams with up to 16 social workers managed by one team manager, with an assistant team manager. The service is moving to smaller teams of about seven social workers to improve management oversight. There are plans to introduce clinical posts into the PODs in the future to bring extra expertise and skill into the service; however, this is not yet being progressed.

Case Load Size

I spoke to several social workers in care management who had caseloads of up to 30. Inevitably this has meant that they struggled to undertake all the work required and some of the less urgent tasks such as visiting looked after children in stable placements were cancelled when a higher priority issue such as attending court took precedence. The move to a dedicated looked after children service is intended to impact positively on this. In addition during May, Ingson Ltd were commissioned to review all caseloads over 23 and to support a process of assisting social workers to close, where appropriate, children in need cases to help bring caseloads down to a more manageable size.

Commissioning and Sufficiency Strategy

The sufficiency strategy has been developing since January 2016 with the intention of supporting a reduction in numbers of looked after children through the development of early help and edge of care provision, improving the experience of children in the care system and providing better value for money. The People Directorate commissioning team has been expanded with two new posts for children's services and this will help deliver the strategy. Work has started with providers to take a much more proactive approach to ensuring they are meeting the needs of the children placed with them.

From 2012 to 2014, the numbers of children in care steadily increased from 712 to 756 at the end of December in each of those years. In May 2015 there were 748 Looked after children, this fell to 711 by December 2015. Numbers have risen again and are now at 738. There is some concern that the rise may be partly attributed to insufficient control over entry to care via the emergency duty team out of office hours, and this is being looked at. There are significant numbers of children in the care system, which the service believes do not need to be in care. This includes over 60 children on a care order placed at home. Additional solicitors have been recruited and are now supporting the service to seek revocation of those orders. In addition, there are 90 children placed with family and friends where applying for a Special Guardianship Order may be more appropriate and a possible further 50 children placed with foster carers where this may also be true.

Action to address these issues is underway and if it succeeds should bring the numbers in care down to a level more in line with other authorities. However, this is likely to take some time, and it is not guaranteed that the process of reviewing plans for individual children will result in this outcome.

Workforce

An interim Chief Social Worker started in October 2015 with a responsibility for workforce development. He has developed ambitious plans to address the issues that he found – a workforce of staff who had been in Dudley for a very long time with limited development, and no recruitment or retention strategies in place as it was felt this was not needed. The setting of high standards meant that many staff who had been 20 to 30 years

in the service left the authority. Whilst this may have been entirely justified, the position now is that in place of a stable but ineffective work group the service now has an agency rate of around 35%. This is creating its own challenges in terms of ensuring quality and consistency, and emphasising the need for a strong focus on recruitment. However, given the challenge to recruit experienced and good social workers nationally, and particularly in the West Midlands, this will be a very difficult issue for the service to address.

The interim Chief Social Worker is over-seeing all social work recruitment activity. The standards have been set very high which is understandable in the context of urgent need to improve quality. However, a huge amount of activity is achieving limited outcome and the service may wish to consider if the framework in place is resulting in the loss of some good applicants. For example in the period March to April this year, 199 agency social worker CVs were reviewed, 34 were shortlisted and only five appointed.

The proportion of agency staff is currently at 38%. This is inflated by a cohort of 20 agency Social Workers recruited over the establishment that the service could not recruit to permanently. The resource plan that was agreed by Cabinet on the 26 May will ensure that these posts are built into the establishment so that they can be recruited to. Without these over established posts the proportion of agency staff would be 33%. This is still very high, and whilst the service is rightly optimistic about the additional funding, it is the case that recruitment of good experienced social workers is difficult nationally, and particularly difficult in the West Midlands region.

A decision was taken to suspend the recruitment of newly qualified social workers (NQSWs) as there had been insufficient capacity in the service to provide them with effective support to enable them to complete their assessed year of practice (ASYEs) with the result that after a year several left the authority. It is planned to re-start an ASYE programme and recruit to it from September, with the appropriate support in place. This is a longer term but realistic plan, as experience from other nearby authorities shows that recruitment of NQSWs is likely to be successful. However, they will require reduced and limited caseloads for at least their first year.

