

**REPORT OF THE IMPROVEMENT QUARTET: COUNCILLOR JOHN CLANCY, COUNCILLOR
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CHILDREN'S SOCIAL CARE AND EDUCATION: IMPROVEMENT AND CHALLENGES

The motion: The Council welcomes and notes the signs of progress in children's social care and in education, notes that an action plan in response to the September/October Ofsted inspection will be submitted to Cabinet, and notes progress on the voluntary trust arrangement for children's services, as part of the further steps in recovery, with debate and comments at this meeting informing the recommendations to Cabinet in January 2017.

1. Introduction

At the meeting of the Council on 1 December 2015 it was agreed that, in addition to routine performance reports to Cabinet and the work of the scrutiny function, there would be a six-monthly report to Council on progress in children's social care and in education. This is the second of those reports.

2. Children's Social Care

- 2.1 The June report to Council set out in detail the long term difficulties and underperformance in Children's Social Care, including the findings of external inspections and reviews and the appointment of Commissioners. The report also described arrangements and action taken since the first Commissioner, Lord Norman Warner, including significant investment in the service, setting up a clear and consistent operational model, the establishment of clear lines of accountability through the "Quartet", reviews of management capacity and capability, establishment of a Multi-agency Safeguarding Hub, a review of recruitment and retention, establishment of a single agency supplier framework agreement, and changes to partnership approaches, particularly through the Strategic Leaders Forum, the establishment of the Birmingham Education Partnership and the Early Help and Safeguarding Partnership.
- 2.2 In December 2015 a new Commissioner, Andrew Christie, was appointed by DfE. Andrew was a member of the Le Grand Review. In his Commissioner role he has observed that he has seen a very different service now in Birmingham to what he saw in early 2014.
- 2.3 Council noted the work that had commenced on a Voluntary Children's Trust model, in the context of developing and sustaining good practice against a backdrop of financial pressures. The exploration has been underpinned by the importance of shaping a large and complex service with a single focus on support and intervention to improve outcomes for Birmingham's most disadvantaged children and families. To achieve this there is a need to be able to attract and retain social workers, offer a competitive salary, ensure good working conditions and above all a feeling of being well managed and supported (options that could perhaps best be secured in the longer term within a Trust structure), alongside intelligent commissioning with a Board focussed upon delivery.

2.4 The early help and children's social care service now has a clear and consistent structure, a stable management group and reduced staff turnover. The service responded well to the recent intensive Ofsted full inspection, without service disruption, and there is growing confidence in and evidence of purposeful direct work with children and families.

2.5 The October 2016 scorecard for children's social care is appended as Appendix A.

3. **Ofsted inspection 2016**

3.1 Ofsted conducted a full inspection of Birmingham children's social care in September/ October, with up to 12 inspectors over four weeks. Over 400 cases were looked at and many front-line staff talked with and observed by the inspectors. The inspection focus was very much on practice. The inspection was intense and forensic and provides a good deal of detailed learning to help shape our continuing improvement, but there were no surprises in that our self-assessment before the inspection identified the same key issues.

3.2 The Ofsted inspection has provided very valuable learning to the Council and partners and highlighted matters that still need to be addressed. There is a considerable way to go and a single focus and drive to increase the amount and consistency of high quality practice is needed. The proposed move into a Children's Trust with a single focus on excellent practice with vulnerable children and families will assist here.

3.3 Ofsted judged that the Council remained inadequate overall but with several areas of improvement (see report at Appendix B). Ofsted look back at cases for a year. Their general conclusion was that once cases are allocated and worked with they could see improvement but there was often delay (some historic) in cases getting through the front door (CASS/MASH) and out to the areas in a timely way. The new CASS/ MASH system to address these issues was launched just the week before Ofsted arrived. Another area for concern was the need to improve partnership working across the system with more early help work with families from other agencies and better working with the Police and others in child protection.