In relation to the existing staff group, a wide ranging development programme has now been agreed which will start in June and run till December for the 150 qualified social workers and 350 other staff including those in early help and youth services. Alongside this programme a team of six practice developers is starting in June to support excellence in practice, working alongside staff across the service.

The table below shows the increase in agency numbers, and in team manager and IRO roles, partly resulting from poor longstanding staff leaving, and partly from increase capacity to better meet demand and need to put in place greater front line management oversight. The increase in agency staff is also intended to create capacity in the service to allow for some social workers to be released to focus on new priorities such as the court team and practice advisors.

Total social Work (FTA numbers)	Social workers Perm/agency	AYSE	Team Manager And assistant TM	IRO (includes CP chair function)
April 2015	109 /17	12	33 /1	6 /2
current	106 /60	12	25 /19	10 /3

Table 2 – Dudley’s Children’s Social Care Workforce

Length of Service - All Social Work Job Roles In Post Headcount							
Team	Years						
	Less than 2	2-4	5-9	10-19	20-29	30+	Total Headco
Grand Total	38	31	36	50	15	3	173

Table 3 – Dudley’s Social Workers’ Length of Service

The table above shows that even with the recent movements, the staff group still has considerable experience in terms of years. If this staff group can respond positively to a stronger performance culture and implement high standards, the service should be able to move forward.

Alongside this there is a real need to recruit younger social workers given the age profile of the current staff. 22% of social workers are in the 50 to 54 age group and 7% are aged 60 and over, with only 33% of social workers aged under 40. The service is also looking at grow your own option to create an option for non-qualified staff, and collaboration across West Midlands to recruit and retain social workers.

The Chief Social worker has established a comprehensive programme of support and training including a Back to Basics’ programme for all social care staff that is now underway, and a programme of training and development targeted at Team Managers.

9. Dudley Safeguarding Children Board (DSCB)

A new independent chair has been appointed and started in her role in April. She is bringing a rigour and robust approach to the work of the DSCB. The DSCB had not appropriately addressed performance management and received too little data to effectively challenge partners on their contribution. Ofsted judged the Board to be inadequate, and failing to fulfil its statutory functions.

There is now a clear plan in place with actions planned over 6, 12 and 18 months to ensure that the Board fulfils its statutory functions such as developing a clear learning and development approach which has not hitherto been in place. In response to the findings of the Ofsted inspection, a review of the Board business unit has been completed. A recruitment exercise to secure additional capacity to support delivery of DSCB statutory functions is in progress and work is in train to improve the functioning of the business unit. Prior to being appointed as chair, the chair had been commissioned by Dudley to review work in relation to CSE (Child Sexual Exploitation). Her findings that the Young People at

Risk of Sexual Exploitation (YPSE) panel, the strategic multi-agency group which meets monthly to oversee work on addressing CSE, was focussing too much on individual cases and not developing strategic planning, links between the CSE and children's social care teams were not strong and that health and police were not attending multi-agency sexual exploitation (MASE) meetings (planning meetings relating to individual children) are now being addressed in the DSCB action plan.

10. Serious Case Reviews (SCRs)

DSCB had not conducted a SCR since 2011 and the view of the current DSCB chair is that previously decision making had been inconsistent. She considers that there was limited evidence of objective, timely and transparent application of the SCR threshold and for those cases where a learning lessons activity has taken place; there had not been effective dissemination or reporting of learning. . There are now 3 cases being reviewed as SCRs with 2 of these cases being reviewed on a thematic basis, Prior to the new chair taking up the role, the decision making in respect of appropriate process for review on each of these cases had been inconsistent as had reporting to the National Panel and Ofsted.

Four other cases that had not previously been reported to the National Panel have been reviewed by the new chair and the National Panel has concurred with her decision that the SCR threshold is not met in these cases.

The chair considers that this more robust approach to case review, alongside a much stronger focus on performance information and multi-agency auditing, will be significant in aiding the learning and development of the partnership, something that previously had been missing.