3.4 **Improvements**

- Three areas have moved out of Inadequate into Requires Improvement. These are: children looked after and achieving permanence, adoption performance, experiences and progress of care leavers. Ofsted noted the contribution the revised Corporate Parenting arrangements had made to these improvements.
- Ofsted ratified that the correct operational model is in place (introduced in February 2016) and that practice is improving (although it is too early to see the impact of the changes and improvements).
- Ofsted shared many positive points including the consistently high morale and energy of all of the staff they met with. They noted that everywhere they went they met positive and motivated staff.
- Social workers know children well and listen to them through direct work; children are seen and listened to.

- Ofsted provided clear messages about the confidence they have in the operating model and the approach in place in Birmingham.
- They were able to say that based on the evidence there is a sound foundation for the improvements made and to come.
- Ofsted say “...strategic leaders have an increasingly effective focus on improvement and have invested in services to support this. This has been helped by stronger and more joined-up leadership at a council-wide level from both political and strategic leaders.”

3.5 **Challenges**

- Ofsted found cases of drift and delay and some examples of a lack of management grip on decision-making. This was particularly evident in the front-door, children’s advice and support service CASS/ MASH. Changes had been made to the front-door to deal with the high volumes of incoming work (about 1500 contacts a week) more efficiently, but these changes were put in place only the week before Ofsted arrived. We continue to shape and refine front-door systems and processes and build staff skills. Ofsted’s first monitoring visit in February /March 17 will in all probability focus on this area.
- Ofsted focused heavily on CSE and missing children and the need for further developments of systems and processes with partners to ensure they are effectively meeting young people’s needs. All of the cases seen by Ofsted evidenced current engagement of social workers with children and young people. But Ofsted’s concerns about the lack of join-up at strategic and operational levels are accepted. Work to address this is in hand and is jointly led by the Council and the Police. It will report to the Birmingham Safeguarding Children Board.
- It is recognised that there is still much work to do to achieve consistency in practice and stronger partnership at strategic and operational level, including around early help, to make sure all children get a good service. These issues are being addressed in the Early Help and Safeguarding Partnership and through the Birmingham Safeguarding Children Board and this includes agreement to review and strengthen the partnership threshold model Right Service Right Time. For example, for children with universal plus needs (level 2) there need to be more common assessments of good quality by partners so that they help and support children and families better to resolve their difficulties. Ofsted said too many low level referrals are being made to children’s social care.
- Identification and assessment of privately fostered children needs to be improved. In the summer responsibility for private fostering moved to the Fostering Service to address this, including raising awareness of private fostering across partners and the public and strengthening assessments.
- There is a need to address assessment and review practice in services for children who have a disability. This was raised in the June monitoring visit and considerable work has been undertaken since then to improve systems, processes and practice. Ofsted noted that this had yet to demonstrate positive impacts for children and that there needed to be a greater focus on the quality of reviews for disabled children and young people. The overall plan for this work on assessments and care plans for disabled children and young people is being revised. The

Disabled Children's Social Work Team has been moved into Children's Social Care to give it the right professional leadership.

- Care planning and review/challenge of care plans needs further improvement. Ofsted recognised improvements in care planning for children in need, child protection, children in care and care leavers, but saw too much inconsistency, including in management oversight of care plans, with some staff struggling with the new care plan format. This is an area for continued development across the service to improve the quality of management practice and oversight, including a stronger workforce development offer for social workers and new initiatives to bring high quality graduates into the workforce e.g. Frontline.

3.6 The learning this inspection has provided at a critical point in the improvement work is welcomed. An action plan to address the recommendations of the Ofsted report will now be developed with partners and there will be quarterly two-day monitoring visits from Ofsted starting in Feb/March 2017.

4. **Children's Trust**

4.1 **Update:**

- In July 2016 the Council's Cabinet formally agreed the case for change.
- At its meeting of 20 September Cabinet agreed two alternative delivery models (wholly owned company and employee owned mutual) for further development. The Cabinet also agreed the next steps in recruitment and programme management.
- The Council is now scoping that programme and its shape. A funding package for set-up costs is being negotiated with the DfE and Ministerial agreement to a package is expected in December.
- A large party from the Council visited Doncaster where key learning was the importance of early appointments, maximising the flexibility of the Trust and the focus that Doncaster have maintained on having children to the fore as a shaped purpose.
- The Council is clear about the critical importance of the relationship between the Council and the Trust. A proposal to develop support across this key issue is part of the funding package.
- The Council expects to see all current social care services within the Trust as a minimum. There is a strong view that the Trust should have complete control of HR, finance, IT and legal services.

4.2 Next steps will include:

- recommendations to Cabinet in January 2017 on the selection, design and build of a preferred option.
- further engagement of staff, TUs and partners.
- greater clarity about Trust scope and funding requirements.
- the development of an outcomes-based contract that sets out what the Council is commissioning and the performance/ reporting/ financial and other arrangements.
- request of partners for first phase consultation with a Board level response from each partner and consideration by the LSCB (all partners have received letters outlining this request).
- continued development and shadow appointments to the Trust side.
- an emerging "relationship management" approach that the Chief Executive will head.

4.3 Throughout this process it is recognised that staff and managers delivering the service will not be destabilised or distracted, but will be informed and have opportunities for engagement.

4.4 As part of the DfE resources package a Programme Director is in place and the Children's Commissioner, Andrew Christie, has been appointed as Chair designate of the Trust. This is a joint appointment with DfE.

5. **Workforce**

- 5.1 The early help and children's social care service has remained calm and stable during early Children's Trust discussions and it responded well to the Ofsted Inspection. Staff remained enthusiastic and committed.
- 5.2 However, recruitment and retention remains a key issue including improving the quality and capacity of the workforce. Agency staff numbers are at 23%, a reduction from just under a third less than 2 years ago. It is intended that the emerging Trust arrangements will enable greater focus and flexibility in workforce matters.
- 5.3 Workforce development is equally important. There is a good learning programme for newly qualified staff and the second cohort of team managers is completing the systemic supervision course. But a more co-ordinated and consistent learning approach for experienced social workers and for heads of service needs to be developed.
- 5.4 It has been announced that nine West Midlands councils and University of Birmingham are one of nine new Teaching Partnerships, funded by DfE, established for the next two years, with a focus on improving social work training and practice. Birmingham City Council is leading this consortium
- 5.5 In addition the Council has agreed to six Frontline student units being established in 2017 (24 students) and that all social workers and managers will go through the accreditation programme in the first phase. Both of these measures are intended to drive up the quality of practice.

6. **Education**

- 6.1 The 12 July report to Council described the work of the Education and Schools Strategy and Improvement Plan (agreed in December 2014 by the Quartet and the Education Commissioner Sir Mike Tomlinson).

6.2 **School Improvement**

A key action of the plan was to strengthen the Council's duties to vulnerable schools as set out in the statutory Schools Causing Concern Guidance document. The Education Commissioner supported the proposal that the delivery of these duties should be commissioned from the Birmingham Education Partnership (BEP). Twenty years of international evidence supports the view that the best, most sustainable form of school improvement is where strong schools support weaker schools. A contract has been in place since 1 September 2015 and the signs are that BEP has started its work strongly.

The School Improvement contract with BEP was monitored and evaluated via specialist education advisers at the end of school year. Impact is beginning to show and the BEP operation is stronger and more secure for 2016/17.

The White Paper Educational Excellence Everywhere, published in March 2016, outlined a 5 year plan for all schools to become academies and described how local authorities would cease to hold the duty to deliver school improvement. Following Justine Greening's announcement on 27 October 2016,

these changes will not be implemented. Pending more detail on future education policy it is clear that the Council's role in school improvement will be retained but without the funding previously received through education grants.

BEP is currently the externally commissioned school improvement partner, with a contract valued at £1.8m per annum. With the reduction in both DSG and ESG funding there will be a need to review the value of the school improvement funding attached to the contract.