11. Performance Management and Quality Assurance

Improvements to performance are being monitored and challenged both within the service, and at the Improvement Board. The service has monthly performance clinics in place where detailed scrutiny of performance indicators and feedback from audits is discussed with Team Managers and led by the Chief Officer Children's Service, who also chairs the fortnightly Performance Board.

The latest information reported to the Improvement Board at the end of June showed ongoing challenges across the service but with some signs of improvement, particularly on indicators relating to timeliness. The most recent reporting identified some progress, continued high demand, and ongoing areas of concern. The service knows itself well and is addressing those concerns, but is clear that the workforce and size of caseload issues have a continued impact on being able to improve quality quickly. The greatest improvement has been seen in adoption.

Performance Summary (indicators not covered elsewhere in the report)

Improving Indicators

- **Missing children return to home interviews** within 72 hours. Performance improved from 57% in October 2015 (first point recorded) to 91% at the end of May.
- **% of Initial Child Protection Conferences** held within 15 working days. Performance improved from 56% in April 2015 to 78% at the end of May 2016.
- **Average time between a child entering care and moving in with its adoptive family.** Performance improved from 769 days in April 2015 to 593 at the end of March 2016.
- **Single assessments < 45 days.** Performance improved from 34% in April 2015 to 66% at the end of May 2016.
- **Referrals processed < 24 hrs.** Performance improved from 44% in April 2015 to 77% in May 2016 (was as high as 96% in Apr 2016).
- **LAC cases which were reviewed** within required timescale has been consistently maintained at over 95% and represents positive performance.
- **Improvement within Courts** has improved significantly, for example, Dudley's average time to conclude cases is 25.2 weeks.

Areas of ongoing concern

- **Number of contacts** has decreased slightly in May but is still 37% higher than in February 2016. Demand from partner agencies has increased, which may be the result of MASH briefings.
- **Rate of CIN** has fallen slightly but remains significantly higher than stat neighbour average. Dedicated capacity has been brought in to review CIN cases, which has identified a large cohort that requires closure.
- Performance against the **% of child protection children who have had a visit in the previous two weeks** has reduced to 57.3%. This is indicative of the pressures care management staff are under in context of the recruitment issues and high caseloads. Children without recorded visits are audited and tracked through performance challenge sessions and Children's Programme Board and it is known that the majority of children are seen every two weeks but performance is impacted by the recording of these visits. Performance against four weeks was 37% in June 2015
- **Caseloads** remain high across critical parts of the service and will impact upon the quality of work and performance. The solution is to: Recruit to the additional capacity agreed through resource plan, move to the new delivery model to more equitably distribute the work, and reduce the impact of demand by streamlining the administrative aspects of the social work task. This priority work is underway.
- **The % of initial health assessments** in time remains low (17.4%). Performance can be volatile given the fluctuating number of children becoming looked after during any given month. Measure of performance does not reflect activity due to recording issues. Health professional from June will have access to Children Services case management systems so that the health assessments can be recorded at source rather than when paperwork is received by Social Workers and subsequently recorded, which is the current issue. % of children with a health assessment has been maintained at around 80%.

Views of Staff and Managers

All the staff and managers I spoke to were very aware of the activity and change that was happening in the service, and that this was very different from how things had been prior to 2015. Whilst there were positive comments about the leadership's efforts to ensure good communication including regular staff briefings by the Strategic Director People and the Chief Officer, there were still some staff who were not clear about what was happening, timescales and how it would affect them. The comments reflect the need for change and the challenges it creates:

“Sense of social care just chugging along and denial anything needed to change” – HOS;

“Previously there was no culture of challenge, criticism was taken personally” – IRO;

“Good workers were hampered by poor systems; for example, assessment referrals were recorded on paper” – IRO;

“System awful, not working for two hours today, happens a lot” – SW in SPA;

“Things needed to change” – ATM, five years in Dudley;

“Communication now much better, regular staff briefings; for example, two on Ofsted and way forward” – TM;

“More stressful now; more demands, more agency work, not coping in care management, getting shabby transfers” – SW, 10 years in Dudley; and

“No-one really cares about agency workers, just get some supervision on cases but that’s all” – agency social worker in assessment team.