6.3 BEP's engagement with schools - September 2015 to August 2016

The Council contracts BEP to deliver improvement for all Birmingham pupils and across all Birmingham's schools; brokering the delivery of improvement activity for maintained schools and taking a lead role in the co-ordination of a system-led improvement. A set of key performance measures are included in the contract.

The contract is closely monitored by the Contract Management Group, whose aim is to optimise the impact, efficiency and effectiveness of the contract. This group meets 6 times per year and reviews management information, performance against KPIs, results, satisfaction surveys and annual service plan.

During the academic year 2015/16 the Council commissioned an external quality assurance review of the implementation of the contract.

The school improvement aspect of the contract requires BEP to visit schools to assess their requirements for assistance, ensure that no school becomes isolated and to develop links to school to school support, plus other services and events. 92% of schools were visited between September 2015 and July 2016.

A range of other engagement activities have also taken place during the 2015/16 academic year, including District Strategy Group meetings, Ofsted training events, Maths Twilight sessions and Peer to Peer review training.

6.4 Quality of school provision

A key element of the BEP contract is to support schools in raising standards and securing positive judgements following an inspection. The following quote is one of many that can be found in recent OFSTED reports of Birmingham schools:

"The local authority has commissioned Birmingham Education Partnership to provide support. This has been very valuable and utilised to good effect by the school. Advisers have helped improve early years, supported the creation of an assessment system without levels and focused on improving writing in Key Stage 1." Primary School report – February 2016

6.5 Current OfSTED position

| Phase | Total Schools | Good/Outstanding | | Requires Improvement /Inadequate | | Special Measures | |
|--------------|---------------|------------------|------------|----------------------------------|------------|------------------|-----------|
| | | Count | % | Count | % | Count | % |
| Nursery | 27 | 27 | 100% | 0 | 0% | 0 | 0% |
| Primary | 298 | 240 | 81% | 58 | 19% | 14 | 5% |
| Secondary | 82 | 58 | 71% | 24 | 29% | 11 | 13% |
| Special | 27 | 22 | 81% | 5 | 19% | 3 | 11% |
| PRU | 5 | 3 | 60% | 2 | 40% | 1 | 20% |
| Total | 439 | 350 | 80% | 89 | 20% | 29 | 7% |

The above includes all open schools within Birmingham which have had an Ofsted inspection. Where an establishment has not been inspected since becoming an academy, the inspection of the previous establishment is used. Free schools without an inspection are not included as there is no previous establishment to match to. New free schools without an inspection are not included.

6.6 Academic Performance 2015/16

The Key Performance Indicators (KPIs) contained within the contract need to be revised in light of the changes in assessment and school performance measures. Because of these changes, figures for 2016 are not comparable to previous years.

BEP's Academic Performance Report comments on the first release of unvalidated data for primary and secondary schools. The validated data will be released at the end of 2016 and beginning of 2017.

In summary, the primary results are as a whole disappointing and are likely to place increasing pressure on schools. However, the systems developed by BEP over the last year should enable individual schools to receive necessary support more quickly during the 2016/17 academic year in the areas they need it most.

The provisional secondary results are positive in relation to national data with Progress 8 performance in line with average. The figures also illustrate the improvements being made toward all Birmingham performance measures being in line with national. Schools which have received BEP intensive support have made significant improvements.

BEP has produced an action plan to ensure rapid response to KS1 and 2 results.

6.7 Safeguarding in Schools

Ofsted completed a monitoring visit of Birmingham children's services on 1 and 2 June 2016 under section 136 of the Education and inspections Act 2006. The visit included a focus on safeguarding arrangements in education, the Council's response to children missing education and those who are electively home educated, as well as the Council's response to Prevent in schools.

In response to Ofsted's concerns about strategic leadership of safeguarding children in schools the gap at operational level has been addressed, with a new Head of Service post for alternative provision/children missing education and independent schools. There has also been swift action taken to remedy the strategic leadership of the SEND agenda, with responsibility transferred immediately to an experienced senior officer.

In addition, to address a gap around the strategic leadership of safeguarding within education services, a fourth Assistant Director post was established, taking responsibility for safeguarding within education. This newly created post is ensuring stronger join up with partner agencies, particularly children's social care, as many of the children at the heart of these policies are shared between education and children's social care. Currently, there is an interim person leading this work, prior to a permanent appointment.

HMI highlighted that too many children with a statement of education need or EHCP were not receiving appropriate education which met their needs and that vulnerable children who were excluded from education did not have their needs catered for well enough, including checks to ensure the child is safe.

Immediate actions ensured that data was robust, home visits were secured for those that had not been seen for some time, and school placements were secured through directing schools to take children and being firmer with parents, following up with non-attendance procedures if necessary.

For those pupils who have been excluded and who are not able to be placed immediately back into education, the Exclusion Team have introduced a pupil tuition programme. This programme is being delivered in educational settings close to each pupil's home. These arrangements will remain in place until an educational placement is identified.

In the primary phase sharing panels are being established within five consortiums to manage exclusions.

The process for supporting looked after children with no school place has been enhanced by the introduction of a weekly meeting between senior managers from the Virtual School and SENAR.

To ensure that the individual teams holding responsibility for safeguarding children in schools are working together effectively, three new policies (Elective Home Education, Alternative Provision and Children Missing Education), have been implemented by schools, including academies and free schools, since September 2016. These policies provide greater clarity and establish a new set of procedures, minimum standards and timeframes for the delivery of quality service. They have been supported by a training plan to ensure that staff implementing the new policies are highly skilled and understand their role in delivering a good service.

Finally, a single database has been developed, which will provide an accurate overview of the numbers of children being educated out of school or missing education.

As a result of the above there have been immediate reductions in children not in school (either with EHCPs or following permanent exclusions).

Ofsted's full inspection in September/ October confirmed significant progress in addressing these weaknesses and reducing the numbers of children missing education. Ofsted also acknowledged the quality of personal education plans for children looked after and increases in the number of children in care who attend good or better schools.

7. **Community Cohesion**

- 7.1 A cross-party community cohesion statement for the city was agreed in early September. This has been supported by the office of the Chair of the Birmingham Community Safety Partnership (BCSP), Chief Superintendent Chris Johnson.
- 7.2 The existing Birmingham Curriculum Statement has been revised to reflect the above. An Equality and Cohesion Toolkit was launched at the Birmingham Education Partnership (BEP) Conference on 29 September 2016 and an operational plan for schools is now in place, alongside a wide range of resources available on the BEP Hub to enable schools to challenge inequality and deliver on the cohesion agenda.
- 7.3 A new Birmingham Community Cohesion Strategy is being developed in collaboration with the Birmingham Community Safety Partnership and a wider range of national and local partners, including Birmingham Race Action Partnership, West Midlands Police, Birmingham Education Partnership, Citizens UK, the Muslim Women's Network and the NHS. The strategy is intended to sit under the city vision, on which work was also initiated at a symposium bringing together the leaders of the key anchor institutions in the city on 13 October. As it has been agreed that both the city vision and cohesion strategies need to engage as wide a range of communities and citizens as possible, it is expected that this work will be ongoing for the next 6 months.

8. **Inclusion Commission**

- 8.1 An Inclusion Commission, chaired by Professor Geoff Lindsay, is now underway to ensure clear pathways to sustainable inclusion are established. It has wide representation from across the city and is working closely with DfE Advisers. Current performance level: 100% of EHCPs have been delivered within the 20 week limit for the last four months.
- 8.2 The Commission, which will provide strategic direction for the SEND agenda, held its first meeting on 6 October. Its workstreams cover:
- Social Emotional and Mental Health
 - SEN Assessment
 - High Needs Funding
 - Specialist Provision
 - SEN Support
 - Preparation for Adulthood
- 8.3 There will also be a SENAR ICT Project, which will focus on improved data intelligence to inform service delivery.