12. Strategic Leadership and Partnership Contribution

Both the Improvement Board and the Children and Young People Alliance were established in 2015 and have helped to secure partnership involvement and engagement in the improvement activity. The partners have responded very positively and are seen to actively engage at meetings and in task groups.

The Children’s Alliance Board was established in October 2015, and is chaired by the Strategic Director People. The board is multi-agency, and is responsible for driving the transformational master plan for children and young people in Dudley, which includes ensuring children and young people get help in a timely and co-ordinated way. The Board working with Dudley Youth Council has agreed a vision that Dudley is: ‘*A place where children and young people thrive*’.

Other priorities of the board include designing new approaches to health and mental health services for children, school improvement, early help, community resilience and a plan to improve the employment opportunities and aspirations for young people. The Board has recently agreed clear practical arrangements to secure co-ordination between the work of the five partnership boards: CYP Alliance, DSCB, Health and Wellbeing, Safe and Sound partnership (community safety board) Adult Safeguarding board to avoid duplication, but ensure effective co-ordination.

Dudley benefits from a dedicated children's officer in the local council for voluntary service (CVS), who is leading on the work on the strategy and delivery plan. She has been in post for six years, and the Chief Executive of Dudley CVS has been in the organisation for 20 years. They are very positive about the new leadership in the Council. Previously the

Council were seen as very inward looking, not interested in true partnership and change happened very slowly if at all. CVS and other partners are now fully involved in developing more effective ways of working and are represented on key groups including the Corporate Parenting Board. CVS is leading the parents and carers forum for families with disabled children and is a member of the MASH project board,

CVS is also leading a multi-agency task and finish group progressing work to better co-ordinate and respond to the voice of the child. The work is based on the principle that: 'Dudley is a borough where children and young people's rights are realised, where their views shape decisions made about their lives and those of their families' There is now agreement across the partnership and commitment to a co-ordinated timetable of engagement, rather than the previous fragmented approach. This will be developed and overseen by a CYPS facilitator network and accountable to the Alliance Board. The framework is represented in the diagram below:

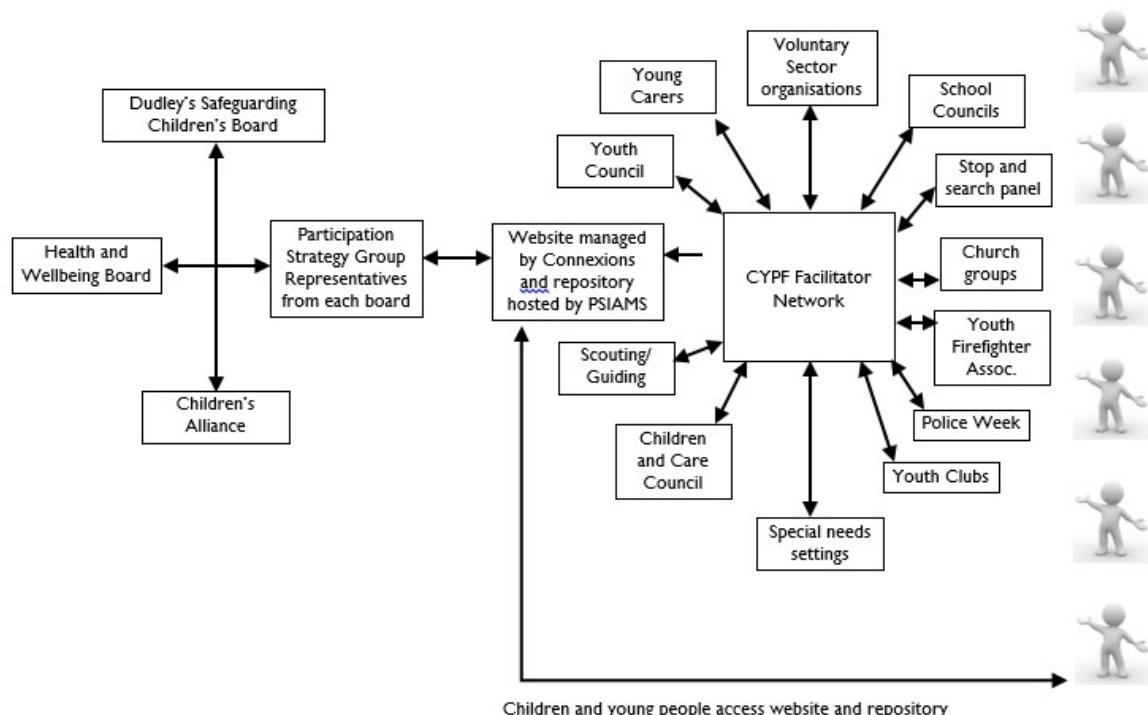


Figure 1: Dudley CVS Framework

Source: Dudley MBC

13. Future Service Transformation

The Council leadership believes strongly that if they are to succeed in transforming children's service they need to form strong partnerships and develop different approaches to supporting children and their families, alongside investment in and commitment to improvements in their own children's services. The Council cabinet received a report on 26

May, which sought additional investment in social care in the context of improvement and the need for wider system change.

Re-design of Children's Services Delivery Model

The cabinet agreed short term investment of £1.162m over the next 12 months and permanent investment of £1.439m per year to support the implementation of the agreed improvement plan. This will allow for recruitment of additional people, plus an additional contribution to the restructured Dudley LSCB and funding to increase the Care Leavers grant to the recommended amount of £2,000 per applicant. (the latter amount is subject to formal approval by full Council in July).

This investment is intended to provide the necessary capacity to accelerate the improvement agenda and the infrastructure, including developing the quality of practice, improving skills and training, strengthening scrutiny and improving the IT case management system. The resource plan relies upon the recruitment of 51.5 additional staff including permanent, fixed term and agency arrangements. The posts are a mix of social work and other technical roles and the Council is confident that they can be filled through agency and permanent recruitment.

Regional Links

The Strategic Director People chairs the West Midlands Adoption Board and following a national policy directive the Council in partnership with Black Country Partners and Shropshire and Telford Councils are developing an integrated Regional Adoption Agency model which will provide a more integrated service and improve the prospects of children needing adoption.

The Black Country councils have commissioned a piece of work to review emergency duty services for children and adults services. The purpose is to deliver a more sustainable model which is integrated and more cost effective.

As part of a Combined Authority bid early discussions are taking place with the Department for Education in regards to possibility of establishing a West Midlands Social Work Academy. On the back of the Social Care Reform policy, there is an ambition amongst the Combined Authority local authorities to develop a more strategic approach to social work recruitment, professional development and career pathways and developing leadership talent. This could also include growing the future social work talent front via the growth and development of generic roles for example family support workers.

Future System Service Delivery Model

The cabinet report covered the way in which the Council and partners are seeking to improve outcomes for children, whilst engaging in discussions on a different future service delivery model. This will be subject to cabinet approvals and the necessary consultation and engagement of partners and affected staff. Subject to a business case and option appraisal the model will bring together a place based approach for children and families wrapped around neighbourhoods of circa 50,000 population.

This is an innovative place based approach with a very different way of working at its core, putting the family at the centre of the system and ensuring an integrated joined up way of responding wherever problems are first identified. The intention is to have a model in place that will work more effectively with families in their community and ensure that they more easily access support before problems escalate. This is expected to reduce pressure on social care, and ensure that only those children who meet the threshold for social care are brought into social care. The aim will be to test the model in one or two areas.

The People Directorate is working with their key partners including two leading national third sector organisations to develop this model, aiming to secure a successful bid to the Innovation Programme, which will enable the first phase to be established. Consideration is being given to whether developing a Joint Venture approach may be the best option for delivering the new arrangements. The Council have developed the diagram below, representing the future model and how the whole system will work better together:

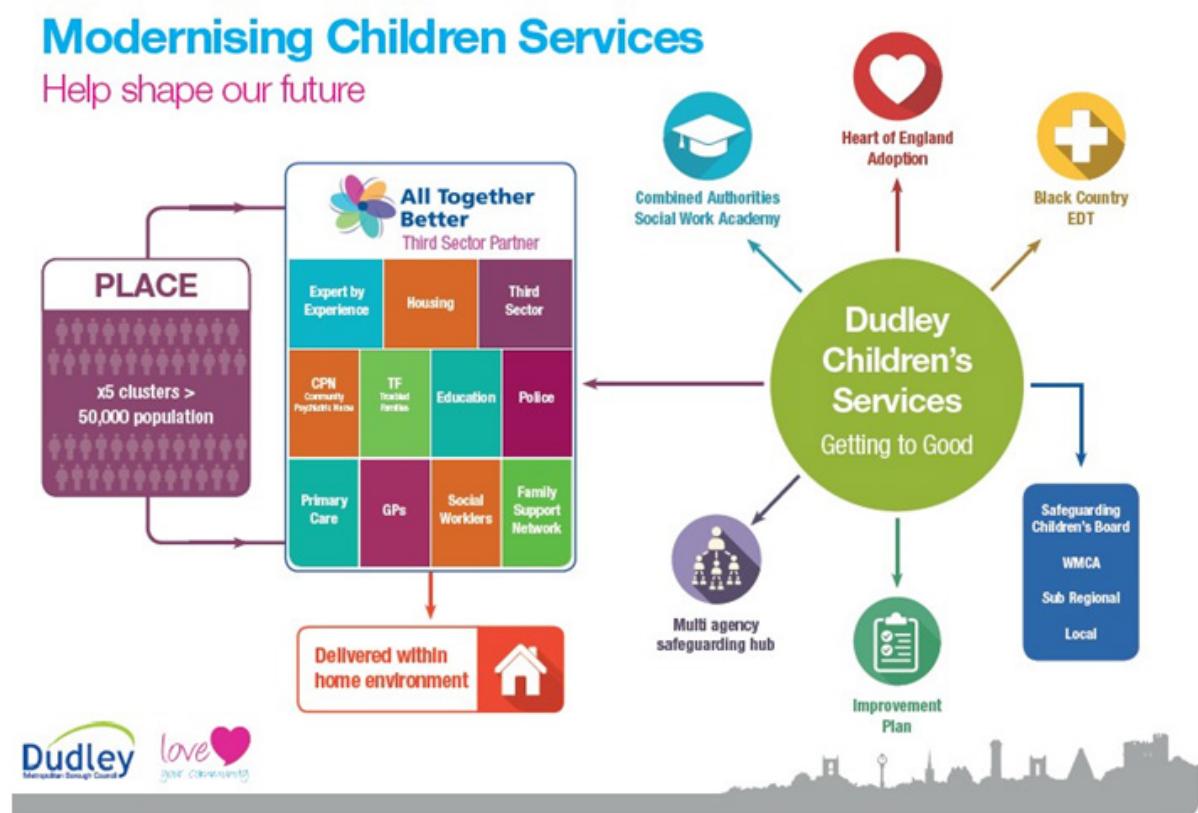


Figure 2: Dudley's Future Model for Children's Services

Source: Dudley MBC

14. Analysis of Progress since 2015 and Capacity for Improvement

In February this year, services in Dudley were judged by Ofsted to be inadequate in all areas apart from care leavers' services, which required improvement. Dudley had failed to address the recommendations from the previous inspection in 2012. However, Dudley does not have a long history of providing poor services. Although there were concerns in 2012, particularly in relation to lack of quality assurance processes, problems with the electronic case management system and aspects of health's contribution, at that time the overall judgement of the quality of services was at least satisfactory and in some areas good.

By 2015, however, it was a very different picture. It is clear from the Council's own self-assessment delivered to Ofsted at the outset of the inspection that they were well aware of the extent of the problems in the service and had established a rigorous process to address those.

A leadership vacuum had occurred during the years 2012 to 2015, prior to the Strategic Director People taking up his post. The previous permanent DCS became seriously ill within a few months of appointment. The Council chose to deal with this absence by putting in place a number of acting up arrangements, and for a significant period the role was covered by someone from an education background with little or no social care expertise and understanding, and subsequently by someone without the necessary leadership skills and knowledge. The Leader of the Conservative group admitted that perhaps with hindsight this was not the best way to deal with the situation and it would have been better for the service to have taken the decision much sooner to enable permanent recruitment and they did not pay enough attention to the service impact, including the failure to implement the Ofsted recommendations from 2012.