9. **Other education/ schools activity**

- 9.1 The Council is developing a stronger **partnership approach** with BEP and Services for Education, both education charities established in the city, aiming at further developing the school-led system with the Council providing fewer services directly. The Council is strongly supporting collaboration between schools and to that end *Changing Times* (https://www.birmingham.gov.uk/downloads/download/925/changing_times_report), strongly driven by contributions from MATs, dioceses and co-operatives in the city, was launched at the BEP Conference in September. Future partnership arrangements for the delivery of education services will include less direct delivery from the Council and more co-design and co-delivery with relevant partners and services across the city.

- 9.2 **Travel Assist:** Following a summer focused on solving a number of issues, a review and redesign of the service to create positive independence is underway. A new Head of Service has been appointed and will lead the redesign.
- 9.3 **Fair Access and In-Year Admissions:** A new co-construction approach, with head teachers, in the delivery to fair access and in-year admissions is being developed. This will ensure all children's needs are being addressed. The short term issues of schools being reluctant to admit in-year and increased demand are leading to children being out of school for longer than we would like and significant resource pressures. It will be a challenge to secure full buy-in from all schools to a new approach.
- 9.4 Education are now fully involved in the new **Children's front door** CASS (Children's Advice and Support Service) and the Multi-Agency Safeguarding Hub (MASH). This is improving partner referrals (education being the biggest referrer into the MASH). A permanent education officer is currently being appointed to replace the current interim arrangements.
- 9.5 The internal **NEET** Action Group is being expanded to include colleagues from Children's Social Care, including Corporate Parenting, Looked After Children and Children Leaving Care.
- 9.6 Procurement of a lead organisation to deliver the **Early Years health and wellbeing offer** will extend and embed partnerships between education, health, social care and the third sector. The procurement process has led to two potential lead organisations currently developing their bids and evaluations of the bids will be completed in January 2017 with a target date for contract start in September 2017.
- 9.7 The Education Improvement and Service Plan outlines the key priorities and performance indicators for 2016/17. A **performance-led approach** to drive improvements and monitor progress has been established, with each service completing a performance dashboard and scorecards against their key indicators. These tools are being used to visualise progress against service and improvement plans, alongside articulating key risks and issues to monitor and manage.
- 9.8 **School places:** 27 classes across primary, the new Starbank all through school and the relocated Pines school all opened at the start of September as a result of the incredibly successful delivery of the schools capital programme. Closer working with the Regional Schools Commissioner is underway to plan for additional secondary places, aligning expansion of local schools and the new Free Schools programme to meet Basic Need without creating oversupply.
- 9.9 **Independent schools**

The first forum for Independent Schools and Alternative Providers was held at Birmingham City Football Ground on 3 November. Senior officers from the Council briefed fifty delegates comprised of Headteachers and Designated Safeguarding Leads. The briefings covered statutory requirements for keeping children safe in education, new guidance on children missing education, the 2016/17 Section 175 self-assessment, alternative provision and quality assurance, Designated Safeguarding Lead training, Rights Respecting Schools and school admission procedures. Delegates welcomed the question and answer sessions which enabled officers to clarify questions on Children Missing Education and School Admissions. The briefing finished with delegates being nominated to be safeguarding representatives for the Safeguarding Education Sub-Group of the Birmingham Safeguarding Children Board. There was

excellent feedback on the briefing. The independent forum will complement the well-established and valued Primary and Secondary forums.

10 **Summary statement**

Although there are still significant challenges ahead, it is pleasing to note many of the improvements cited in the Ofsted inspection report. It is particularly pleasing to note we have moved up a notch in three out of five Ofsted areas of judgement. This demonstrates that the Council is well on track to moving out of inadequate and that over the last two years solid foundations have been secured and improvements are being realised. This administration is not complacent and it is recognised that improvement like this takes time and tenacity. The proposed voluntary Children's Trust arrangements, with Andrew Christie as the Chair, provide confidence in this improvement continuing. Our focus in coming months will be on ensuring that excellent practices that are being embedded and the improvements made are further developed and consolidated.