On arrival in Dudley, the Strategic Director People took action quickly and decisively. He brought in an interim experienced Chief Officer to manage social care, which led to a process of senior and middle managers leaving the authority shortly after that and a number of experienced interims arriving to replace them. At the same time an independent review of the quality of practice was commissioned, the Improvement Board and the Children and Young People's Alliance were established.

The fortnightly Programme Board chaired by the Chief Officer oversees the detailed improvement work underway. A number of changes have taken place during the past year. Probably the most significant has been the changes to the front door. The single point of access went live just before Ofsted arrived, and this has developed into a MASH, which is now operational. Work is underway to improve other parts of the service as described earlier in this report. They have started from a very low base and have had to prioritise actions to achieve change across the whole service. Inevitably this is taking time to show impact in for example reducing the numbers of children in the care system. However, in terms of performance some progress is already evident, particularly in relation to timeliness, including improved management of referrals and assessments, improvement in court processes and in adoption.

There are very significant challenges for the service to continue to address, especially the development of a stable permanent and high performing workforce, and a consistent improvement in quality of practice across the whole of the child's journey. Other key risks include the need to make improvements to the case management system and to bring down the numbers of looked after children. Managing an ambitious improvement programme whilst continuing to respond daily to operational demand is difficult but the Council have invested in additional capacity in managers and front line staff to support this.

Dudley needs to continue to drive at a fast pace the work to improve social care and to make the changes necessary to achieve the required standard. Ofsted commented in January that the Council had not taken sufficient swift or robust remedial action. The Council took time to identify the scale of the problems in the service but since then have actioned a wide ranging improvement plan, and implemented a number of changes as outlined in this report. However, in many areas plans have been agreed but changes are only very recent, or yet to happen.

Alongside the urgent need to improve the quality of social work practice is the need to develop the wider system that supports vulnerable children and their families. Long term sustainable improvements to social care will only be achieved if the whole system is transformed with a greater emphasis on early help and early intervention. The current senior officer and political leadership are ambitious for children and for Dudley. There is a clearly expressed Council vision and commitment to focus on empowering and supporting communities. The proposed direction of travel and the development of a new early help model fit in well with this strategic approach. The People Directorate is working with their key partners and with national and local third sector organisations to develop this model, aiming to secure a successful bid to the Innovation Programme which will enable the first phase to be established, and will be a key support to reducing demand on social care.

15. Conclusion and Recommendation

Dudley Council has been clear since April 2015 that their children's social care services were performing very poorly. The new leadership has tackled the issues from the outset and been transparent about the extent of the problems. They took time to understand the scale of the problems, but since then they have acted promptly and appropriately, bringing a rigour and thoroughness to improvement. They have invested time and energy to ensure that the Council is rightly supported by their partners. They have started from a very low base but already there is some evidence of change and progress, but still with a considerable amount to do, and some difficult challenges to address. However, they are focussed, ambitious and creative.

It does not appear necessary or desirable at this time to remove service control from the council. There is strong leadership and management in place and in my view the Council have the capacity and capability to deliver the changes needed to achieve the required standard. However, this will take time and will not be easy. Given the systemic nature of the failure to adequately protect and safeguard children in Dudley, it will be very important to keep a very close eye on progress.

The approach to a different multi-agency service model is innovative and may bring in a different delivery arrangement such as a joint venture with partners. It will be critical to ensure that progressing that programme does not detract from the need to focus on the quality of social care, but helps to deliver a longer term sustainable solution to support children and young people effectively.

My recommendation is to support the Council with the work that is already underway through the appointment of an improvement advisor, who should supervise the programme of change that the Council is embarked on, and help drive forward the improvements, whilst ensuring close monitoring. Alongside the Ofsted monitoring process, which will be in place following the inadequate judgement, the DFE should receive regular reporting of the continued delivery of the improvement plan, and review progress within six, then 12 months.

Eleanor Brazil

Commissioner for children's social care in Dudley

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